

Volume 6

# STATUTES OF CALIFORNIA

AND DIGESTS OF MEASURES

**2002**

Constitution of 1879 as Amended

Measures Submitted to Vote of Electors,  
Primary Election, March 5, 2002  
and General Election, November 5, 2002

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

**2001-02 Regular Session**  
**2001-02 Second Extraordinary Session**  
**2001-02 Third Extraordinary Session**



*Compiled by*  
DIANE F. BOYER-VINE  
*Legislative Counsel*



RESOLUTION CHAPTER 79

Senate Concurrent Resolution No. 87—Relative to the selection of the Legislative Counsel of California.

[Filed with Secretary of State June 7, 2002.]

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That, pursuant to Section 10201 of the Government Code, Diane F. Boyer-Vine is selected as the Legislative Counsel of California.

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RESOLUTION CHAPTER 80

Senate Joint Resolution No. 29—Relative to the taxation of film and television productions.

[Filed with Secretary of State June 12, 2002.]

WHEREAS, In 2001, the film production industry directly generated 283,000 jobs in California, and is projected to have a \$34.9 billion impact on California's economy; and

WHEREAS, Much of California's recovery during the recession in the early 1990s was attributable to the entertainment production industry due to the fact that during the period from 1992 through 1996, employment in the entertainment production industry rose by 38 percent and generated an additional 62,000 jobs—almost seven times as much growth as in California's economy as a whole; and

WHEREAS, California accounts for 70 percent of the total revenues generated from the motion picture industry and Californians account for 60 percent of the industry's total employment; and

WHEREAS, In 1996, 81 percent of all United States motion picture feature films and 80 percent of all television programs were shot in California; and

WHEREAS, Many of the highest money-grossing productions of all time, including motion pictures such as E.T., Terminator 2, Indiana Jones and the Temple of Doom, Mrs. Doubtfire, and Gone with the Wind were filmed in California, and television programs such as Ally McBeal, The Practice, The West Wing, and The X-Files are filmed in California; and

WHEREAS, "Economic runaway productions" are film or television productions that are developed for initial exhibition or broadcast in the United States, but that are actually filmed in another country to achieve lower production costs; and

WHEREAS, The number of economic runaway film and television productions is persistently growing, as evinced by a 1999 study of theatrical films, films for television, television miniseries, and 30- and 60-minute television series; and

WHEREAS, This study indicated that out of 1,075 films developed in the United States in 1998, 285 (27 percent) were economic runaway productions—a 185-percent increase from the 100 economic runaway productions made in 1990; and

WHEREAS, This study also indicated that out of 308 films for television developed in the United States in 1998, 139 (45 percent) were economic runaway productions—a 363-percent increase from the 30 economic runaway productions made in 1990; and

WHEREAS, In 1998, economic runaway productions caused economic losses in the United States that are estimated at \$10.3 billion, up from \$2 billion in 1990, and caused a loss of the equivalent of 22,500 full-time jobs; and

WHEREAS, Economic runaway productions may have led to the loss of at least the equivalent of 36,000 full-time jobs in 2001; and

WHEREAS, In 1999, 90 percent of economic runaway productions went to Canada where the government offers federal and provincial tax credits of 22 percent to 46 percent of labor expenses, that result in a reduction in production costs of approximately 10 percent; and

WHEREAS, Two pending federal bills, S. 1278 (Lincoln-D (AR)) and H.R. 3131 (Drier-R (CA)), would enact the Independent Film and Television Production Incentive Act of 2001, to provide a federal income tax credit that equals 25 percent of certain wages paid in the production of films and television programs in the United States, and 35 percent of those wages that are so paid in low income areas ; 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 enact the Independent Film and Television Production Incentive Act of 2001; 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 Chairperson of the House Committee on Ways and Means, the Chairperson of the Senate Committee on Finance, and each Senator and Representative from California in the Congress of the United States.

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RESOLUTION CHAPTER 81

Assembly Concurrent Resolution No. 146—Relative to California Police and Fire Games.

[Filed with Secretary of State June 13, 2002.]

WHEREAS, The California Police and Fire Games (hereafter, the Games) rank as one of the largest multisport athletic competitions in the world; and

WHEREAS, The 2002 Games will be hosted by the City of Santa Ana and the Santa Ana Police Department during the week of June 16 through June 22, 2002; and

WHEREAS, This year is the 36th anniversary of the Games and the third year that firefighters and police officers will compete together; and

WHEREAS, The purpose of the Games is to generate awareness and funding for important local charities, promote physical fitness through athletic competition, and develop a partnership between businesses, the community, firefighters, and law enforcement; and

WHEREAS, In 2002, it is anticipated that 9,000 to 10,000 athletes will compete in over 60 different sporting events; and

WHEREAS, In 2002, the Games are expected to bring in \$7 to \$9 million into the local economy through hotel accommodations, meals, recreation, and local shopping at malls and retail centers. This will help stimulate employment and generate tax revenues for the local economy; and

WHEREAS, In addition to benefiting businesses and organizations, the Games offer individuals an opportunity to participate in the improvement of their community through financial contributions, in-kind donations, and volunteerism; and

WHEREAS, All net proceeds from the Games will benefit local charity organizations: Santa Ana Police Officers Association; Widows and Orphans Fund; Boy's and Girl's Club of Santa Ana; the Orangewood Children's Home; D.A.R.E. Youth Programs; and the United Cerebral Palsy Foundation of Orange County; and

WHEREAS, Santa Ana Fire Chief Mark Martin, Santa Ana Police Chief Paul Walters, Santa Ana Police Captain Bruce Carlson, Santa Ana Police Lieutenant Dave Petko, Santa Ana Police Sergeant Paul Gonsalves, Santa Ana Police Corporal Brad Hadley, Santa Ana Police Officer Bob Reed, Santa Ana Police Investigator Tom Serafin, Santa Ana Police Officer Chuck Saale, Santa Ana Police Communications Supervisor Tina Horner, and Santa Ana Police Investigator Eric Demopoulos deserve recognition for their efforts in making sure that the 2002 Games benefit the community and its organizations; 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 thanks all the police and fire departments in the State for their continued dedication and commitment to the citizens of California; and be it further

*Resolved,* That the Legislature especially thanks the City of Santa Ana and the Santa Ana Police Department for their efforts in ensuring the success of the 2002 California Police and Fire Games; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit a copy of this resolution to the author for distribution.

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## RESOLUTION CHAPTER 82

Senate Concurrent Resolution No. 83—Relative to Reflex Sympathetic Dystrophy (RSD) Syndrome Awareness Month.

[Filed with Secretary of State June 17, 2002.]

WHEREAS, Reflex Sympathetic Dystrophy (RSD) Syndrome, a progressive multisymptom, multisystem, neuromuscular, and neurovascular disorder, is a debilitating chronic pain 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 that result in devastating consequences; and

WHEREAS, If misdiagnosed or left untreated, RSD begins to damage the surrounding tissues, and can spread to virtually all 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 mitigated, usually within the first three to six months after onset; and

WHEREAS, Proper aggressive treatment by qualified pain management professionals can lead to relief of pain and associated symptoms; and

WHEREAS, As RSD progresses, treatment becomes increasingly difficult; and

WHEREAS, Although millions in the United States are affected with RSD, exceeding the combined totals of those with HIV/AIDS, breast cancer, and multiple sclerosis, 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, gender, race, or nationality barrier and can strike anyone at anytime; 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, 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 area 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 often fluctuate due to use of the affected area, mental distress, environmental temperature, visual and auditory stimuli, or for no apparent reason; and

WHEREAS, Secondary to the physical suffering, those with progressive RSD may suffer from great emotional and social harm including depression, anxiety, isolation, career loss, financial ruin, abandonment by family and friends, life-long disability, and suicide; and

WHEREAS, Although RSD dates back to the Civil War, there is no known cure; and

WHEREAS, Medical professionals must find the cause before they can find the cure; and

WHEREAS, Because RSD is not a well known disease it does not receive adequate funding for needed medical research; and

WHEREAS, Greater awareness of RSD in the medical community and general public will lead to earlier intervention and increased funding resulting in much improved, long-term quality of life; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the California Legislature proclaims May 2002 as Reflex Sympathetic Dystrophy (RSD) Syndrome Awareness Month; and be it further

*Resolved,* That the Secretary of the Senate transmit copies of this resolution to the author for appropriate distribution.

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## RESOLUTION CHAPTER 83

Assembly Concurrent Resolution No. 119—Relative to the Aerospace Highway.

[Filed with Secretary of State June 20, 2002.]

WHEREAS, The aerospace industry is a major economic and social force in America, employing approximately 900,000 people; and

WHEREAS, California has been a leader in the aerospace industry; and

WHEREAS, Edwards Air Force Base, the home of the Air Force Flight Test Center (AFFTC), has served the aerospace world for more than 50 years, from America's first jet airplane to the landings of the space shuttle; and

WHEREAS, Numerous milestones in flight have taken place at the AFFTC in its 50-year history, including the following: Air Force Captain Charles E. "Chuck" Yeager piloting the rocket-powered Bell X-1 became the first man to penetrate the so-called "sound barrier" in 1947, and in 1949, he completed the first, and to this day, only ground takeoff of an experimental rocket plane in the Bell X-1; and

WHEREAS, More than 150 confirmed "first flights" have taken off, from Edwards Air Force Base, and this list represents a conservative compilation of confirmed first flights of new experimental and prototype air vehicles; and

WHEREAS, The XB-70, conceived in the 1950s as a high-altitude bomber that could fly three times the speed of sound (Mach 3) and considered one of the world's most exotic airplanes, was used as a research aircraft for the advanced study of aerodynamics, propulsion, and other subjects related to large supersonic aircraft; and

WHEREAS, In 1953, Jacqueline Cochran, flying a Canadian-built (Canadair) F-86 Sabre, became the first woman to exceed the speed of sound and established a new women's absolute speed record of 652.337 mph over a low-level course at Edwards Air Force Base; and

WHEREAS, In 1953, the prototype North American YF-100A Super Sabre became the first aircraft in history to fly supersonic in level flight on its maiden flight from Edwards Air Force Base; and

WHEREAS, In 1954, test pilot Major Arthur "Kit" Murray piloted the Bell X-1A to a new altitude record of 90,440 feet and became the first man to actually see the curvature of the earth; and

WHEREAS, In 1958, test pilot Captain Walter Irwin set a new official world absolute speed record when he piloted a Lockheed F-104A Starfighter to an average speed of 1,404.09 mph; and

WHEREAS, In 1959, with test pilot Major Joe Jordan at the controls, a Lockheed F-104C became the first jet-powered (air-breathing) aircraft to climb above 100,000 feet; and

WHEREAS, In 1962, Major Bob White became the first man to fly an airplane above 300,000 feet, to 314,750 feet, and the first to fly an airplane in near space (above 50 miles) and was the first of eight X-15 test pilots at Edwards Air Force Base to earn their astronaut's wings by flying an airplane above 50 miles; and

WHEREAS, In 1967, Air Force test pilot Major William J. "Pete" Knight piloted the modified X-15A-2 to a speed of Mach 6.7 (4,520 mph) and thereby recorded the fastest speed anyone has ever flown in an airplane; and

WHEREAS, In 1976, Air Force Captain Eldon Joersz set a new official world absolute speed record when he piloted a Lockheed SR-71A to an average speed of 2,193.64 mph at Edwards Air Force Base; and

WHEREAS, In 1977, the nonorbiting Space Shuttle Enterprise demonstrated the soundness of the shuttle design and confirmed the approach and landing techniques after being launched from a 747 and landing on Rogers Dry Lake 5 minutes and 21 seconds later; and

WHEREAS, In 1979, at a remote location, test pilot Lieutenant Colonel N.K. "Ken" Dyson completed the final flight of Lockheed's classified Have Blue low-observables concept demonstrator flight test program, and convincingly demonstrated low observability against a wide array of the most sophisticated air- and ground-based air defense systems, and the successful conduct of these tests led to the development of the F-117A Nighthawk in the early 1980s and the stealth revolution began in earnest; and

WHEREAS, In 1981, the Space Shuttle Columbia landed safely on Rogers Dry Lake following its first orbital mission, and marked the first time in history an orbital vehicle had left earth under rocket power and returned on the wings of an aircraft; and

WHEREAS, In 1986, Dick Rutan and Jeanna Yeager piloted the experimental Voyager, and nine days, three minutes and 44 seconds after taking off from Edwards Air Force Base, the aircraft touched down on Rogers Dry Lake after completing the first-ever nonstop, unrefueled flight around the world; and

WHEREAS, Given the importance of the aerospace industry to our nation and the significant contribution of the AFFTC at Edwards Air Force Base to the Department of Defense and the State of California, it would be a fitting tribute to name a portion of State Highway 14 near Edwards Air Force Base as the Aerospace Highway; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate concurring,* That the Legislature hereby dedicates the portion of State Highway 14, from the Pearblossom Highway to State Highway 395, as the Aerospace 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 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.

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#### RESOLUTION CHAPTER 84

Assembly Concurrent Resolution No. 120—Relative to the Aerospace Industry Monument.

[Filed with Secretary of State June 20, 2002.]

WHEREAS, The aerospace industry is a major economic and social force in America, employing approximately 900,000 people; and

WHEREAS, California has been a leader in the aerospace industry; and

WHEREAS, Edwards Air Force Base, the home of the Air Force Flight Test Center (AFFTC), has served the aerospace world for more than 50 years, from America's first jet airplane to the landings of the space shuttle; and

WHEREAS, Numerous milestones in flight have taken place at the AFFTC in its 50-year history, including the following: Air Force Captain Charles E. "Chuck" Yeager piloting the rocket-powered Bell X-1 became the first man to penetrate the so-called "sound barrier" in 1947, and in 1949, he completed the first, and to this day, only ground takeoff of an experimental rocket plane in the Bell X-1; and

WHEREAS, More than 150 confirmed "first flights" have taken off from Edwards Air Force Base, and this list represents a conservative compilation of confirmed first flights of new experimental and prototype air vehicles; and

WHEREAS, In 1953, Jacqueline Cochran, flying a Canadian-built (Canadair) F-86 Sabre, became the first woman to exceed the speed of sound and established a new women's absolute speed record of 652.337 mph over a low-level course at Edwards Air Force Base; and

WHEREAS, In 1953, the prototype North American YF-100A Super Sabre became the first aircraft in history to fly supersonic in level flight on its maiden flight from Edwards Air Force Base; and

WHEREAS, In 1954, test pilot Major Arthur “Kit” Murray piloted the Bell X-1A to a new altitude record of 90,440 feet and became the first man to actually see the curvature of the earth; and

WHEREAS, In 1958, test pilot Captain Walter Irwin set a new official world absolute speed record when he piloted a Lockheed F-104A Starfighter to an average speed of 1,404.09 mph; and

WHEREAS, In 1959, with test pilot Major Joe Jordan at the controls, a Lockheed F-104C became the first jet-powered (air-breathing) aircraft to climb above 100,000 feet; and

WHEREAS, In 1962, Major Bob White became the first man to fly an airplane above 300,000 feet to 314,750 feet and the first to fly an airplane in near space (above 50 miles), and was the first of eight X-15 test pilots at Edwards Air Force Base to earn their astronaut’s wings by flying an airplane above 50 miles; and

WHEREAS, In 1967, Air Force test pilot Major William J. “Pete” Knight piloted the modified X-15A-2 to a speed of Mach 6.7 (4,520 mph) and thereby recorded the fastest speed anyone has ever flown in an airplane; and

WHEREAS, In 1976, Air Force Captain Eldon Joersz set a new official world absolute speed record when he piloted a Lockheed SR-71A to an average speed of 2,193.64 mph at Edwards Air Force Base; and

WHEREAS, In 1977, the nonorbiting Space Shuttle Enterprise demonstrated the soundness of the shuttle design and confirmed the approach and landing techniques after being launched from a 747 and landing on Rogers Dry Lake 5 minutes and 21 seconds later; and

WHEREAS, In 1979, at a remote location, test pilot Lieutenant Colonel N.K. “Ken” Dyson completed the final flight of Lockheed’s classified Have Blue low-observables concept demonstrator flight test program, and convincingly demonstrated low observability against a wide array of the most sophisticated air- and ground-based air defense systems, and the successful conduct of these tests led to the development of the F-117A Nighthawk in the early 1980s and the stealth revolution began in earnest; and

WHEREAS, In 1981, the Space Shuttle Columbia landed safely on Rogers Dry Lake following its first orbital mission, and marked the first time in history an orbital vehicle had left earth under rocket power and returned on the wings of an aircraft; and

WHEREAS, In 1986, Dick Rutan and Jeanna Yeager piloted the experimental Voyager, and nine days, three minutes and 44 seconds after taking off from Edwards Air Force Base, the aircraft touched down on

Rogers Dry Lake after completing the first-ever nonstop, unrefueled flight around the world; and

WHEREAS, NASA Dryden Air Force Rocket Propulsion Laboratory (AFRPL) at Edwards Air Force Base has contributed to the defense of our country since 1954 through the development of virtually all the nation's rocket propulsion technology; and

WHEREAS, Since its inception, the AFRPL initiated the development and testing of several rocket engines at the Edwards Rocket Site, including the first ATLAS Intercontinental Ballistic Missile (ICBM) in 1956; the first full-scale Minuteman solid propellant ICBM in 1959; the Pratt & Whitney XLR-129 Rocket Engine, which served as the precursor to the Rocketdyne "Space Shuttle Main Engine" in 1964; and the Titan 34 Solid Rocket Booster from the nozzle down to return Titan 34 to the nation's launch service after the Challenger tragedy; and

WHEREAS, The Edwards Rocket Site played a role in President John F. Kennedy's "Race to the Moon" when in 1961 Rocketdyne performed the first test firing of the 1,500,000 pound thrust F-1 Engine for the Manned Lunar Launch Program, and was subsequently used as the location for over 7,000 development and acceptance test firings of the F-1 Engine, that included every engine used to launch men to the moon; and

WHEREAS, AFRPL at the Edwards Rocket Site has continued to play a role in developing space technology since man first walked on the moon, helping to develop the nation's largest hydrogen rocket engine for the Boeing Evolved Expendable Launch Vehicle and "Attitude Control Thrusters Systems" for satellite and space maneuvering applications; and

WHEREAS, In 1953 the former Palmdale Airport was officially converted into Air Force Plant 42, and since then, under the direction of the United States government, has supported facilities for the production, engineering, final assembly, and flight testing of many notable high-performance aircraft from Boeing, Lockheed-Martin, and Northrop Grumman, including the F-100 Super Sabre, F-104 Starfighter, SR-71 Blackbird, B-1 Lancer, Space Shuttle, F-117 Nighthawk, B-2 Spirit, and U-2S reconnaissance plane; and

WHEREAS, Air Force Plant 42 has consistently made great contributions to aeronautics and astronautics in America, winning nine prestigious Collier Trophies in recognition for improving the performance, efficiency, and safety of air and space vehicles; and

WHEREAS, Air Force Plant 42 is a major part of the economic vitality of the Antelope Valley, employing approximately 8,500 workers in and around the airfield complex, and bringing a half billion dollars in wages to the local community and millions more in local contracts; and

WHEREAS, Several of the world's leading aerospace and defense firms as well as local subcontractors and suppliers have recognized the importance of aerospace in the region, and have joined together to form a cooperative organization called the Antelope Valley Aerospace Alliance, which is dedicated to the economic survival and improvement of the aerospace economy located in the vicinity of Edwards Air Force Base and United States Air Force Plant 42; and

WHEREAS, The Antelope Valley Aerospace Alliance is a unique-in-the-nation organization that has grown to represent over 20,000 military and civilian members involved with the design, development, production, flight test, and support of advanced military and civilian air and spacecraft; and

WHEREAS, It would be a fitting tribute to erect a monument and plaque to commemorate the major milestones within the aerospace industry that have taken place in the Antelope Valley; 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 a historical monument and plaque dedicated to commemorate the major milestones within the aerospace industry that have taken place in the Antelope Valley, to be placed within the right-of-way of the vista point overlooking Palmdale Lake on State Highway Route 14, which plaque will read substantially as follows:

Within the Antelope Valley, significant aerospace accomplishments have occurred throughout the century. This monument is dedicated to all the craftsmen, engineers, technicians, and pilots who have made these strides in aerospace possible, including:

Air Force Captain Charles E. "Chuck" Yeager's breaking of the "sound barrier" in the rocket-powered Bell X-1 in 1947.

Air Force test pilot Major William J. "Pete" Knight's record as the "Fastest Man Alive" flying at a speed of Mach 6.7 (4,520 mph) in the modified X-15A-2 in 1967.

The historic landing of the Space Shuttle Columbia in 1981, which landed safely on Rogers Dry Lake following its first orbital mission.

More than 150 "first flights," which greatly expanded the possibilities of flights on earth and in space.

Aircraft manufacturing milestones include:

- (a) The B-2 and B-1B bombers.
- (b) The F-117 Stealth Fighter.
- (c) The SR-71 "Blackbird" spy plane.

(d) The Space Shuttle orbiters.

The work of the men and women who contributed to these accomplishments cannot be overstated. Their contributions have made the Antelope Valley a leading aerospace force not only in California, but also in the United States; 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, and upon receiving donations from nonstate sources sufficient to cover that cost, to erect those plaques and markers or to permit an appropriate private source to erect a monument; 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.

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## RESOLUTION CHAPTER 85

Assembly Concurrent Resolution No. 214—Relative to National Flag Day.

[Filed with Secretary of State June 20, 2002.]

WHEREAS, By Act of 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 designated “National Flag Day”; and

WHEREAS, 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” 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 June 14, 2002, is hereby designated as Flag Day of the State of California; and be it further

*Resolved,* That the Legislature of the State of California urges all citizens of the State of California to pause at 7 p.m. EDT on June 14, 2002, for the 23rd 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 copies of this resolution to the author for appropriate distribution.

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## RESOLUTION CHAPTER 86

Senate Concurrent Resolution No. 74—Relative to food and agriculture.

[Filed with Secretary of State June 24, 2002.]

WHEREAS, California’s agricultural industry contributes 27 billion dollars to California’s economy each year and provides 10 percent of the entire workforce in California; and

WHEREAS, According to the California Department of Food and Agriculture, California is the largest agricultural state in the United States, producing over 350 commodities; and

WHEREAS, California is the top United States producer of many fruits and vegetables, such as almonds, artichokes, dates, figs, raisins, kiwifruit, olives, clingstone peaches, pistachios, dried plums, and walnuts; and

WHEREAS, For over 50 consecutive years, California has been the number one agricultural state in the nation, and the producer of about half of the nation’s fruits, nuts, and vegetables; and

WHEREAS, This state produces the majority of grapes grown in the nation, and some of the best wine in the world; and

WHEREAS, California produces almost one out of every five glasses of milk in the nation; and

WHEREAS, The California Department of Food and Agriculture (CDFA) oversees the safety of milk and milk products and ensures that inspections not covered by the United States Department of Agriculture are completed; and

WHEREAS, Meat and poultry products standards ensure that these products are wholesome and not adulterated; and

WHEREAS, More than 20 percent of all California's agricultural production is shipped to foreign markets; and

WHEREAS, California's agricultural expertise and knowledge not only keep the world's population fed, but also keep the environment greener and the food supply safer; and

WHEREAS, Through donations, efforts are regularly made to reduce international starvation in needy countries; and

WHEREAS, Many other states and countries lack the comprehensive food safety standards that establishes California produce as the standard bearer; and

WHEREAS, Since September 11, 2001, California has increased, reassessed, and strengthened emergency response plans regarding food related terrorism; and

WHEREAS, Despite California's current fiscal situation, the California Department of Food and Agriculture plans to continue its efforts to keep the state's food supply safe; and

WHEREAS, The Golden State is, by far, the number one exporter of produce in the United States and, in addition, despite recent events, remains the largest and safest food and agricultural producer in the nation; 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 respectfully recognize and honor the men and women of California who have contributed to the excellence of the agricultural industry, and recognize that many steps are taken and millions of people are involved in the delivery of safe food and other agricultural products to consumers everyday; and be it further

*Resolved,* That the Secretary of the Senate transmit copies of this resolution to the Governor.

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## RESOLUTION CHAPTER 87

Senate Concurrent Resolution No. 77—Relative to Juneteenth, Emancipation Day.

[Filed with Secretary of State June 24, 2002.]

WHEREAS, June 19, 2002, marks the 137th anniversary of Juneteenth, Emancipation Day; and

WHEREAS, Juneteenth, or June 19, 1865, is considered the date when the last slaves in America were freed when General Gordon Granger rode into Galveston, Texas, and issued General Order No. 3, almost 2<sup>1</sup>/<sub>2</sub> years

after President Abraham Lincoln signed the Emancipation Proclamation; and

WHEREAS, President Lincoln issued the Emancipation Proclamation on September 22, 1862, notifying the states in rebellion against the Union that if they did not return to the Union by January 1, 1863, he would declare their slaves forever free, a proclamation that was ignored by those states that seceded from the Union and that did not apply to those slave-holding states that did not rebel against the Union, resulting in about 8,000,000 slaves unaffected by the proclamation; and

WHEREAS, Juneteenth is observed as a legal holiday in Texas and Oklahoma and is celebrated annually in more than 200 cities in the United States, with some cities sponsoring weeklong celebrations culminating on June 19 and others holding shorter celebrations; and

WHEREAS, Juneteenth symbolizes for many African-Americans what the Fourth of July symbolizes for all Americans — freedom, serves as a historical milestone reminding Americans of the triumph of the human spirit over the cruelty of slavery, honors those African-American ancestors who survived the inhumane institution of bondage, and demonstrates pride in the marvelous legacy of resistance and perseverance those ancestors left behind; and

WHEREAS, Freedom meant more than the right to travel freely; it meant the right to name one's self, to legalize marriages, to seek an education, to assemble and openly worship, and, for the first time, to have the laws of the United States protect the rights of Blacks; and

WHEREAS, Although the promise of emancipation gave freed men optimism for the future, few realized that slavery's bitter legacy was just beginning to unfold and that equality was to remain an elusive dream; and

WHEREAS, Ex-slaves, who entered freedom under the worst possible conditions, most penniless and homeless with only the clothes on their backs, were, as Frederick Douglas said, "free, without roofs to cover them, or bread to eat, or land to cultivate, and as a consequence died in such numbers as to awaken the hope of their enemies that they would soon disappear"; and

WHEREAS, By 1877, the end of Reconstruction, the North had abandoned Black Americans to the will of southern Whites, who, through violence, racial discrimination, and Jim Crow laws, succeeded in disenfranchising them, resulting in more than 100 years of oppression, while Blacks turned to the only institution that gave them hope, the church; and

WHEREAS, The fact that it took the Civil War to enforce the Emancipation Proclamation and the 13th Amendment to the United States Constitution, and to forcibly end slavery, left a bitter legacy that continues to divide American society and still haunts our country; and

WHEREAS, African-Americans celebrate the Fourth of July in honor of American Independence Day, but history reminds us that Blacks were still enslaved when the United States obtained its independence; and

WHEREAS, According to historian John Hope Franklin, “the Founding Fathers (by allowing slavery) set the stage for every succeeding generation of Americans to apologize, compromise and temporize on those principles of liberty that were supposed to be the very foundation of our system of government and way of life ... that is why this nation tolerated and, indeed, nurtured the cultivation of racism that has been as insidious as it has been pervasive”; and

WHEREAS, The legacy of racism has grown into perhaps the greatest internal threat that this country faces because, as John Hope Franklin aptly put it, “slavery weakened America’s moral authority”; and

WHEREAS, Despite living under the most inhumane conditions known to humankind, Blacks contributed everything from agricultural inventions, to medical breakthroughs and to music; crafted incredible sculptures, designed beautiful buildings, and helped build a nation; and preserved a culture and succeeded in passing down a legacy of music, language, food, religion, and a lesson in survival; and

WHEREAS, Slavery taught America a lesson of cooperation demonstrated by the fact that Blacks and Whites together created an antislavery movement that ultimately succeeded, fought and died together to force an end to slavery, and have worked throughout the nation’s history for social justice; and

WHEREAS, While the painful memory of slavery makes it difficult to celebrate Juneteenth, it is the positive legacy of perseverance and cooperation that makes it impossible to ignore; 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 declares that each June 19 shall be known as Juneteenth, Emancipation Day, throughout the State of California, that all Californians celebrate freedom from the vestiges of racial discrimination and the abolition of all badges and incidents of slavery; and be it further

*Resolved,* That the Legislature urges all Californians to take this opportunity to reflect on the significant role that African-Americans have played in the history of the United States, and California in particular, and on the positive impact that African-Americans continue to make on society; and be it further

*Resolved,* That the Secretary of the Senate transmit copies of this resolution to the State Library, the State Archives, the State Department of Education, and the author for appropriate distribution.

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## RESOLUTION CHAPTER 88

Assembly Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 1, 6, 8, 10, 15, and 16 of, amending and repealing Section 23 of, and repealing Section 5 of, Article VI thereof, relating to court consolidation.

[Filed with Secretary of State June 27, 2002.]

*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 as follows:

First—That Section 1 of Article VI is amended to read:

SEC. 1. The judicial power of this State is vested in the Supreme Court, courts of appeal, and superior courts, all of which are courts of record.

Second—That Section 5 of Article VI is repealed.

Third—That Section 6 of Article VI is amended to read:

SEC. 6. (a) The Judicial Council consists of the Chief Justice and one other judge of the Supreme Court, three judges of courts of appeal, 10 judges of superior courts, two nonvoting court administrators, and any other nonvoting members as determined by the voting membership of the council, each appointed by the Chief Justice for a three-year term pursuant to procedures established by the council; four members of the State Bar appointed by its governing body for three-year terms; and one member of each house of the Legislature appointed as provided by the house.

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

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

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

(e) The Chief Justice shall seek to expedite judicial business and to equalize the work of judges. The Chief Justice may provide for the

assignment of any judge to another court but only with the judge's consent if the court is of lower jurisdiction. A retired judge who consents may be assigned to any court.

(f) Judges shall report to the council as the Chief Justice directs concerning the condition of judicial business in their courts. They shall cooperate with the council and hold court as assigned.

Fourth—That Section 8 of Article VI is amended to read:

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

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

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

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

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

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

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

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

(6) All other members shall be appointed to full four-year terms commencing March 1, 1995.

Fifth—That Section 10 of Article VI is amended to read:

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

Superior courts have original jurisdiction in all other causes.

The court may make any comment on the evidence and the testimony and credibility of any witness as in its opinion is necessary for the proper determination of the cause.

Sixth—That Section 15 of Article VI is amended to read:

SEC. 15. A person is ineligible to be a judge of a court of record unless for 10 years immediately preceding selection, the person has been a member of the State Bar or served as a judge of a court of record in this State.

Seventh—That Section 16 of Article VI is amended to read:

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

(b) Judges of superior courts shall be elected in their counties at general elections except as otherwise necessary to meet the requirements of federal law. In the latter case the Legislature, by two-thirds vote of the membership of each house thereof, with the advice of judges within the affected court, may provide for their election by the system prescribed in subdivision (d), or by any other arrangement. The Legislature may provide that an unopposed incumbent's name not appear on the ballot.

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

(d) (1) Within 30 days before August 16 preceding the expiration of the judge's term, a judge of the Supreme Court or a court of appeal may

file a declaration of candidacy to succeed to the office presently held by the judge. If the declaration is not filed, the Governor before September 16 shall nominate a candidate. At the next general election, only the candidate so declared or nominated may appear on the ballot, which shall present the question whether the candidate shall be elected. The candidate shall be elected upon receiving a majority of the votes on the question. A candidate not elected may not be appointed to that court but later may be nominated and elected.

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

(3) Electors of a county, by majority of those voting and in a manner the Legislature shall provide, may make this system of selection applicable to judges of superior courts.

Eighth—That Section 23 of Article VI is amended to read:

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

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

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

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

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

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

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

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

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

(7) Penal Code procedures that necessitate superior court review of, or action based on, a ruling or order by a municipal court judge shall be performed by a superior court judge other than the judge who originally made the ruling or order.

(d) This section shall remain in effect only until January 1, 2007, and as of that date is repealed.

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## RESOLUTION CHAPTER 89

Assembly Concurrent Resolution No. 135—Relative to highways.

[Filed with Secretary of State June 27, 2002.]

WHEREAS, State Highway Route 1 is a north-south highway, spanning most of California, from the City of San Juan Capistrano to Mendocino County; and

WHEREAS, A portion of State Highway Route 1 passes through Ventura County; and

WHEREAS, State Highway Route 1 has a strong historical significance for the military personnel of the Vietnam War era as it passes beside the United States Naval Weapons Station at Seal Beach, the United States Coast Guard Headquarters at Long Beach, Vandenberg Air Force Base, Point Mugu Naval Weapons Station, the United States Coast Guard Station at Oxnard, the Ventura County Naval Base, Camp San Luis Obispo Military Reserve, the Ventura County California Air National Guard Base, the United States Naval Reservation at Monterey, and Fort Hunter Liggett, from which military personnel were trained and dispatched to Vietnam; and

WHEREAS, The State of California has the largest United States veteran population in the nation, comprised of some 3.3 million armed services veterans and representing 12.3 percent of the nationwide veteran population of nearly 27 million; and

WHEREAS, More than 350,000 California veterans served in the Vietnam War, which resulted in 40,000 of them being wounded and 5,822 killed or missing in action, representing more than 10 percent of the nation's total casualties; and

WHEREAS, More California residents died in the Vietnam War than residents of any other state, and more Californians received the Medal of Honor, the Bronze Star, and the Purple Heart than veterans of any other state; and

WHEREAS, The residents of Ventura County wish to express their gratitude and appreciation for the sacrifices these Vietnam veterans have made for their country; and

WHEREAS, It is fitting and proper that State Highway Route 1 in Ventura County be designated as the Ventura County Vietnam Veterans Memorial Highway and that the portion of State Highway Route 126 between the City of Santa Paula and State Highway Route 101 be designated as the 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 located in Ventura County as the Ventura County Vietnam Veterans Memorial Highway and that portion of State Highway Route 126 between the City of Santa Paula and State Highway Route 101 as the Korean War Veterans' 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 these special designations, 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.

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## RESOLUTION CHAPTER 90

Assembly Concurrent Resolution No. 156—Relative to the Kumeyaay Highway.

[Filed with Secretary of State June 27, 2002.]

WHEREAS, The people of the Kumeyaay Indian Nation, once referred to as Diegueño by the Spanish, are the original native inhabitants of San Diego County and have lived in that region for more than 10,000 years; and

WHEREAS, Historically, the Kumeyaay greeted the Spanish when they first sailed into San Diego harbor with the Juan Rodriguez Cabrillo expedition of 1542; and

WHEREAS, The boundaries of the Kumeyaay lands changed with the arrival of the Europeans, but once extended from the Pacific Ocean, south to Ensenada in Baja Norte, Mexico, east to the sand dunes of the Colorado River in Imperial Valley and north to Warner Springs Valley; and

WHEREAS, The Kumeyaay had a sophisticated social, political, and religious structure and were wise stewards of the land and natural resources; and

WHEREAS, The original trails through the mountains and connecting desert and the coast and inlands were cleared and used by the Kumeyaay, some of which evolved into current freeways in San Diego and Imperial Counties; and

WHEREAS, Today Kumeyaay tribal governments have jurisdiction over approximately 70,000 acres of federal trust land concentrated in reservations in East County from El Cajon, Lakeside, Poway, and Ramona to the desert; and

WHEREAS, Today the Kumeyaay nation is represented by 13 separate bands, those being the Barona, Campo, Cuyapaipe, Inaja-Cosmit, Jamul, LaPosta, Los Coyotes, Manzanita, Mesa Grande, San Pasqual, Santa Ysabel, Sycuan, and Viejas Bands; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That Interstate Highway Route 8 from Greenfield Drive on the eastern city boundary of El Cajon to Nimitz Boulevard in Mission Bay in San Diego County, be officially named the Kumeyaay 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 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.

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## RESOLUTION CHAPTER 91

Assembly Concurrent Resolution No. 172—Relative to Postpartum Mood and Anxiety Disorder Awareness Month.

[Filed with Secretary of State June 27, 2002.]

WHEREAS, Maternal health and, more specifically, the mental health of women before, during, and after childbirth is an issue of great concern to women and their families and is, therefore, of interest to the California Legislature; and

WHEREAS, Postpartum depression or other postpartum disorders are serious and debilitating disorders that affect childbearing women and their families; and

WHEREAS, Postpartum disorders can take many forms, including depression, anxiety, panic disorder, obsessive-compulsive disorder, and psychosis, and, therefore, it is appropriate to use the broader, more accurate term of “postpartum mood and anxiety disorders” to describe the many levels and degrees of severity of these afflictions, which can have potentially serious repercussions upon the psychological, social, and physical health of mothers, children, and families; and

WHEREAS, It is critical that all Californians become aware of how common postpartum mood and anxiety disorders are; that they affect all categories of women regardless of their age, race, or income level; that they can have a profound impact on the family; and that they are eminently treatable with medication, therapy, or both medication and therapy; and

WHEREAS, Studies show that up to 80 percent of postpartum women around the world experience the “baby blues,” which is expressed as frequent and prolonged crying, anxiety, irritability, poor sleep, quick mood changes, and a sense of vulnerability. The onset of the “baby blues” usually occurs within three days of birth, may continue for a few weeks, and does not normally require treatment, but is instead alleviated by emotional support and practical assistance with the baby; and

WHEREAS, Between 10 and 20 percent of new mothers are affected by postpartum depression and may experience symptoms of depressed mood, inability to find pleasure in usually engaging activities, sleep disturbances, diminished concentration, appetite and weight loss, anxiety and panic attacks, feelings of guilt and worthlessness, suicidal thoughts, and fears about hurting the baby; and

WHEREAS, One to two out of every 1,000 new mothers can experience postpartum psychosis, which may begin with manic states, hyperactivity, an inability to sleep, and avoidance of the baby, and may lead to delusions, hallucinations, incoherence and thoughts of harming the child or themselves; and

WHEREAS, The medical community does not fully understand or recognize all factors contributing to postpartum mood and anxiety disorders, but it is believed that these disorders are caused by physiological factors, such as hormone levels, and can be exacerbated by such external risk factors as marital problems, sleep deprivation, and preexisting mental illnesses; and

WHEREAS, Mental illness related to childbearing is often overlooked and is heavily stigmatized because new mothers are expected to be happy and mothers suffering from a form of these disorders feel confused, ashamed, and isolated; and

WHEREAS, According to Postpartum Support International (PSI), a strong social support network, including hotlines, Web sites, respite care, knowledgeable clergy, and resource and referral lists, can greatly reduce the intensity and duration of symptoms of postpartum depression and can promote healing and recovery. Social support includes empathy, information, and practical help that leads women and their families to obtain effective treatment and creates an environment in which women learn that they are not alone, they are not to blame, and they will get better; and

WHEREAS, The federal Melanie Stokes Postpartum Depression Research and Care Act directs the United States Secretary of Health and Human Services, the National Institutes of Health, including the National Institute of Mental Health to expand and intensify research and related activities with respect to postpartum depression and postpartum psychosis and directs the Secretary of Health and Human Services to make grants to provide for projects for the establishment, operation, and coordination of effective and cost-efficient systems for the delivery of essential services to individuals with postpartum depression or postpartum psychosis and their families; and

WHEREAS, The recent, highly publicized tragic deaths of children at the hands of their mothers who suffered from postpartum psychosis have emphasized the need for more awareness of the illness; improved referral processes; improved access to therapy, medication, and other services; more research into postpartum mood and anxiety disorders and postpartum psychosis; and a greater understanding of how the justice system interacts with mothers who suffer from postpartum psychosis and are accused of a crime; and

WHEREAS, Many women are not adequately informed about, screened for, and treated for postpartum mood and anxiety disorders because they are uninsured or underinsured and lack access to comprehensive health care and also face cultural and linguistic barriers; and

WHEREAS, Many at-risk women may not get help because they are not informed about postpartum mood and anxiety disorders as part of

their health care, because there is a lack of knowledge and nonuse of screening and assessment tools, and because they are unaware of services and treatment for postpartum mood disorder, such as medication, professional therapy and counseling, support groups, or crisis hotlines; and

WHEREAS, Increased education and awareness, improved access to health care, proper use of prenatal screening tools, and the discussion by health care providers of postpartum mood and anxiety disorders with patients are all critical factors in identifying mothers-to-be who are at risk, and prompt diagnosis, treatment, and proper social support can effectively work together to facilitate a mother's recovery; and

WHEREAS, There is ample opportunity for the diverse health care community, including therapists, counselors, psychologists, psychiatrists, nurses, childbirth educators, nurse midwives, nurse practitioners, doulas, social workers, health educators, breastfeeding instructors, and pediatricians, to make women aware of postpartum mood and anxiety disorders and identify at-risk women during prenatal visits, prepared childbirth classes, labor and delivery, breastfeeding classes, postpartum well-baby checkups, and parenting classes and it behooves hospitals, health plans, and insurance companies to establish and encourage these policies of diagnosis and identification; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the California Legislature hereby proclaims the month of May 2002 as "Postpartum Mood and Anxiety Disorder Awareness Month" in California; and be it further

*Resolved,* That the State Department of Health Services and the State Department of Mental Health are requested to work together to explore ways to improve women's access to mental health care at the state and local levels, to facilitate increased awareness and education about postpartum mood and anxiety disorders, to explore and encourage the use of prenatal screening tools, and to improve the availability of effective treatment and support services; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

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## RESOLUTION CHAPTER 92

Assembly Concurrent Resolution No. 175—Relative to the Day of the Horse.

WHEREAS, The horse is a living link to the heritage and history of the State of California and the United States of America; and

WHEREAS, Without horses, the economy, history, and character of the State of California and the United States of America would be profoundly different; and

WHEREAS, The presence of the horse continues to permeate our society from movie screens to open land to our own backyards; and

WHEREAS, Horses are a vital part of our collective experience and, as such, deserve our protection and compassion; and

WHEREAS, With increasing pressure from modern society, all horses, wild and domestic, rely on humans for adequate food, water, and shelter; and

WHEREAS, Today, horses play a vital role in the economy of the State of California and the United States of America; and

WHEREAS, The Congressional Horse Caucus estimates the horse industry contributes well over \$100 billion to the American economy annually; and

WHEREAS, The University of California, Davis, reports that California equine activities support between 300,000 and 1 million horses; and

WHEREAS, The second Saturday in December should be specially set aside as the Day of the Horse to encourage all citizens to be mindful of the welfare of the horse and its contribution to our economy, heritage, and history; 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 December 14, 2002, to be the Day of the Horse in the State of California, and calls upon all citizens to be mindful of the welfare of the horse and to recognize and appreciate the role of the horse in our history, heritage, and economy.

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### RESOLUTION CHAPTER 93

Assembly Concurrent Resolution No. 194—Relative to physical education.

[Filed with Secretary of State June 27, 2002.]

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 increases a child's mental alertness, academic performance, readiness to learn, and enthusiasm for learning; and

WHEREAS, Physical education helps improve self-esteem and interpersonal relationships, and fosters responsible behavior and the independence of children; and

WHEREAS, Children who participate in high quality 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, Physical education programs and curricula should provide for the special needs of pupils with low fitness, physical disabilities, or learning disabilities; and

WHEREAS, A high quality physical education program for all children in kindergarten through grade 12 is an essential part of a comprehensive education; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the Legislature hereby proclaims May 1, 2002, to May 7, 2002, inclusive, as Physical Education and Sports Week and the month of May as Physical Fitness and Sports Month, and urges residents statewide to learn more about the relationship between physical and mental health and to take appropriate steps to incorporate quality physical activities into their lives and those of their children; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

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## RESOLUTION CHAPTER 94

Assembly Concurrent Resolution No. 212—Relative to Groundwater Awareness Month.

[Filed with Secretary of State June 27, 2002.]

WHEREAS, Groundwater is one of California's most precious natural resources, representing 40 percent or more of California's water supply in dry years; and

WHEREAS, California withdraws an average of 13 billion gallons of groundwater each day for rural, municipal, industrial, agricultural, and environmental uses; and

WHEREAS, Groundwater is a renewable resource that to some extent, is replenished naturally, but which also requires active management to maximize available supplies; and

WHEREAS, Groundwater is currently being depleted by an average of 425 billion gallons per year in California, causing declining groundwater levels and degrading groundwater quality; and

WHEREAS, California's increasing population will continue to place new demands on our groundwater resources, through groundwater quality impacts, extraction, transfer, consumption, recharge interception, and supply diversions; and

WHEREAS, Many Californians are not aware that groundwater is an important source of water supply for the state; and

WHEREAS, The voters have recently approved two bond measures with substantial funding for groundwater protection and storage, and the Legislature has implemented several programs to encourage and assist local agencies in managing and protecting groundwater resources; and

WHEREAS, Substantial challenges lie ahead in order to sustain, protect, and manage California's groundwater resources; and

WHEREAS, California must act through water conservation, public education, water reuse, artificial recharge, conjunctive management, improved source water protection, and other means, to address the increasing demands on our groundwater resources; and

WHEREAS, The Assembly has formed a Select Committee on Underground Water Quality to study California's groundwater successes and challenges, and to evaluate opportunities for assisting local agencies in protecting and improving the management of this precious and limited resource, while preserving existing water rights; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate concurring,* That the Legislature proclaims the month of June 2002, as Groundwater Awareness Month in California.

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## RESOLUTION CHAPTER 95

Assembly Concurrent Resolution No. 218—Relative to Harmful, Nonnative Weeds Awareness Week.

[Filed with Secretary of State June 27, 2002.]

WHEREAS, The spread of certain harmful, nonnative species of plants are causing enormous damage to the environment and economy of California and the world; and

WHEREAS, These harmful, nonnative weeds are being spread more rapidly with increasing global travel and commerce, at great cost to human and animal health, and economic security; and

WHEREAS, The destructive impact of harmful, nonnative and often poisonous weeds is profound, affecting California's cropland, rangeland, forests, parks, and wildlands, through decreased land productivity, degradation of wildlife habitat, and outright destruction of crops, livestock, wetlands, waterways, watersheds, and recreational areas; and

WHEREAS, The lost crop productivity caused by these weeds alone has been estimated at \$7.4 billion nationwide, a large proportion of which is attributable to California. Nationally, the direct and indirect costs of controlling these weeds may be as high as \$5.4 billion annually; and

WHEREAS, One of these weeds, called the yellow star thistle, has become the most common invasive plant in California, and is responsible for ruining pasture land, choking out native plants, killing horses who eat its poisonous early-season growth, and stabbing people and animals with its large, sharp thorns; and

WHEREAS, Pathways for the spread of harmful, nonnative weeds are many and varied, involving both accidental and intentional introductions, and could be reduced by increased awareness of the dangers posed even by seemingly innocuous plants when transplanted to a different ecosystem; and

WHEREAS, The federal government has recently adopted programs to prevent, control, and manage harmful, nonnative weeds, and California has a noxious weed management program for the purpose of managing and eradicating noxious weeds through specified local weed management areas, and these programs have emphasized information sharing, education, and public awareness as crucial to the success of any prevention, control, or eradication effort; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the second week of July be designated and recognized as Harmful Nonnative Weeds Awareness Week in California; and be it further

*Resolved,* That on the occasion of Harmful Nonnative Weeds Awareness Week, the Legislature encourages all Californians to participate in activities to raise awareness of the scourge of these weeds, and of methods to prevent their pernicious spread; and be it further

*Resolved*, That the Chief Clerk of the Assembly transmit copies of this resolution to the author of this resolution for distribution.

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RESOLUTION CHAPTER 96

Assembly Joint Resolution No. 26—Relative to military reserve personnel.

[Filed with Secretary of State June 27, 2002.]

WHEREAS, The military reserve forces of the United States provide a valuable service to the citizens of the United States; and

WHEREAS, Military reserve personnel make up 60 percent of the total armed forces of the United States; and

WHEREAS, The reserve forces of the United States military provide for the continuing freedom and pursuit of democracy throughout the world; and

WHEREAS, The military reserve upholds our values and beliefs in times of peace as well as war; and

WHEREAS, Evidence suggests that members of the military reserve may be discriminated against due to their reserve status when applying for financing; and

WHEREAS, This discrimination results in members of the military reserve being charged higher interest rates for loans due to their reserve status; and

WHEREAS, This discrimination is an attempt to circumvent the Soldiers and Sailors Relief Act of 1940; and

WHEREAS, The Soldiers and Sailors Relief Act of 1940 specifies that should a member of the military reserve be called to active duty, that person's outstanding loans shall be capped at a 6 percent interest rate should the soldier prove that his or her active duty status would put him or her in financial hardship; and

WHEREAS, The practice of subprime lending based on reserve status is not prohibited by federal law; and

WHEREAS, California has taken the lead in protecting the military reserve and the National Guard in California through Assembly Bill 120 of the 2001–02 Regular Session; and

WHEREAS, We must protect the interest of our military reserve personnel in order to preserve military readiness and morale; and

WHEREAS, The federal government must stand firm in upholding the rights and duties of the military reserve and continue to demonstrate leadership in the implementation of a strong military force; 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:

(a) Stand firm in protecting the financial interest of military reserve personnel.

(b) Enact new legislation that strengthens the provisions of the Soldiers and Sailors Relief Act of 1940.

(c) Look into the practice of predatory lending against military reservists based on their reserve status.

(d) Enact legislation that makes it a crime to discriminate against military reserve personnel based on reserve status when applying for financing; 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 all members of Congress of the United States.

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#### RESOLUTION CHAPTER 97

Assembly Joint Resolution No. 34—Relative to disabled military retirees.

[Filed with Secretary of State June 27, 2002.]

WHEREAS, A penalty is imposed against disabled military retirees for concurrent receipt of retirement and disability compensation; and

WHEREAS, If a member of the armed forces retires with 20 or more years of service to this country, earning retirement compensation, and this same retiree has a major disability resulting from wounds or service connected activities, \$1 from his or her retirement check is deducted for each dollar of disability payment received; and

WHEREAS, This law requires retired military personnel to do something no one else in America is obligated to do—pay for their own disability; and

WHEREAS, For many years, veterans' organizations and disabled veterans battled to change this law; and

WHEREAS, Last year, Congress recognized that disabled military retirees had a legitimate complaint and introduced legislation that was designed to correct this policy; and

WHEREAS, Included within the National Defense Authorization Act For Fiscal Year of 2002 is legislation that will end this discriminatory practice of deducting disability compensation from retirement pay. However, the legislation will be effective only if the President requests money to cover its costs in his next budget; and

WHEREAS, These disabled military retirees fought in World War II, Korea, Vietnam, the Persian Gulf, and a dozen brush fire wars in unremembered countries, risking everything for our country. They gave of their youth and health, only to be retired with a disability that they are forced to pay for out of their own pockets; and

WHEREAS, The discrimination our country has displayed for its disabled military retirees should not be passed on to those young people who are now fighting our War Against Terrorism; 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 fund the National Defense Authorization Act For Fiscal Year of 2002, to eliminate the penalty imposed against disabled military retirees for concurrent receipt of retirement and disability compensation; 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.

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#### RESOLUTION CHAPTER 98

Senate Joint Resolution No. 25—Relative to oxygenate requirements in gasoline.

[Filed with Secretary of State June 27, 2002.]

WHEREAS, In June 2001, the federal Environmental Protection Agency rejected a request from Governor Davis to exempt California from the cleaner-burning gasoline requirements of the Clean Air Act; and

WHEREAS, The State of California will continue to work to meet the requirements of the Clean Air Act; and

WHEREAS, A waiver from that requirement would allow the state to transition methyl tertiary-butyl ether (MTBE) out of gasoline more quickly and cost-effectively, with the assurance from the oil industry that it can produce cleaner-burning gasoline without oxygenates; and

WHEREAS, Ethanol was originally used as a gasoline extender and an octane enhancer; and

WHEREAS, The National Research Council reported on May 11, 1999, that oxygen additives used in reformulated gasoline does reduce carbon monoxide emissions, but has little to do with a decrease in the emission of ozone, which contributes to smog and greenhouse gases; and

WHEREAS, The price of gasoline would increase substantially in California if the oil industry had to convert their oxygenates from MTBE to ethanol and would in turn place an undue economic burden on the consumers of California; now, therefore, be it

*Resolved by the Senate and Assembly of the State of California, jointly,* That the Congress of the United States review California's request to be exempted from the gasoline oxygenate additive requirements imposed by the Clean Air Act, and take immediate action to relieve the consumers of California from the prospect of even higher gasoline prices; and be it further

*Resolved,* That the Secretary of the Senate transmit copies of this resolution to the President and Congress of the United States.

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#### RESOLUTION CHAPTER 99

Assembly Concurrent Resolution No. 126—Relative to protection of California agriculture from invasive species.

[Filed with Secretary of State June 28, 2002.]

WHEREAS, California's agriculture, natural resources, and wildlife are constantly under attack from new plant and animal-destroying insects, diseases, and micro-organisms; and

WHEREAS, There is a lack of protection provided due in part to an inadequate number of inspectors; and

WHEREAS, Increased coordination between the California Department of Food and Agriculture and postal and package delivery services will aid in the inspection process of suspect items; and

WHEREAS, Invasive species-harmful nonnative plants, animals, and microorganisms are found throughout California and the United States causing billions of dollars annually in damage to crop, range lands, and waterways; and

WHEREAS, In California three entities are responsible for the protection of California agriculture: The United States Department of Agriculture, the California Department of Food and Agriculture, and county agricultural Commissioners; and

WHEREAS, Approximately \$20,000,000 is spent each year to protect the State of California, yet a new invasive species is found in California every 60 days; and

WHEREAS, Invasive species must be eradicated at a cost of millions of dollars; now, therefore be it

*Resolved by the Assembly of the State of California, the Senate concurring,* That funding is requested from the United States Congress

and the United States Department of Agriculture for the following purposes:

(a) To provide full funding for the California High Risk Pest Exclusion Program.

(b) To fund the 24-hour-per-day operation of California's agricultural inspection stations, with the exception of those stations that must close during winter months due to highway closures.

(c) To fund and fill all vacant positions at ports of entry.

(d) To encourage the United States Department of Agriculture to disallow the import of fruits and vegetables into the United States without proper review of relevant scientific research.

(e) For research and development of plans to prevent, detect, and eradicate invasive species; and be it further

*Resolved*, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to each Senator and Representative from California in the Congress of the United States.

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#### RESOLUTION CHAPTER 100

Assembly Joint Resolution No. 43—Relative to federal Medicaid Assistance Percentages.

[Filed with Secretary of State June 28, 2002.]

WHEREAS, Federal Medicaid Assistance Percentages (FMAP) are recalculated annually to determine the federal share of Medicaid costs allocated to each state; and

WHEREAS, The United States Department of Health and Human Services calculates FMAP based on the United States Department of Commerce statistics of the average per capita income in each state and the nation as a whole; and

WHEREAS, The recalculation of FMAP for 2003 will reduce California's share of federal Medicaid funds by \$397 million, which will be the highest loss in the nation; and

WHEREAS, California's per capita income grew by 8.1 percent from 1999 to 2000, the second fastest rate in the nation; and

WHEREAS, As Californians' incomes rise, the state rate for Medicaid matching funds from the federal government declines; and

WHEREAS, Despite the growth in per capita income in California, lower income Californians often failed to experience the relative wage growth of higher income Californians; and

WHEREAS, Despite per capita income levels above the national average, California has both high levels of income and poverty; and

WHEREAS, With 4.4 million people under the federal poverty thresholds, California leads the nation in residents living in poverty, and has 1.4 million more impoverished residents than Texas and 2 million more impoverished residents than New York; and

WHEREAS, FMAP calculations grew out of the Kerr-Mills Social Security Act of 1960, and predate the official definition of the poverty thresholds adopted in the late 1960s; and

WHEREAS, The authors of the Kerr-Mills Social Security Act incorrectly presumed that states with high per capita incomes would have low poverty, and vice versa; and

WHEREAS, California is already facing daunting budget cuts due to the state's deficit, making it even more difficult for the state to absorb and offset these federal reductions; and

WHEREAS, The Medi-Cal program faces severe underfunding due to these factors not being taken into account; and

WHEREAS, There is a critical need to protect the health of millions of low-income families and individuals that depend on health programs like Medicaid and the State Children's Health Insurance Program; 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 consider the 4.4 million Californians who are living below poverty thresholds by taking into account the total number of persons living in poverty rather than the per capita income when establishing the formula that will be used in the calculation of the FMAP; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the Secretary of the United States Department of Health and Human Services.

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## RESOLUTION CHAPTER 101

Assembly Concurrent Resolution No. 81—Relative to transportation.

[Filed with Secretary of State July 8, 2002.]

WHEREAS, Only one major transportation corridor currently links Riverside County with Orange County, despite the fact that over the past decade Riverside County has been the fastest growing county in the

state, and its population is expected to double to 3 million citizens in the next 15 years; and

WHEREAS, The existing transportation corridor is critical for the flow of people, goods, and services between Riverside County and Orange County and within the region as a whole; and

WHEREAS, Many of the residents of Riverside County commute to Orange County, therefore adding to this corridor's congestion; and

WHEREAS, A plan to bring one million tons of air cargo to the March Air Reserve Base is currently being drafted, the implementation of the plan will require a reliable transportation system to transport goods and services to distribution centers and metropolitan areas in southern California; and

WHEREAS, Extreme traffic congestion currently plagues the existing transportation corridor, which is ranked at the highest level of congestion according to the Department of Transportation, with expected demand to increase by 40 percent in the next 20 years; and

WHEREAS, The existing transportation corridor between Riverside County and Orange County includes one of the most congested highway facilities in southern California, carrying over 16,500 vehicles per peak hour, while only designed to carry 14,400 vehicles per peak hour, significantly exceeding its capacity; and

WHEREAS, The affected freeway currently experiences over 66,000 vehicle hours of delay per day, significantly increasing the amount of oxides of nitrogen (NOx) pollutants and hydrocarbons that are introduced into our air, as well as costing the regional economy up to \$7 million per day in lost opportunity; and

WHEREAS, This freeway congestion and its resulting spillover effect on local streets impede commercial development by causing concern over both the flow of goods and services to, and from, the various establishments and access to a dependable and punctual workforce; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the Legislature urges the Department of Transportation and the regional transportation planning agencies to expeditiously consider both alternative transportation corridors between Riverside County and Orange County and taking action to utilize all other modes of transportation, and to follow the current process for adopting transportation funding priorities through the State Transportation Improvement Program; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit a copy of this resolution to the Department of Transportation.

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## RESOLUTION CHAPTER 102

Assembly Concurrent Resolution No. 209—Relative to Affordable Housing Week.

[Filed with Secretary of State July 8, 2002.]

WHEREAS, Decent, safe, and affordable housing is one of the basic necessities of life; and

WHEREAS, Affordable housing is of vital importance to the health and well-being of Californians; and

WHEREAS, Hundreds of thousands of Californians live in overcrowded, substandard, and otherwise inadequate housing; and

WHEREAS, There is an extreme shortage of rental housing in California, particularly for lower income renters. One-half of all low-income renters, and three-fourths of all very low income renters spend more than 50 percent of their income for housing; and

WHEREAS, Over 360,000 Californians are homeless, according to the Department of Housing and Community Development. The most rapidly increasing segments of the homeless population are seniors and families with children; and

WHEREAS, The California Department of Housing and Community Development and the Association of Bay Area Governments have determined that almost 10,000 new units of affordable housing are needed over the next five years in order to meet the needs of Alameda County's very low income population; and

WHEREAS, The Alameda County Board of Supervisors has declared a housing state of emergency in Alameda County; and

WHEREAS, California has lost more than 20,000 affordable housing units over the past five years, with almost 50 percent of the loss coming from the Counties of Los Angeles, Ventura, Orange, San Bernardino, Riverside, and Imperial; and

WHEREAS, In Los Angeles County, an extremely low-income household, earning 30 percent of the Area Median Income of \$56,100, can afford monthly rent of no more than \$421, while the Fair Market Rent (FMR) for a two-bedroom unit is \$823; and

WHEREAS, A worker earning minimum wage must work 101 hours per week in order to afford a two-bedroom unit at FMR; and

WHEREAS, In Sacramento County, 190,000 households are at or below 80 percent of the Area Median Income and must compete for only 30,600 affordable housing and 7,800 Section 8 housing slots; and

WHEREAS, Nearly 500,000 households in California languish on Section 8 waiting lists. Most wait more than three years for their names to come up; and

WHEREAS, California is second to last in the nation in home ownership rates; and

WHEREAS, Thousands of units of affordable housing have been built by nonprofit developers in the State of California; and

WHEREAS, These affordable housing units are well managed, well maintained, and are contributing to the communities in which they are located; and

WHEREAS, East Bay Housing Organizations and similar organizations around the state will be acknowledging the need for increasing the supply of decent affordable housing and celebrating the contributions of affordable housing during Affordable Housing Week; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the Legislature proclaim the week of June 1, 2002, to June 9, 2002, inclusive, as Affordable Housing Week in California; and be it further

*Resolved,* That the Legislature calls upon all Californians to learn about and honor the contributions of affordable housing by participating in activities held throughout the week to commemorate this observance; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the author for distribution.

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## RESOLUTION CHAPTER 103

Assembly Concurrent Resolution No. 210—Relative to Resurrection Blvd.

[Filed with Secretary of State July 8, 2002.]

WHEREAS, The importance of racial diversity in television received national attention throughout the 1999–2000 television season, in which major network executives promised more progressive hiring practices both on and off the screen; and

WHEREAS, Latino actors display an admirable and honorable history in American television and in the motion picture industry, positively contributing to the diversity of the Californian as well as American landscape; and

WHEREAS, While Latinos constitute approximately 12.5 percent of the United States population, they continue to be the most underrepresented ethnic group on prime time television and in films; and

WHEREAS, While Latinos have received 4.9 percent of the roles cast for Screen Actors Guild contracts, the highest percentage since the guild

began tracking this statistic in 1992, the appearance of Latinos in television and films approximate less than one-third of their actual proportion of the United States population; and

WHEREAS, Latinos rarely occupy more than 2 percent of the available jobs in the television and film industry in general, further attesting to the consensus about minority underrepresentation since the media reform efforts of the late 1960s and 1970s; and

WHEREAS, The number of Latino characters in prime time television have dropped from 3 percent to 2 percent, from the 1999–2000 television season to the 2000–01 season; and

WHEREAS, Showtime Networks, Inc., demonstrates real commitment and interest in improving diversity in the American television industry, as well as in developing substantive Latino programming; and

WHEREAS, The Showtime-sponsored show Resurrection Blvd. is the first dramatic series on American television to prominently feature Latinos both in front of and behind the camera, including actors, directors, writers, and producers; and

WHEREAS, Resurrection Blvd. highlights multicultural diversity within the television industry by featuring more than 400 Latino actors during the past two television seasons; and

WHEREAS, Resurrection Blvd. is entering its third season in June 2002, marking the first and longest-running Latino-supported dramatic series on television; and

WHEREAS, This groundbreaking show exemplifies sincere efforts towards portraying a truly diverse American scene in the television industry, providing critical exposure for the Latino as well as other minority populations; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the Legislature hereby commends Resurrection Blvd. for its creative vision in depicting minority populations in a positive light, encouraging future endeavors in the diversification of the American entertainment industry; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

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#### RESOLUTION CHAPTER 104

Senate Concurrent Resolution No. 50—Relative to the Mark Denis Melbourne Memorial Interchange.

WHEREAS, Mark Denis Melbourne was a fixture on southern California radio giving traffic reports for four decades and for five years was the unidentified voice on the monorail that ferries visitors around Disneyland; and

WHEREAS, He was regarded as one of the most respected broadcasters in southern California and was used as the “image voice” for KFI 640 AM radio station; and

WHEREAS, He was also a part-time communications instructor at the University of Southern California and is regarded as having loved to share his knowledge of broadcasting with others and advocated reporting traffic without panic and with caring and willingness to help frustrated drivers avoid bottlenecks; and

WHEREAS, He worked hard to help southern California drivers get to work safely and on time and was universally one of the most well-liked radio people in southern California; and

WHEREAS, He died of a fatal illness in the year 2000 in his home in Anaheim Hills at the early age of 59 and it is appropriate to recognize his contributions to Californians and travelers in the State of California through a designation of a memorial interchange near his home in Anaheim Hills; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the Legislature hereby designates the interchange of State Highway Routes 55 and 91 in the City of Anaheim in the County of Orange as the Mark Denis Melbourne Memorial Interchange; 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 this 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 of this resolution for distribution.

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## RESOLUTION CHAPTER 105

Senate Concurrent Resolution No. 64—Relative to the Police Officer Louie Pompei Memorial Interchange.

[Filed with Secretary of State August 8, 2002.]

WHEREAS, Louis A. Pompei, or “Louie” as friends knew him, was born on August 4, 1964, in Shenandoah, Pennsylvania, and was raised

in the Mahanoy area of Pennsylvania where he graduated from high school in 1982; and

WHEREAS, Officer Pompei graduated from Mansfield University, Pennsylvania, in 1986 with a bachelor of arts degree in Criminal Justice Administration; and

WHEREAS, Officer Pompei was hired as a Police Officer trainee by the Glendora Police Department on October 12, 1987, graduated from the Los Angeles County Sheriff's Academy on March 4, 1988, and worked in the Patrol Division of the Glendora Police Department from 1988 to 1992 where he developed an enthusiasm for working narcotics cases; and

WHEREAS, Officer Pompei worked as a narcotics investigator in the Detective Division of the Glendora Police Department from 1992 to 1995; and

WHEREAS, Officer Pompei was assigned to a position with L.A. IMPACT, a major crimes multijurisdictional task force, composed of officers from agencies throughout the county, primarily dedicated to investigating major drug suppliers through southern California; and

WHEREAS, Officer Pompei was a physical fitness buff, and body builder, who earned a silver medal in the bodybuilding competition of the 1994 California Police Olympics, and who was a runner on the Glendora-Monrovia-Arcadia Police relay team, which annually competes in the Baker to Vegas 120-mile Challenge Cup relay race; and

WHEREAS, People who knew him remember Officer Pompei for his love of life, contagious enthusiasm, positive and outgoing attitude, and generous, helpful, and dependable personality; and

WHEREAS, Officer Pompei made the ultimate sacrifice while protecting and serving the people of California on Friday, June 9, 1995; and

WHEREAS, On that date, while off duty in a Vons Market in Via Verde, Officer Pompei attempted to stop an armed robbery takeover in which a box boy was being pistol whipped; and

WHEREAS, While trying to stop the armed robbery, Officer Pompei died in a fire fight, loyal to the Law Enforcement Code of Ethics which states in pertinent part, "As a law enforcement officer, my fundamental duty is to serve mankind; safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against violence or disorder"; and

WHEREAS, Officer Pompei died as he had lived, as a hero upholding the ideal of protecting those who could not protect themselves; and

WHEREAS, Officer Pompei's coworkers, friends, and family deeply feel his loss and will never forget his love of life and his enthusiasm for his profession; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the interchange where State Highway Route 30 connects with Interstate Highway Route 210 be officially named the Police Officer Louie Pompei 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 Secretary of the Senate transmit copies of this resolution to the Director of Transportation and to the author for appropriate distribution.

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#### RESOLUTION CHAPTER 106

Senate Concurrent Resolution No. 45—Relative to the William H. “Harry” Armstrong Interchange.

[Filed with Secretary of State August 15, 2002.]

WHEREAS, William H. “Harry” Armstrong has been a Council Member of the City of Clovis since 1970 serving as Mayor during 1982–84, 1990–92, 1994–97, and 1999–01; and

WHEREAS, William H. “Harry” Armstrong was born in Merced, California, and has lived in Clovis since 1962; and

WHEREAS, William H. “Harry” Armstrong is a Korean War Veteran, Member of American Legion Post 147, and Life Member of VFW Post 3223; and

WHEREAS, William H. “Harry” Armstrong is retired as Transportation Manager from Foster Farms Dairy and a union member since 1954; and

WHEREAS, William H. “Harry” Armstrong has served the League of California Cities as President, First Vice President, Second Vice President, Board Member, Executive Committee, Transportation, Communication, and Public Works Policy Committee; and

WHEREAS, William H. “Harry” Armstrong has served the South San Joaquin Division of the League of California Cities as President, Environmental Quality Committee, Human Resources Development Committee, Chairman of the Legislative Committee, First Vice President, Labor Relations Committee, and Revenue and Taxation Committee; and

WHEREAS, William H. "Harry" Armstrong is the Chairman of the Association of Metropolitan Water Agencies; and

WHEREAS, William H. "Harry" Armstrong has served as Chairman of the Fresno County Democratic Central Committee since 1997; and

WHEREAS, William H. "Harry" Armstrong, as Chairman of the Fresno County Transportation Authority, has worked diligently to bring the State Highway Route 168 project to fruition; and

WHEREAS, It would be a fitting tribute to William H. "Harry" Armstrong to name the Herndon Avenue Interchange on State Highway Route 168 in the City of Clovis as the William H. "Harry" Armstrong Interchange in honor and recognition of William H. "Harry" Armstrong; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly concurring,* That on or after the date on which William H. "Harry" Armstrong ceases his service on the Clovis City Council, the Herndon Avenue Interchange on State Highway Route 168 in the City of Clovis be officially named the William H. "Harry" Armstrong 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 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 Director of Transportation and to the author of this resolution for distribution.

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## RESOLUTION CHAPTER 107

Senate Concurrent Resolution No. 52—Relative to the James Dean Memorial Junction.

[Filed with Secretary of State August 15, 2002.]

WHEREAS, James Byron Dean, one of the most admired movie stars of all time and an icon of American culture, was born on February 8, 1931, in Marion, Indiana; and

WHEREAS, He later moved to California and attended Santa Monica City College and the University of California at Los Angeles; and

WHEREAS, He is best known for his roles in "East of Eden," "Rebel Without a Cause," and "Giant," and he also appeared on television shows and in a Broadway play; and

WHEREAS, As a successful actor, he attained cult status in little more than a year's time, personifying the restless American youth of the mid-1950s; and

WHEREAS, He was tragically killed on September 30, 1955, in an automobile crash on State Highway Route 46 in San Luis Obispo County while traveling in his automobile on the way to a racing event; and

WHEREAS, Many decades after his death, James Dean remains widely admired as an accomplished actor, and it is appropriate to recognize his contributions through a designation of a memorial junction near the site of his untimely death; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the Legislature hereby designates the junction of State Highway Routes 41 and 46 near Cholame in the County of San Luis Obispo as the James Dean Memorial Junction; 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 this 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 of this resolution for distribution.

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## RESOLUTION CHAPTER 108

Senate Concurrent Resolution No. 82—Relative to Korean-Americans.

[Filed with Secretary of State August 15, 2002.]

WHEREAS, Missionaries from the United States played a central role in nurturing the political and religious evolution of modern Korea, and directly influenced the early Korean immigration to the United States; and

WHEREAS, In December 1902, 56 men, 21 women, and 25 children left Korea and traveled across the Pacific Ocean on the S.S. Gaelic and landed in Honolulu, Hawaii, on January 13, 1903; and

WHEREAS, The early Korean-American community was united around the common goal of attaining freedom and independence for their colonized mother country; and

WHEREAS, Members of the early Korean-American community served with distinction in the Armed Forces of the United States during World War I, World War II, and the Korean conflict; and

WHEREAS, On June 25, 1950, Communist North Korea invaded South Korea with approximately 135,000 troops, thereby initiating the involvement of approximately 5,720,000 personnel of the United States Armed Forces who served during the Korean conflict to defeat the spread of communism in Korea and throughout the world; and

WHEREAS, Casualties in the United States Armed Forces during the Korean conflict included 54,260 dead (of whom 33,665 were battle deaths), 92,134 wounded, and 8,176 listed as missing in action or prisoners of war; and

WHEREAS, In the early 1950s, thousands of Koreans, fleeing from war, poverty, and desolation, came to the United States seeking opportunities; and

WHEREAS, Korean-Americans, like waves of immigrants to the United States before them, have taken root and thrived in the United States through strong family ties, robust community support, and countless hours of hard work; and

WHEREAS, Korean immigration to the United States has invigorated business, church, and academic communities in the United States; and

WHEREAS, According to the 2000 United States Census, Korean-Americans own and operate 135,571 businesses across the United States that have gross sales and receipts of \$16,000,000,000 and employ 333,649 individuals with an annual payroll of \$5,800,000,000; and

WHEREAS, The contributions of Korean-Americans to the United States include the invention of the first beating heart operation for coronary artery heart disease, the development of the nectarine, a four-time Olympic gold medalist, and achievements in engineering, architecture, medicine, acting, singing, sculpture, and writing; and

WHEREAS, Korean-Americans play a crucial role in maintaining the strength and vitality of the United States-Korean partnership; and

WHEREAS, The United States-Korean partnership helps undergird peace and stability in the Asia-Pacific region and provides economic benefits to the people of the United States and Korea and to the rest of the world; and

WHEREAS, Beginning in 2003, more than 100 communities throughout the United States will celebrate the 100th anniversary of Korean immigration to the United States; 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 (1) recognizes the achievements and contributions of Korean-Americans to the United States over the past 100 years, and (2) requests that the people of

California and interested organizations observe the 100th anniversary of Korean immigration to the United States with appropriate programs, ceremonies, and activities; and be it further

*Resolved*, That the Secretary of the Senate transmit a copy of this resolution to the author for appropriate distribution.

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RESOLUTION CHAPTER 109

Senate Joint Resolution No. 42—Relative to the Child Care and Development Block Grant.

[Filed with Secretary of State August 15, 2002.]

WHEREAS, The United States Congress enacted the Child Care and Development Block Grant Act of 1990, now known as the Child Care and Development Block Grant (CCDBG), pursuant to the Omnibus Budget Reconciliation Act of 1990 (P.L. 101-508), to provide federal funding for child care subsidies for low-income families and for initiatives to improve the quality of child care; and

WHEREAS, Congress set up the block grant in its current form in 1996 when it passed the Personal Responsibility and Work Opportunity Reconciliation Act (P.L. 104-193), often referred to as “welfare reform,” and authorized federal funding for the CCDBG only through fiscal year 2002; and

WHEREAS, Congress will be considering this year a reauthorization of funding for the CCDBG; and

WHEREAS, Making more quality child care available will help support a vibrant economy, allow families to find and keep jobs, and prepare the workforce of the future; and

WHEREAS, Studies repeatedly have shown that good quality child care, which provides a loving, safe, and stable environment, helps children enter school ready to succeed, improve their skills, and stay safe while their parents work; and

WHEREAS, The positive impact of good quality child care is even greater for low-income children, yet in many communities, families cannot find adequate and affordable care; and

WHEREAS, Child care is unaffordable for many families, and many low-income parents who are unable to obtain help paying for child care are forced to make impossible choices, including whether to pay rent, food or child care or whether to choose less expensive, but potentially detrimental, care for their children, and, for some parents, having no choice but to return to welfare; and

WHEREAS, The CCDBG is the primary source of support for families who cannot afford the quality child care that is critical to their ability to find and keep a job and to prepare their children to succeed in school; and

WHEREAS, Through the CCDBG, each state, including California, receives both “mandatory” funds, which are automatically available each year although states must contribute a match to receive these funds, and “discretionary” funds, which are available without a match but must be appropriated by Congress each year; and

WHEREAS, The reauthorization of the CCDBG offers an opportunity to continue state child care assistance efforts and to increase both mandatory funding for the next five years and discretionary funding for fiscal year 2003; 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 United States Congress to approve legislation that increases and reauthorizes funding for the Child Care and Development Block Grant; 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.

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## RESOLUTION CHAPTER 110

Assembly Concurrent Resolution No. 136—Relative to the Rosa Parks Highway.

[Filed with Secretary of State August 15, 2002.]

WHEREAS, Rosa Parks was born on February 4, 1913, in Tuskegee, Alabama, the first child of James and Leona (Edwards) McCauley; and

WHEREAS, Rosa Louise McCauley married Raymond Parks on December 18, 1932; and

WHEREAS, Rosa Parks was arrested on December 1, 1955, in Montgomery, Alabama, for refusing to give up her seat on a bus to a white man, and her stand for equal rights became legendary; and

WHEREAS, Rosa Parks’ arrest for refusing to comply with Montgomery’s segregation law was the impetus for a boycott of Montgomery buses, led by Dr. Martin Luther King, Jr., by approximately 42,000 African-Americans for 381 days; and

WHEREAS, On November 13, 1956, the United States Supreme Court ruled that Montgomery's segregation law was unconstitutional, and on December 20, 1956, Montgomery officials were ordered to desegregate buses; and

WHEREAS, Rosa Parks is honored as the "Mother of the Modern Day Civil Rights Movement," because her refusal to surrender her seat in compliance with Montgomery's segregation law inspired the civil rights movement, which has resulted in the breakdown of numerous legal barriers and the lessening of profound discrimination against African-Americans in this country; and

WHEREAS, The courage and conviction of Rosa Parks laid the foundation for equal rights for all Americans and for the Civil Rights Act of 1964; and

WHEREAS, Rosa Parks was the first woman to join the Montgomery chapter of the NAACP, and was an active volunteer for the Montgomery Voters League; and

WHEREAS, Rosa Parks cofounded the Rosa and Raymond Parks Institute for Self Development in 1987 with Elaine Easton Steele to motivate and direct youth to achieve their highest potential through the "Pathways to Freedom" program; and

WHEREAS, Rosa Parks is the recipient of many awards including the Presidential Medal of Freedom, the nation's highest civilian honor, the Congressional Gold Medal of Honor, the highest honor Congress can bestow upon a civilian, and the first International Freedom Conductor Award from the National Underground Railroad Freedom Center, among many other awards and honors; and

WHEREAS, Rosa Parks has dedicated her life to the cause of human rights and truly embodies the love of humanity and freedom; and

WHEREAS, Rosa Parks' life embodies the spirit of not only the African-American experience, but the American civil rights movement; and

WHEREAS, This year marks the occasion of Rosa Parks' 89th birthday; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the Legislature hereby designates State Highway Route 58 between State Highway Route 99 and State Highway Route 184 as the Rosa Parks Highway, in tribute of Ms. Rosa Parks, who helped ignite the civil rights movement; 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 the author for appropriate distribution.

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RESOLUTION CHAPTER 111

Assembly Concurrent Resolution No. 169—Relative to California youth.

[Filed with Secretary of State August 15, 2002.]

WHEREAS, In California, persons who are under 18 years of age represent 27.3 percent of the state's population, according to the 2000 United States Census; and

WHEREAS, State and local entities provide important services to young people in California; and

WHEREAS, Young people in California have demonstrated their ability to propose workable solutions to community problems, such as redistricting, violence, transportation, and student assessment, among others; and

WHEREAS, On January 26, 2002, young people from the Counties of Alameda and Contra Costa presented state legislators and county and local public officials with solutions to continuing problems that affect all youth; and

WHEREAS, By failing to include California's young people in decisionmaking processes, public officials ensure that youth-sponsored solutions to problems facing young people in California will be overlooked or ignored; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring*, That state agencies and the Legislature include young people in the decisionmaking process in matters that affect California's young people; and be it further

*Resolved*, That copies of this resolution be transmitted to state, county, and city boards, committees and commissions and to committees of the California Legislature.

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RESOLUTION CHAPTER 112

Assembly Concurrent Resolution No. 179—Relative to the Highway 50 Association Wagon Train.

[Filed with Secretary of State August 15, 2002.]

WHEREAS, The Highway 50 Association is a nonprofit organization that has sponsored an annual wagon train event for the past 53 years in order to commemorate an important part of California and western history; and

WHEREAS, The event consists of the operation of a wagon train from Dayton, Nevada to the site of gold discovery in California in Coloma, El Dorado County, using portions of Highway 50 and other highways and traveling over two mountain passes; and

WHEREAS, This commemoration helps preserve the rich pioneering heritage of early California settlers, and hosts school groups wishing to have a firsthand learning experience; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the Highway 50 Association annual wagon train event is hereby designated as a state historic event; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit a copy of this resolution to the Secretary of the Business, Transportation and Housing Agency, the California Highway Patrol, and the Department of Transportation.

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#### RESOLUTION CHAPTER 113

Assembly Concurrent Resolution No. 220—Relative to the How to Live in America Program.

[Filed with Secretary of State August 15, 2002.]

WHEREAS, The How to Live in America Program, created by Community Communications, Inc., is an innovative program designed to teach non-English-speaking persons who have committed traffic and other minor offenses about the United States legal system; and

WHEREAS, The goals of the program are to generate a change of behavior among immigrants through increased awareness of general United States customs and laws, as well as specific legal issues such as bail bonds, warrants, and plea bargains; and

WHEREAS, The program assists immigrants in becoming productive members of society, and benefits the judicial process, by reducing repeat offenses; and

WHEREAS, The program creates awareness among immigrants of the serious consequences of breaking the law and how it can affect their lives in the United States; and

WHEREAS, The program presents information in a step-by-step format, with each aspect of the program presented in simple language so that it is easy for immigrants to understand; and

WHEREAS, In Eagle County, Colorado, where the program first began, recidivism rates among Latinos have dropped significantly for drunk driving, domestic violence, and for repeat occurrences of any type of violation; and

WHEREAS, The program has been implemented in Santa Clara, Contra Costa, and San Mateo Counties, and is successfully educating and guiding Latino and other non-English-speaking defendants through the judicial system, and providing basic information on United States laws, possible penalties, and consequences for breaking the law, as well as an important orientation to living 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 commends the Counties of Santa Clara, Contra Costa, and San Mateo on their successful implementation of the How to Live in America Program, recognizing the program for providing productive learning environments for immigrants and preventing repeat offenses; and be it further

*Resolved,* That other counties be urged to implement the How to Live in America Program for their own immigrant populations; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

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#### RESOLUTION CHAPTER 114

Assembly Concurrent Resolution No. 228—Relative to Sheriff Larry D. Smith.

[Filed with Secretary of State August 15, 2002.]

*WHEREAS,* Sheriff Larry D. Smith is the elected Sheriff, Coroner, Public Administrator and Marshal of Riverside County, and also serves by contract as the Chief of Police for 12 municipal law enforcement agencies in Riverside County, and is the county's first elected Sheriff-Coroner; and

*WHEREAS,* As commander of one of the largest and most progressive law enforcement agencies in the nation, Sheriff Smith oversees 2,940 men and women serving Riverside County; and

WHEREAS, Sheriff Smith has served the Riverside County Sheriff's Department in an exemplary fashion for over 36 years, beginning his remarkable career with the department on August 1, 1966, as a deputy sheriff in the Blythe jail and patrol station, and holding since then each successive rank in assignments across the county; and

WHEREAS, Over his career, Sheriff Smith's command assignments for the Riverside County Sheriff's Department included Narcotics, Information Services, Jail Commander, and Patrol Station Commander, and serving as the department Search and Rescue Coordinator and Emergency Services Team Commander; and

WHEREAS, Sheriff Smith was promoted to Chief Deputy Sheriff in 1987, and under his leadership as Chief of the Corrections Division, two modern jails were financed and built in Riverside County; and

WHEREAS, Sheriff Smith guided the division through its largest growth in the history of the department, the Riverside corrections system being among the 15 largest in the United States; and

WHEREAS, As Chief of the Special Operations Division, Sheriff Smith oversaw countywide narcotics enforcement, automation, and public safety communications, and was also instrumental in the creation of helicopter support in the aviation bureau; and

WHEREAS, Sheriff Smith was elected as Riverside County's 11th Sheriff, winning election in June 1994 and assuming office on December 14, 1994, and was overwhelmingly reelected to his second term in June 1998; and

WHEREAS, Under Sheriff Smith's leadership, crime has decreased by over 57 percent in Riverside County, with much of this decrease attributable to his insistence on increasing patrol positions from 661 in 1991 to 1,058 in 2002; and

WHEREAS, Sheriff Smith has received countless commendations and awards from law enforcement and numerous other associations, including the California Peace Officer's Association, the California State Sheriff's Association, the Executive Office of the President of the United States, the California State Senate and State Assembly, and the Riverside County Board of Supervisors; and

WHEREAS, Sheriff Smith is an active member of the Riverside County community, where he serves as a board member of numerous charitable organizations, including the American Heart Association and the United Way of the Inland Valleys, and presently serves on the advisory committee of the Debbie Chisholm Memorial Foundation, a charitable group dedicated to granting the wishes of terminally ill children; and

WHEREAS, In recognition of Sheriff Smith's extensive contributions to Riverside County, it is appropriate to name an existing or planned

county building in Riverside County after Sheriff Smith; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the Legislature requests the Riverside County Board of Supervisors to name an existing or planned county building in Riverside County after Sheriff Larry D. Smith; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit a copy of this resolution to the Riverside County Board of Supervisors.

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## RESOLUTION CHAPTER 115

Assembly Concurrent Resolution No. 230—Relative to Valley Fever Awareness Month.

[Filed with Secretary of State August 15, 2002.]

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 that 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 2002 as Valley Fever Awareness Month.

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### RESOLUTION CHAPTER 116

Assembly Concurrent Resolution No. 233—Relative to Medal of Honor recipients of California.

[Filed with Secretary of State August 15, 2002.]

WHEREAS, Our nation's highest award for bravery is the Congressional Medal of Honor. This medal is bestowed only for the most extraordinary acts of heroism or self-sacrifice above and beyond the call of duty, and it is the most distinguished decoration for military valor any individual can receive; and

WHEREAS, The Medal of Honor is generally presented to its recipient by the President of the United States of America in the name of Congress, and it is commonly referred to as the Congressional Medal of Honor; and

WHEREAS, Since the Medal of Honor was established in 1861, there have been 3,428 total Medals of Honor awarded, with almost one-half of them awarded posthumously. The first Medal of Honor was awarded in the Civil War, and the last conflict in which it was awarded was Somalia. Of the 3,410 recipients, 18 have received the Medal of Honor twice. To date 2,468 medals have been awarded to individuals serving in the Army, 649 to individuals serving in the Navy, 294 to individuals serving in the Marines, 16 to individuals serving in the Air Force, and one to an individual serving in the Coast Guard; and

WHEREAS, Recipients of the Medal of Honor include individuals of every rank, from private to general, and represent ethnic, geographical, economic, social, and religious diversity; and

WHEREAS, General George Patton, referring to the Medal of Honor, once remarked "I'd give my immortal soul for that decoration," and President Harry S. Truman once remarked to a Medal of Honor recipient, "I'd rather have that medal than be President of the United States"; and

WHEREAS, Medal of Honor recipients of California have fought so unselfishly to secure our freedom, we owe these decorated heroes a debt of gratitude; and

WHEREAS, The names of all recipients of the Medal of Honor are etched on the granite walls of the Medal of Honor Memorial located at Riverside, in the great State of California; and

WHEREAS, It is important to recognize the significant duties, responsibilities, and sacrifices of the 16 living Medal of Honor recipients of California: John Baca, Robert Bush, Jon Cavaiani, Walt Ehlers, John Finn, Delbert Jennings, John McGinty, Lew Millett, Robert Modrzejewski, Mitch Paige, Richard Pittman, Alejandro Ruiz, James Stockdale, James Swett, James Taylor, and Jay Vargas; 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 Medal of Honor recipients of California, and expresses its appreciation for their service and dedication to the citizens of California and the United States; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

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## RESOLUTION CHAPTER 117

Assembly Joint Resolution No. 47—Relative to commending Title IX of the Education Amendments of 1972.

[Filed with Secretary of State August 15, 2002.]

WHEREAS, June 23, 2002, marks the celebration of the 30th anniversary of Title IX of the Education Amendments enacted by the United States Congress and signed into law in 1972, and upon this occasion, it is deserving of special public commendations; and

WHEREAS, Title IX of the Education Amendments of 1972, which is one of the most significant pieces of federal legislation passed in the 20th century, prohibits discrimination on the basis of sex in education programs and activities at education institutions that receive federal funds, and it is an omnibus education law affecting all curricular and extracurricular offerings, from medicine, law, and science to drama, dance, and athletics; and

WHEREAS, Girls and women throughout the ages have participated in a variety of sports and physical activities in school, community, and club programs; and

WHEREAS, Prior to the passage of Title IX, there were few opportunities for girls and women to participate in high school or college athletics; and

WHEREAS, Participation in sports is acknowledged as a positive force in developing and promoting physical, mental, moral, social, and emotional well-being, and it is well-established that participation in athletics builds self-esteem, communication skills, discipline, and perseverance, all qualities that make a positive and significant difference in the quality of life and in the level of accomplishment; and

WHEREAS, Participation in girls youth and high school sports leagues has risen to a record level, and participation by female collegiate athletes now represents 41 percent of all varsity athletes; and

WHEREAS, Girls who participate in sports have the opportunity to develop strong interpersonal relationships while learning teamwork, goal-setting, and other achievement-oriented behaviors; and

WHEREAS, Participation in athletics strengthens family bonds between young women and their parents who may have participated in athletics themselves, and engaging in physical activities and sporting events as a family unit further enhances family bonds; and

WHEREAS, Teenage female athletes are less likely to use marijuana, cocaine, or other illicit drugs, less likely to be suicidal, less likely to smoke, and more likely to have positive body images than female nonathletes, and women student athletes graduate at a significantly higher rate than women students in general; and

WHEREAS, Teenage female athletes are 50 percent less likely to become pregnant as female nonathletes, less likely to have sex as teenagers than female nonathletes, and more likely to postpone their first sexual experience than female nonathletes; and

WHEREAS, Many female athletes have distinguished themselves as representatives of California and the nation in international competition and the Olympic Games, and during the 2000 Summer Olympics, women competed for the first time in the same number of team sports as men; and

WHEREAS, Professional female athletes now compete in leagues such as the Women's United Soccer Association, the Women's National Basketball Association, the Women's Tennis Association, the Ladies Professional Golf Association, Women's Professional Softball League, and the Women's Professional Football League, and the United States Professional Volleyball League will launch in 2002; and

WHEREAS, The increased visibility of female athletes provide people, young and old, female and male, with positive role models, and many women agree that seeing successful female athletes make them feel great pride as women; and

WHEREAS, Title IX continues to break down the gender barriers in educational institutions, giving women the opportunity to strive and achieve for excellence and realize the best within themselves; and

WHEREAS, Women of all ages should be encouraged to compete and contribute to sports at all levels of competition and to ensure opportunity for the next generation of female athletes and sports leaders as we enter the new millennium; 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 intent and substance of the current provision of Title IX of the Education Amendments of 1972.

(2) Pursue a strong enforcement policy for Title IX of the Education Amendments of 1972 and strengthen the compliance and enforcement policies of the U.S. Department of Education's Office for Civil Rights (OCR).

(3) Support the continuation of the strong compliance standards that are currently in place for Title IX of the Education Amendments of 1972.

(4) Encourage all Americans to participate in the national celebration, "Celebrating 30 Years of Title IX"; 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.

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## RESOLUTION CHAPTER 118

Assembly Joint Resolution No. 48—Relative to the reunification of Cyprus and its accession to the European Union.

[Filed with Secretary of State August 15, 2002.]

WHEREAS, For 27 years Turkey has illegally occupied 37 percent of the territory of the Republic of Cyprus and during that time has continually violated the will of the international community, including the United States and the United Nations, that Turkey cease its illegal occupation of Cyprus; and

WHEREAS, It is the position of the United States government that a political settlement to the Cyprus problem should be based on United Nations Security Council Resolutions; and

WHEREAS, These resolutions provide that a Cyprus settlement must be based on a State of Cyprus with a single sovereignty and international personality and a single citizenship, with its independence and territorial integrity safeguarded, and comprising two politically equal

communities as described in the relevant Security Council resolutions, in a bicommunal and bizonal federation; and

WHEREAS, The resumption of direct talks in January 2002, in the context of the Good Offices of the Secretary General, to find a just and viable solution to the Cyprus problem is an encouraging development that should be sustained and intensified in order to arrive, by the target date of June 2002, to an agreement; and

WHEREAS, The members of the Security Council, reiterated, on April 4, 2002, their full support for the negotiating process and for the Secretary General's mission entrusted to him by the Security Council in Security Council Resolution 1250, which was adopted on June 29, 1999, and urged the leaders to work for reaching a comprehensive settlement that takes full consideration of the relevant United Nations Resolutions and Treaties; and

WHEREAS, A peaceful, just, and lasting solution to the Cyprus problem would greatly benefit the security and the political, economic, and social well-being of all Cypriots, as well as contribute to improved relations between Greece and Turkey, and will serve the interests of the United States in the region; and

WHEREAS, Security, reconciliation, and prosperity for all Cypriots can be best achieved within the context of membership in the European Union which will provide significant rights and obligations for all Cypriots; and

WHEREAS, The prospect of Cyprus' accession to the European Union has acted as a catalyst for the resumption of the talks aimed at reaching a solution of the Cyprus problem; now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature calls upon the President of the United States to increase the administration's efforts to encourage initiatives that will help promote and achieve reunification, reconciliation, stability, and prosperity in Cyprus within the context of the ongoing efforts under the United Nations Secretary General's auspices and on the basis of the relevant United Nations Security Council Resolutions; and be it further

*Resolved,* That the Assembly and Senate of the State of California, jointly, request the United States government to continue to strongly support the accession of Cyprus to the European Union, without a settlement of the Cyprus problem being a precondition for accession; 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 in the Congress of the United States.

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## RESOLUTION CHAPTER 119

Assembly Concurrent Resolution No. 202—Relative to seniors.

[Filed with Secretary of State August 20, 2002.]

WHEREAS, The right to a healthy life is one of the most basic of all rights; and

WHEREAS, Three million six hundred thousand Californians are over the age of 65 years. Medicare alone is unable to support the health care needs of such a large population. Many seniors have fixed incomes and cannot afford rising health care costs, including the costs of prescription medications and other treatments that are not covered by Medicare; and

WHEREAS, Five million eight hundred thousand people in the United States are in long-term care. Long-term care costs approximately \$50,000 per year per patient, and thus seniors in long-term care are often forced to impoverish themselves, losing not only their assets, but also lifetimes of memories. In addition, many seniors are forced to leave their homes prematurely and enter long-term care facilities because they are denied home health care services; and

WHEREAS, Seniors with diminished mental and physical capacities are targets for financial, physical, and emotional elder abuse that negatively affects their health; and

WHEREAS, Seniors are often treated by different doctors who do not know the medical histories of their patients, thus further reducing the continuity and resulting quality of care for seniors; and

WHEREAS, Seniors are presented with a confusing maze of health care laws and regulations, both federal and state, thus making it difficult for them to have access to accurate information relating to their coverage and rights; and

WHEREAS, Many seniors are, therefore, currently not receiving the quality of health care that they deserve as a basic right; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That it is the goal of the Legislature that every senior in California receive the best possible health care and that, in order to achieve this goal, the Legislature finds and declares that seniors ought to have all of the following rights with regard to health care:

(1) Every senior should be entitled to access affordable, high-quality, and expedient health care, including prescription medication, hospitalization, mental health care, orthotics, dental care, vision care, gender-specific medical care, and long-term care.

(2) Every senior should be entitled to continuity with respect to his or her health care.

(3) Every senior should be entitled to safe and clean environments in assisted living and long-term health care facilities.

(4) Every senior should be entitled to access to home health care.

(5) Every senior should be entitled to accessible and legible information about health care and accompanying rights.

(6) Every senior should be entitled to information and easy access to a knowledgeable advocate who is capable of assisting seniors who are disabled by illness.

(7) Every senior should be entitled to protection from financial, emotional, and physical elder abuse; and be it further

*Resolved*, That the Chief Clerk of the Assembly distribute copies of this resolution to the author for appropriate distribution.

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## RESOLUTION CHAPTER 120

Assembly Concurrent Resolution No. 211—Relative to integrating walking and biking into transportation infrastructure.

[Filed with Secretary of State August 20, 2002.]

WHEREAS, Bicycling and walking contribute to cleaner air; and

WHEREAS, Bicycling and walking provide affordable and healthy transportation options for many of the 10 million Californians who do not possess a driver's license; and

WHEREAS, The State Department of Health Services has declared that more than 40,000 Californians annually die from causes related to physical inactivity; and

WHEREAS, The United States Centers for Disease Control has determined that changes in the community environment to promote physical activity may offer the most practical approach to prevent obesity or reduce its comorbidities. Automobile trips that can be safely replaced by walking or bicycling offer the first target for increased physical activity in communities; and

WHEREAS, Bicycling and walking contribute to safeguarding our coast from offshore oil drilling and enhance California's energy independence and national security by reducing our reliance upon imported oil; and

WHEREAS, Designing roads for safe and efficient travel by bicyclists and pedestrians saves lives; and

WHEREAS, Bicyclists and pedestrians pay sales taxes which provide for the majority of local transportation spending; and

WHEREAS, Local demand for funding from the Bicycle Transportation Account, the Safe Routes to School, and the

Transportation Enhancement Activity Programs far exceeds available moneys; and

WHEREAS, The best use of limited financial resources is to include bicycle and pedestrian elements into roadway projects where feasible; and

WHEREAS, Bicycling and walking reduce traffic congestion in California; and

WHEREAS, In February 2000, the United States Department of Transportation issued a design guidance statement titled, "Accommodating Bicycle and Pedestrian Travel: A Recommended Approach-A United States Department of Transportation Policy Statement on Integrating Bicycling and Walking into Transportation Infrastructure;" and

WHEREAS, In March 2001, the California Department of Transportation issued Deputy Directive 64 titled "Accommodating Non-Motorized Travel" which states that "The Department fully considers the needs of non-motorized travelers (including pedestrians, bicyclists and persons with disabilities) in all programming, planning maintenance, construction, operations, and project development activities and products. This includes incorporation of the best available standards in all of the Department's practices. The Department adopts the best practices concepts in the US DOT Policy Statement on Integrating Bicycling and Walking into Transportation Infrastructure;" now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That in order to improve the ability of all Californians who choose to walk or bicycle to do so safely and efficiently, the Legislature of the State of California hereby encourages all cities and counties to implement the policies of the California Department of Transportation Deputy Directive 64 and the United States Department of Transportation's design guidance document on integrating bicycling and walking when building their transportation infrastructure.

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## RESOLUTION CHAPTER 121

Assembly Joint Resolution No. 6—Relative to retirement security and savings.

[Filed with Secretary of State August 20, 2002.]

WHEREAS, It has become increasingly apparent that many working individuals face challenges that make it difficult for them to maximize their retirement savings and plan adequately for their retirement; and

WHEREAS, Current law could be amended to encourage and facilitate increased retirement savings and retirement planning; and

WHEREAS, The 106th Congress considered H.R. 1102, the Retirement Security and Savings Act of 2000, which subsequently failed passage; and

WHEREAS, The Retirement Security and Savings Act of 2000 would have increased the amount of deductible contributions workers could make each year to an Individual Retirement Account, commonly known as an IRA, with special accelerations allowed for individuals 50 years of age and older; and

WHEREAS, The Retirement Security and Savings Act of 2000 would have increased the dollar limit on deductions for participation in tax-deferred retirement plans, tax-sheltered annuities, and deferred compensation plans under Sections 401(k), 403(b), and 457 of Title 26 of the United States Code; and

WHEREAS, The Retirement Security and Savings Act of 2000 would have repealed the laws that require the coordination of contributions to a plan under Section 457 of Title 26 of the United States Code with contributions to other such plans; and

WHEREAS, The Retirement Security and Savings Act of 2000 would have revised and clarified existing law to enhance pension fairness for women; and

WHEREAS, The Retirement Security and Savings Act of 2000 would have increased pension portability by allowing distributions from IRAs, tax-deferred retirement plans, tax-sheltered annuities, and deferred compensation plans under Sections 401(k), 403(b), and 457 of Title 26 of the United States Code to be rolled over to other plans or arrangements, including a surviving spouse's plans or arrangements; and

WHEREAS, The Retirement Security and Savings Act of 2000 would have allowed a participant in a state or local government plan to exclude from gross income certain direct transfers of funds if they were used to purchase permissive service credits under the plan or to repay certain contributions; now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature of the State of California respectfully requests that the President of the United States and the Congress of the United States enact legislation containing provisions similar to the Retirement Security and Savings Act of 2000; 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, the Majority Leader of the

Senate, and each Senator and Representative from California in the Congress of the United States.

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RESOLUTION CHAPTER 122

Assembly Joint Resolution No. 25—Relative to forest resources.

[Filed with Secretary of State August 20, 2002.]

WHEREAS, California is blessed with 40 million acres of forests that provide economic, consumer, environmental, and aesthetic benefits indispensable to our quality of life; and

WHEREAS, Preservation of those forestlands for fish and wildlife habitat, recreation, water quality, and open-space uses is a priority for all Californians and depends upon good forest management practices to ensure sustainable forests; and

WHEREAS, Good forest management integrates the nurturing, sustainable harvesting, and replanting of forests and conservation of soil, air, water, wildlife, fish habitat, and aesthetics; and

WHEREAS, Approximately 85 percent of California's water originates in forested watersheds; and

WHEREAS, Good forest management requires cooperation among landowners, forest products enterprises, scientists, government, forest residents and visitors, and consumers of wood products; and

WHEREAS, 16 million acres of California forests contain productive forestlands available to provide a sustainable supply of building materials, paper, furniture, medicines, and other important products; and

WHEREAS, Forest-based enterprises have been an important component of California's economy for more than 150 years, supporting jobs, families, businesses, and entire rural communities throughout the state while providing significant tax revenues to government; and

WHEREAS, California was the first state to establish a multiagency, discretionary environmental review and approval process for timber harvesting on private lands in the United States; and

WHEREAS, Wood, a readily available and commonly used building product that is renewable, recyclable, reusable, and biodegradable, is critical to society's ability to meet the public's demand for housing; and

WHEREAS, Forest-based enterprises and professionals agree that they have a responsibility to be good stewards of the environment and are committed to continuing to improve upon modern, scientifically sound approaches that ensure maximum conservation and renewal of our forests; now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature of the State of California recognizes the important role that sustainably managed forests and products from those forests will continue to play in meeting the needs of the citizens of California; and be it further

*Resolved,* That the Legislature encourages good forest practices to ensure the conservation, maintenance, and enhancement of a productive and stable forest environment that protects water quality, wildlife resources, and rural communities; and be it further

*Resolved,* That the Legislature confirms its support for economically and environmentally sound management practices that ensure the sustainability of our forests as well as future supplies of essential products from our forests; and be it further

*Resolved,* That the Legislature memorializes the Congress to similarly declare its encouragement of public and private investment in economically and environmentally sound management practices that ensure sustainable forests for the benefit of present and future generations; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to 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.

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## RESOLUTION CHAPTER 123

Assembly Joint Resolution No. 42—Relative to federal proposal to devolve the administration of the unemployment insurance system.

[Filed with Secretary of State August 20, 2002.]

WHEREAS, Unemployment insurance has been the bedrock of the social safety net for workers who have been laid off and are seeking jobs and is the first line of defense during economic downturns; and

WHEREAS, Unemployment insurance not only provides vital income support to laid off workers, but also stabilizes the local, state, and national economies because the benefits workers receive are invested back into the community; and

WHEREAS, President Bush's proposal would destroy the federal-state partnership on which the unemployment insurance system is founded and would eliminate the historic role of the federal government in both ensuring that administrative financing keeps pace with ever-changing workload needs and assuring that the program is implemented consistently across the country; and

WHEREAS, Although the administration proposes to provide much-needed additional “Reed Act” funding for state unemployment programs, under the proposal states would receive no federal aid to fund the administrative costs of the unemployment insurance system after 2006; and

WHEREAS, President Bush’s proposal would reduce federal administrative payments that will result from the reduction in the Federal Unemployment Tax Act (FUTA) flat tax from \$56 per worker per year to \$14 per year; and

WHEREAS, This proposal would force California to raise taxes or find other state general funds to administer the unemployment insurance program; and

WHEREAS, President Bush’s proposal would jeopardize the federal government’s ability to help our state respond to economic downturns by drastically reducing the funding now dedicated to the federal unemployment trust funds; and

WHEREAS, The federal proposal would do nothing to help states cope with the challenges of expanding and modernizing their unemployment insurance systems, including ensuring that more low-wage workers are covered when they become unemployed; 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 to abandon the federal proposal to devolve the administration of the unemployment insurance system. The Legislature also urges the President and Congress of the United States to instead work with the state to ensure that the state receives a greater level of workload-based federal appropriations for administrative financing, and to provide new dedicated federal funding to help the state cover the workers who are now having the most difficulty collecting unemployment benefits; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit a copy of this resolution to the President of the United States and to each Senator and Representative from California in the Congress of the United States.

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## RESOLUTION CHAPTER 124

Senate Concurrent Resolution No. 84—Relative to a sister state relationship with the Azores.

[Filed with Secretary of State August 21, 2002.]

WHEREAS, The Azores is a group of nine islands strategically located in the Atlantic Ocean 800 miles west of Portugal, a two-hour flight from the capital city of Lisbon; although the Azores continue to be part of Portugal, they have been administrated autonomously since 1980; and

WHEREAS, The first Azorean settlers in California can be traced back to the early 19th century, when they engaged in whaling and gold mining; a large wave of Azorean immigrants moved into California at the end of the 19th century and industriously set up considerable agricultural operations, especially dairying and intensive vegetable and fruit farming; and

WHEREAS, Historically, California has been a popular destination for migrants from the Azores, creating strong cultural ties between the two regions; currently there are roughly 500,000 Portuguese people living in California, approximately 90 percent of whom have either come directly from the Azores or have Azorean parentage; and

WHEREAS, People continue to migrate to California from the Azores, creating a large concentration of Azoreans in California, especially around the East Bay and the Central Valley, and many maintain strong ties to their ancestral homeland; and

WHEREAS, The Azores have many characteristics in common with California, including enjoying similarly mild climates and having similar prominent economic activities, such as agriculture, tourism, wine growing, and fishing. Agriculture is an important industry for the people of the Azores, where approximately 28.7 percent of the population is engaged in that activity; and

WHEREAS, The Azores are a destination for mainland Portuguese as well as international tourists who come to enjoy the natural beauty as well as sites of historical significance. Like California, the Azores have the combination of mountains, ocean, and open land. Diving, fishing, hiking, golf, tennis, and relaxing on the beach are just a few of the activities tourists enjoy; and

WHEREAS, California and the Azores could benefit greatly from increased cooperation as some similar challenges are faced in both regions. Because of the volcanic nature of the islands, they are subject to severe earthquakes in much the same way that California is. Soil erosion, air pollution, and droughts have also been common problems; and

WHEREAS, A sister state relationship would promote mutual trade and commerce and increase the potential for educational, environmental, and cultural relations between the Azores and 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 Azores 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 California and the citizens of the Azores; and be it further

*Resolved*, That the Secretary of the Senate transmit copies of this resolution to the author for appropriate distribution.

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#### RESOLUTION CHAPTER 125

Senate Concurrent Resolution No. 85—Relative to the California Highway Patrol Officer Arthur E. Dunn Memorial.

[Filed with Secretary of State August 21, 2002.]

WHEREAS, Twenty-five years ago, California Highway Patrol Officer Arthur E. Dunn, a dedicated officer, died in the line of duty on July 9, 1977, when he was shot by a prisoner he was transporting to jail while traveling on State Route 89 in Shasta County; and

WHEREAS, Officer Dunn joined the Department of the California Highway Patrol in March 1963, graduated from the patrol academy and was assigned to the West Los Angeles area on July 5, 1963, transferred to the Sacramento area on December 3, 1965, the Redding area on October 11, 1967, and was assigned to the Burney Resident Post in July 1968; and

WHEREAS, Officer Arthur E. Dunn, as a result of his steadfast dedication to the citizens of the State of California, and his commitment and contributions to the safety of the motoring public represented the Department of the California Highway Patrol in an outstanding manner; and

WHEREAS, In recognition of his ultimate sacrifice for the citizens of the state, it is befitting that, on the northbound and southbound portions of State Route 89, in the vicinity of mile post markers 89SHA36.00 and 89SHA41.00, in the unincorporated area of Shasta County, appropriate memorials be placed to honor the memory of this selfless officer; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring*, That the Department of Transportation is requested to grant, without charge, the necessary encroachment permits authorizing appropriate memorials, funded by nonstate sources, to be placed within the right-of-way of northbound and southbound State Route 89 in the

vicinity of milepost markers 89SHA36.00 and 89SHA41.00; and be it further

*Resolved*, That the Secretary of the Senate transmit copies of this resolution to the Department of Transportation and the author for appropriate distribution.

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RESOLUTION CHAPTER 126

Senate Concurrent Resolution No. 86—Relative to California Highway Patrol Officer George W. Redding Memorial.

[Filed with Secretary of State August 21, 2002.]

WHEREAS, Twenty-five years ago, California Highway Patrol Officer George W. Redding, a dedicated officer, died in the line of duty on August 17, 1977, as a result of injuries sustained when struck by a utility pole guy wire while investigating a traffic collision on State Highway Route 273 in Shasta County; and

WHEREAS, Officer Redding joined the Department of the California Highway Patrol in January 1966, graduated from the patrol academy and was assigned to the San Leandro area on May 25, 1966, and transferred to the Redding area on September 15, 1969; and

WHEREAS, Officer Redding, as a result of his steadfast and selfless dedication to the citizens of the State of California, and his commitment and contributions to the safety of the motoring public, represented the Department of the California Highway Patrol in an outstanding manner; and

WHEREAS, In recognition of his ultimate sacrifice for the citizens of the state, it is befitting that on the northbound and southbound portions of State Highway Route 273 in the vicinity of mile-post markers 273SHA6.50 and 273SHA10.50 in the unincorporated area of Shasta County appropriate memorials be placed to honor his memory; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring*, That the Department of Transportation is requested to grant, without charge, the necessary encroachment permits authorizing appropriate memorials, funded by nonstate sources, to be placed within the right-of-way of northbound and southbound State Highway Route 273 in the vicinity of milepost markers 273SHA6.50 and 273SHA10.50; and be it further

*Resolved*, That the Secretary of the Senate transmit copies of this resolution to the Department of Transportation and the author for appropriate distribution.

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RESOLUTION CHAPTER 127

Senate Concurrent Resolution No. 100—Relative to Family History Month.

[Filed with Secretary of State August 21, 2002.]

WHEREAS, The family has been the vehicle of survival and stability in every culture; and

WHEREAS, The family is fundamental to our nation's future because it is the context in which almost all early learning and acculturation takes place; and

WHEREAS, The family, striving for a future of opportunity and hope, reflects our nation's belief in community, stability, and love, and remains an institution of promise, reliance, and encouragement; and

WHEREAS, The family is looked to as an unwavering symbol of constancy that will help discover a future of prosperity, promise, and potential; and

WHEREAS, Within our nation's libraries and archives lie the treasured records that detail the history of our nation, states, communities, and citizens, and individuals from across the nation and across the world have embarked on a genealogical journey to discover who their ancestors were and how various forces shaped their past; and

WHEREAS, An ever-growing number in our nation and in other nations are collecting, preserving, and sharing genealogies, personal documents, and memorabilia that detail the life and times of families around the world; and

WHEREAS, The California State Genealogical Alliance (CSGA) Officers conducted a query of those genealogical societies with 1,000 or more members, societies with over 500 members, and the number of smaller CSGA member societies with 30 to 100 members, and from this query, CSGA estimated that 75,000 California residents are members of a California genealogical society; and

WHEREAS, In addition to the 75,000 Californians who are members of a California genealogical society there are thousands more who belong to national societies in other states; and

WHEREAS, Genealogical research is rapidly expanding as computer software and online databases simplify research; and

WHEREAS, The study of family history gives individuals a sense of their heritage and a sense of responsibility in carrying out a legacy that their ancestors began, and as individuals learn about their ancestors who worked so hard and sacrificed so much, their commitment to honor their ancestors' memory by doing good has increased; and

WHEREAS, Interest in one's personal family history transcends all cultural and religious affiliations; and

WHEREAS, To encourage family history research, education, and knowledge sharing, national, state, and local officials have actively promoted genealogy and facilitated access to family history records in archives and libraries, which has become important factors in the successful perception of nationwide camaraderie, support, and participation; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the month of October 2002 shall be recognized as Family History Month, and the people of the state are encouraged to take an interest in tracing their family's history and to observe the month with appropriate ceremonies and activities.

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#### RESOLUTION CHAPTER 128

Senate Concurrent Resolution No. 101—Relative to Parent-Teacher Association Membership Month.

[Filed with Secretary of State August 21, 2002.]

WHEREAS, The California State Parent Teacher Association (PTA) has demonstrated more than 100 years of dedication in promoting parent and public involvement in schools and communities; and

WHEREAS, Since its founding in 1897, the purpose of the PTA has been to promote the welfare of children and youth in homes, schools, communities, and places of worship, to raise the standards of home life, and to encourage a closer relationship between the home and the school so that parents and teachers may cooperate more intelligently in the education of children and youth; and

WHEREAS, The California State PTA also promotes united efforts by educators and the general public that will secure for all children and youth the highest advantages in physical, mental, social, and spiritual education; and

WHEREAS, Research provides substantial evidence that children whose families provide a caring and supportive environment and are actively involved in their schools have a higher probability of personal and academic success; and

WHEREAS, Statistics also show that the most highly successful schools are those with the most active parent and community involvement; and

WHEREAS, Parent and teacher cooperation in public schools will contribute significantly to the opportunities for all of our children to be successful in school, and will better prepare California's pupils for the job market of the 21st century; and

WHEREAS, More than one million parents, grandparents, educators, and other community members have enlisted as active members of the California State PTA in 3,900 local associations throughout 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 hereby commends parents, grandparents, and other citizens who have been involved in their schools and communities; and be it further

*Resolved,* That the Legislature encourages the participation of parents and community volunteers in every school and community across the state to provide children and youth with a healthy and productive learning environment; and be it further

*Resolved,* That the Legislature hereby proclaims September 2002 as Parent-Teacher Association Membership Month in California.

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## RESOLUTION CHAPTER 129

Senate Joint Resolution No. 40—Relative to international investment agreements.

[Filed with Secretary of State August 21, 2002.]

WHEREAS, The United States government, through the United States Trade Representative, is negotiating to create or interpret investment agreements under the proposed Free Trade Area of the Americas (FTAA), bilateral agreements such as the United States-Chile agreement, the investment chapter of the North American Free Trade Agreement (NAFTA), and potentially under the World Trade Organization (WTO); and

WHEREAS, Investment agreements affect state and local powers, including, but not limited to, zoning, protection of groundwater and other natural resources, corporate ownership of land and casinos, law enforcement by courts, public services, and sovereign immunity; and

WHEREAS, Investment rules under these agreements deviate from United States legal precedents on takings law and deference to legislative determinations on protecting the public interest; and

WHEREAS, Investment rules do not safeguard any category of law from investor complaints, including, but not limited to, laws passed in the interest of protecting human or animal health, environmental resources, human rights, and labor rights; and

WHEREAS, Foreign investors have used the provisions of NAFTA's investment chapter to challenge core powers of state and local government, including, but not limited to, regulatory power to protect groundwater in California; the power of civil juries to use punitive damages to deter corporate fraud in Mississippi; the ability of states to invoke sovereign immunity in Massachusetts; and a decision by local government to deny a zoning permit for construction of a hazardous waste dump in Guadalcazar, Mexico; and

WHEREAS, Serious concerns about international investment agreements have been expressed by national government associations, including the National Conference of State Legislatures, which urged federal trade negotiators not to commit the United States to further investor-to-state dispute provisions such as those pending under NAFTA; the National League of Cities, which has expressed concern that expansion of investment rules could undermine the successful effort by state and local governments to defeat legislation to expand compensation for takings in the 104th Congress; and the National Association of Attorneys General, which has encouraged Congress to ensure that foreign investors receive no greater rights to financial compensation than those afforded our citizens in any new international trade agreements; now, therefore, be it

*Resolved by the Senate and Assembly of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the President and Congress of the United States that the Congress and the United States Trade Representative should preserve the traditional powers of state and local governments by requiring that negotiators of international investment agreements do all of the following:

(a) Either carve out state and local governments from the scope of future investment agreements or exclude investor-to-state disputes from investment agreements.

(b) Ensure that international investment rules do not give greater rights to foreign investors than United States investors enjoy under the United States Constitution.

(c) Ensure that international investment rules do not undermine traditional police powers of state and local governments to protect public health, conserve environmental resources, and regulate fair competition.

(d) Ensure that all proceedings are open to the public and that all submissions, findings, and decisions are promptly made public,

consistent with the need to protect classified information, and that amicus briefs will be accepted and considered by investment tribunals.

(e) Provide that an investors' home government must consent to the investor's claim against its host government, if investor-to-state disputes are retained; 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 United States Trade Representative, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

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### RESOLUTION CHAPTER 130

Assembly Concurrent Resolution No. 102—Relative to the Senator Jim Costa Highway.

[Filed with Secretary of State August 23, 2002.]

WHEREAS, The Honorable Jim Costa, California State Senator, is departing the California State Legislature after 24 years of dedicated public elected service, having represented the 16th State Senate District since 1994 and, prior to that tenure, represented the 30th Assembly District from 1978 to 1994, and upon this occasion, he is deserving of the special honors and highest commendations of the people of the State of California; and

WHEREAS, Jim Costa was elected to the California State Assembly in 1978 at the age of 25, and his reason for wanting to be elected to office was to help people, make a difference in determining public policy, and deal with issues that affect people's daily lives; and

WHEREAS, His background in farming was an asset as a Legislator, and the issues on which he focused most intently were water, agriculture, transportation, housing, and problems of the San Joaquin Valley; and he also devoted a great deal of time and energy to the National Conference of State Legislatures, of which he served as president in the years 2000 and 2001; and

WHEREAS, During his tenure in the Assembly, he served as Chair of the Assembly Water, Parks, and Wildlife Committee and the Subcommittee for the Assembly Ways and Means Committee; and

WHEREAS, Since his election to represent the 16th Senatorial District in 1994, Senator Jim Costa has served the Senate admirably as Chairman of the Agriculture and Water Resources Committee, the Banking, Commerce and International Trade Committee, the Housing

and Community Development Committee, and the Transportation Committee; and

WHEREAS, Senator Costa's major legislative accomplishments include spearheading the effort that obtained \$26 million for a UCSF-Fresno Medical Education and Research Center to help train new doctors and ease the San Joaquin Valley's shortage of physicians; forging historic agreements that became Proposition 204, the Safe, Clean, Reliable Water Supply Act of 1996 and Proposition 13, the Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Bond Act in 2000; moving California's primary election to the first Tuesday in March of even-numbered years; writing the law to help child protective services and improve response to abuse complaints; writing the 1998 and 1999 agricultural land conservation laws; helping enact tax cuts, welfare reform, and class size reduction; authoring "Three Strikes, You're Out," America's toughest standard against violent crime; authoring major reform of the Endangered Species Act to encourage retention of wildlife habitat; coauthoring legislation that equalized special education funding and support for county offices of education; authoring landmark legislation which requires local agencies to give greater consideration to the availability of water when considering major new development; advocating for reduction of Bay Area smog blowing into the San Joaquin Valley and working to switch San Joaquin Valley truck fleets to cleaner fuels by gaining approval of a first-of-its-kind program to create LNG terminals; creating the San Joaquin River Conservancy to establish a parkway along the San Joaquin River; authoring legislation which encourages investment in construction of affordable housing for low and moderate income families; leading the effort to save and improve Amtrak passenger rail service in California and to create the California High Speed Rail Authority; and bringing to fruition the construction of eight prisons built in local communities which requested them, providing over 10,000 permanent jobs; and

WHEREAS, Jim Costa, a third-generation American, grew up in a farming family of Portuguese descent and was raised on his family's farm in western Fresno County, and he and his family have farmed in the San Joaquin Valley since the early 1900s in Tulare, Kings, and Fresno Counties; and

WHEREAS, Through his public service activities Senator Jim Costa has made a significant impact on the people of the 16th Senate District and throughout the state; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the Honorable Jim Costa be commended on his illustrious record of dedicated and highly effective public elected service, applauded on the leadership he has provided during his tenure

in the State Legislature, and extended best wishes for every continued success in his future pursuits; and be it further

*Resolved*, That the portion of State Highway Route 180 between State Highway Route 99 and Chestnut Avenue, and any future freeway extension between Chestnut Avenue and Clovis Avenue, in the County of Fresno, be officially dedicated as the “Senator Jim Costa 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 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.

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#### RESOLUTION CHAPTER 131

Senate Concurrent Resolution No. 95—Relative to sister state status.

[Filed with Secretary of State August 26, 2002.]

WHEREAS, The people of California and the State of Baja California Sur share a mutual history, ancestry, culture, art, and architecture of Spanish and Native American civilizations; and

WHEREAS, The States of California and Baja California Sur share many geographical, agricultural, and economic similarities, including beautiful coastlines on the Pacific Rim, significant agricultural areas, and a strong level of tourism; and

WHEREAS, The State of California and the Mexican State of Baja California Sur share a mutually beneficial economic relationship that includes trade, investments, and commerce in the areas of fishing, agriculture, mining, manufacturing, ecotourism, and other important industries; and

WHEREAS, The North American Free Trade Agreement (NAFTA) has expanded trade between the State of California and the State of Baja California Sur, providing additional impetus and reason for cooperation; and

WHEREAS, The State of Baja California Sur has an annual gross state product of more than 23 billion pesos per year, a 10-year growth rate of more than 400 percent, and per capita incomes that rank it number eight among the United States of Mexico; and

WHEREAS, The State of California and the State of Baja California Sur have supported cooperative research by universities in California and Baja California Sur to promote bilateral economic development, thereby providing mutual benefit to the people of the State of California and the State of Baja California Sur; and

WHEREAS, The number and diversity of university campuses in Baja California Sur provide ample and untapped opportunities for cooperative research and for student and faculty exchanges with California colleges and universities; and

WHEREAS, The States of California and Baja California Sur, in affirmation of the common goal of strengthened cultural ties among the Californias, as agreed to and ratified by the Commission of the Californias and the California Arts Council, duly signed the Memorandum of Understanding, which seeks to establish a joint cultural program to promote the exchange of arts and culture; and

WHEREAS, Gaspar de Portola, former Governor of the territory of Baja California and Baja California Sur, made significant contributions in the exploration of California and the establishment of the state's first presidio in 1769; and

WHEREAS, Generations of people from the State of Baja California Sur reside in the State of California, and a growing number of Californians reside in the State of Baja California Sur, particularly after retirement; 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 the State of California, extends to the people of the State of Baja California Sur in Mexico an invitation to join with the State of California in a sister state relationship (relación de hermandad con el Estado de Baja California Sur, México) in order to encourage and facilitate mutually beneficial educational, economic, and cultural exchanges; and be it further

*Resolved,* That it is the intent of the Legislature through a sister state relationship with the State of Baja California Sur to do the following:

(1) Promote the economic growth and well-being of small, medium, and large companies in both California and Baja California Sur by increasing their potential for trade and investment.

(2) Provide a forum for sustained goodwill and cooperation between the elected leaders of the State of California and the State of Baja California Sur.

(3) Promote bilateral ties that lead to a more indelible and lasting relationship between the citizens of California and the citizens of Baja California Sur; and be it further

*Resolved,* That the Secretary of the Senate transmit copies of this resolution to the Governor of California, to the Governor of Baja

California Sur, to the State Congress of Baja California Sur, and to each Senator and Representative from California in the Congress of the United States.

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RESOLUTION CHAPTER 132

Senate Joint Resolution No. 48—Relative to California fire service terrorism preparedness.

[Filed with Secretary of State August 26, 2002.]

WHEREAS, California has experienced numerous large-scale disasters including fires, earthquakes, floods, and landslides, to which the California Fire Service has responded and mitigated further destruction in their mission as first responders; and

WHEREAS, Following the events of September 11, 2001, the threat of terrorism adds critical new dimensions to the preparedness for first responders responsible for the rescue and safety of California citizens; and

WHEREAS, The California Metropolitan Fire Chiefs have compiled a comprehensive inventory, totaling \$200,000,000, in training and equipment needs necessary to elevate the capabilities of the state's Fire Service to an appropriate level in order to meet current requirements for readiness, including the bolstering of fire department resources and training throughout the state; and

WHEREAS, It is imperative that all Statewide Fire Service first responders have available to them personal protection equipment in the event their duties require exposure to incidents involving nuclear, biological, or chemical devices designed as tools of terrorism or weapons of mass destruction; and

WHEREAS, It is crucial that all Statewide Fire Service first responders receive training that is specially designed to adequately prepare them for weapons of mass destruction events; now, therefore, be it

*Resolved by the Senate and Assembly of the State of California, jointly,* That the Legislature of the State of California requests the President and Congress of the United States to make sufficient funds available to California to support the state's Fire Service first responder preparedness needs ; 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 Senate Majority Leader Tom Daschle, to Senate Minority Leader Trent Lott, to House Speaker J. Dennis Hastert, to House Minority Leader

Richard Gephardt, and to each Senator and Representative from California in the Congress of the United States.

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RESOLUTION CHAPTER 133

Senate Concurrent Resolution No. 91—Relative to “Partnerships for Preparedness” symposiums.

[Filed with Secretary of State September 3, 2002.]

WHEREAS, Military facilities tend to be physically, socially, and politically isolated from surrounding communities, and have no established link to state or local levels of strategic planning at the executive, operational, or tactical levels; and

WHEREAS, Crisis tends to dictate decisions among military facilities and surrounding communities, creating competition with little positive benefit; and

WHEREAS, Effective strategic coordination does not exist between localities, interest groups, the State of California, and the United States Department of Defense; and

WHEREAS, The establishment of coordination between localities, interest groups, the State of California, and the United States Department of Defense is a top priority; and

WHEREAS, The Office of Military Base Retention and Reuse (OMBRR) within the California Technology, Trade, and Commerce Agency, seeks to foster a network of influence among military facilities, surrounding communities, and state and federal government agencies, and to develop resources to facilitate positive and collaborative action on specific defense related topics of interest statewide; and

WHEREAS, The OMBRR is working with the Office of Economic Adjustment within the United States Department of Defense to obtain a grant for the purpose of developing a model to enhance the long-term relationships between military facilities and the communities that surround these facilities; and

WHEREAS, The OMBRR will also sponsor several two-day “Partnerships for Preparedness” symposiums around the state that are designed to facilitate dialogue between military facilities, surrounding communities, and state and federal government agencies that best utilize the political process and cooperation at the local level; and

WHEREAS, These “Partnerships for Preparedness” symposiums will be the first of their kind in the nation and encourage participants to work towards obtainable resolutions to complex issues arising between military bases and surrounding communities; and

WHEREAS, These “Partnerships for Preparedness” symposiums will provide an opportunity for communities to shape their future in a wide range of areas, through continuous discussion and implementation of specific action plans developed at a local level rather than from a state or federal mandate; and

WHEREAS, These “Partnerships for Preparedness” symposiums will build lasting relationships between California’s military bases, a myriad of private and public organizations, the United States Department of Defense, and the defense industry; and

WHEREAS, These symposiums will facilitate grass roots momentum for collaborative action, with state and federal support, for creating coalitions from their participants that can respond to future community challenges; and

WHEREAS, Through these events, military bases and their surrounding communities will be able to identify a common vision, provide a forum for dialogue, and facilitate agreement on actions to ensure our national security and enhance the quality of life in our local communities; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the Legislature commends the efforts of the Office of Military Base Retention and Reuse, including its sponsorship of “Partnerships for Preparedness” symposiums, and encourages California cities, counties, and military bases to participate in these symposiums; and be it further

*Resolved,* That the Secretary of the Senate transmit copies of this resolution to the author for appropriate distribution.

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#### RESOLUTION CHAPTER 134

Senate Concurrent Resolution No. 99—Relative to the California Task Force on Youth and Workplace Wellness.

[Filed with Secretary of State September 3, 2002.]

WHEREAS, Senate Concurrent Resolution No. 40, enacted in 2001 as Resolution Chapter 111, established the California Task Force on Youth and Workplace Wellness (“task force”); and

WHEREAS, The task force is charged with performing various duties to promote fitness and health in schools and workplaces; and

WHEREAS, The task force consists of 12 voting members, two of which are Members of the Assembly appointed by the Speaker of the Assembly, two of which are Members of the Senate appointed by the Senate Committee on Rules, four of which are experts appointed by the

Speaker of the Assembly, and four of which are experts appointed by the Senate Committee on Rules; 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 expanded to include four additional voting members, for a total of 16 members; and be it further

*Resolved,* That two of the additional members shall be appointed by the Speaker of the Assembly, and shall include one person from the field of health and one member from the field of education; and be it further

*Resolved,* That the other two additional members shall be appointed by the Senate Committee on Rules, and shall include one person from the field of health and one member from the field of education.

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### RESOLUTION CHAPTER 135

Senate Concurrent Resolution No. 103—Relative to Declaring Our Principles of Inclusion for California.

[Filed with Secretary of State September 3, 2002.]

WHEREAS, California, as the rest of the United States and the rest of the entire world, has been experiencing the most remarkable rapid radical change in history, a period in which the only constant is change and the greatest inconstant is the ever-increasing rate of change; and

WHEREAS, The resulting breakdown of old forms, the disintegration of community and the disaffection of our people with government and its institutions has left many, if not most, of us disoriented, floundering, and desperately in need of discovering a way to regain our bearings and to re-envision and create new forms to enable us to come back together in community; and

WHEREAS, It is therefore appropriate for the Legislature to provide leadership in bringing all Californians together to recognize the profound changes and challenges that face us, and to take a long-term big-picture look at how we can cope with these changes and challenges and discern the most promising strategies for dealing with them constructively and collaboratively; and

WHEREAS, The Legislature can lead the people of California in a public dialogue regarding the most profound cross-cutting changes and challenges, facing us as we move into the 21st Century, including, but not limited to, race, diversity, technology, learning, families, health, communities, violence, aging, and environmental sustainability; and

WHEREAS, Our Joint Committee on Preparing California for the 21st Century was created in 2000 to assist the Legislature in this charge; and

WHEREAS, Our Joint Committee on Preparing California for the 21st Century chose as our first task an examination of California's most profound issue: race, diversity, and inclusion; and

WHEREAS, Our Joint Committee on Preparing California for the 21st Century convened an Advisory Team comprising Californians from across the state to assist us in drafting a set of "Principles of Inclusion," which were created to help frame public dialogue on the meaning and implications of our changing demographics and to promote an inclusive state; and

WHEREAS, Our Advisory Team provided, and our Joint Committee on Preparing California for the 21st Century adopted, its "Principles of Inclusion;" now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the Legislature declares, as our common aspiration for all Californians—regardless of gender, race, or national origin—and as its guiding principles, the following "Principles of Inclusion:"

1. We Californians affirm in thought and action that we human beings have the potential to become life affirming, constructive, responsible, and trustworthy.

2. We Californians respect, trust, and honor ourselves and each other, both as unique individuals and as bearers of diverse, rich, community-based traditions.

3. We Californians are prepared for employment and entrepreneurialism on a lifelong basis in our 21st Century information-based global economy.

4. We Californians fully and freely participate in political, economic, and social institutions, to achieve leadership positions, and to promote the expansion of democratic processes and decision-making.

5. We Californians fairly share, without barriers, in the fruits and burdens of all our economic, social, religious, and political institutions, programs, and processes.

6. We Californians regularly work, live, and socialize with people from other ethnic groups or races.

7. We Californians recognize and appreciate the awful damage caused by discrimination, and seek to prevent that conduct and to reduce that harm.

8. We Californians have access to high-quality education throughout our lifetimes, to enable us to become lifelong learners.

9. We Californians are not excluded from housing options.

10. We Californians live in neighborhoods that are free from crime and environmental hazards, and that meet basic health, housing, telecommunications, transportation, and other needs.

11. We Californians are treated fairly and equally by our law enforcement and judicial systems, including our criminal justice system.

12. We Californians have the opportunity to age in dignity.

13. We Californians practice the peaceful resolution of interpersonal and inter-group conflict.

14. We Californians enjoy the benefits of racial inclusion described in these Principles throughout the urban, suburban and rural regions of our State; and be it further

*Resolved*, That the Legislature of the State of California strongly encourages all citizens and communities in California—both public and private—to consider these “Principles of Inclusion” for themselves, and to adopt these, or their own separate “Principles of Inclusion;” and be it further

*Resolved*, That the Secretary of the Senate transmit copies of this resolution to the author for appropriate distribution.

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## RESOLUTION CHAPTER 136

Senate Joint Resolution No. 39—Relative to trade with Cuba.

[Filed with Secretary of State September 3, 2002.]

WHEREAS, The relationship between the United States and Cuba has long been marked by tension and confrontation; and

WHEREAS, Further heightening this hostility is the 40-year-old United States trade embargo against the island nation, which remains the longest-standing embargo in modern history; and

WHEREAS, Cuba imports nearly a billion dollars' worth of food every year, including approximately 1,100,000 tons of wheat, 420,000 tons of rice, 37,000 tons of poultry, and 60,000 tons of dairy products; and

WHEREAS, These amounts are expected to grow significantly in coming years as Cuba slowly recovers from the severe economic recession it has endured following the withdrawal of subsidies from the former Soviet Union in the last decade; and

WHEREAS, California is the top agricultural producer and exporter in the nation, a position it has held for 50 years, with an enormous variety of crops and great growing conditions; and

WHEREAS, California's production values are more than \$26 billion annually; and

WHEREAS, California is, therefore, ideally positioned to benefit from the market opportunities that free trade with Cuba would provide; and

WHEREAS, Rather than depriving Cuba of agricultural products, the United States embargo succeeds only in driving sales to competitors in other countries that have no such restrictions; and

WHEREAS, In recent years, Cuba has developed important pharmaceutical products, namely, a new meningitis-B vaccine that has virtually eliminated the disease in Cuba; and

WHEREAS, These products have the potential to protect Americans against diseases that continue to threaten large populations around the world; and

WHEREAS, Cuba's potential oil reserves have attracted the interest of numerous other countries that have been helping Cuba develop its existing wells and search for new reserves, and Cuba's oil output has increased more than 400 percent over the last decade; and

WHEREAS, The United States' trade, financial, and travel restrictions against Cuba hinder California's exports of agricultural and food products and our ability to import critical energy products, the treatment of illnesses experienced by Californians, and the right of Californians to travel freely; 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 respectfully urges the President and Congress of the United States to consider the removal of trade, financial, and travel restrictions relating to Cuba; 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 to each Senator and Representative from California in the Congress of the United States.

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## RESOLUTION CHAPTER 137

Senate Joint Resolution No. 49—Relative to human exposure to environmental chemicals.

[Filed with Secretary of State September 3, 2002.]

WHEREAS, In 1999, the federal Centers for Disease Control and Prevention (CDC) issued its first National Report on Human Exposure to Environmental Chemicals, a new publication that provides an ongoing assessment of the United States population's exposure to environmental chemicals using biomonitoring; and

WHEREAS, “Environmental chemical” means a chemical compound or chemical element present in air, water, soil, dust, food, or other environmental media, and “biomonitoring” is the assessment of human exposure to chemicals by measuring the chemicals or their metabolites in human specimens, such as blood or urine collected in the representative survey known as the National Health and Nutrition Examination Survey (NHANES); and

WHEREAS, It is important to know which chemicals are stored in the body because they act as a “reservoir” for continued exposure, with potentially serious health consequences, since a chemical that accumulates in the body over time can increase the potential for disease to occur; and

WHEREAS, The first edition of the National Report on Human Exposure to Environmental Chemicals presents levels of 27 environmental chemicals measured in the United States population, including metals such as lead, mercury, uranium, cotinine, a marker of tobacco smoke exposure, and organophosphate pesticide metabolites, as well as phthalates; and

WHEREAS, The National Report on Human Exposure to Environmental Chemicals determines the toxic substances to which Americans are exposed, as well as populations at risk, volumes of toxic substances used, and exposure trends; and

WHEREAS, The National Report on Human Exposure to Environmental Chemicals determines whether interventions to reduce exposure have been effective; and

WHEREAS, In collaboration with other federal agencies, the National Report on Human Exposure to Environmental Chemicals provides additional information on interpreting lab measurements, including potential sources of exposure and human toxicity; and

WHEREAS, The next National Report on Human Exposure to Environmental Chemicals is due to be issued by December 2002 and will analyze 75 chemicals; and

WHEREAS, The National Report on Human Exposure to Environmental Chemicals’ findings, organized by state and demographics, were to be made available in January of 2002; and

WHEREAS, California is a world leader in clean air and water standards, often improving upon federal standards; and

WHEREAS, The California survey within the National Report on Human Exposure to Environmental Chemicals constitutes a valid sample in its own right; and

WHEREAS, The National Report on Human Exposure to Environmental Chemicals’ specific findings for the State of California will help the State Department of Health Services, the Legislature, and

the Governor's office to address California's environmental health needs; and

WHEREAS, The State Department of Health Services is responsible for developing a plan to establish an environmental health tracking system by 2003, a project that requires collation of all available data sets; and

WHEREAS, The National Report on Human Exposure to Environmental Chemicals will inform the planning process as California builds capacity at state biomonitoring facilities; and

WHEREAS, The State Department of Health Services needs to make a budgetary commitment to additional biomonitoring to augment CDC findings; and

WHEREAS, The California public has the right to information regarding regional exposures to particular chemicals; and

WHEREAS, California findings on particular chemicals will serve as an information base for populations concerned about decreasing chemical risks in their communities; now, therefore, be it

*Resolved by the Senate and Assembly of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the President of the United States, the United States Secretary of Health and Human Services, the Director of the Centers for Disease Control and Prevention, and the California Congressional delegation to seek the immediate release to the State Department of Health Services, and thereby to the California public, of the California-specific findings from the 1999 CDC National Report on Human Exposure to Environmental Chemicals; and be it further

*Resolved,* That the Legislature of the State of California respectfully memorializes the Director of the Centers for Disease Control and Prevention to release to the State Department of Health Services all California-specific findings from the National Report on Human Exposure to Environmental Chemicals that is due to be issued by December 2002, at the time that report is issued; 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 United States Secretary of Health and Human Services, the Director of the Centers for Disease Control and Prevention, and to each Senator and Representative from California in the Congress of the United States.

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## RESOLUTION CHAPTER 138

Senate Joint Resolution No. 50—Relative to the bicentennial anniversary of the United States Military Academy at West Point.

[Filed with Secretary of State September 3, 2002.]

WHEREAS, This year the United States Military Academy at West Point celebrates 200 years of providing leaders of character for our Army and a lifetime of selfless service to the nation; and

WHEREAS, On March 16, 1802, President Thomas Jefferson signed into law a bill of the United States Congress authorizing the establishment of “a military academy to be located at West Point in the State of New York”; and

WHEREAS, West Point was originally created as an academic institution devoted to the arts and sciences of warfare, and later emphasizing engineering to serve the needs of the nation and to eliminate the country’s reliance on foreign engineers and artilleryists; and

WHEREAS, West Point graduates were responsible for the construction of many of the nation’s initial railway lines, bridges, harbors, and roads that were the vital infrastructure of our great nation; and

WHEREAS, The list of graduates representing the Long Gray Line is distinguished and includes two American Presidents, Ulysses S. Grant and Dwight D. Eisenhower; and

WHEREAS, West Point graduates have led or nation’s Armed Forces from the birth of our nation to the present, many of them giving their lives as the ultimate sacrifice to preserve our freedom; and

WHEREAS, In addition to Ulysses S. Grant, who led the Union Army in the Civil War, General Robert E. Lee, leader of Confederate troops, graduated from the United States Military Academy; and

WHEREAS, Other graduates with notable military careers include Generals Philip Sheridan, William T. Sherman, George S. Patton, Douglas MacArthur, and H. Norman Schwarzkopf; and

WHEREAS, West Point graduates have distinguished themselves in countless ways, from Olympic glory to receiving the Heisman Trophy, from receiving scores of Rhodes Scholarships to serving as some of the nation’s pioneering astronauts; and

WHEREAS, The academy is preparing for its third century of service to our nation, a future in which fighting and winning our nation’s wars remains the Army’s primary focus; and

WHEREAS, The academy must also prepare officers for peacekeeping duties as part of an ever complex world; and

WHEREAS, The academy remains today an energetic, vibrant institution that attracts some of the nation’s best and brightest young men and women who, in the next 200 years of service to this nation, will face challenges different from those that have gone before them to make up the storied Long Gray Line; and

WHEREAS, The academy continues its lasting commitment to its motto of duty, honor, and country; now, therefore, be it

*Resolved by the Senate and Assembly of the State of California, jointly,* That the Legislature of the State of California recognizes that the United States Military Academy at West Point is a living testament to the accomplishments of the United States throughout its history; and be it further

*Resolved,* That the Legislature of the State of California honors the United States Military Academy at West Point and its graduates as they move forward into the academy's third century of service to the nation; and be it further

*Resolved,* That the Legislature of the State of California respectfully requests the United States Congress to recognize the 200th anniversary of the United States Military Academy; 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.

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#### RESOLUTION CHAPTER 139

Senate Joint Resolution No. 51—Relative to the United Nations Population Fund.

[Filed with Secretary of State September 3, 2002.]

WHEREAS, The Bush Administration has determined that the \$34 million appropriated by Congress shall not be provided at this time to the United Nations Population Fund (UNFPA) due to the Kemp-Kasten Amendment, which provides that none of the funds made available under the Foreign Assistance and Related Programs Appropriations Act of 1985 “may be made available to any organization or program which, as determined by the President of the United States, supports or participates in the management of a program of coercive abortion or involuntary sterilization”; and

WHEREAS, The UNFPA strives to establish universal access to reproductive health, promote awareness of population and human development issues, and support population and human development; and

WHEREAS, The UNFPA provides 142 countries with health services during pregnancy and birth, voluntary family planning, teen-pregnancy prevention, and services to protect women and families from HIV/AIDS and other sexually transmitted infections; and

WHEREAS, The UNFPA addresses the issues of population, family planning, women's empowerment, and HIV intervention; and

WHEREAS, These issues are paramount to the United Nations' goals of reducing poverty, increasing global stability and prosperity, and creating a sustainable population; and

WHEREAS, The UNFPA programs not only provide benefits to women, but also their families, their communities, and their nations; and

WHEREAS, The UNFPA is committed to a voluntary, human rights-based approach to reproductive health and family planning stipulated by the 1994 Cairo International Conference on Population and Development; and

WHEREAS, A fact-finding mission to China conducted by the United States found no evidence that the UNFPA had supported or participated in programs involving coercive abortion or involuntary sterilization in China; and

WHEREAS, Past funds to the UNFPA from the United States were restricted so that they did not fund programs in China; and

WHEREAS, Congress had already approved sending \$34 million to the UNFPA in 2002; and

WHEREAS, The United States funding, estimated by the UNFPA, would be enough to prevent 2 million unwanted pregnancies, nearly 800,000 induced abortions, 4,700 maternal deaths, nearly 60,000 cases of serious maternal illness, and over 77,000 infant and child deaths; 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 reinstate the \$34 million in funding for the United Nations Population Fund; 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.

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## RESOLUTION CHAPTER 140

Assembly Concurrent Resolution No. 168—Relative to the Jerry Medina Memorial Freeway.

[Filed with Secretary of State September 3, 2002.]

WHEREAS, On March 29, 2001, a beloved son, brother, friend, classmate, and neighbor, lost his life in a most tragic accident; and

WHEREAS, Jerry Medina was driving home after a day at Modesto High School when the accident occurred; and

WHEREAS, A truck crossed the highway median and landed on Jerry's car near Maze Boulevard, leaving him dead at 18 years of age; and

WHEREAS, Five other people were injured as a result of this accident; and

WHEREAS, This tragic incident continues to live in the memory of his family, friends, classmates, neighbors, and the community; and

WHEREAS, It is appropriate that the loss of this fine young man be remembered on the highway where he died; and

WHEREAS, It is also fitting that the section of highway designated in his memory consist of the section of State Highway Route 99 between Standiford Avenue/Beckwith Road, and Tuolumne Boulevard in Modesto, the path Jerry traveled daily to school; and

WHEREAS, The promise and joy for life that Jerry displayed might serve as a reminder for our youth to develop their own potential to the fullest; and

WHEREAS, This memorial section of State Highway Route 99 will continue to remind all of us of the need to keep safety a priority and a reminder to cherish every day and enjoy it to the fullest; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the Legislature hereby dedicates the section of State Highway Route 99 between Standiford Avenue/Beckwith Road, and Tuolumne Boulevard in Modesto to the memory of Jerry Medina; and be it further

*Resolved,* That this portion of State Highway Route 99 be officially designated the Jerry Medina Memorial Freeway; and be it further

*Resolved,* That the Department of Transportation is requested to determine the cost of appropriate signs 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 signs 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.

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## RESOLUTION CHAPTER 141

Assembly Concurrent Resolution No. 177—Relative to foreign teacher recruitment and support.

[Filed with Secretary of State September 3, 2002.]

WHEREAS, Pupil success depends on having a fully qualified and fully credentialed teacher in every classroom; and

WHEREAS, There are over 42,000 individuals in California's schools who do not hold a credential or other certificate issued by the Commission on Teacher Credentialing, up from 37,000 in 1997, and these noncertificated teachers are primarily concentrated in schools of greatest need; and

WHEREAS, A shortage of qualified teachers undermines California's ongoing efforts to fully achieve educational excellence; and

WHEREAS, California issues over 300 credentials annually to individuals trained to teach outside the United States to fill vacant teaching positions; and

WHEREAS, Individuals recruited to teach from other countries would benefit from full school district support, including orientation to state teaching standards and access to quality professional development; and

WHEREAS, Current law prescribes qualifications for foreign national teachers and, under the implementation of Chapter 548 of the Statutes of 1998, as early as 2003, new teachers, including teachers from other states and countries who are issued preliminary credentials will be required to complete induction programs for beginning teacher support for up to two years in order to receive a professional clear credential; and

WHEREAS, Existing law establishes professional development programs for teachers, including the Beginning Teacher Support and Assessment System, the Education Technology Staff Development Program, and the Professional Development Institutes to improve teachers' performance in the classroom; and

WHEREAS, Recent reforms have occurred in the federal Elementary and Secondary Education Act, and specifically, the No Child Left Behind Act of 2001 urges states to put highly qualified teachers in every public school classroom by 2005 and provides specific funds to states and local schools for improving teacher quality, teacher recruitment, teacher salaries, and teacher training and development, and for promoting English proficiency; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the Legislature hereby urges school districts, schools, and school administrators to review and renew their systematic and sustained efforts to fully support the teachers holding a valid HB-1, J, or similar visa, that they recruit from other countries to fill teacher shortages; and be it further

*Resolved,* That the Legislature urges school districts, schools, and school administrators to provide credentialed teachers who received

training in countries other than the United States, to the extent that it is anticipated that those teachers will become permanent employees of the school district, with improved access to high quality professional development, orientation programs, teacher induction and mentoring programs, and other local activities targeted to easing their transition into, and retention in, California classrooms to ensure effective teaching experiences for improved student outcomes; and be it further

*Resolved*, That school districts, schools, and school administrators should provide support for these teachers within existing resources without prejudice to other noninternational teachers; and be it further

*Resolved*, That the Chief Clerk of the Assembly transmit a copy of this resolution to the California Teachers Association and to the California Teachers Association Language Acquisition Committee.

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#### RESOLUTION CHAPTER 142

Assembly Concurrent Resolution No. 178—Relative to the University of California.

[Filed with Secretary of State September 3, 2002.]

WHEREAS, The University of California is committed to enrolling a student body reflective of the diversity of the State of California; and

WHEREAS, According to the results of the 2000 census of the United States, people of color comprise the majority of the general population of the State of California, making it the most racially and ethnically diverse state in the country; and

WHEREAS, Over the last seven years, there has been a dramatic decrease in the number of underrepresented people of color, which include African-American, Latino, and American Indian students, applying, admitted, and enrolling in the graduate programs and professional schools of the University of California; and

WHEREAS, From fall 1994 to fall 2001, inclusive, the number of African-Americans admitted to law schools at UC Berkeley, UC Davis, and UCLA declined 55 percent, from a total of 239 to 107, and their enrollment rate over the same period declined 68 percent, from a total of 87 to only 28; and

WHEREAS, From fall 1994 to fall 2001, inclusive, the number of Latinos admitted to law schools at UC Berkeley, UC Davis, and UCLA declined 33 percent, from a total of 273 to 184, and their enrollment rate over the same period declined 48 percent, from a total of 110 to only 57; and

WHEREAS, From fall 1994 to fall 2001, inclusive, the number of American Indians admitted to law schools at UC Berkeley, UC Davis, and UCLA declined 65 percent, from a total of 34 to 12, and their enrollment rate over the same period declined 58 percent, from a total of 12 to only 5; and

WHEREAS, From fall 1994 to fall 2001, inclusive, the number of underrepresented people of color admitted to UC medical schools declined 36 percent, from a total of 261 to 166, and their enrollment rate over the same period declined 54 percent, from a total of 107 to only 49; and

WHEREAS, From fall 1995 to fall 1999, inclusive, the number of underrepresented people of color admitted to UC business schools declined 34 percent, from a total of 149 to 99, and their enrollment rate over the same period declined 35 percent, from a total of 68 to only 44; and

WHEREAS, From fall 1995 to fall 1999, inclusive, the number of underrepresented people of color admitted to all of the UC graduate programs declined 7 percent, from a total of 1,385 to 1,291, and their acceptance rate over the same period declined 5 percent, from a total of 751 to only 714; and

WHEREAS, Over the last seven years, there has also been a significant decrease in the number of Asians/Asian Americans and Filipino Americans admitted and enrolled at certain graduate programs and professional schools of the University of California; and

WHEREAS, From fall 1995 to the fall 2000, the number of Filipino Americans admitted to law schools at UC Berkeley, UC Davis, and UCLA declined 21 percent, from a total of 33 to 26, and their enrollment rate over the same period declined 35 percent, from a total of 17 to only 11; and

WHEREAS, From fall 1995 to the fall 1999, the number of Asians/Asian Americans admitted to UC graduate programs declined 10 percent, from a total of 2,333 to 2,111, and their acceptance rate over the same period declined 13 percent, from a total of 1,097 to only 950; and

WHEREAS, These dramatic declines in the numbers of underrepresented people of color admitted to, and enrolling in, University of California graduate programs and professional schools has discouraged underrepresented people of color from applying to graduate programs and professional schools they perceive as hostile and unwelcoming; and

WHEREAS, Limiting educational opportunities in higher education at the graduate and professional school level perpetuates inequity among Californians; and

WHEREAS, The dramatic decline in the numbers of underrepresented people of color admitted to, and enrolling in, University of California

graduate programs and professional schools harms all students because their education is without the benefit of the perspectives those now-absent students once brought to classroom discussions; and

WHEREAS, The dramatic decline in the number of underrepresented people of color enrolling in University of California graduate programs and professional schools contributes to a declining number of underrepresented people of color entering into professions, such as law, business, education, and medicine; and

WHEREAS, The UC Medical Student Diversity Task Force reported in their 2000 "Special Report on Medical Student Diversity" that research focusing on access to health services has repeatedly shown that physicians from groups traditionally underrepresented in medicine are more likely to serve those from minority and economically disadvantaged backgrounds, to practice in physician shortage areas, and to serve patients with chronic illnesses and multiple diagnosis; and

WHEREAS, The American Bar Association's Commission on Racial and Ethnic Diversity in the Profession reported that representation by people of color in the legal profession is significantly lower than in most other professions, that entry into the profession by people of color has slowed considerably since 1995, and that enrollment by people of color has dropped significantly at top public law schools in California; and

WHEREAS, The current admissions policies of the University of California's graduate programs and professional schools are too narrow, and do not allow for a large number of qualified students of color to be admitted and enrolled; and

WHEREAS, The University of California has already approved a proposal to utilize a "comprehensive review" for its freshman admissions process to consider a broad variety of academic and personal qualifications; and

WHEREAS, The Senate Select Committee on College and University Admissions and Outreach held five hearings during the 2001 legislative session on diversity in higher education, and its concluding report, "Increasing Access and Promoting Excellence: Diversity in California Public Higher Education," urges the University of California to explore the possibility of adopting a comprehensive application-selection process to guide individual departments in choosing their graduate students; and

WHEREAS, The Legislature of the State of Texas approved legislation (HB 1641) in the 2001 legislative session to broaden its admissions criteria to include additional important factors, and to prevent standardized test scores from being used as the sole criterion for consideration of the applicant, or as the primary criterion to end consideration of the applicant, for its graduate programs and professional schools; and

WHEREAS, Standardized test scores, as the sole criterion or as the primary criterion to end consideration of an applicant, could well constitute a major obstacle to the admission of underrepresented people of color to the University of California's graduate and professional schools, and the overreliance on standardized test scores, to the exclusion of other valuable admissions information, exacerbates the problem of low admission and enrollment rates of people of color; and

WHEREAS, Industry standards and guidelines militate against using standardized test scores as the sole criterion for making important decisions that impact people's lives, and support the use of multiple measures to make high-stakes decisions, when these measures are available and will add to the validity of the decision; and

WHEREAS, The Law School Admissions Council (LSAC), the organization that administers the Law School Admissions Test (LSAT), launched a five-year effort in January 2001 to urge law schools to deemphasize numbers-based admissions policies and to broaden their admissions criteria; and

WHEREAS, By broadening the admissions criteria of the graduate programs and professional schools, and by prohibiting standardized test scores from being used as the sole criterion for consideration or as the primary criterion to end consideration of the applicant, the Regents of the University of California would assert that the University of California is committed to admitting and enrolling all students, and would assure underrepresented people of color 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 implement a comprehensive approach in the admissions processes to include a broad variety of academic and personal qualifications for their respective graduate programs and professional schools by the end of the 2002–03 academic year; and be it further

*Resolved,* That the Legislature requests that the comprehensive approach also include reviewing and revising the admissions policies of graduate programs and professional schools, which claim to include some additional qualifications, to include an even broader variety of important qualifications, as is already done for the freshman admissions process of the University of California; and be it further

*Resolved,* That the Legislature requests that the comprehensive approach include reviewing and revising the weight or value placed on each of the important factors so that the standardized test scores are not the overriding criterion used to determine admissions; and be it further

*Resolved,* That the Legislature officially requests the regents to prohibit, before the end of the 2002–03 academic year, standardized test

scores from being used as the sole criterion for consideration of the applicant for, or as the primary criterion to end consideration of the applicant for, admission to the university's various graduate programs and professional schools; and be it further

*Resolved*, The Legislature requests that the regents describe those factors that are considered by each graduate program or professional school in making admissions decisions, and make those descriptions reasonably available to any interested person, by publishing the description of the factors in each graduate program and professional schools' catalogue, and making the information available on their respective Internet Web sites; 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.

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#### RESOLUTION CHAPTER 143

Assembly Concurrent Resolution No. 193—Relative to career technical education.

[Filed with Secretary of State September 3, 2002.]

WHEREAS, State law requires public high schools to offer career technical education designed and conducted for the purpose of preparing youth for gainful employment that serves the personnel needs of the state and the individual desires and needs of the pupils; and

WHEREAS, California's career technical education system is considered an integral and valuable part of secondary and postsecondary education in California as evidenced by the fact that more than 1.2 million pupils in California public high schools participate in career technical education; and

WHEREAS, About 10 percent of the pupils who begin the 9th grade will have earned a bachelor's degree 10 years later; and

WHEREAS, Limiting vocational opportunities for the other 90 percent of pupils who may not obtain a bachelor's degree within 10 years of the 9th grade, may be detrimental to the education and economy of California; and

WHEREAS, Tuition, books, costs of living, and other expenses incurred while attending college are often prohibitive to economically disadvantaged students who desire to obtain an education; and

WHEREAS, Career technical education teaches pupils real life skills and provides opportunity in diverse areas such as agriculture, home economics, metalwork, woodwork, business, auto mechanics, health,

and other important trade areas that are important to the well-being and economic vitality of the people of California; and

WHEREAS, Many productive and positive vocational and technical education contributions have come from organizations as diverse as Future Farmers of America, Future Business Leaders of America, Distributive Education Clubs of America, Future Homemakers of America—Home Economics Related Occupations, Health Occupation Students of America, and Vocational Industrial Clubs of America, all of which make a positive difference in the lives of pupils by developing their potential for premier leadership, personal growth, and career success; and

WHEREAS, An important part of the work of the state is to strengthen the relationship between a strong education system and California's economic future, a future that depends on the state's ability to develop a competent, competitive workforce for the knowledge-based, global economy of the 21st century; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That protecting and encouraging career technical education in the secondary public schools will help to ensure that providing economic and educational opportunities for every public high school pupil in California remains a priority for the Legislature; and be it further

*Resolved,* That it is the purpose and intent of the Legislature to promote career technical education in California's public high schools for the 1.2 million pupils who benefit from participating in those 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, the Superintendent of Public Instruction, and the Governor.

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#### RESOLUTION CHAPTER 144

Assembly Concurrent Resolution No. 223—Relative to the Alice Livingston Memorial Overcrossing.

[Filed with Secretary of State September 3, 2002.]

WHEREAS, Alice Livingston was born Elisa Espinosa, the third of eight children, on August 4, 1936, in Norwalk, California; and

WHEREAS, She was raised on local farms in Orange County where she later graduated from Huntington Beach Union High School; and

WHEREAS, She graduated from Orange County Coast Community College in the year 1956 while working for her high school; and

WHEREAS, In the year 1958, she moved to Spain, working four years for the United States government as a civil service employee, and later marrying an airman in the United States Air Force and giving birth to her first daughter Terrie; and

WHEREAS, In the year 1962, Alice Livingston returned to the United States, settling with her husband and daughter in El Cajon, California, where she gave birth to her second daughter Susan, devoted her time to raising her children, and later worked for a local manufacturing company; and

WHEREAS, In December of 1979, Alice Livingston moved with her younger daughter to Sacramento, California, and began more than 20 years of service with the California State Assembly as a member of the Assembly stenography pool; and

WHEREAS, In January of 1980, Alice Livingston joined the staff of the Assembly Committee on Revenue and Taxation, chaired by then Assembly Member Wadie Deddeh; and

WHEREAS, In 1983, Alice Livingston began working for then Speaker pro Tempore Frank Vicencia; and

WHEREAS, In March of 1987, Alice Livingston began working for the Assembly Transportation Committee, where she provided exemplary service as committee secretary under several chairs over the course of 15 years; including former Assembly Members Richard Katz (1987–95), Antonio Villaraigosa (1995–96), and Larry Bowler (1996–97), then Assembly Members and current Senators Kevin Murray (1997–99) and Tom Torlakson (1999–2001), and the current Chair Assembly Member John Dutra; and

WHEREAS, Alice Livingston grew to serve as a mentor to others in the position of committee secretary, and was ultimately designated to help train staff for the position; and

WHEREAS, In May of 2002, Alice Livingston fell ill and was later diagnosed with lung cancer, ultimately succumbing to the condition at the age of 65 on the morning of Thursday, June 6, 2002; and

WHEREAS, In the midst of her illness, Alice Livingston continued to inquire about her colleagues in the Legislature and the daily business of the Assembly Transportation Committee, requesting copies of the Senate and Assembly Daily Files and offering several times to “come in and help out at work”; and

WHEREAS, Alice Livingston was a longtime resident in the community of Rancho Cordova at the time of her passing; and

WHEREAS, During her years of service to the Legislature, and most notably her tenure as a committee secretary, Alice Livingston served with great distinction and ceaseless dedication, observing the highest standards of conduct and ethics as a professional Legislative staff member; and

WHEREAS, In light of her many years of service as committee secretary to the Assembly Transportation Committee, it is fitting to name an overcrossing on State Highway 50 after Alice Livingston; and

WHEREAS, Alice Livingston was an inspiration to all who knew her as a generous, selfless, hard-working, intelligent, and modest person; and

WHEREAS, Alice Livingston's coworkers, friends, and family deeply feel her absence and will forever remember her dignity, warmth, kindness, love of life, and enthusiasm for her profession; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the Mather Field Road overcrossing on State Highway Route 50 in Rancho Cordova be officially named the Alice Livingston Memorial Overcrossing; 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 Director of Transportation and to the author for appropriate distribution.

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## RESOLUTION CHAPTER 145

Assembly Concurrent Resolution No. 225—Relative to Off-Highway Motor Vehicle Recreation Program.

[Filed with Secretary of State September 3, 2002.]

WHEREAS, In 1971, the California Legislature acknowledged the tremendous growth in the number of off-highway motor vehicles being used for recreation in California and recognized that legislation was urgently needed to satisfy the demand for adequate recreation facilities for off-highway vehicles and to provide the restraints necessary to ensure recreational compatibility on public lands between various user groups; and

WHEREAS, Twenty-one separate items of legislation were introduced in 1971 to address the need to properly manage off-highway vehicles, including Assembly Bill 2342 which was authored by Assembly Members Eugene 'Gino' Chappie and Ed Z'berg and signed by the Governor on December 22, 1971, as Chapter 1816 of the Statutes

of 1971, and the majority of Assembly Bill 2342 consisting of the Chappie-Z'berg Off-Highway Motor Vehicle Law of 1971 (Section 38000 of the Vehicle Code and following) became operative 30 years ago, on July 1, 1972; and

WHEREAS, The California Off-Highway Motor Vehicle (OHV) Recreation Program has been in existence for 30 years and has grown to encompass over 100,000 miles of roads and trails statewide; and

WHEREAS, The Legislature established a self-funding mechanism whereby off-highway vehicle recreationists would have appropriate areas designated and maintained for their use in a manner consistent with good environmental practices; thus, no money comes from the General Fund to support the California OHV Recreation Program, and the off-highway vehicle recreationists have directly contributed over \$500 million to the Off-Highway Vehicle Trust Fund over the last 30 years and the OHV Recreation Program has awarded over \$200 million in grants to local and federal agencies to date; and

WHEREAS, There have been dramatic increases in Green Sticker and street-licensed four-wheel drive registration, and there are currently 506,585 street-licensed four-wheel drives registered and 489,380 Green Sticker registrations, and despite the 108 percent increase in Green Sticker registrations and the 74 percent increase in street-licensed four-wheel drive registrations, the amount of available acres of land for off-highway motor vehicles use has been steadily decreasing; and

WHEREAS, The Off-Highway Motor Vehicle Recreation Program has partnered with the California Police Activities League to teach over 2,000 at-risk youth how to operate and enjoy off-highway motorcycles and all-terrain vehicles under the Off-Road PALS program, and the Off-Road PALS program focuses on off-highway motor vehicle safety education while motivating at-risk youth to improve behavior, encourage responsibility, and learn skills that will be carried through life; and

WHEREAS, Off-highway motor vehicles enable the disabled and the elderly to access remote forests and desert areas; and

WHEREAS, The Off-Highway Motor Vehicle Recreation Division is developing a contract for a certified State Training Organization to implement the All-Terrain Vehicle Program for the state; and

WHEREAS, OHV clubs donate many hours of labor each year to clean wilderness areas and assist in revegetation programs; and

WHEREAS, There are six existing snow vehicle recreation areas (SVRAs) in California, visited by 1,993,494 people in 1999–2000, and SVRAs and SNO-Parks provide areas for both motorized and nonmotorized recreation and offer affordable recreation to young families with tight budgets (at the Oceano Dunes SVRA 70 percent of

the 1.1 million visitors are families, and families account for half of the visitors to the Ocotillo Wells SVRA); and

WHEREAS, The research, monitoring, and protection of the Western Snowy Plover and the Least Tern at the Oceano Dunes SVRA exceeds that which is found at all but a few California beaches, and the Hollister Hills SVRA contains a nature preserve; and

WHEREAS, The attendance at SNO-Parks has dramatically increased to 415,000 annual visitors, 42 percent of those visitors being ethnic minorities, largely Hispanic, and 67 percent of SNO-Park visitors coming to play in the snow; and

WHEREAS, The number of snowmobile registrations has increased by 180 percent, but Oregon which has 2,000 fewer registered snowmobiles than California has 4,000 more miles of trails; and

WHEREAS, California's OHV Recreation Program is the largest of its kind with the strictest environmental standards in the country; and

WHEREAS, New regulations have been created and adopted to bring the grant program into compliance with the off-highway motor vehicle laws passed in 1992, and multidisciplinary teams have been created to review grants in order to increase grant accountability, and the grant funds for Off-Highway Motor Vehicles Law Enforcement have been substantially increased, and conservation activities are taking a much higher priority in OHV grant allocations than in years past; and

WHEREAS, The Off-Highway Motor Vehicle Recreation Division is committed to maintaining a proactive resource management program; and

WHEREAS, Over 3.5 million California residents and 14.2 percent of all California households participate in off-highway recreation activities annually; and

WHEREAS, Off-Highway motor vehicle recreation affects 43,000 jobs, and the economic impact of off-highway vehicle recreation has grown to more than an estimated \$9 billion annually to the California economy; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the California Legislature acknowledges the significant contributions the Off-Highway Motor Vehicle Recreation Program has made to the quality of life in California; and, be it further

*Resolved* That the California Legislature commends the Off-Highway Motor Vehicle Recreation Program and the off-highway recreationists community on 30 years of a successful program.

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## RESOLUTION CHAPTER 146

Assembly Concurrent Resolution No. 237—Relative to Childhood Cancer Month.

[Filed with Secretary of State September 3, 2002.]

WHEREAS, Cancer is by far the leading cause of death by disease among children in this country; and

WHEREAS, Many children of California are afflicted with cancer, experiencing enormous pain and suffering, and they and their families require extraordinary levels of information and support in their struggles against this disease; and

WHEREAS, Successful prevention and treatment of many types of childhood cancer have not yet been achieved; and

WHEREAS, The conquest of cancer, a complex and intractable foe, requires a high level of commitment in order to provide the necessary resources and research; and

WHEREAS, California has many of the world's finest medical, academic, and commercial institutions, and must continue as a leader in the fight against this terrible disease; and

WHEREAS, Increased public awareness of this major public health problem is a crucial step toward finding solutions; and

WHEREAS, Childhood Cancer Month is an important nationwide tool for raising awareness among governmental officials and the public about the nature and scope of this problem; 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 declares September as Childhood Cancer Month; and be it further

*Resolved,* That the Legislature of the State of California is committed to supporting efforts to find cures for, and achieve prevention of, childhood cancer; 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 147

Assembly Joint Resolution No. 30—Relative to firefighters.

[Filed with Secretary of State September 3, 2002.]

WHEREAS, The threat of wildfires to lives, homes, and natural resources in the State of California has been increasing significantly each year as the population of the state grows; and

WHEREAS, Fighting wildland fires from the air is critical to the safety of our citizens and communities and the protection of our natural resources; and

WHEREAS, Flying retardant bombers on wildfires in gusty winds over smoke-filled rugged terrain is extremely dangerous; and

WHEREAS, Pilots and crews of retardant bombers repeatedly risk their lives each fire season in order to ensure the safety and protection of all California citizens, homes, communities, and natural resources; and

WHEREAS, All too frequently, pilots and crews of retardant bombers are killed in the line of duty while fighting wildfires; and

WHEREAS, Families of pilots and crews fighting wildfires, who work on a contract basis, who are killed in the line of duty currently do not have the same opportunity for death benefits as the families of firefighters, police officers, and others recognized as “public safety officers” by the United States Department of Justice; and

WHEREAS, It is the intent of the State of California to encourage the recruitment and retention of skilled and experienced pilots and crews to fight wildfires from the air; 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 United States Congress and the United States Department of Justice to include the families of wildland firefighting pilots and their crews, past and present, who have worked or who now work on a contract basis as eligible for death benefits on the same basis as public safety officers; 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, the President pro Tempore of the Senate of the United States, the Bureau of Justice Assistance of the United States Department of Justice, each Senator and Representative from California in the Congress of the United States, the Governor, and the Secretary of the Resources Agency.

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## RESOLUTION CHAPTER 148

Assembly Joint Resolution No. 39—Relative to airport security workers.

WHEREAS, The Aviation and Transportation Security Act (Public Law 107-71) established the Transportation Security Administration within the Department of Transportation, to be administered by the Under Secretary of Transportation for Security; and

WHEREAS, Under the act, the Under Secretary is responsible for day-to-day security screening operations for passenger air transportation, including the screening of passenger baggage; and

WHEREAS, Under the act, the Under Secretary is responsible for developing standards for the hiring, training, testing, and retention of security screening personnel; and

WHEREAS, Under the act, the qualification standards require that security screeners be citizens of the United States; and

WHEREAS, The Under Secretary assumed responsibility for airport security on February 19, 2002, and all security screening personnel that are not United States citizens will be terminated by November 19, 2002; and

WHEREAS, A large percentage of security screening personnel at several airports in California are not United States citizens; and

WHEREAS, In the bay area alone, approximately 1,200 security screeners, most of whom are of Filipino descent, will lose their jobs as a result of the requirement that security screeners must be United States citizens, with no demonstrable showing that this will improve safety or security; and

WHEREAS, The vast majority of security screeners that are not citizens of the United States are legal immigrants from nations that have long been friends or allies of the United States and their countries having fought alongside our soldiers during wartime; and

WHEREAS, The vast majority of security screeners that are not citizens of the United States have either applied for citizenship or are prevented from applying for citizenship as a result of punitive immigration policies; and

WHEREAS, Immigrant security screeners are not to blame for the September 11, 2001, disaster, and punitive action against those immigrants who are not a security risk creates and inflames ill feelings for this country abroad; 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 the Congress of the United States to suspend or eliminate the requirement that security screeners be citizens of the United States, and instead provide that those individuals must meet the same immigration requirements as persons who serve in the National Guard; and be it further

*Resolved,* That the President and the Congress should act to ensure that any legal immigrant that has applied for citizenship should be

allowed to keep his or her security screening job, absent evidence showing that they are a security or criminal risk; 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.

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## RESOLUTION CHAPTER 149

Assembly Joint Resolution No. 49—Relative to home health care.

[Filed with Secretary of State September 3, 2002.]

WHEREAS, California's home health care industry has suffered a loss of over one-third of licensed home health agencies since 1998; and

WHEREAS, The Medicare home health care benefit started in 1966 and has provided Medicare home health care insurance coverage to hundreds of thousands of homebound Medicare beneficiaries who need care on a part-time or intermittent basis; and

WHEREAS, Medicare home health care users are older, sicker, poorer, and more disabled than the Medicare population generally, with 26 percent over 85 years of age; and

WHEREAS, In 1980, Congress changed the home health care benefit by expanding access to care for beneficiaries without a prior hospitalization and by eliminating visit limits; and

WHEREAS, In 1981 restrictive administrative interpretations of part-time or intermittent care limited spending by denying access to this medically fragile population. As a result of the restrictions, a class action lawsuit was filed that resulted in a 1988 ruling that overturned the restrictions, *Duggan v. Bowen* (D.C. 1988) 691 F.Supp. 1487. As a result, utilization of home health services grew; and

WHEREAS, The growth continued until Congress passed the 1997 Balanced Budget Act to restrict spending; and

WHEREAS, An interim payment system (IPS) was implemented in fiscal years 1998–2000 to immediately control spending; and

WHEREAS, The IPS system dramatically reduced reimbursement rates, which fell below 1993 payment limits and resulted in 284 closures of California home health care agencies during 1998–99; and

WHEREAS, A new system, the prospective payment system (PPS), was implemented to cease the IPS unprecedented reductions in payments; and

WHEREAS, PPS could not correct the 49 percent cut in home health care outlays with further declines expected through 2002; and

WHEREAS, During IPS implementation and before PPS, a new national standard patient assessment system, the Outcomes and Assessment Information Set (OASIS), was required for all Medicare providers in 1999 and provided burdensome reporting requirements; and

WHEREAS, The implementation of IPS, PPS, and OASIS collection has resulted in a 36-percent reduction in the number of participating home health care providers, closure of over 340 licensed home health agencies, and reduced access to care for medically fragile Californians; and

WHEREAS, The 1997 Balanced Budget Act has already reduced utilization and home health care spending significantly below the intended savings that were anticipated due to that act; and

WHEREAS, The Congressional Budget Office projected home health expenditure reductions of \$16.2 billion over five years (fiscal year 1998 to fiscal year 2002), actual reductions from fiscal year 1998 to fiscal year 2000 were \$35.8 billion, and current projected reductions for fiscal years 2001 and 2002 are an additional \$35.3 billion resulting in \$71.1 billion; and

WHEREAS, California is undergoing an anticipated \$20 billion budget deficit, which could result in Medi-Cal reducing current reimbursement rates to 2000 levels, resulting in a double rate reduction guaranteed to devastate the 629 Medicare certified home health care agencies operating in California; and

WHEREAS, The proposed 15 percent cut in home health care reimbursement rates will negatively affect access to care, and leave thousands without a home health care agency that can service their medical needs; now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature of the State of California hereby respectfully memorializes the President and the Congress of the United States to enact legislation that contains steps to ensure that Medicare home health care recipients are guaranteed the best care, and that home health providers, who have undergone multiple regulation and administrative changes at the hands of the federal government since the 1997 Balanced Budget Act, are not further harmed; and be it further

*Resolved,* That the Legislature opposes the 15 percent cut in home health payments scheduled for October 1, 2002; 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, 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 eliminate the pending additional 15 percent cut in home health payments scheduled for October 1, 2002.

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RESOLUTION CHAPTER 150

Assembly Joint Resolution No. 50—Relative to veterans.

[Filed with Secretary of State September 3, 2002.]

WHEREAS, The United States presently has a population of over 25 million veterans from its previous wars. The majority of that veteran population is from World War II and the Korean War; and

WHEREAS, The World War II and Korean War veteran population is presently over 70 years of age, and that group is passing away at the rate of 1,000 veterans per day; and

WHEREAS, The United States government has acknowledged its responsibility to provide medical care or compensation for medical problems, as well as other benefits, to those veterans who served their country in time of war; and

WHEREAS, The United States Department of Veterans Affairs is charged with administering the federal benefits program for veterans; and

WHEREAS, When a veteran passes away with a claim pending against the Department of Veterans Affairs, the claim essentially ends with the veteran's passing regardless of how long the claim had been pending; and

WHEREAS, Dying while waiting is unacceptable for American veterans; and

WHEREAS, There presently exists a backlog of over 601,000 claims submitted by veterans. This backlog has persisted for several years, with some claims outstanding for one year or more; and

WHEREAS, A significant portion of these claims involve World War II and Korean War veterans, and despite determined efforts by the United States Department of Veterans Affairs to eliminate this backlog, the backlog continues; and

WHEREAS, There exists a trained group of individuals known as county veterans service officers located in 37 of the 50 states, representing 700 counties and a workforce of over 2,400 full-time local government employees; and

WHEREAS, These county veterans service officers were established in 1945 after World War II for the purpose of helping returning veterans reenter civilian life, and have continued to do so for all veterans of all wars since then; and

WHEREAS, These county veterans service officers are highly trained individuals who have continued to provide assistance to all veterans for over 50 years and are already familiar with the United States Department of Veterans Affairs claims policies and procedures; and

WHEREAS, For example, in California, county veterans service officers annually assist California's veterans obtain monetary benefits in excess of \$150 million by assisting these veterans in filing over 50,000 claims annually with the United States Department of Veterans Affairs; and

WHEREAS, This claims processing backlog needs to be urgently reduced while our World War II and Korean War veterans are still with us; and

WHEREAS, The United States Department of Veterans Affairs could enter into a partnership with state and local governments to utilize these highly trained county veterans service officers to eliminate the present claims processing backlog, by expanding the county veterans service officers' role; and

WHEREAS, This would be a cost-effective way of reducing the claims processing backlog by eliminating the need for a substantial increase in federal employees; and

WHEREAS, These county veterans service officers, as represented by the California Association of County Veterans Service Officers and the National Association of County Veterans Service Officers, have offered to assist the United States Department of Veterans Affairs in exchange for block grants to the various states based upon each state's veteran population to compensate county veterans service officers for their expanded role; 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 Congress of the United States and the President to support and enact legislation that would establish a federal/state partnership to use the knowledge and skills of the local county veterans service officers to assist the United States Department of Veterans Affairs in eliminating the veterans claims processing backlog in order that America's veterans can take advantage of the benefits that the United States has authorized for them for their faithful and loyal service to a grateful nation; 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.

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## RESOLUTION CHAPTER 151

Assembly Concurrent Resolution No. 188—Relative to water as a vital resource.

[Filed with Secretary of State September 5, 2002.]

WHEREAS, Water was the catalyst that allowed California, a semiarid state, to grow and prosper; and

WHEREAS, California's prosperity has been built on a solid foundation of public and private investment in developing its water supply; and

WHEREAS, An adequate and reliable supply of high quality water is vital to California's economy, environment, and way of life; and

WHEREAS, Water is very affordable relative to the cost of other real and perceived necessities of life, with an average urban family in southern California living in a single-family home paying about \$30 per month for water, while paying \$60 to \$90 for electricity; and

WHEREAS, Tap water costs less than  $\frac{7}{100}$ ths of a cent per liter, versus store-bought water that costs 50 cents to \$1 per liter, or 700 percent to 1,400 percent more; and

WHEREAS, Census officials estimate that, by 2020, California's current population of 32 million will reach 49 million, and as the state grows, so will the demand for water; and

WHEREAS, The demand for water is growing, and the California Water Plan is forecasting that, by 2020, there will be shortfalls of 2.5 million acre-feet in a normal rainfall year and even greater shortages in drought years; and

WHEREAS, In the future, great uncertainty hovers over the state's water supply as a result of climate change, the reallocation of water supplies from urban and agricultural uses to environmental uses, population growth, and the lack of a clear federal and state commitment to water infrastructure investment, and California must take decisive action now to avoid repeating the mistakes of the energy crisis; and

WHEREAS, This year's rain and snowfall levels are expected to be below normal and, if we have another dry year, there will be severe water shortages in many parts of the state; and

WHEREAS, California is overdrafting its groundwater supplies by an annual average of approximately 1.3 million acre-feet; and

WHEREAS, California's farms use less water now than they did 30 years ago, while total production of crops is up by 67 percent; and

WHEREAS, Under the 1992 Central Valley Project Improvement Act (Public Law 102-575), 800,000 acre-feet of Central Valley Project water were dedicated for fishery restoration, and 340,000 acre-feet were dedicated for in-stream use in the Trinity River; and

WHEREAS, Approximately 90 percent of the Central Valley Project's water is used to irrigate more than 3 million acres of farmland and to provide water to about 2 million customers; and

WHEREAS, California's State Water Project delivers more than 2 million acre-feet annually, and serves farmers in the San Joaquin Valley and urban users in southern California and the bay area; and

WHEREAS, A primary feature of California's State Water Project is the 444-mile-long California Aqueduct that transports water from the Sacramento-San Joaquin Delta south to the Los Angeles area; and

WHEREAS, Approximately 30 percent of California State Water Project water is used by agriculture, and approximately 20 million Californians get part of their water from the project; and

WHEREAS, If California is not careful about where and when water supplies are taken from our lakes, rivers, and streams, there will be serious consequences for the environment; and

WHEREAS, Since water quality standards for both people and wildlife are important, the Legislature must find alternatives that produce cost-efficient methods for protecting both the water supply and the environment; and

WHEREAS, There is a need to continue the orderly development of California's water resources in order to meet the growing needs for water in the future, as our population grows and our economy continues to expand; and

WHEREAS, Expanded conservation, recycling, surface water storage, groundwater storage, ocean desalination, watershed protection, and clean-up of contaminated groundwater basins will ensure that we will have enough water in the future; and

WHEREAS, If California fails to plan sound solutions to address water issues, California will fall victim to a crisis; and

WHEREAS, Strong leadership from federal, state, and local leaders will be needed if California is to avoid water shortages and the threat of droughts in the future; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That state leaders should continue to examine water issues in order to resolutely and deliberately address these important issues; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the Governor of California, to each member of Congress from California, and to the author for appropriate distribution.

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## RESOLUTION CHAPTER 152

Assembly Concurrent Resolution No. 190—Relative to civic participation in elections.

[Filed with Secretary of State September 5, 2002.]

WHEREAS, Young people of this country care deeply about the future; and

WHEREAS, Surveys show that young people are more involved in efforts to help improve local communities through community service and charity work; and

WHEREAS, Youth participation in the political process, however, is the lowest among any age group; and

WHEREAS, Our elected officials and our democratic form of government require the support of the public to maintain their vitality and legitimacy; and

WHEREAS, Various steps need to be taken in order to arrest the decline in voter participation and in order that current and future generations of California voters will remain engaged in the grand experiment of democracy; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring*, That the Legislature expresses its support for all of the following:

(1) Aggressive and creative implementation of the Federal Higher Education Act provisions which require publicly funded colleges and universities to make a good faith effort to supply incoming students with voter registration forms.

(2) A televised, youth-oriented debate during the gubernatorial election of 2002 in which young people may write and ask the candidates their questions.

(3) Greater inclusion of hands-on civic participation opportunities in the curriculum of high schools and colleges of California; and be it further

*Resolved*, That the Chief Clerk of the Assembly transmit copies of this resolution to the gubernatorial nominees, qualified political parties, state colleges and universities, public schools, and the office of the Secretary of State.

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RESOLUTION CHAPTER 153

Senate Concurrent Resolution No. 55—Relative to stem cell research.

[Filed with Secretary of State September 11, 2002.]

WHEREAS, An estimated 128 million Americans suffer the crippling economic and psychological burden of chronic, degenerative, and acute diseases, including diabetes, Parkinson's disease, cancer, and Alzheimer's disease; and

WHEREAS, The costs for treatment and lost productivity of chronic, degenerative, and acute diseases in the United States constitutes hundreds of billions of dollars every year; and

WHEREAS, Stem cell research offers immense promise for developing new medical therapies for these debilitating diseases, a critical means to explore fundamental questions of biology, and could lead to unprecedented treatments and even cures for diabetes, Alzheimer's disease, cancer, and other diseases ; and

WHEREAS, California is a state in which scientific achievement and biotechnical capabilities outstrip the rest of the country; and

WHEREAS, Stem cell research, including the use of embryonic stem cells for medical research, has profound medical, social, legal, and ethical implications; and

WHEREAS, There is a need for evaluation of those implications and a review of public policy related to stem cell research; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That there is hereby established a panel to advise the Legislature on stem cell research; and be it further

*Resolved,* That the panel shall be comprised of at least 14 members; that seven members shall be appointed by the Senate Committee on Rules and that seven members shall be appointed by the Speaker of the Assembly; and be it further

*Resolved,* That the members of the panel serve without compensation, and that there be a representative from each of the following fields: medicine, human biology, cellular microbiology, biotechnology, law, bioethics, and religion; and be it further

*Resolved,* That the Chair of the Senate Committee on Health and Human Services and the Chair of the Assembly Committee on Health shall jointly chair the advisory panel; and be it further

*Resolved,* That the advisory panel shall meet at least once each quarter for a period of one year, and shall evaluate the medical, social, legal, and ethical implications of stem cell research, the appropriate policy for the State of California, and ways in which the state can support existing efforts to fulfill the promise of stem cell research; and shall also make recommendations on how California may responsibly pursue stem cell research; and be it further

*Resolved*, That upon completing the evaluation, but not later than July 1, 2004, the advisory panel make recommendations to the Legislature with respect to the policy issues concerning stem cell research; and be it further

*Resolved*, That the Secretary of the Senate transmit copies of this resolution to the Senate Committee on Rules, the Speaker of the Assembly, the Chair of the Senate Committee on Health and Human Services, and Chair of the Assembly Committee on Health.

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### RESOLUTION CHAPTER 154

Senate Concurrent Resolution No. 88—Relative to John William Coltrane.

[Filed with Secretary of State September 11, 2002.]

WHEREAS, John William Coltrane was born on September 23, 1926, in Hamlet, North Carolina; and

WHEREAS, His mother sang and played piano and his father, a tailor by trade, played clarinet and violin; and

WHEREAS, He spent his adolescence in High Point, North Carolina, before moving to Philadelphia, Pennsylvania, in 1943; and

WHEREAS, He attended Ornstein School of Music in Philadelphia, where he studied saxophone and supported himself by working in a sugar refinery; and

WHEREAS, In 1945, he was inducted into the United States Navy and stationed in Hawaii, where he played clarinet in the United States Navy marching band; and

WHEREAS, Upon returning to civilian life in 1946, he continued his musical studies and began playing saxophone professionally in a variety of jazz bands; and

WHEREAS, In 1948 he joined legendary trumpet player Dizzy Gillespie's band, and throughout the 1950s played with jazz luminaries such as Earl Bostic, Johnny Hodges, Miles Davis, and Thelonious Monk; and

WHEREAS, By 1960 he had formed his own band and had developed his own style on the saxophone known as "sheets of sound," which "broke the fine line of delineation between noise and music, shouting at the complacency and mediocrity around him"; and

WHEREAS, He not only used traditional elements of jazz music, but also explored musical ideas from other cultures, including those of India, Africa, and Latin America; and

WHEREAS, From 1960 until his death from cancer on July 17, 1967, he made some of the greatest and most famous jazz recordings of all time; and

WHEREAS, He once said the following regarding his music: “I want to be a force for real good. In other words, I know that there are bad forces, forces that bring suffering to others and misery to the world, but I want to be the opposite force. I want to be the force which is truly for good”; and

WHEREAS, He is considered one of the most influential artists, musical or otherwise, of the 20th century; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the Legislature recognizes the 75th anniversary of the birth of John William Coltrane.

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#### RESOLUTION CHAPTER 155

Senate Concurrent Resolution No. 89—Relative to the CHP Officer Dale E. Newby Memorial Highway.

[Filed with Secretary of State September 11, 2002.]

WHEREAS, State Traffic Officer Dale E. Newby, of the California Highway Patrol, was killed while in the line of duty on July 17, 1982, during a traffic stop at State Highway Route 5 and Eight Mile Road; and

WHEREAS, Officer Newby was performing his duties as a dedicated officer by stopping a motorist for speeding and erratic driving; and

WHEREAS, Officer Newby, after scuffling with the motorist, an ex-mental patient, was shot and killed; and

WHEREAS, The tragedy was compounded when the gunman fled the area and took a hostage, who was subsequently shot and killed by the perpetrator prior to taking his own life; and

WHEREAS, An estimated 850 people, including law enforcement personnel from Massachusetts, Oklahoma, Ohio, New Jersey, Florida, Louisiana, and Michigan, attended his funeral, in addition to then Governor Edmund G. Brown, Jr. and then Lieutenant Governor Mike Curb; and

WHEREAS, Officer Newby was a committed officer, having graduated from the California Highway Patrol Academy and appointed a peace officer of the great State of California on April 24, 1967; and

WHEREAS, Officer Newby was only 36 years of age at the time of his death and was survived by his wife, Beverly, and their three sons, Sean, Jeffrey, and Dale, Jr.; and

WHEREAS, It is appropriate that State Highway Route 5 from Eight Mile Road to French Camp Road in Stockton, be designated as the CHP Officer Dale E. Newby Memorial Highway as a dedication to the memory of this officer who gave his life, the ultimate sacrifice, in service to the citizens of that area; and

WHEREAS, This memorial highway will continue to remind us of the sacrifices that the California Highway Patrol and other peace officers make on a daily basis; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* 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 the cost, to erect those plaques and markers within the right-of-way of northbound and southbound of State Highway Route 5 from Eight Mile Road to French Camp Road in Stockton and be designated as the CHP Officer Dale E. Newby Memorial Highway; and be it further

*Resolved,* That the Secretary of the Senate transmit copies of this resolution to the Department of Transportation and to the author for appropriate distribution.

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#### RESOLUTION CHAPTER 156

Senate Concurrent Resolution No. 92—Relative to the Joint Committee to Develop a Master Plan for Education.

[Filed with Secretary of State September 11, 2002.]

WHEREAS, Education is the most important function of the State of California and is essential to the cultural, political, and economic health of the state and the nation; and

WHEREAS, California's population is rich in ethnic and cultural diversity, which is a resource that should continually be developed to ensure the ongoing success of the state and its residents; and

WHEREAS, Over the past 25 years, California has developed an extraordinary educational system, from preschool to the postgraduate level, with an unprecedented investment of public and private moneys and the energy and commitment of countless individuals; and

WHEREAS, In 1960, California established a master plan for the development, expansion, and integration of the facilities, curriculum, and standards of postsecondary education in junior colleges, the California State University system, the University of California system,

and other institutions of higher education in the state to meet the needs of the state during the 10 years following the master plan's establishment; and

WHEREAS, Since the adoption of the Master Plan for Higher Education in California, the master plan has been reviewed periodically by the Commission for the Review of the Master Plan for Higher Education, the Coordinating Council for Higher Education, the Joint Committee for Review of the Master Plan in Higher Education, and the California Postsecondary Education Commission; and

WHEREAS, Many members of the education community believe a master plan for kindergarten and grades 1 to 12, inclusive, is necessary due to the major policy initiatives enacted in recent years, and that coordination, guidance, and policy direction toward a framework for understanding the roles of the state and school districts in governing and financing the education system are critical; and

WHEREAS, Many members of the education and child care communities believe that a master plan for education must incorporate early childhood development and education opportunities to ensure that California's children have the opportunities to support their becoming productive lifelong learners; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the Joint Committee to Develop a Master Plan for Education—Kindergarten through University established pursuant to Resolution Chapter 43 of the Statutes of 1999, and extended by Resolution Chapter 132 of the Statutes of 2000, continues in existence until November 30, 2004; and be it further

*Resolved,* That all provisions of Resolution Chapter 43 of the Statutes of 1999, relating to the Joint Committee to Develop a Master Plan for Education—Kindergarten through University, which are applicable to the ongoing operation of the joint committee, also continue in effect until November 30, 2004; and be it further

*Resolved,* That the joint committee shall submit a report on its activities to the Legislature at the end of the 2001–02 Regular Session; and be it further

*Resolved,* That the joint committee is renamed the “Joint Committee to Develop a Master Plan for Education.”

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## RESOLUTION CHAPTER 157

Senate Concurrent Resolution No. 93—Relative to joint doctoral programs.

WHEREAS, California has historically made a commitment to providing access to high-quality public educational programs for all students, ranging from elementary to doctoral level instruction; and

WHEREAS, The state's policy and educational leaders remain committed to ensuring that professionals serving in our public schools and community colleges are fully prepared to meet the challenges in today's classrooms; and

WHEREAS, The Governor and the Legislature have made improving California's educational system a top priority; and

WHEREAS, It is recognized that well-qualified education leaders are a key to successfully implementing improvements in California education; and

WHEREAS, Public school and community college educators seek greater access to affordable advanced educational programs that will help them improve their leadership skills to better serve their students; and

WHEREAS, The California State University (CSU) and the University of California (UC) recognize that regional access to education doctoral (Ed.D.) programs in public higher education is necessary but currently inadequate to meet California's growing need for skilled educational leaders; and

WHEREAS, CSU and UC, working together, can create rigorous, high-quality Ed.D. programs for working professionals that build on the complementary strengths of both systems; and

WHEREAS, With the support of the Legislature, as well as the education community, statewide organizations, and business and community leaders, the CSU and UC have agreed to develop a joint Ed.D. initiative as equal partners that will greatly expand the access to these public programs for a large number of California's education leaders; and

WHEREAS, Beginning in 2002, CSU and UC have each committed \$1,000,000 per year from their existing resources for this purpose for the first two years, for a total of \$4,000,000; and

WHEREAS, The CSU and UC have agreed to form a Joint Ed.D. Board that will solicit, review, fund, and expedite programs that build on the mutual strengths of the CSU and UC campuses, and that would be cochaired by the chief academic officers of the two systems and include faculty from CSU and UC; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the Legislature supports the Joint Education Doctorate Initiative of the CSU and UC, and intends that gaps in California's needs for education doctorates (Ed.D.s) be identified and addressed through doctoral programs offered jointly and on a coequal basis by the CSU and UC; and be it further

*Resolved*, That the CSU and UC, through a collaborative regional assessment process, will evaluate the educational leadership needs of public schools, community colleges, and other aspects of higher education to ensure that those needs are understood and properly matched with the strengths of the CSU and UC. These assessments will be conducted under the auspices of the Joint Ed.D. Board, and will include ongoing consultation with K-12, community college, and California independent college and university leaders; and be it further

*Resolved*, That the Joint Ed.D. Board shall develop a strategy for consultation with K-12 and community college representatives to provide input with regard to the development and expansion of new joint Ed.D. programs; and be it further

*Resolved*, That, beginning in fall 2003, joint CSU/UC Ed.D. programs will be established, and will enroll students to address identified unmet statewide and regional educational leadership needs; and be it further

*Resolved*, That it is the intent of the Legislature that both of the following shall occur:

(a) That joint Ed.D. programs will be governed and offered by the CSU and UC on a coequal basis, in which participation and decisionmaking in all aspects of the program design, governance, and delivery occur equitably.

(b) That the Joint Ed.D. Board and the CSU and UC faculty will consider the characteristics and requirements inherent in the highest quality programs that are applicable to today's research and educational needs as they develop, implement, and subsequently evaluate joint Ed.D. programs; and be it further

*Resolved*, That the joint Ed.D. programs be designed so that working professionals can complete these programs in a reasonable timeframe using techniques, such as alternative scheduling, including part-time enrollment and delivery, that would utilize evening, weekend, or summer instruction; and be it further

*Resolved*, That CSU and UC will jointly report to the Legislature every two years, beginning in June 2004, on all of the following:

(a) The implementation of the joint Ed.D. programs, including information identifying the number of new programs, enrollments, and degree recipients.

(b) The extent to which these programs are fulfilling identified state needs for training in educational leadership.

(c) Feedback from program participants about the programs and steps the universities are taking to make improvement; and be it further

*Resolved*, That the Legislature encourages this collaboration between CSU and UC as a sound and fiscally responsible policy direction to address the state priority of meeting the leadership needs of public school and community college educators, and as the fulfillment of one

of the original tenets of the Master Plan for Higher Education, to which the Legislature remains fully committed; and be it further

*Resolved*, That the Secretary of the Senate transmit copies of this resolution to each member of the Trustees of the California State University and the Regents of the University of California.

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RESOLUTION CHAPTER 158

Senate Concurrent Resolution No. 94—Relative to the Deran Koligian Memorial Highway.

[Filed with Secretary of State September 11, 2002.]

WHEREAS, Deran Koligian was elected to the Fresno County Board of Supervisors in 1982, where he served with distinction until the date of his passing on December 11, 2001; and

WHEREAS, Deran Koligian, the son of Armenian immigrants, was born in Fresno County and raised on his family farm in the Kearney Park community; and

WHEREAS, Deran Koligian was a World War II veteran with service in the South Pacific and, after the war, returned home to attend Fresno State College and to manage his family's farm; and

WHEREAS, Deran Koligian began his public service in 1957, spending 24 years on school boards in western Fresno County, including the Madison Elementary School Board and the Central High School Board; and

WHEREAS, Deran Koligian was an active member of St. Paul's Armenian Church and was the first Armenian-American to be elected to office in Fresno County; and

WHEREAS, Deran Koligian was a strong supporter of agriculture and a protector of agricultural lands from urban encroachment; and

WHEREAS, Deran Koligian was a vocal supporter of Measure C, which provided local augmentation for the construction and maintenance of state highways and local roads, and, as a member of the Fresno Transportation Authority, was instrumental in securing funds for numerous road and highway transportation projects, including the extension and widening of State Highway Route 180 in western Fresno County; and

WHEREAS, It would be a fitting tribute to the memory of Fresno County Supervisor Deran Koligian for a portion of State Highway Route 180 to be named the Deran Koligian Memorial Highway; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the Legislature hereby officially designates the portion of State Highway Route 180 from State Highway Route 99 to State Highway Route 33, and upon completion, from State Highway Route 33 to Interstate Highway 5, the Deran Koligian 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 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 copies of this resolution to the Department of Transportation and to the author of this resolution for distribution.

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#### RESOLUTION CHAPTER 159

Senate Concurrent Resolution No. 102—Relative to Binational Health Week.

[Filed with Secretary of State September 11, 2002.]

WHEREAS, According to the 2000 United States Census, California is home to more than 8.45 million people of Mexican origin, 3.7 million of whom were born in Mexico; and

WHEREAS, The Secretariat of Health and the Secretariat of Foreign Relations of the United Mexican States, the State Department of Health Services, and the University of California, for the California-Mexico Health Initiative (CMHI), have recognized the necessity of improving access to health services to migrant workers and their families in the State of California; and

WHEREAS, Mexican origin immigrants have limited access to health care; and

WHEREAS, Seventy-seven percent of Latinos in California are of Mexican origin; and

WHEREAS, Forty-four percent of the Mexican immigrants in the United States are in California; and

WHEREAS, Ninety-one percent of California's hired agricultural workers were born in Mexico; and

WHEREAS, Improving the health of mobile populations requires multiple approaches in service design, delivery, funding priorities, and, more fundamentally, requires strong binational commitment; and

WHEREAS, In October 2001, the CMHI, the California Policy Research Center, the University of California Office of the President, and the State Office of Binational Border Health convened the first Binational Health Week, an unprecedented effort overseen by multiagency task forces, which conducted health promotion activities involving 115 community-based organizations from seven counties at 98 sites; and

WHEREAS, More than 950 people participated in planning and implementing activities, and over 18,720 people received direct health care services during the week; and

WHEREAS, Binational Health Week reflects coordinated efforts between California and Mexico to improve the quality of life of immigrant families by expanding their access to health care, increasing their health insurance coverage, and reducing their unmet health needs; and

WHEREAS, The CMHI operates in California, and in seven Mexican states that are home to many California immigrants; and

WHEREAS, This Binational Health Week is a bilateral collaborative effort with the active participation of the Mexican Ministry of Health and Foreign Affairs, and state and local organizations. In California, the State Department of Health Services, the Office of Binational Border Health, the Mexican Consulate, the Latino Legislative Caucus, community clinics, and community-based organizations have endorsed the effort; and

WHEREAS, The objective of Binational Health Week is to generate a dynamic dialogue between California and Mexico representatives, and the CMHI vision is that “[h]ealth is a universal human right that should be respected both in one’s place of origin and where one works”; and

WHEREAS, California and Mexico share a population, and they need to share common strategies to address this population’s health needs; 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 origin in observing and participating in Binational Health Week, to take place the week of October 12 to 19, 2002; and be it further

*Resolved,* That the Secretary of the Senate transmit copies of this resolution to the author for appropriate distribution.

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## RESOLUTION CHAPTER 160

Senate Concurrent Resolution No. 104—Relative to Dosan Ahn Chang Ho Memorial Interchange.

[Filed with Secretary of State September 11, 2002.]

WHEREAS, Dosan Ahn Chang Ho was born in a small village in Korea in 1878; and

WHEREAS, The life of Dosan Ahn Chang Ho has had an enormously beneficial impact and significance on the history of modern Korea and Korean Americans; and

WHEREAS, Ahn Chang Ho arrived in America in 1902 with his newlywed wife, Lee Hae Ryon (Helen Ahn); and

WHEREAS, As the steamship approached Hawaii, Ahn Chang Ho resolved to stand tall above the sea of turmoil existing at that time in Korea, and resolved to call himself “Dosan,” which means Island Mountain; and

WHEREAS, While living in San Francisco, Dosan organized the San Francisco Social Meeting on September 23, 1903, and initiated a social reform movement that was in desperate need in the Korean American society; and

WHEREAS, As an accomplished orator and leader at the age of 24, Dosan guided his countrymen to form a respectable community for Koreans in the United States; and

WHEREAS, Dosan Ahn Chang Ho and his family settled in Riverside, California, in March 1904 and worked tirelessly to unite Korean Americans and to revive the patriotic spirit of the Korean people; and

WHEREAS, Dosan moved his family to Los Angeles in 1913, where the Dorothy Chandler Pavilion now stands, and played a significant role in the growth of the Korean American community in the City of Los Angeles; and

WHEREAS, Dosan and his friends decided to form the Gonglip-Hyuphoe, or Cooperative Association, which would become the basis for the Korean National Association, which Dosan later led as president; and

WHEREAS, The Korean National Association maintained structure within the Korean American community, both to build character of individuals and to enhance the image of Koreans within the mainstream community; and

WHEREAS, Dosan established one of the first English schools for Koreans so that his fellow Korean Americans could learn English and the Bible; and

WHEREAS, As a community organizer, Dosan helped to relieve blighted living conditions for his fellow Korean Americans in the Greater Los Angeles area; and

WHEREAS, Dosan's Korean improvement work helped shape his future as the spiritual leader of the Korean Independence Movement; and

WHEREAS, Following Japan's annexation of Korea in 1910, Dosan formulated the basis for the Provisional Government of Korea, and conceived Hung Sa Dahn (Young Korean Academy), an organization to develop leaders for the independence movement, in 1913; and

WHEREAS, The Korean National Association was recognized by the United States State Department and the California State Government as a self-governing society, and, as a result, the Korean American community became a better place to live for many people; and

WHEREAS, In 1915, Dosan promoted the development of the Korean language program for second generation Korean Americans as an opportunity to pass on Korean traditions, values, and identity to younger generations; and

WHEREAS, Dosan's philosophy and teachings serve as a model for Korean American youths; and

WHEREAS, Dosan was one of the first Korean American pioneers, establishing the path for the two million Korean Americans living in the United States today; and

WHEREAS, The year 2003 marks the 100th Year Centennial Immigration for Korean Americans to the United States; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the interchange where Interstate Highway Route 10 connects with Interstate Highway Route 110, in Los Angeles, be named the Dosan Ahn Chang Ho Memorial Interchange in honor of Dosan Ahn Chang Ho; 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 Senate transmit copies of this resolution to the Department of Transportation and to the author for appropriate distribution.

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## RESOLUTION CHAPTER 161

Senate Concurrent Resolution No. 105—Relative to Caltrans Maintenance Worker Memorial Bridge.

[Filed with Secretary of State September 11, 2002.]

WHEREAS, Public employees at every level of California government faithfully serve their fellow Californians; and

WHEREAS, The state values a professional civil service whose highest principle is duty to the public, whose foremost commitment is to excellence, and whose experience and expertise are a resource to be used and respected for the benefit of all Californians; and

WHEREAS, The thousands of men and women who serve at all levels in the Division of Maintenance of the Department of Transportation are persons of knowledge, ability, and integrity who deserve to be recognized for their dedicated service; and

WHEREAS, Employees of the Department of Transportation 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, The men and women in the Division of Maintenance have paid a particularly harsh price for their dedicated service while working in conditions that have resulted in the highest death and accident rates in state service, with numerous deaths and injuries in the past 10 years; and

WHEREAS, Accidents in highway work zones resulted in 1,093 deaths nationwide in 2000; and

WHEREAS, Workers in work zones and motorists traveling through work zones suffer injury and death as a result of accidents in work zones; and

WHEREAS, The state 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; and

WHEREAS, The dedication of a bridge on the state highway system can serve as a symbolic link between the sacrifice of the past that has helped to create the present concern about highway safety and current efforts to make safety a priority in the future; and

WHEREAS, This dedication will continue to remind everyone of the need to keep safety as a priority and to cherish and enjoy every day; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the Sacramento River Bridge and Overhead on Interstate Route 80 commonly known as the Bryte Bend Bridge in Sacramento and Yolo Counties is hereby dedicated in honor of the deceased and injured workers of the Division of Maintenance of the Department of Transportation, and is to be known as the Caltrans Maintenance Worker Memorial Bridge; 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 highways 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 Secretary of the Senate transmit copies of this resolution to the Director of Transportation and to the author of this resolution for distribution.

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#### RESOLUTION CHAPTER 162

Senate Concurrent Resolution No. 106—Relative to the September 11, 2001, memorial.

[Filed with Secretary of State September 11, 2002.]

WHEREAS, The catastrophic events of September 11, 2001, left our great nation in a state of unimaginable grief and changed our world forever; and

WHEREAS, All four hijacked planes were bound for California and carried more than 100 brave Californians who paid the ultimate price for our freedom; and

WHEREAS, These horrendous crimes have inflicted great pain and suffering that will last for generations by claiming the lives of innocent men, women, and children; and

WHEREAS, The families of these Californians will never be able to feel the touch of a spouse or a partner lost, know the dreams of a child lost, or benefit from the wisdom of a parent or grandparent lost; and

WHEREAS, There are an estimated 175 California families who will never recover from the loss of their loved ones but will look for constant reminders of their life together; and

WHEREAS, September 11, 2002, will mark the passage of one year since this tragic event; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the Department of General Services is hereby requested to plant commemorative rose bushes near the east steps of the

State Capitol along with the placement of a very small plaque memorializing those Californians who lost their lives on September 11, 2001; and be it further

*Resolved*, That the Secretary of the Senate transmit a copy of this resolution to the Director of General Services.

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RESOLUTION CHAPTER 163

Senate Joint Resolution No. 38—Relative to stem cell research.

[Filed with Secretary of State September 11, 2002.]

WHEREAS, The United States is a world leader in the discovery and invention of technology that improves the health and quality of lives of individuals; and

WHEREAS, California is a state whose scientific achievements and research regarding recombinant DNA outstrip the rest of the country; and

WHEREAS, California's success with respect to biotechnology is largely attributable to the freedom of researchers to perform pioneering work at the frontiers of scientific discovery; and

WHEREAS, The biotechnology industry contributes to the growth of the state and national economy, and produces a significant amount of jobs and revenue; and

WHEREAS, Therapeutic cloning promises to be the next field of rapid progress in the realm of biotechnology; and

WHEREAS, Scientists confirm that embryonic stem cells hold far more potential than adult stem cells as to the development of treatments and cures for disease; and

WHEREAS, A prohibition on stem cell research would stifle scientific innovation, diminish the ability of biomedical companies to maintain the nation's role as the reigning world leader in biotechnology and biomedicine, drive talented scientists outside the country, and set the United States decades behind other nations in the development of medical therapies; and

WHEREAS, An estimated 128 million Americans suffer the debilitating physiological, economic, and emotional burdens of chronic and degenerative diseases, including diabetes, heart disease, Parkinson's disease, spinal cord injury, cancer, and Alzheimer's disease; and

WHEREAS, The cost of treatment for these diseases and of lost productivity totals hundreds of billions of dollars every year; and

WHEREAS, Stem cell research provides a critical means to unlock fundamental questions of cellular biology that are key to curing cancer; and

WHEREAS, Stem cell research has immense potential to provide medical therapies to cure and treat many other debilitating diseases; and

WHEREAS, A prohibition on stem cell research and therapeutic cloning will deny over one-third of Americans their foremost opportunity for a cure or effective treatment for disease, by denying scientists the chance to develop efficient medications and therapies; and

WHEREAS, The United States has historically been a haven for scientific inquiry and technological innovation, and this environment of scientific openness, coupled with a commitment of public and private resources, has made this country the reigning leader in the fields of biomedicine and biotechnology; and

WHEREAS, California's biomedical industry constitutes a significant portion of the state's economy, employing over 225,000 Californians in over 2,500 companies, investing more than \$2.1 billion in research, and creating \$12.8 billion in wages and salaries worldwide as well as revenues of nearly \$7.8 billion; and

WHEREAS, The biomedical industry would be considerably harmed by a prohibition of stem cell research and therapeutic cloning; and

WHEREAS, Proposed federal legislation that imposes barriers to this research prioritizes the religious values of a national minority ahead of the public health interests of Californians and all Americans, criminalizes the legitimate pursuit of effective medical therapy, and prevents physicians from fulfilling their moral and professional obligation to offer patients the best treatment available; 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 reject legislation that inappropriately impedes the progress of medical science by impeding stem cell and therapeutic cloning research, and denies Americans legal access to effective medical therapies; and be it further

*Resolved,* That the Legislature memorializes the President and Congress of the United States to enact legislation that would do all of the following:

- (1) Impose a ban on reproductive cloning.
- (2) Permit research involving therapeutic cloning, including the derivation of or use of stem cells from any source.
- (3) Establish a process to facilitate the donation of material containing stem cells to researchers and ensure this material is donated by informed participants who provide written consent.

(4) Establish guidelines to oversee stem cell research conducted in the United States to ensure that this research is safe and is conducted within appropriate medical, ethical, and moral parameters; and be it further

*Resolved*, That the Secretary of the Senate transmit copies of this resolution to the Senate Committee on Rules, the Speaker of the Assembly, the Chair of the Senate Committee on Health and Human Services, and the Chair of the Assembly Committee on Health, and 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.

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#### RESOLUTION CHAPTER 164

Senate Joint Resolution No. 41—Relative to permanent resident alien airport security screeners.

[Filed with Secretary of State September 11, 2002.]

WHEREAS, On November 19, 2002, all airport security screeners become federal employees and must become United States citizens or lose their jobs; and

WHEREAS, Almost 80 percent of the current security screeners at the San Francisco International Airport are noncitizens; and

WHEREAS, Many of these employees are well trained and have years of experience as airport security screeners; and

WHEREAS, San Mateo and San Francisco Counties are already reeling from the economic recession and termination of qualified airport security screeners would cause further disruption to the local economy; and

WHEREAS, On December 14, 2001, and December 17, 2001, respectively, S. 1829 and H.R. 3505, two identical measures both titled the Airport Security Personnel Protection Act, were introduced in the United States Senate and the United States House of Representatives; and

WHEREAS, These measures provide for transitional employment for qualified lawful permanent resident alien airport security screeners until their naturalization processes are completed on an expedited basis as required by the measures; 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 urges the Congress of the United States to enact either S. 1829 or H.R. 3505, or both, without the provisions that provide for an expedited naturalization

process, as the Airport Security Personnel Protection Act; and be it further

*Resolved*, That the Secretary of the Senate transmit copies of this resolution to the Speaker of the House of Representatives, and to each Senator and Representative from California in the United States Congress.

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## RESOLUTION CHAPTER 165

Senate Joint Resolution No. 52—Relative to the California Wild Heritage Act of 2002.

[Filed with Secretary of State September 11, 2002.]

WHEREAS, California's public lands contain an invaluable and irreplaceable diversity of ecosystems; and

WHEREAS, Increasing population growth and expansion of urban and suburban developments threaten the integrity of many of these ecosystems; and

WHEREAS, These ecosystems provide critical habitat to native flora and fauna, 293 of which are listed as rare, threatened, or endangered; and

WHEREAS, Protection and maintenance of these wildlands preserves the health of watersheds essential to safe and good quality water for agricultural uses and human consumption; and

WHEREAS, Many of California's wild lands include sites, including flora and fauna sacred and spiritually valuable to Native American tribes; and

WHEREAS, The deserts, coasts, riparian areas, mountains, valleys, and chaparral of California have shaped the history and the cultural heritage of California; and

WHEREAS, Protection and maintenance of California's wild and scenic rivers is an essential component of the survival and recovery of threatened salmon and other fish species; and

WHEREAS, Conservation and restoration of California's natural resources also benefits our recreation and tourism industries; and

WHEREAS, Senator Barbara Boxer has authored the California Wild Heritage Act of 2002 to protect 81 areas, totaling 2.5 million publicly held acres of the state scattered throughout 36 counties; and

WHEREAS, The California Wild Heritage Act of 2002 designates 22 wild and scenic rivers totaling 440 miles of riparian systems; and

WHEREAS, The California Wild Heritage Act of 2002 protects the Ancient Bristlecone Pine Forest where the oldest living trees have

flourished in the harsh environment of the White-Inyo Mountain range for over 4,000 years; and

WHEREAS, The California Wild Heritage Act of 2002 provides enhanced protections critical for the continued conservation of unique and fragile areas of coastal, chaparral, pinon-juniper, mountain, forest and desert habitat currently classified as National Forest, National Park, or Bureau of Land Management Lands; and

WHEREAS, The California Wild Heritage Act of 2002 designates Cache Creek and the East Fork of the Carson River as “Wild and Scenic Rivers Study Areas”; and

WHEREAS, The California Wild Heritage Act of 2002 establishes the “Sacramento River National Conservation Area”; and

WHEREAS, The California Wild Heritage Act of 2002 balances the needs of the military, agricultural, law enforcement, firefighting, and recreational use communities with the intrinsic environmental value of the wilderness areas; 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 United States Congress to enact S. 2535, the California Wild Heritage Act of 2002, as introduced by Senator Barbara Boxer, and to be introduced by Representatives Hilda Solis and Mike Thompson; 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 Taxation Committees, and to each Senator and Representative from California in the Congress of the United States.

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## RESOLUTION CHAPTER 166

Assembly Concurrent Resolution No. 123—Relative to the California Law Revision Commission.

[Filed with Secretary of State September 16, 2002.]

WHEREAS, The California Law Revision Commission is authorized to study 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 2001 and 2002, recommends continued study or

modification of 20 topics, all of which the Legislature has previously authorized or directed the commission to study; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate 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 restriction 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 litigant should be revised.

(13) Whether the Uniform Incorporated 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 development 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 sentences for enhancements relating to weapons or injuries should be revised to simplify and clarify the law and eliminate unnecessary or obsolete provisions.

(20) 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.

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RESOLUTION CHAPTER 167

Assembly Concurrent Resolution No. 125—Relative to the protection of personal information.

[Filed with Secretary of State September 16, 2002.]

WHEREAS, The Financial Services Modernization Act, commonly known as the Gramm-Leach-Bliley Act, became law in 1999, and reformed the laws that define and regulate the structure of the financial services industry; and

WHEREAS, The Gramm-Leach-Bliley Act greatly liberalized the ways that financial institutions were permitted to share nonpublic personal information, and has, in turn, highlighted the extent to which various entities buy, sell, and use nonpublic personal information; and

WHEREAS, The Gramm-Leach-Bliley Act does not provide a comprehensive framework by which citizens may control access to their nonpublic personal information, but instead explicitly permits the states to enact laws that provide for greater protection of the privacy of nonpublic personal information; and

WHEREAS, The citizens of California have indicated their great concern with this issue, and have made clear their overwhelming desire to have control over the disclosure of their nonpublic personal information; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring*, That the Legislature authorizes and requests that the California Law Revision Commission study, report on, and prepare recommended legislation by January 1, 2005, if funding is provided in the 2002–03 Budget Act specifically for this purpose, concerning the protection of personal information relating to, or arising out of, financial transactions, and that this legislation shall accomplish the following objectives:

(a) Provide consumers with notice and the opportunity to protect and control the dissemination of their personal information by, and between, companies and their affiliates and non-affiliated third parties;

(b) Authorize and direct affected regulators to prepare regulations that will recognize the inviolability and confidentiality of a consumer's personal information and the legitimate needs of entities that lawfully use the information to engage in commerce at the behest of consumers or for their benefit;

(c) Assure that regulated entities will be treated in a manner so that, regardless of size, an individual business, holding company, or affiliate will not enjoy any greater advantage or suffer any burden that is greater than any other regulated entity;

(d) Be compatible with, and withstand any preemption by, the Gramm-Leach-Bliley Act or the federal Fair Credit Reporting Act;

(e) Provide for civil remedies and administrative and civil penalties for a violation of the recommended legislation, including, but not limited to, attorney's fees, costs, actual and compensatory damages, and exemplary damages, including, but not limited to, relief as provided pursuant to Article 3 (commencing with Section 3294) of Chapter 1 of Title 2 of Part 1 of Division 4 of the Civil Code, and as provided in unfair business practices actions brought under Article 1 (commencing with Section 17000) of Chapter 4 of Part 2 of Division 7 of the Business and Professions Code; and be it further

*Resolved*, That it is not the intent of the Legislature that enactment of this measure restrict the introduction, passage, or operation of legislation relating to the financial service industry or related privacy issues; and be it further

*Resolved*, That the Chief Clerk of the Assembly transmit copies of this resolution to the California Law Revision Commission and to the author for appropriate distribution.

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## RESOLUTION CHAPTER 168

Assembly Concurrent Resolution No. 154—Relative to the 48th Anniversary of *Brown v. Board of Education*.

[Filed with Secretary of State September 16, 2002.]

WHEREAS, On May 17, 1954, the United States Supreme Court issued its decision in *Brown v. Board of Education of Topeka* (1954) 347 U.S. 483, overturning the "separate but equal" doctrine in American law; and

WHEREAS, This landmark decision paved the way for equality in education and nearly every other aspect of American life; and

WHEREAS, May 17, 2002, will be the 48th anniversary of the historic *Brown v. Board of Education* decision; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring*, That the Legislature hereby designates May 17 as California's official day to commemorate the historic *Brown v. Board of Education* decision; and be it further

*Resolved*, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

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RESOLUTION CHAPTER 169

Assembly Concurrent Resolution No. 158—Relative to career and technical education.

[Filed with Secretary of State September 16, 2002.]

WHEREAS, Improvement in the overall quality of California's workforce is one of the most vital components of economic development and is directly related to the future success of the state's economy; and

WHEREAS, The rapid growth of California's population and labor force will require special efforts and investments to attract, support, and retain businesses that pay high wages to highly skilled workers; and

WHEREAS, Despite previous strong economic times, California has experienced, and continues to experience, a growing inequality in income distribution illustrating that economic growth alone cannot be relied upon to alleviate this income gap; and

WHEREAS, In providing testimony to legislative committees, business and industry groups, including, but not limited to, the State Building and Construction Trades Council, the California Chamber of Commerce, the California Manufacturers and Technology Association, and the California Restaurant Association, repeatedly have alluded to the problem that California is not adequately training and preparing our future homegrown workforce to meet the needs of California's infrastructure and service demands; and

WHEREAS, For California to address existing workforce gaps, the state must do a better job of preparing pupils for an economy that demands workers with strong academic and career knowledge and skills, who are adaptable to change, and are prepared for lifelong learning; and

WHEREAS, For California to better prepare the future workforce, the Legislature must provide the direction and resources to sustain successful educational programs that can provide pupils valuable academic and technical knowledge and skills, career guidance, organizational help in developing careers, and networks of support that will serve as the foundation for lifelong learning; and

WHEREAS, Over the next 10 years, California will provide significant investments to improve and expand existing career and technical education programs and practices, including, but not limited to, vocational educational programs, regional occupational centers and programs, career academies and pathways, career experience and

guidance, and a network of school, community, and business partnerships; and

WHEREAS, California's K–12 education system is the lifeline of the state's economy, and investments in the education system is one of the most essential components to ensuring the state's competitive edge in an increasingly global economy; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the Legislature is committed to improving career and technical education programs and practices and ensuring that these programs are a major component in the efforts to improve California's K–12 education system; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

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#### RESOLUTION CHAPTER 170

Assembly Concurrent Resolution No. 189—Relative to the California State University.

[Filed with Secretary of State September 16, 2002.]

WHEREAS, California State University, San Bernardino, is situated in the largest county in California, and serves as the most prominent institution of higher learning in San Bernardino County; and

WHEREAS, The 2000 Census reported a dramatic change in the demographics of San Bernardino and Riverside Counties, with large increases of persons of Mexican, Latino, or Hispanic descent; and

WHEREAS, With these demographic changes come economic, educational, social, political, and cultural challenges and opportunities, and it is imperative that California State University, San Bernardino, institute a curriculum recognizing and meeting the needs of the changing communities for which it is the leading institution of higher education; and

WHEREAS, The National Alliance for Human Rights has called for the establishment of a Chicano/Latino Studies Department at the California State University; and

WHEREAS, A Chicano/Latino Studies Department could offer an interdisciplinary curriculum of academic study that would critically examine the historical and contemporary experiences of people of Mexican, Latino, or Hispanic descent within the context of United States society, institutions, and cultures; and

WHEREAS, A Chicano/Latino Studies Department could emphasize the development of a broad knowledge of the Chicano/Latino

experience, stressing the analysis of the interrelationships in the historical background, cultural patterns, and artistic expression of the Chicano/Latino community in order to acquire a well-rounded, in-depth, understanding of the contemporary interface between Chicanos/Latinos and the whole of United States society; and

WHEREAS, A Chicano/Latino Studies Department could incorporate various disciplines in its approach, including political science, sociology, anthropology, history, literary study, and art; and

WHEREAS, A Chicano/Latino Studies Department could focus on the political, economic, social, historical, and cultural experiences of persons of Mexican, Latino, or Hispanic descent; and

WHEREAS, A Chicano/Latino Studies Department would have, as a fundamental objective, the combining of academic rigor with community participation; and

WHEREAS, A Chicano/Latino Studies Department would offer an important setting for scholarly research regarding social issues, politics, labor relations and economics, health issues, criminology issues, housing issues, education and language issues, immigration policy, and issues that transcend national borders; and

WHEREAS, A Chicano/Latino Studies Department would provide students with the opportunity to earn a bachelor's degree or master's degree in Chicano/Latino Studies; and

WHEREAS, A Chicano/Latino Studies Department would prepare K-16 teachers to provide culturally competent instruction to students, potentially impacting the high school and postsecondary education dropout rate among students of Mexican, Hispanic, or Latino descent; and

WHEREAS, Representatives of California State University, San Bernardino, including the President of the University, have participated in ongoing discussions with students, faculty, and local community groups in order to explore the creation of a Chicano/Latino Studies Department, and the University should be encouraged to continue these efforts; 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 consider establishing a Chicano/Latino Studies Department at the California State University, San Bernardino; and be it further

*Resolved,* That the Legislature requests the Trustees of the California State University to make a determination whether to establish a Chicano/Latino Studies Department at the California State University, San Bernardino, and to report to the Senate Committee on Education and to the Assembly Committee on Higher Education by December 31, 2004, with their decision and the progress made in creating the

department, and, if the trustees do not decide to create a Chicano/Latino Studies Department, to report the reasons for this decision; 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 and to the author for appropriate distribution.

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## RESOLUTION CHAPTER 171

Assembly Concurrent Resolution No. 204—Relative to Little Italy in the City of San Diego.

[Filed with Secretary of State September 16, 2002.]

WHEREAS, San Diego's Middletown district was a historic settling area for Italian American immigrants, in which they created a unique extra-national community in the early 1900s; and

WHEREAS, In 1906, the San Francisco earthquake and an influx of Italian immigrants from San Pedro, where fishermen that hailed from Naples and Ischia had settled, caused San Diego's Italian population to swell; and

WHEREAS, These immigrants joined with local populations of Mexican, Japanese, and Portuguese in small fishing enterprises, where they became vital to the establishment and growth of the tuna fishing industry; and

WHEREAS, The fishing industry helped establish other businesses in the community of Little Italy; and

WHEREAS, The fishing fleet became a source of wealth for the City of San Diego; and

WHEREAS, In 1945, the fishermen's committee organized to ensure the success of the Our Lady of the Rosary Catholic Church, the currently active community church, with members signing an agreement promising to donate 25 cents for every ton of fish that the boats sold; and

WHEREAS, As Italians grew in the social and economic ranks of the city, many moved away from Little Italy; and

WHEREAS, The completion of Interstate 5 in 1962 disrupted the neighborhood, causing residents to relocate, and the community lost its identity as a place where Italians lived; and

WHEREAS, In the mid-1990s, the San Diego Centre City Development Corporation initiated the process of the reconstruction and reconditioning of Little Italy; and

WHEREAS, Little Italy is today a thriving neighborhood that has become an example for other redevelopment projects in San Diego County; and

WHEREAS, The local business community has established the Little Italy Association, a recognized business improvement district that works in concert with the City of San Diego to ensure the success of the neighborhood and to emphasize and support its commercial success; and

WHEREAS, The recognition of Little Italy as a destination through the placement of freeway markers and plaques will encourage the continued growth and redevelopment of this important component of the history of San Diego; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the Legislature hereby designates the Hawthorne Street exit on Interstate 5 north and the Front Street exit on Interstate 5 south near downtown San Diego, as the defined routes for the destination of Little Italy; 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 of the state highway system, showing this designation, and upon receiving donations from nonstate sources, to erect these plaques and markers, provided that the City Council of the City of San Diego has first approved a resolution designating the area referenced in this resolution as the Little Italy district ; 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.

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## RESOLUTION CHAPTER 172

Assembly Concurrent Resolution No. 205—Relative to Myositis Awareness Day.

[Filed with Secretary of State September 16, 2002.]

WHEREAS, Myositis is a chronic, auto-immune disease that triggers the inflammation and degeneration of skeletal muscle tissues, in which inflammatory cells surround, invade, and destroy normal muscle fibers as though they were defective or foreign to the body; and

WHEREAS, Myositis can be a debilitating and sometimes fatal disease; and

WHEREAS, Currently 30,000 cases of myositis are estimated to exist in the United States; and

WHEREAS, There are various forms of myositis that currently have different effects on the body, including inflammatory myositis and polymyositis, which destroys normal muscle fibers; dermatomyositis, which is a rash and results in weakness of the trunk muscles; and inclusion body myositis, which includes gradual muscle weakness and affects both proximal and distal muscles; and

WHEREAS, Limited public recognition of myositis has resulted in inadequately funded research; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the Legislature hereby designates September 21, 2002, as Myositis Awareness Day 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.

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### RESOLUTION CHAPTER 173

Assembly Concurrent Resolution No. 213—Relative to Clean Air Vehicles.

[Filed with Secretary of State September 16, 2002.]

WHEREAS, The State of California has a goal of achieving and maintaining healthful air quality for its residents; and

WHEREAS, Air pollution is one of the main triggers that can exacerbate symptoms of asthma, which is the country's most common chronic childhood disease; and

WHEREAS, Pollution reduction measures are needed to improve the air quality in California and decrease the occurrence of respiratory ailments in children and adults; and

WHEREAS, The State Air Resources Board conducts a Clean Air Vehicle program that specifies which vehicles powered by electricity or alternative fuels meet state and federal standards for tailpipe and evaporative emissions; and

WHEREAS, Electric vehicles produce no tailpipe or evaporative emissions and qualify as Zero Emission Vehicles (ZEV) under the board's Clean Air Vehicle program; and

WHEREAS, Certain Super Ultra Low Emission Vehicles (SULEV) and Ultra Low Emission Vehicles (ULEV) that meet the requirements of the federal Inherently Low Emission Vehicle (ILEV) standards, such as vehicles powered by alternative fuels such as compressed natural gas or liquid propane, have extremely low tailpipe emissions, meet requirements that offer significant lifetime emission reductions, and are eligible for the board's Clean Air Vehicle program; and

WHEREAS, The Department of Motor Vehicle's Clean Air Vehicle Decal program, established by the Legislature in 1999, provides owners of vehicles that meet these federal and state vehicle emission standards with driver's side, passenger side, and rear bumper stickers that grant those vehicles access to High Occupancy Vehicle (HOV) lanes and toll-free passage during commute hours on the seven state-owned toll bridges; and

WHEREAS, 2002 marks the first year that a major automobile manufacturer has made a large number of electric vehicles available for public purchase in California; and

WHEREAS, The "Golden Gate Bridge, Highway and Transportation District Act" was enacted by the Legislature on May 25, 1923, to allow the City and County of San Francisco, the Counties of Marin, Sonoma, and Del Norte, and parts of the Counties of Mendocino and Napa to organize as a bridge district in order to borrow money, issue bonds, construct a bridge, and collect tolls on the bridge; and

WHEREAS, On December 4, 1928, the Golden Gate Bridge, Highway and Transportation District was formed as the entity to design, construct, and finance the Golden Gate Bridge under the act; and

WHEREAS, The district currently grants toll-free passage during commute hours to motorcycles and carpools of three or more persons; 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 Golden Gate Bridge, Highway and Transportation District to provide toll-free passage on the Golden Gate Bridge during commute hours to vehicles bearing a distinctive Clean Air Vehicle decal issued by the Department of Motor Vehicles; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit a copy of this resolution to each member of the board of directors of the Golden Gate Bridge, Highway and Transportation District.

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#### RESOLUTION CHAPTER 174

Assembly Concurrent Resolution No. 215—Relative to public postsecondary education.

[Filed with Secretary of State September 16, 2002.]

WHEREAS, Social workers provide invaluable services to adults, children, and families, helping them address critical issues such as child abuse, poverty, drug dependency, and mental illness; and

WHEREAS, Social workers are the state's largest and often, the only provider of services to the mentally ill, developmentally disabled, seniors, children, and families facing intense socioeconomic pressures; and

WHEREAS, The need for qualified and culturally diverse social workers in California has significantly increased with the state's growing population, yet the number of graduates from schools of social work has remained constant over the past decade; and

WHEREAS, The total number of students graduating from social work programs, estimated at 1,500 per year, is inadequate to meet the numbers of human service staff currently needed in California public social service agencies; and

WHEREAS, The social worker shortage has become alarmingly high due to barriers associated with recruitment, retention, and most importantly, an inadequate number of available spaces for social work students in social work education programs; now, therefor, be it

*Resolved by the Assembly of the State of California, the Senate concurring,* That the Legislature urges the California Community Colleges, the California State University, and the University of California to expand their enrollment in social work preparation programs, in order to meet the growing social service demands of the people of California; and be it further

*Resolved,* That the Legislature requests the California Association of Deans and Directors of Schools of Social Work and the California Social Work Education Center to collaborate with the California Community Colleges, the University of California, the California State University, the Association of Independent California Colleges and Universities, and other interested stakeholders, including employers and representatives of populations served by social workers, to develop a master plan, to be submitted to the Legislature by January 1, 2004, for social work education in the State of California, that reflects the state's diverse population and is designed to address the state's shortage of social workers; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit a copy of this resolution to the Board of Governors of the California Community Colleges, to the Trustees of the California State University, to the Regents of the University of California, to the California Association of Deans and Directors of Schools of Social Work, to the Association of Independent California Colleges and Universities, and to the California Social Work Education Center.

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## RESOLUTION CHAPTER 175

Assembly Concurrent Resolution No. 221—Relative to Japanese-American World War II veterans of California.

[Filed with Secretary of State September 16, 2002.]

WHEREAS, The Japanese-American veterans, including the 100th Infantry Battalion, 442nd Regimental Combat Team, Military Intelligence Service, and other men and women who faithfully and resolutely served America during World War II, have traveled from all regions of California to take part in a special dedication in their honor at the State Capitol on June 24, 2002; and

WHEREAS, That fateful day, December 7, 1941, forever changed the lives of these Americans of Japanese ancestry, relocating many from their homes in California to internment camps as a result of the Presidential Executive Order 9066; and

WHEREAS, Despite their living in horrendous conditions behind barbed wire and being classified 4C “enemy alien,” these brave young Nisei answered the call and volunteered to defend their country, the United States of America; and

WHEREAS, The United States Army allowed them to serve in segregated military units, including the 100th Infantry Battalion, 442nd Regimental Combat Team, and Military Intelligence Service, that afforded them the opportunity to prove their loyalty and citizenship through military service; and

WHEREAS, The 100th Infantry Battalion, comprised of mainly Nisei from Hawaii, was later attached to the 442nd Regimental Combat Team as its 1st Battalion, and valiantly fought in six major campaigns in the European Theater, including Monte Cassino, Anzio, Po Valley, the Liberation of Bruyeres, and the Rescue of the Lost Battalion, and is recognized as the “Purple Heart Battalion”; and

WHEREAS, The 442nd Regimental Combat Team composed of volunteers and draftees from Hawaii and the mainland internment camps joined the 100th Battalion in the European Theater in 1944, participating in major battles at Belvedere, Hill 140, Bruyeres, Biffontaine, Po Valley-Gothic Line, and the invasion of southern France; and

WHEREAS, One of the most poignant episodes of World War II occurred on October 30 1944, in France, as the 100/442 was called up to rescue the decimated Texans of the 36th Division who were surrounded by the enemy; fearlessly answering the order the 100/442 saved 211 lives, while taking more that 800 casualties; and

WHEREAS, The 522nd Field Artillery Battalion, who was originally attached to the 442nd and later assigned to the 62nd Infantry Division, marched through Germany and in one of the most ironic twists of World

War II, liberated the Dachau concentration camp, while their families were undeservedly residing behind barbed wire internment camps; and

WHEREAS, America's secret weapon in the Pacific Theater, the Nisei soldiers of the Military Intelligence Service, were dispatched to every major battle and campaign in the Pacific as linguists who interpreted enemy documents and radio transmissions as well as prepared propaganda, interrogated prisoners of war and assisted with the surrender and United States occupation after the war's end, and whose contributions saved millions of American lives and shortened the war in the Pacific by two years; and

WHEREAS, These valiant efforts have been recognized by the U.S. government with numerous military awards, including 18,143 individual decorations that include 21 Medals of Honor, 52 Distinguished Service Crosses, 559 Silver Stars, with 28 Oak Leaf Clusters in lieu of second Silver Stars awards, 8 Presidential Unit Citations, 4,000 Bronze Stars, with 1,200 Oak Leaf Clusters representing second Bronze Stars, and 9,486 casualties receiving Purple Hearts, the State of California has never formally honored the more than 30,000 Japanese-American men and women who served in the United States Army during World War II; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the Legislature recognizes the Nisei World War II veterans for their extraordinary and heroic service to America during World War II and declare that their sacrifice and valor should forever be a reminder of the true spirit of democracy in America; and be it further

*Resolved,* That the Legislature thanks the 100th/442, who are the most highly decorated military unit in the history of the United States, and who are truly our American heroes, for their sacrifice, courage, and service to our great nation; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

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## RESOLUTION CHAPTER 176

Assembly Concurrent Resolution No. 234—Relative to the Louis J. Papan Highway.

[Filed with Secretary of State September 16, 2002.]

WHEREAS, Louis J. Papan was elected to the California State Assembly in November 1972, and was reelected seven times, serving in the California State Assembly until 1986; and

WHEREAS, Assembly Member Papan was again elected to the Assembly in 1996, and was reelected twice, serving as the Dean of the Assembly until 2002; and

WHEREAS, Assembly Member Papan was first elected to the Daly City City Council in November 1970; and

WHEREAS, Assembly Member Papan was critical in securing funding for the purchase of Linda Mar Beach and the Pacifica Pier in the City of Pacifica; and

WHEREAS, Assembly Member Papan authored legislation necessary to create CalTrain to serve commuters in San Mateo County; and

WHEREAS, Assembly Member Papan and his wife Irene founded John's Closet, a nonprofit organization that to date has helped provide new clothes for over 7,000 low-income children in San Mateo County; and

WHEREAS, Assembly Member Papan has worked as a tireless and successful advocate for the development and improvement of all modes of transportation in California; and

WHEREAS, Assembly Member Papan has tirelessly fought for the needs of disabled children, and successfully enhanced funding for special education, child abuse programs, and has worked to improve the general well-being of handicapped children; and

WHEREAS, As Chair of the Assembly Committee on Rules, Assembly Member Papan oversaw the restoration of the Historic Capitol Building, preserving a piece of history for all Californians; and

WHEREAS, As Chair of the Assembly Committee on Rules and the Assembly Committee on Banking and Finance, Assembly Member Papan has shown unparalleled leadership, vision, and commitment in advancing the professionalism of the Assembly and fostering an environment of open exchange of ideas; and

WHEREAS, It is fitting to acknowledge and memorialize public accomplishments and achievements of Assembly Member Papan; now, therefore, be it

*Resolved, by the Assembly of the State of California, the Senate thereof concurring,* That the Legislature hereby designates the portion of State Highway Route 1 in San Mateo County from the interchange at Skyline Boulevard to the southern city limits of the City of Pacifica as the Louis J. Papan 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 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 Department of Transportation and to the author for appropriate distribution.

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RESOLUTION CHAPTER 177

Assembly Concurrent Resolution No. 235—Relative to public pension funds.

[Filed with Secretary of State September 16, 2002.]

WHEREAS, The University of California is an independent academic institution with a strong reputation for academic freedom, free speech, and intellectual honesty; and

WHEREAS, The University of California has collected and invested more than \$50 billion of pension funds on behalf of its employees; and

WHEREAS, Historically, political groups have tried to use the financial power of public pension funds to advance their political goals; and

WHEREAS, Divestiture by public pension funds has added strong messages of reproach when other means of political influence have failed to bring about social justice and political freedom; and

WHEREAS, Divestiture efforts were part of the political campaign to end apartheid in South Africa; and

WHEREAS, Pro-Palestinian groups are now urging the University of California to divest itself of \$7 billion in stock from many of our nation's most prestigious and profitable companies because they have ties to Israel; and

WHEREAS, Israel is the United States' strongest ally in the Middle East and has worked with the international community to defend itself against the violence and bloodshed that Palestinian terrorists have inflicted on its citizens; and

WHEREAS, Israel is a stalwart democracy in the region, with a vigorous, well-defined election process that produces accountable leaders dedicated to protecting its citizens and territory; and

WHEREAS, Israel has shown great restraint by heeding requests from the United States to preserve Yasser Arafat as leader of the Palestinian Authority as a means to pursue a peaceful resolution of issues when strong evidence indicates the Palestinian Authority is complicit in terrorist acts; and

WHEREAS, Successful divestiture efforts would send a signal, undercutting efforts to peacefully resolve the Israeli and Palestinian

conflict, and would equate Israel with the racist South African apartheid regime; and

WHEREAS, The University of California should use its strong academic reputation and resources to develop an understanding of the issues found in the Middle East and advance the cause of peace and human rights in the region; and

WHEREAS, The University of California should take no steps that provide support or validation for those who engage in terrorist acts or provide any comfort for those who justify terrorist acts as legitimate means of political expression; and

WHEREAS, In 1992, the Legislature passed and Governor Wilson signed Assembly Bill 2251 by then Assembly Member Margolin that prohibits the investment of California public trust funds in companies or institutions that participate in the Arab League's boycott of Israel; and

WHEREAS, Any divestiture of University of California pension funds from companies doing business in Israel would be contrary to the intent of that well-considered law and would make the university a participant in the prohibited Arab League boycott; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the University of California should reject calls to divest its pension funds that are invested in companies with ties to Israel; and be it further

*Resolved,* That the California Legislature condemns terrorism as a means to achieve political ends and urges the leaders of the Palestinian Authority to clearly renounce terrorism as a form of political expression and embrace peaceful negotiations as the best route to enduring peace; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit a copy of this resolution to the President of University of California, the Regents of the University of California, and to the author for appropriate distribution throughout the community.

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## RESOLUTION CHAPTER 178

Assembly Concurrent Resolution No. 236—Relative to Agricultural Worker Health and Housing Commission.

[Filed with Secretary of State September 16, 2002.]

WHEREAS, The health of all Californians depends on the ability of the agricultural industry and farmworkers to produce healthy food at an affordable price; and

WHEREAS, Preserving California agriculture's ability to produce healthy food at an affordable price is a critical strategy for preserving California's agricultural lands; and

WHEREAS, The ability of California agriculture to compete in the global marketplace depends on maintaining a well-housed, healthy, and productive workforce; and

WHEREAS, The health and productivity of California's farmworkers depends on their access to affordable housing and health care; and

WHEREAS, It is in the interest of all Californians that the agricultural industry and the farmworker community work together to improve housing and health conditions in rural California; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That an Agricultural Worker Health and Housing Commission be established. The commission shall be composed of equal numbers of members representing growers and agricultural workers. The commission shall consist of 10 members, with three each appointed by the Speaker of the Assembly and President pro Tempore of the Senate, and two each appointed by the Assembly Minority Leader and the Senate Minority Leader. The commission shall be funded solely through private sources ; and be it further

*Resolved,* That the commission shall report to the Legislature with recommendations on the ways in which the housing and health conditions of agricultural workers can be improved, with emphasis on efforts and policies that involve analysis of the entire food system, from raw inputs to the ultimate consumer. The commission shall also report to the Legislature on the ability of the agricultural industry to compete in the global marketplace and shall make recommendations regarding changes to existing law, such as the provision of the manufacturer's investment credit, which would help the agricultural industry remain competitive. It is the intent of the Legislature that policies can be developed that provide reasonable conditions of life to agricultural workers while maintaining a healthy and economically viable agricultural system; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

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## RESOLUTION CHAPTER 179

Assembly Concurrent Resolution No. 238—Relative to California Economic Literacy Week.

[Filed with Secretary of State September 16, 2002.]

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 and 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, An understanding of economics helps pupils view history not as a series of random events, but as the result of decisions made by individuals; and

WHEREAS, These concepts help pupils evaluate major decisions that will affect them for the rest of their lives, including decisions relating to marriage, pregnancy, schooling, and careers; 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 has resulted in economics playing a greater role in classrooms from kindergarten to grade 12, inclusive, 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 7, 2002, through October 11, 2002, be recognized as Economic Literacy Week in this state, and urges

Californians to observe these days by working for a better understanding of our economic system; and be it further

*Resolved*, That the Chief Clerk of the Assembly prepare and transmit copies of this resolutions to the author for appropriate distribution.

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RESOLUTION CHAPTER 180

Assembly Concurrent Resolution No. 240—Relative to adoption.

[Filed with Secretary of State September 16, 2002.]

WHEREAS, Each year in California there are more than 545,000 reports of child abuse and neglect, more than 38,000 court filings alleging child abuse or neglect, and more than 132,000 children and families with active child welfare cases; and

WHEREAS, More than 100,000 children in California are living apart from their families in out-of-home care; and

WHEREAS, The Judicial Council has made the improvement of the administration of justice in court proceedings involving children and families a high priority; and

WHEREAS, The Judicial Council is committed to working with the Governor, the Legislature, and local courts and communities to achieve greater permanence for children in the abuse and neglect system; and

WHEREAS, Through collaborative efforts, the number of children waiting to be adopted has been reduced and great strides have been made toward ensuring that all of California's children live in safe and permanent homes; and

WHEREAS, Twenty-four percent of the children who enter foster care in California and are placed with nonrelatives do not leave the foster care system within three years; and

WHEREAS, There are still approximately 8,900 children freed for adoption each year and only 5,900 children adopted annually; and

WHEREAS, Raising public awareness of the need for permanent homes for children and highlighting innovative approaches by public and private agencies will help expedite the adoption and permanency process; and

WHEREAS, The Assembly and Senate are committed to working together to improve outcomes for children in the abuse and neglect system; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring*, That November 2002, is hereby proclaimed to be "Court Adoption and Permanency Month," in which the courts and their local

communities are encouraged to join together in activities to expedite the adoption and permanency process.

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RESOLUTION CHAPTER 181

Assembly Concurrent Resolution No. 241—Relative to Macedonia.

[Filed with Secretary of State September 16, 2002.]

WHEREAS, Philip of Macedonia, his son, Alexander the Great, and his tutor, the philosopher Aristotle, were born and raised in the northern province of Greece, Macedonia; and

WHEREAS, The language and culture of the ancient Macedonians, the ancestors of the inhabitants of northern Greece today, were Hellenic; and

WHEREAS, The Macedonians, like the rest of the Hellenes in antiquity, believed in the 12 gods of Olympus and participated with their fellow Hellenes in the Olympic Games; and

WHEREAS, Pella, the palace where Alexander the Great was born, and Vergina, the burial site of the Macedonian kings, are all located in northern Greece; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the Legislature recognizes that the ancient Macedonians were Hellenes, and that the inhabitants of Macedonia today are their Hellenic descendants and part of the northern province of Greece, Macedonia; and be it further

*Resolved,* That the history of ancient Macedonia has been Hellenic for 3,000 years and continues to be so today; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

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RESOLUTION CHAPTER 182

Assembly Joint Resolution No. 52—Relative to a national memorial.

[Filed with Secretary of State September 16, 2002.]

WHEREAS, On September 11, 2001, United Airlines Flight 93 while en route to San Francisco with 40 passengers and crew aboard was hijacked by terrorists; and

WHEREAS, The passengers and crew on the flight, understanding that the intention of the hijackers was to fly the plane into a target in the

nation's Capitol, consulted with each other and their families about what action to take; and

WHEREAS, The passengers moved to stop this heinous act of terrorism, even at the cost of their lives, in an act of extraordinary bravery and self-sacrifice that resulted in the fatal crash of Flight 93 in Somerset County, Pennsylvania; and

WHEREAS, The passengers and crew, some of whom were California residents, will forever be remembered and are memorialized in this resolution. The crew included: Jason Dahl, Leroy Homer, Jr., Lorraine G. Bay, Sandra W. Bradshaw, Wanda A. Green, Ceecee Lyles, and Deborah Ann Jacobs Welsh. The passengers included: Christian Adams, Todd Beamer, Alan Beaven, Mark Bingham, Deora Bodley, Marion Britton, Thomas E. Burnett, Jr., William Cashman, Georgine Rose Corrigan, Patricia Cushing, Joseph Deluca, Patrick "Joe" Driscoll, Edward Porter Felt, Jane C. Folger, Colleen L. Fraser, Andrew Garcia, Jeremy Glick, Lauren Grandcolas, Donald F. Greene, Linda Gronlund, Richard Guadagno, Toshiya Kuge, Hilda Marcin, Waleska Martinez, Nicole Miller, Louis J. Nacke II, Donald A. Peterson, Jean Hoadley Peterson, Mark "Mickey" Rothenberg, Christine Snyder, John Talignani, Honor Elizabeth Wainio and Kristin Gould White; and

WHEREAS, Legislation (H.R. 3917) has been introduced to designate the crash site as a National Memorial that will honor the final resting place of the people of Flight 93 who were courageous and heroic in giving their lives to bring down the airplane. The legislation reads, in part, "the crash site is a profound symbol of American patriotism and spontaneous leadership of citizen-heroes"; and

WHEREAS, The designated National Memorial will honor the heroism of the Californians who were among the passengers and crew, demonstrating our commitment to the families, friends, neighbors, and colleagues of the victims that the legacy of their loved ones will endure for generations; and

WHEREAS, The National Memorial will remind future generations of the unmatched courage of those aboard Flight 93 and inspire the nation to work for a world at peace and free of terrorism; 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 and President of the United States to enact H.R. 3917 to designate a National Memorial at the crash site of Flight 93 in Somerset County, Pennsylvania to pay tribute to and honor the true heroes of this nation; 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.

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RESOLUTION CHAPTER 183

Assembly Joint Resolution No. 57—Relative to immigration enforcement.

[Filed with Secretary of State September 16, 2002.]

WHEREAS, The United States Department of Justice is considering the use of deputized state and local law enforcement officers to enforce United States immigration laws, including those relating solely to civil deportability; and

WHEREAS, The United States Department of Justice officials have recently asserted their belief that states have inherent authority to enforce civil immigration laws, thereby retreating from longstanding precedent indicating that civil immigration laws are the purview of federal immigration officers; and

WHEREAS, Local law enforcement authorities already provide appropriate cooperation and assistance to federal authorities on immigration matters in the context of persons in custody for violations of state and local laws; and

WHEREAS, The plan under federal consideration would go further, authorizing local and state agents to arrest and detain persons without any cause to believe those persons have committed any crime other than violating immigration status requirements; and

WHEREAS, Local and state law enforcement agencies in California already respond to a great many calls for service unrelated to immigration, and the additional obligations of enforcing immigration law would strain law enforcement resources; and

WHEREAS, Local law enforcement officers, while talented and committed to proper enforcement of the laws, are not trained in immigration matters; and

WHEREAS, Immigration enforcement has traditionally been a federal responsibility; and

WHEREAS, Immigrant communities in the United States fear that the provision of immigration authority to state and local law enforcement agents could lead to broader racial profiling; and

WHEREAS, Law enforcement agencies in California have worked hard to gain the trust of immigrant communities, with improved public safety as a consequence; and

WHEREAS, Local law enforcement agencies throughout California have opposed the Justice Department's proposed plan to have them enforce immigration laws because it will adversely affect their ability to properly enforce state and local laws in the diverse communities they serve; and

WHEREAS, The California Police Chiefs Association in an April 10, 2002, letter to the United States Department of Justice stated, "It is the strong opinion of the California Police Chiefs Association leadership that in order for local and state law enforcement organizations to continue to be effective partners with their communities, it is imperative that they not be placed in the role of detaining and arresting individuals based solely on a change in their immigration status;" and

WHEREAS, Hard working but improperly documented immigrants, who are already criminally victimized at greater rates due to their fear of reporting their concerns to law enforcement, would be further discouraged from providing important information to authorities; and

WHEREAS, In the wake of September 11, discouraging members of immigrant communities from reporting crimes and assisting in the investigation of crimes, which would adversely impact efforts to protect our communities from the dangers of terrorism and violent crime, would be an especially costly error; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That under existing California law, state and local law enforcement agencies lack the legal authority to stop, arrest, or detain persons based upon suspected or alleged violations of the civil provisions of the federal immigration laws, except when detention is mandated pursuant to a detainer issued by the Immigration and Naturalization Service and only for the period of time authorized by the detainer; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit a copy of this resolution to United States Attorney General, John Ashcroft, at the United States Department of Justice.

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## RESOLUTION CHAPTER 184

Assembly Joint Resolution No. 60—Relative to the Kumeyaay Nation.

[Filed with Secretary of State September 16, 2002.]

WHEREAS, The Kumeyaay Nation has occupied and traversed the southern California and Baja California region from the Pacific Ocean to the desert approximately 75 miles north and 75 miles south of the

international border separating the United States and Mexico for thousands of years; and

WHEREAS, Today, the Kumeyaay Nation continues to survive as a recognized sovereign nation within the United States and the State of California; and

WHEREAS, Of the 18 federally recognized bands in San Diego County, 12 are Kumeyaay/Diegueno (Barona Band, Campo, Ewiiapaayp, Jamul, La Posta, Manzanita, Mesa Grande, San Pasqual, Santa Ysable, Sycuan, and Viejas); and

WHEREAS, The Kumeyaay people located in Baja California maintain their villages and govern their community affairs; and

WHEREAS, The Kumeyaay people's lifestyle requires free movement within their aboriginal boundaries, and that includes crossing the international border; and

WHEREAS, When laws were passed by Congress directed at slowing the legal and illegal crossing of the international border by foreign nationals trying to enter the United States, Congress overlooked the impact upon the Kumeyaay Nation lifestyle and culture on both sides of the international border; and

WHEREAS, Kumeyaay within Baja California, Mexico desire to pass and repass for cultural and social purposes with Kumeyaay in the United States in order to preserve Kumeyaay culture and heritage; and

WHEREAS, Recently (1998–2001), the United States Immigration and Naturalization Service consulted with the Kumeyaay Nation to learn of the negative impacts recent laws have imposed upon the Kumeyaay Nation lifestyle and, through this consultation process, established a vehicle to allow for the pass and repass of the Kumeyaay people; and

WHEREAS, The Kumeyaay Nation is a federally recognized tribal government within the United States; and

WHEREAS, The California State Assembly recognizes the Kumeyaay Nation and the aboriginal territory occupied by Kumeyaay people for thousands of years that includes areas on both sides of the international border separating the United States and Mexico (Baja California); now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature supports the efforts of the Kumeyaay Nation to remedy the pass and repass of Baja Kumeyaay and memorializes the United States Immigration and Naturalization Service to continue to work with the Kumeyaay Nation to allow for the pass and repass of Baja Kumeyaay; and be it further

*Resolved,* That the Chief Clerk of the Assembly transit copies of this resolution to the Director of the United States Immigration and Naturalization Service and each Senator and Representative from

California in the Congress of the United States, and to the author for appropriate distribution.

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RESOLUTION CHAPTER 185

Assembly Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Article XVI A thereto, relating to infrastructure finance.

[Filed with Secretary of State September 18, 2002.]

WHEREAS, An investment in California's infrastructure is an investment in California's future because the quality of life in California depends on the quality of our children's education and on the condition of the state's transportation network, water system, parks, natural resources, and other infrastructure; and

WHEREAS, California's infrastructure is critically under-funded; and

WHEREAS, California has often used bonds to pay for infrastructure investments, but bonds alone cannot address the magnitude of California's infrastructure investment deficit; and

WHEREAS, According to the Legislative Analyst's 1998 report, Overhauling the State's Infrastructure Planning and Financing Process, the state needs to take two main steps to provide a more stable funding source for our infrastructure needs: dedicate a given level of General Fund resources for infrastructure, and reserve a proportion of the General Fund for current year capital outlay; and

WHEREAS, In the 1960s, when California created the nation's finest education and transportation systems, the state routinely committed 7 to 10 times more of the General Fund to capital outlay than today; and

WHEREAS, Establishing a California Twenty-First Century Infrastructure Investment Fund and slowly increasing the amount of the General Fund committed to capital outlay is an appropriate method of assuring continual capital outlay to address infrastructure needs; and

WHEREAS, By limiting the annual growth of the infrastructure fund to a small percentage of annual General Fund growth, Article XVI A will protect education, child care, and other necessary services during periods of economic recession; and

WHEREAS, The purpose of subdivision (b) of Section 2 of Article XVI A is to ensure that funding for infrastructure projects is not at the expense of funding of other vital programs and to protect existing vital programs in the event of an economic recession; 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 XVI A thereto, to read:

## ARTICLE XVI A

### INFRASTRUCTURE INVESTMENT FUND

SECTION 1. The California Twenty-First Century Infrastructure Investment Fund is hereby established in the State Treasury for the purpose of funding capital outlay expenses. The Department of Finance shall prepare an annual plan to expend these funds, unless the Governor directs another state agency to prepare the plan.

SEC. 2. As used in this article:

(a) “Department of Finance” means the Department of Finance or a successor agency.

(b) “General Fund revenues” excludes transfers from other funds into the General Fund and transfers from the General Fund into other funds.

(c) “Infrastructure fund” means the California Twenty-First Century Infrastructure Investment Fund.

(d) “Made for purposes of the current fiscal year Budget Act as determined by the Department of Finance” means General Fund revenues contained in the Final Budget Summary published by the Department of Finance for the current fiscal year.

SEC. 3. (a) Commencing in the 2006–07 fiscal year, and in every fiscal year thereafter, the Controller shall make the following transfers from the General Fund to the infrastructure fund:

(1) During the 2006–07 fiscal year, a sum equal to 1 percent of the total amount of General Fund revenues as estimated by the Department of Finance for purposes of the Budget Act for that fiscal year.

(2) During the 2007–08 fiscal year, a sum equal to 1.3 percent of the total amount of General Fund revenues as estimated by the Department of Finance for purposes of the Budget Act for that fiscal year.

(3) During the 2008–09 fiscal year, a sum equal to 1.6 percent of the total amount of General Fund revenues as estimated by the Department of Finance for purposes of the Budget Act for that fiscal year.

(4) During the 2009–10 fiscal year, a sum equal to 1.9 percent of the total amount of General Fund revenues as estimated by the Department of Finance for purposes of the Budget Act for that fiscal year.

(5) During the 2010–11 fiscal year, a sum equal to 2.2 percent of the total amount of General Fund revenues as estimated by the Department of Finance for purposes of the Budget Act for that fiscal year.

(6) During the 2011–12 fiscal year, a sum equal to 2.5 percent of the total amount of General Fund revenues as estimated by the Department of Finance for purposes of the Budget Act for that fiscal year.

(7) During the 2012–13 fiscal year, a sum equal to 2.8 percent of the total amount of General Fund revenues as estimated by the Department of Finance for purposes of the Budget Act for that fiscal year.

(8) During the 2013–14 fiscal year, and every fiscal year thereafter, a sum equal to 3 percent of the total amount of General Fund revenues as estimated by the Department of Finance for purposes of the Budget Act for the applicable fiscal year.

(b) Notwithstanding subdivision (a), if the total General Fund revenues for a fiscal year are estimated by the Department of Finance to not increase by at least 4 percent, after adjusting for inflation, compared to the revenues for the prior fiscal year, the increase in the percentage amount to be transferred in the budget year, as otherwise specified in paragraphs (2) to (8), inclusive, of subdivision (a) shall be delayed by one fiscal year.

(c) Notwithstanding subdivision (a), if the total General Fund revenues for a fiscal year are estimated by the Department of Finance to increase by at least 8 percent, after adjusting for inflation, compared to the revenues for the prior fiscal year, the increase in the percentage amount to be transferred in the budget year, as otherwise specified in paragraphs (2) to (8), inclusive, of subdivision (a) shall be accelerated by one fiscal year from the schedule in subdivision (a).

(d) Notwithstanding paragraph (1) of subdivision (a), the initial annual transfer to the infrastructure fund shall not occur until General Fund revenues for a fiscal year are estimated by the Department of Finance to increase by at least 4 percent, after adjusting for inflation, compared to the revenues for the prior fiscal year.

(e) Notwithstanding subdivision (a), in a fiscal year in which both of the conditions specified in subparagraphs (A) and (B) of paragraph (1) apply, the transfer pursuant to this section shall be reduced by an amount determined pursuant to paragraph (2):

(1) (A) The percentage growth in the amount required to be applied for the support of school districts and community college districts pursuant to Section 8 of Article XVI is greater than the percentage growth in General Fund revenues.

(B) The transfer specified pursuant to this section is not otherwise reduced pursuant to subdivision (b) or (f) or pursuant to subdivision (b) or (c) of Section 4.

(2) (A) Determine the amount required to be applied for the support of school districts and community college districts pursuant to Section 8 of Article XVI for the current fiscal year based on the estimate contained in the Governor's May Revision proposal for that fiscal year.

(B) Determine an amount equal to the amount required to be applied for the support of school districts and community college districts pursuant to Section 8 of Article XVI for the prior fiscal year multiplied by the percentage growth in General Fund revenues from the prior to the current fiscal year based on the estimate contained in the Governor's May Revision proposal for the current fiscal year.

(C) Subtract the amount determined pursuant to subparagraph (B) from the amount determined pursuant to subparagraph (A) and multiply that difference by 0.5.

(f) Notwithstanding subdivision (a), the percentage of General Fund revenues transferred to the infrastructure fund in any fiscal year may not exceed the difference between 7.5 percent of estimated General Fund revenues for that fiscal year less the percentage of General Fund revenues for the prior fiscal year that were used to make debt payments in the prior fiscal year on general obligation bonds of the State and lease-revenue bonds issued by the State Public Works Board.

(g) The annual amount transferred to the infrastructure fund, as required pursuant to subdivision (a), shall be reduced by an amount equal to the sales tax revenue in each fiscal year that is redirected to the Traffic Congestion Relief and Safe School Bus Trust Fund pursuant to Proposition 51 if that measure was approved by the voters in November 2002.

SEC. 4. (a) The annual transfer from the General Fund to the infrastructure fund, as provided for by this article, shall be made over four time periods in the fiscal year as follows:

(1) The first transfer shall be made on August 1, or 30 days after enactment of the budget, whichever is later, and shall be in the amount of 25 percent of the total transfer for the fiscal year based on revenue assumptions made for purposes of the Budget Act, as determined by the Department of Finance.

(2) The second transfer shall be made on November 1, and shall be in the same amount as the first transfer.

(3) The third transfer shall be made on February 1, and the amount shall be the difference between 75 percent of the total required transfer for the current fiscal year, based on the adjusted revenue estimate for the current fiscal year according to the Governor's Budget proposal for the following fiscal year, and the total amount of the first and second transfers.

(4) The fourth transfer shall be made on May 31, and the amount shall be based on the difference between the total required transfer for the

current fiscal year based on the adjusted revenue estimate for the current fiscal year according to the Governor's May Revision proposal for the following fiscal year and the total amount previously transferred.

(b) (1) If the updated revenue estimate for the current fiscal year, as contained in the Governor's Budget proposal for the next fiscal year, is more than 5 percent below the revenue assumptions made for purposes of the current fiscal year Budget Act as determined by the Department of Finance, the February 1 transfer shall be suspended until no sooner than May 31.

(2) If the updated revenue estimate for the current fiscal year, as contained in the Governor's May Revision proposal for the next fiscal year, is more than 5 percent below the revenue assumptions made for purposes of the current fiscal year Budget Act as determined by the Department of Finance, the February 1 transfer and the May 31 transfer shall be suspended for that fiscal year. If the February 1 transfer had already been made because revenue estimates at that time did not show a 5 percent or greater decline, that amount shall be credited toward the transfer for the next fiscal year.

(3) If the revenue estimate for the current fiscal year, as contained in the Governor's May Revision proposal for the next fiscal year, is between 2 percent and 5 percent below the revenue assumptions made for purposes of the current fiscal year Budget Act, as determined by the Department of Finance, the total transfer for that fiscal year shall be only 75 percent of what it would otherwise be if revenues had not declined from the original estimate.

(4) If the revenue estimate for the current fiscal year, as contained in the Governor's May Revision proposal for the next fiscal year, is between zero and 2 percent below the revenue assumptions made for purposes of the current fiscal year Budget Act as determined by the Department of Finance, the total transfer amount for that fiscal year shall be 100 percent of that required under Section 3, and the fourth transfer on May 31 shall include the balance needed to fulfill the transfer requirement.

(c) If there is a year-to-year revenue decline on the basis that revenues in a fiscal year, as estimated either for purposes of the Budget Act at the beginning of the fiscal year, the following January in the Governor's Budget, or the following May in the Governor's May Revision, are estimated to be either less than the actual revenues in the prior fiscal year or more than 4 percent below actual revenues in the prior fiscal year after adjusting for inflation, both of the following shall occur:

(1) The transfer shall be suspended for that year. If the year-to-year decline in revenues is based on January or May revenue estimates, any transfers already made in August, November, and February of that fiscal year shall be credited toward transfer requirements for the following

fiscal year. However, if the transfer is suspended in any fiscal year, the transfer in the following fiscal year shall be only one-half of the amount otherwise required based on the percentages specified in Section 3. That transfer requirement shall include amounts credited from transfers made in the prior fiscal year pursuant to this paragraph prior to any suspension occurring.

(2) Any unencumbered funds in the infrastructure fund that are allocated only to the State, and are subject to appropriation, may be loaned interest-free to the General Fund, either in the fiscal year that the transfer is suspended or in the following fiscal year, provided that these loans do not result in the delay of any previously funded projects.

SEC. 5. The funds transferred to the infrastructure fund in each fiscal year shall be allocated by the Legislature in the following fiscal year for capital outlay purposes, as follows:

(a) Fifty percent for acquisition, construction, rehabilitation, modernization, or renovation of infrastructure that is owned, or is to be acquired by, the State.

(b) Fifty percent for acquisition, construction, rehabilitation, modernization, or renovation of infrastructure, including, but not limited to, streets, roads, highways, transportation, water, parks, and open space, that is owned, or is to be acquired by, local governments, including cities, counties, a city and county, and special districts, but not school districts or community college districts. The Legislature shall provide by law a method for the annual allocation of these funds to local governments for their use on projects that meet the requirements of this section.

SEC. 6. Neither transfers to, nor allocations from, the infrastructure fund shall in any manner affect the calculations otherwise made pursuant to Section 8 or Section 8.5 of Article XVI.

SEC. 7. For purposes of this article, appropriations from the infrastructure fund pursuant to this article constitute appropriations for qualified capital outlay projects for purposes of Section 9 of Article XIII B.

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## RESOLUTION CHAPTER 186

Assembly Concurrent Resolution No. 79—Relative to entertainment park signs.

[Filed with Secretary of State September 18, 2002.]

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That a county with a population of not more than 900,000

persons that contains an entertainment park that is visited by 120,000 patrons or more per year should be authorized to apply to the Department of Transportation to have an exit sign placed on the nearest major highway access point to the park if the park is located not more than two miles from the highway and the street on which the park is located has the same name as the park; and be it further

*Resolved*, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Director of Transportation.

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### RESOLUTION CHAPTER 187

Assembly Concurrent Resolution No. 229—Relative to Mexican Consular identification cards.

[Filed with Secretary of State September 18, 2002.]

WHEREAS, There are many Mexican nationals residing in California who do not possess a form of identification issued by a United States federal or state agency; and

WHEREAS, Many immigrants are fearful of reporting crimes to the police because they do not possess proper identification; and

WHEREAS, Cities and counties in California waste hundreds of thousands of dollars annually on police processing time for immigrants who do not possess proper identification; and

WHEREAS, Many immigrants lack access to certain public services because they do not possess proper identification; and

WHEREAS, In 47 cities across the nation, including 10 in California, the Mexican Consulate or El Consulado General de Mexico, issues identification cards to Mexican nationals who have a birth certificate, a proper form of Mexican identification, and who have been residing in the United States for at least six months; and

WHEREAS, The Mexican Consular identification cards, or *Matricula Consular*, are state-of-the-art and contain various security safeguards designed to prevent falsification; and

WHEREAS, If Mexican citizens possess a *Matricula Consular*, they are able to establish their identities to local peace officers and acceptance of that identification would facilitate their interactions with law enforcement agencies and reduce the time needed to process undocumented immigrants, saving time and lowering costs; and

WHEREAS, If a Mexican citizen possesses a *Matricula Consular*, he or she will be more likely to report crimes and cooperate with law enforcement officers if it is an accepted form of identification; and

WHEREAS, If a Mexican citizen who possesses a Matricula Consular is able to establish his or her identity to other city and county personnel, he or she will have better access to public services; and

WHEREAS, Acceptance of the Mexican Consular identification cards will enable many of California's residents to participate in services such as signing on for power and water service, obtaining senior citizen discount rates for public transportation, obtaining library cards, reporting domestic violence, participating in other city and county programs and services, and having access to local and state government buildings to meet with elected officials and attend local government meetings; and

WHEREAS, Certain cities and counties, including the City and County of Los Angeles, City and County of San Francisco, City of Oakland, City of Watsonville, County of Santa Clara, and the County of Santa Cruz, now accept the Matricula Consular as official identification cards; and

WHEREAS, Numerous police and sheriffs departments across California, including those of the City of San Jose, Orange County, Sacramento County, San Diego County, and Santa Cruz County, also accept the Matricula Consular as official identification cards pursuant to their own departmental policy; and

WHEREAS, Various United States banks accept this form of identification, including Wells Fargo, Bank of America, California Credit Union, U.S. Bank, and the California Union Bank, and since November 2001, Mexican immigrants have opened new bank accounts and deposited over \$50 million in banks throughout California using the Matricula Consular; 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 cities and counties throughout California, including their respective agencies, and state agencies to accept the Mexican Consular identification cards, known as the "Matricula Consular," as an official form of identification; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

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## RESOLUTION CHAPTER 188

Assembly Concurrent Resolution No. 242—Relative to Jury Rights Day.

WHEREAS, The year 2002 marks the 211th anniversary of the Bill of Rights; and

WHEREAS, September 5, 2002, marks the 332nd anniversary of the day when jurors in the William Penn trial refused to convict Penn for preaching Quakerism, then considered an illegal religion, to a congregation gathered on a London street after being locked out of their meeting house, then considered an unlawful assembly; and

WHEREAS, The Penn jury, in refusing to convict, provided a basis for the United States Constitution's First Amendment rights of freedom of speech, religion, and peaceable assembly; and

WHEREAS, September 5, also commemorates the day when four of the Penn jurors began nine weeks of incarceration for finding Penn innocent, after which their release and exoneration forever established as English and American legal doctrine that it is the right and responsibility of the trial jury to apply the law and decide on matters of fact in the case before it; and

WHEREAS, The Sixth and Seventh Amendments are included in the Bill of Rights to preserve the right of trial by jury, which in turn conveys upon the jury the responsibility to defend all other individual rights enumerated in and implied by the United States Constitution and its amendments, along with all the rights which attend that responsibility; and

WHEREAS, The State of California recognizes these rights as true and unalienable; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That September 5, 2002, be hereby proclaimed Jury Rights Day.

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## RESOLUTION CHAPTER 189

Assembly Concurrent Resolution No. 243—Relative to Constitution Week and Constitution Day.

[Filed with Secretary of State September 18, 2002.]

WHEREAS, The delegates to the 1787 Constitutional Convention in Philadelphia, Pennsylvania, crafted the Constitution to be a unique experiment in self-government, which recognized the dangers of concentrating too much power in one person, branch, or institution of government; and

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; and

WHEREAS, Since the cowardly terrorist attacks against the World Trade Center and the Pentagon on September 11, 2001, the people of California and the United States have witnessed the strength that the Constitution has provided to our republic, as shown not only by how judiciously our armed forces responded, but also in our continued commitment to ensuring that the freedoms and values embodied by our Constitution continue to endure and not fall victim to terrorism themselves; and

WHEREAS, Especially in light of the September 11 tragedy, it is appropriate and fitting that Californians commemorate the historical contributions that the United States Constitution has made to their lives, and its continued significance in preserving the individual freedoms, liberties, and common welfare embodied therein; 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 week of September 15-21, 2002, 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 do all of the following:

(1) Call upon those 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 American civilization and culture, based on the belief that all power emanates from the people 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) Remind all citizens of California that the preservation of our Constitution, as well as our freedom and liberty, is the responsibility of every Californian; 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.

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## RESOLUTION CHAPTER 190

Assembly Concurrent Resolution No. 249—Relative to the 30th Anniversary of the Federal Water Pollution Control Act Amendments of 1972.

[Filed with Secretary of State September 18, 2002.]

WHEREAS, Clean water is an essential natural resource of critical importance to all Californians; and

WHEREAS, Californians strongly support protecting the quality of the state's watersheds, wetlands, streams, rivers, lakes, groundwater, beaches, and coastal waters; and

WHEREAS, Maintaining and improving water quality is essential to protect public health and to provide a habitat for fish and wildlife; and

WHEREAS, Maintaining and improving water quality is necessary to our economic development and well-being, to promote tourism and its beneficial effects for our economy, to provide recreational activities, to protect fisheries, and to benefit agriculture; and

WHEREAS, Water pollution problems persist and California faces significant challenges to protect the quality of its water resources and watersheds from point and nonpoint sources of pollution; and

WHEREAS, Further development, innovation, and investment in water pollution management practices, water infrastructure, research and technological development, and education programs are necessary and desirable to facilitate water quality protection; and

WHEREAS, October 2002 marks the 30th anniversary of the enactment of the Federal Water Pollution Control Act Amendments of 1972 (P.L. 92-500), which extensively amended, reorganized, and expanded the Federal Water Pollution Control Act, to its modern form; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring*, That the Legislature, in recognition of the 30th anniversary of the enactment of The Federal Water Pollution Control Act Amendments of 1972, declares the year 2002 the "Year of Clean Water" and declares October 2002 as "Clean Water Month"; and be it further

*Resolved*, That the Legislature encourages all Californians to recognize the importance of making a personal commitment to do their part to protect water quality and to recommit to achieving the goals of the Federal Water Pollution Control Act; and be it further

*Resolved*, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

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## RESOLUTION CHAPTER 191

Assembly Concurrent Resolution No. 250—Relative to hepatitis C.

[Filed with Secretary of State September 18, 2002.]

WHEREAS, Hepatitis C virus infection is the most common chronic blood borne viral infection in the United States; and

WHEREAS, Nearly two in every 100 Americans are infected; and

WHEREAS, The Centers for Disease Control estimates the hepatitis C virus to have infected 500,000 Californians, more than any other state in the union; and

WHEREAS, The hepatitis C rate among veterans is roughly four times the rate of the general population; and

WHEREAS, Forty percent of inmates in California prisons are infected with hepatitis C, which presents a dangerous situation for prisoners, corrections staff, and the public as these infected inmates are released to the street on parole; and

WHEREAS, Hepatitis C can live largely undetected in the body for 20 to 30 years; and

WHEREAS, Infected individuals, who are unaware they are infected, can unknowingly transmit the virus to others for decades, while their own livers are slowly deteriorating; and

WHEREAS, No vaccine is available for hepatitis C; and

WHEREAS, Hepatitis C causes up to one-half of all the liver cancer cases in the United States; and

WHEREAS, Twenty percent of all patients with chronic hepatitis C will develop cirrhosis, which is when healthy liver cells are replaced by scar tissue that can prevent the liver from functioning properly; and

WHEREAS, Nearly 50 percent of all liver transplants in the United States are performed for end-stage hepatitis C, however reinfection of the transplanted liver by the virus usually occurs and the patient may require a second transplant; and

WHEREAS, The demand for liver transplants is expected to jump by 500 percent by 2008; and

WHEREAS, Ten thousand Americans a year are dying from hepatitis C; and

WHEREAS, By the end of the decade, the annual death toll could easily reach 30,000, which is twice the toll that AIDS takes in America each year; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the Legislature is concerned about the health crisis associated with hepatitis C and hereby recommends:

(1) Implementation of prevention and educational activities to counsel, screen, and treat persons at risk for hepatitis C virus infection.

- (2) Monitoring and evaluation of the infection rate of hepatitis C.
- (3) Implementation of outreach and community-based programs to educate health care professionals concerning diagnosis, medical management, and prevention.

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RESOLUTION CHAPTER 192

Assembly Concurrent Resolution No. 251—Relative to the Colorado River.

[Filed with Secretary of State September 18, 2002.]

WHEREAS, Colorado River water is vital to the economy, environment, and people of California; and

WHEREAS, Colorado River water is the key source of drinking water for over 17,000,000 people in urban southern California and the primary water supply for agriculture in southern California; and

WHEREAS, In 1964, in the case of *Arizona v. California*, the United States Supreme Court fixed California's basic annual apportionment of mainstream Colorado River water at 4.4 million acre-feet; and

WHEREAS, Colorado River water apportionments were based on more liberal hydrological assumptions and, as a result, the Colorado River is oversubscribed; and

WHEREAS, For many years, California has been using up to 5.2 million acre-feet more than its annual apportionment of 4.4 million acre-feet. From 600,000 to 700,000 acre-feet of water above California's apportionment has been used each year for the Colorado River Aqueduct, which carries approximately 1.25 million acre-feet of water annually to southern California. California has been able to use more than its apportioned share because Nevada and Arizona had not been using their full apportioned shares, and surplus Colorado River water has been available. However, Nevada and Arizona are now using their full apportionments; and

WHEREAS, The other Colorado River Basin states and the Secretary of the Interior have expressed concern over California's continued reliance upon surplus Colorado River water. They have stated that California must reduce its use of Colorado River water to its basic annual apportionment of 4.4 million acre-feet so that other states are not subjected to risks of shortage; and

WHEREAS, In response to the concerns of the Secretary of the Interior and the other Colorado River Basin states, the Colorado River Board of California and its represented agencies, including the Imperial Irrigation District (IID), the Coachella Valley Water District (CVWD),

the Metropolitan Water District of Southern California (MWD), the San Diego County Water Authority (SDCWA), and others, agreed upon a plan (referred to as California's Colorado River Water Use Plan) to reduce California's use of Colorado River water to 4.4 million acre-feet per year. The framework components of the plan are wide in scope, and provide various potential options to reduce use, including conservation and water transfers; and

WHEREAS, In January 2001, the Secretary of the Interior implemented the Colorado River Interim Surplus Guidelines, which will allow California to continue to use more than 4.4 million acre-feet until 2016. The Surplus Guidelines are contingent upon the water agencies executing the Quantification Settlement Agreement (QSA) on or before December 31, 2002, at the latest. The QSA is an integral component of the plan, and is an agreement between IID, CVWD, MWD, and SDCWA that, if executed, will settle long-standing disputes among Colorado River water users in California regarding the apportionment and priorities of Colorado River water for use in California. The QSA also will quantify water use, and will help ensure reasonable and beneficial use of Colorado River water among all California entities currently using and relying on the basic apportionment of 4.4 million acre-feet; and

WHEREAS, The QSA facilitates agricultural to municipal and industrial transfers of Colorado River water in order to ensure a full Colorado River Aqueduct; and

WHEREAS, An integral part of California's plan to meet its goal of using no more than 4.4 million acre-feet of Colorado River water is the transfer of up to 200,000 acre-feet of efficiency-based conserved water from IID to SDCWA; and

WHEREAS, There are complicated state and federal issues surrounding the water transfer, including the potential for the transfer to accelerate the salinization of the Salton Sea; and

WHEREAS, The Salton Sea is a resource of state and national importance due to the large numbers and variety of migratory birds and other species that are found there, and the Salton Sea fishery is very productive, supporting both recreation and wildlife use. Some species are very dependent on the Salton Sea for major periods of their lives. Increased salinization will further stress federal and state threatened or endangered species; and

WHEREAS, Congress recognized that preservation of the Salton Sea is in the national interest in the Salton Sea Reclamation Act of 1998 (Public Law 105-372). The report of alternative options for restoration of the Salton Sea has not been submitted to Congress as called for in Public Law 105-372; and

WHEREAS, If the QSA is not executed on or before December 31, 2002, the Secretary of the Interior has stated that the Interim Surplus Guidelines will be suspended and that California will immediately lose up to 800,000 acre-feet per year of Colorado River water (a supply equivalent to that used by about 5,000,000 people in a year); and

WHEREAS, The loss of that water, which currently serves over one-half of the state's residents, would have a significant impact on California's economy, environment, and quality of life, and could force a greater reliance on water from the fragile ecosystem of the California Bay-Delta to make up the lost water; and

WHEREAS, Loss of Colorado River water as a result of suspension of the Interim Surplus Guidelines is likely to create a water supply shortage for urban southern California, and eventually could threaten the health, safety, and economic well-being of the state's residents and industries; and

WHEREAS, In addition to the possible suspension of the Interim Surplus Guidelines, the Colorado River Basin is experiencing a severe multiyear drought, and Colorado River reservoir storage has declined by 15.6 million acre-feet since December 1999, while Lake Mead is at its lowest level in 30 years; and

WHEREAS, The Colorado River Basin water supply is projected for water year 2002 to be from 15 to 24 percent of normal, further jeopardizing California's Colorado River water supply; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the Legislature finds and declares that it is of the utmost importance to the people of California that IID, MWD, CVWD, and SDCWA reach agreement and execute the Quantification Settlement Agreement (QSA) on or before December 31, 2002, to move forward with the Colorado River Water Use Plan and maintain the Interim Surplus Guidelines; and be it further

*Resolved,* That, if the QSA is not executed on or before December 31, 2002, and southern California's water supplies are cut, the Legislature will consider appropriate legislative actions to ensure the successful implementation of the QSA and to further ensure that the suspension of the Interim Surplus Guidelines will be lifted; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit a copy of this resolution to the author for appropriate distribution.

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## RESOLUTION CHAPTER 193

Assembly Joint Resolution No. 37—Relative to labor negotiations by California waterfront workers.

[Filed with Secretary of State September 18, 2002.]

WHEREAS, California ports are a crucial part of the global and local economies, and the labor negotiations that concern their operations are closely watched by businesses and governments; and

WHEREAS, The jobs in California ports are of high quality, due to agreements that have been negotiated over the last fifty years by the Pacific Maritime Association (PMA) and organized labor; and

WHEREAS, The legal, established collective bargaining process, including the right to strike, is a right of the waterfront union members under the National Labor Relations Act of 1935; and

WHEREAS, The Bush administration has announced, through Department of Labor officials, that it may invoke a national economic emergency in order to forestall a strike under the Taft-Hartley Act, or may use the National Guard to prevent such a strike; and

WHEREAS, The use of this power, or even the announcement of the intentions to use it, will and has upset what has been, up until now, a level playing field between management and labor; now therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature of the State of California opposes any action by the President and the administration that would impose a Taft-Hartley injunction against waterfront unions, would remove union workers from coverage by the National Labor Relations Act, or would send military personnel to the West Coast docks to assist in a lockout of waterfront union workers; 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 194

Assembly Joint Resolution No. 45—Relative to the Independent System Operator.

[Filed with Secretary of State September 18, 2002.]

WHEREAS, California has a long established policy of supporting customer generation resources; and

WHEREAS, Customer generation includes all manner of customer self-reliance, such as cogeneration, distributed generation, and self-generation; and

WHEREAS, Both the California legislative and executive branches of government have consistently supported the development of customer generation; and

WHEREAS, Customer generation promotes energy self-sufficiency through private capital investment; and

WHEREAS, These resources assist in relieving transmission congestion and enhancing the reliability of the electric system by local deployment of generating resources; and

WHEREAS, The Independent System Operator (ISO) is currently pursuing unnecessary and burdensome changes to the metering, scheduling, and operational requirements of customer generation and cogeneration resources in tariff proposals before the Federal Energy Regulatory Commission (FERC); and

WHEREAS, The ISO's proposed gross metering policy, that would attribute a disproportionate share of ISO costs to electricity load served by customer generation over private transmission or distribution facilities, would result in substantially higher ISO fees for electricity load served by customer generation without any additional benefit for customers or for grid reliability; and

WHEREAS, The ISO's proposed policy is a major disincentive to the successful development of customer generation in California; now, therefore, be it

*Resolved by the Assembly and the Senate of the State of California, jointly* That the Legislature of the State of California urges FERC to do all of the following:

(1) Maintain long-standing federal policies to promote development of customer generation resources.

(2) Ensure the California electricity load served by customer generation not incur costs for any transmission related service in excess of the transmission costs included in standby service rates developed using ratemaking principles that existed prior to the establishment of the ISO; and be it further

*Resolved*, That the Legislature urges FERC to reject the cost allocation provisions of the ISO's proposed gross metering policy, provided that the reliability standards, established by an official determination of the Western Electricity Coordinating Council, do not require the ISO to procure ancillary services according to the gross load of customer generators; and be it further

*Resolved*, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

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RESOLUTION CHAPTER 195

Assembly Joint Resolution No. 53—Relative to the Temporary Assistance for Needy Families (TANF) program.

[Filed with Secretary of State September 18, 2002.]

WHEREAS, The United States Congress must reauthorize the Temporary Assistance for Needy Families (TANF) program by October 1, 2002; and

WHEREAS, States are achieving success under TANF because states have the flexibility to design appropriate, effective programs that move people into work and support vulnerable children. Under TANF, California has decreased families' dependence on welfare, increased work rates and wages, and improved the well-being of children; and

WHEREAS, Welfare reauthorization should help states like California build on their unprecedented success at moving people off welfare; and

WHEREAS, Devolution was a core principle in welfare reform. The TANF block grant allows each state to design the most effective and appropriate programs for moving families from welfare to work. Under TANF, California's welfare recipients are working more hours than ever before and California has nearly tripled the number of welfare recipients who are working; and

WHEREAS, The flexibility offered in current federal law has permitted California to make the well-being of children its highest priority. Under current federal law, California ensures that poor children have a basic level of subsistence, regardless of their parents' immigration status or ability to meet participation requirements; and

WHEREAS, Current federal law supports the fact that different strategies are needed for families facing different barriers to work. Today, California's counties develop welfare-to-work plans, work programs, and participation requirements that are tailored to each family's unique circumstances. Current federal law permits California's counties to develop programs that are sensitive to state and county labor markets and employment rates; and

WHEREAS, Since 1997, when the TANF program was created, the value of the TANF block grant has significantly diminished due to inflation. If TANF funding continues at current levels, the

inflation-adjusted value of the block grant in 2007 would be approximately 22 percent less than its original value in 1997; and

WHEREAS, California is using all of its TANF block grant, yet faces a projected shortfall in its TANF program. At the same time, California faces a budget deficit of \$24 billion, increasing the importance of adequate federal funding; and

WHEREAS, Child care is central to states' efforts to move families into work. Under TANF, states have helped many parents find and keep jobs, secure child care, and overcome personal barriers to work. As work participation requirements rise, so must state resources to meet families' corresponding child care needs; and

WHEREAS, Despite states' success in moving many families off welfare, many families still on aid have numerous and complex barriers to joining the workforce. States want to move these families into work as quickly as possible, but recognize that families with difficulties, such as domestic violence, learning disabilities, and mental illness, must receive supportive services to address these barriers to work; and

WHEREAS, California is currently being penalized by the federal government for failure to implement a statewide automated child support system due to system failure on the part of the project's original vendor. California has paid nearly \$300 million in penalties from the state's General Fund and, upon completion of the statewide automation system, will pay total penalties of approximately \$1.3 billion. California has entered into a corrective action plan with the United States Department of Health and Human Services and is in full compliance with the plan; and

WHEREAS, Federal child support automation penalties have served the important purpose of capturing the attention of California and have resulted in significant restructuring to establish a reliable approach to securing a statewide automated child support system; and

WHEREAS, Governor Davis and the California Legislature have made a strong commitment to improving the state's child support program that has resulted in historically high levels of child support collections; now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly,* That to build on the success of welfare reform, in reauthorization of the TANF program, the California Legislature urges federal policymakers to maintain state flexibility to spend TANF funds. Given states' demonstrated success using this flexibility, this central premise of welfare reform should not be compromised in welfare reauthorization; and be it further

*Resolved,* In TANF reauthorization, the California Legislature urges federal policymakers to maintain state flexibility to provide a safety net to vulnerable children; and be it further

*Resolved*, In TANF reauthorization, the California Legislature urges federal policymakers to maintain state flexibility to design the most effective ways to move people into work. State flexibility in designing work programs should not be compromised in welfare reauthorization; and be it further

*Resolved*, In TANF reauthorization, the California Legislature urges federal policymakers to adjust the TANF block grant for inflation. Freezing the TANF block grant at current levels is not adequate to maintain even current program levels because inflation has eroded the value of the block grants. Welfare reauthorization is an opportunity for the federal government to address this funding inadequacy; and be it further

*Resolved*, In TANF reauthorization, the California Legislature urges federal policymakers to recognize states' needs to provide ongoing supportive services. Welfare reauthorization should help states provide child care and supportive services, as they are substantial defenses in permanently keeping families off welfare; and be it further

*Resolved*, In TANF reauthorization, the California Legislature urges federal policymakers to base the year on which the federal child support automation penalties are assessed to the 1997–98 fiscal year, the year prior to penalties first being imposed. This will ensure that states do not incur additional penalties because of increased investments in the administration of their child support programs; and be it further

*Resolved*, In TANF reauthorization, the California Legislature urges federal policymakers to give states the option to reinvest federal child support automation penalties back into their child support programs and automation efforts. This will ensure that states continue to concentrate on the deficiencies that contribute to automation implementation delays and subsequent penalties; and be it further

*Resolved*, In TANF reauthorization, the California Legislature urges federal policymakers to simplify the child support distribution rules to allow more money to reach families while also reducing California's system procurement costs and assisting in an earlier completion of the statewide automated system.

*Resolved*, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, and to each Senator and Representative from California in the Congress of the United States.

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## RESOLUTION CHAPTER 196

Assembly Joint Resolution No. 61—Relative to Holocaust insurance claims.

[Filed with Secretary of State September 18, 2002.]

WHEREAS, Sixty years have passed since the horrific events of the Holocaust, during which the Nazis murdered six million Jews and five million other people; and

WHEREAS, During the Second World War, many Jewish families in Europe purchased life insurance policies as financial protection for loved ones who would survive the war; and

WHEREAS, After the Nazis came to power, they systematically confiscated the assets and insurance policy documents of Jews and other victims, and did not issue death certificates for the countless Jews and untold others murdered in concentration camps; and

WHEREAS, After the war, many insurers refused to pay on valid policies because survivors did not have adequate documentation; thus the victims of the Holocaust and their heirs have been unable to collect the proceeds from life insurance policies, which they are rightfully owed; and

WHEREAS, Insurance company records may be the only proof of insurance held by Holocaust survivors or their heirs, and in some instances, recollections of the very existence of insurance policies may have perished along with Holocaust victims; and

WHEREAS, In 1998, the International Commission on Holocaust Era Insurance Claims (ICHEIC) was created to facilitate the expeditious processing of unpaid insurance policies issued to Holocaust victims; and

WHEREAS, ICHEIC launched its claims process in February 2000; and

WHEREAS, As of May 31, 2002, ICHEIC has received over 85,000 claims from all over the world, of which more than 2,357 were from California; and

WHEREAS, Only 1,370 claimants worldwide have received offers from ICHEIC insurers, and most of the 85,000 victims are still waiting; and

WHEREAS, California enacted the Holocaust Victims Insurance Relief Act in 1999, requiring insurers to provide data to the Department of Insurance by April 10, 2000, regarding all policies they or an affiliated company wrote in Europe between 1920 and 1945; and

WHEREAS, Approximately five California insurers have provided documents in full compliance with the statute and approximately 100 have refused to comply; and

WHEREAS, As of March 2000, four separate lawsuits have been filed by California insurers in an attempt to block the implementation of the 1999 Holocaust Victims Insurance Relief Act, alleging that the statute is unconstitutional; and

WHEREAS, In February 2001, the Federal Court of Appeals denied some of the insurers' constitutional challenges, but allowed an injunction to stand which enjoined the requirement that California insurers submit information about policies sold in Europe between 1920 and 1945; and

WHEREAS, On July 15, 2002, the Ninth United States Circuit Court of Appeals ruled that the 1999 Holocaust Victims Insurance Relief Act is constitutional, and while subsequent appeals by insurers have resulted in the injunction remaining in place, once the injunction is lifted, the state will be able to require insurers to release detailed information about policies they sold in Europe between 1920 and 1945; and

WHEREAS, The deliberate delay on the part of these insurers may result in a generation of Holocaust victims dying before their claims are rightfully paid; and

WHEREAS, It would be an unconscionable act of inhumanity to allow survivors of the Holocaust to be victimized once again by allowing these insurance claims to go unpaid; and

WHEREAS, We can no longer idly stand by while justice is being denied for these vulnerable elderly victims; 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 hereby urges the International Commission on Holocaust Era Insurance Claims, the National Association of Insurance Commissioners, and the Department of Insurance to take immediate action to encourage insurers to fully comply with the ICHEIC claims process for Holocaust era insurance claims; and be it further

*Resolved,* That the Legislature of the State of California urges the ICHEIC insurers to continue to fund the ongoing ICHEIC operation for an adequate time period; and be it further

*Resolved,* That the Legislature of the State of California urges the ICHEIC to advocate more forcefully for claimants; and be it further

*Resolved,* That the Legislature of the State of California urges the ICHEIC to do everything it can to require the ICHEIC insurers, the German Insurance Association, and the German Foundation to comply with the ICHEIC claims process; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

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## RESOLUTION CHAPTER 197

Assembly Joint Resolution No. 63—Relative to the extradition of criminals.

[Filed with Secretary of State September 18, 2002.]

WHEREAS, The Mexican Supreme Court ruled in October 2001 that Mexico will not extradite criminals who face life sentences in the United States; and

WHEREAS, The United States Constitution prohibits states from entering into treaties with foreign governments to protect their citizens and arrange extradition for criminals; and

WHEREAS, The person or persons responsible for the April 29, 2002, murder of Los Angeles County Sheriff Deputy David March is believed to have fled to Mexico to avoid prosecution; and

WHEREAS, California and other states must rely upon the federal government to resolve this issue of national importance; and

WHEREAS, The Attorney General from each of the 50 states has asked United States Attorney General John Ashcroft and United States Secretary of State Colin Powell to address this extradition issue with their counterparts in Mexico; now, therefore, be it

*Resolved, by the Assembly and Senate of the State of California, jointly,* That the extradition from Mexico of all criminals who face life sentences is a matter of urgent and enduring importance to the State of California; and be it further

*Resolved,* That California's Senators and Members of the House of Representatives should take all prudent and necessary steps to ensure that this matter is addressed at the highest levels of our federal government; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the President of the United States, the United States Attorney General, the United States Secretary of State, and to each member of the Congress of the United States.

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**2001 – 02**

**SECOND EXTRAORDINARY SESSION**

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## **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 reconvened on January 7, 2002, and adjourned *sine die* on May 9, 2002. The 91st day after adjournment is August 8, 2002. Please refer to the preceding year's Statutes and Amendments to the Codes for statutes enacted prior to the reconvening date.

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 14<sup>th</sup> 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 14<sup>th</sup> day of May 2001.

*Gray Davis*

Governor of California

ATTEST:

*Bill Jones*

Secretary of State





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**STATUTES OF CALIFORNIA**

2001–02

**SECOND EXTRAORDINARY SESSION**

2002 CHAPTER

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CHAPTER 19

An act to amend Section 362 of, to add Section 761.3 to, and to repeal Section 342, as added by Chapter 16 of the Statutes of 2001, Second Extraordinary Session, of, the Public Utilities Code, relating to public utilities.

[Approved by Governor April 25, 2002. Filed with  
Secretary of State April 26, 2002.]

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

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

(a) Electric generating facilities and powerplants in California are essential facilities for maintaining and protecting the public health and safety of California residents and businesses.

(b) It is in the public interest to ensure that electric generating facilities and powerplants located in California are effectively and appropriately maintained and efficiently operated.

(c) Owners and operators of electric generating facilities and powerplants provide a critical and essential good to California residents. It is in the public interest that the Public Utilities Commission seek enforcement capability from the Federal Energy Regulatory Commission regarding the private generator agreement to provide for broader state control of operational activities of generation facilities in the state.

(d) To protect the public health and safety and to ensure electrical service reliability and adequacy, the Public Utilities Commission and the Independent System Operator shall work collaboratively to develop clearly articulated, uniform operating practices and procedures. The commission shall enforce compliance with those practices and procedures.

SEC. 2. Section 342 of the Public Utilities Code, as added by Section 3 of Chapter 16 of the Statutes of 2001, Second Extraordinary Session, is repealed.

SEC. 3. Section 362 of the Public Utilities Code is amended to read:

362. (a) In proceedings pursuant to Section 455.5, 851, or 854, the commission shall ensure that facilities needed to maintain the reliability of the electric supply remain available and operational, consistent with maintaining open competition and avoiding an overconcentration of market power. In order to determine whether the facility needs to remain available and operational, the commission shall utilize standards that are no less stringent than the Western Systems Coordinating Council and North American Electric Reliability Council standards for planning reserve criteria.

(b) The commission shall require that generation facilities located in the state that have been disposed of in proceedings pursuant to Section 851, are operated by the persons or corporations who own or control them in a manner that ensures their availability to maintain the reliability of the electric supply system.

SEC. 4. Section 761.3 is added to the Public Utilities Code, to read:

761.3. (a) Notwithstanding subdivision (g) of Section 216 and subdivisions (c) and (d) of Section 228.5, the commission shall implement and enforce standards adopted pursuant to subdivision (b) for the maintenance and operation of facilities for the generation of electric energy owned by an electrical corporation or located in the state to ensure their reliable operation. The commission shall enforce the protocols for the scheduling of powerplant outages of the Independent System Operator.

(b) (1) The commission and the Independent System Operator shall jointly establish the California Electricity Generation Facilities Standards Committee. The committee shall consist of three members, one a member of the commission appointed by the commission, one a member of the Independent System Operator board appointed by that board, and one individual with expertise regarding electric generation facilities and jointly appointed by the commission and the Independent System Operator board. The committee, within 90 days of the effective date of this section and after providing notice and opportunity for public comment, shall adopt, and may thereafter revise, standards for the maintenance and operation of facilities for the generation of electric energy located in the state. The standards shall be consistent with subdivision (d) of this section.

(2) The committee shall be supported by a reasonable amount of staff time, which shall be provided proportionally by the agencies represented on the committee.

(3) This subdivision shall be operative only until January 1, 2005.

(c) Nothing in this section authorizes the commission to establish rates for wholesale sales in interstate commerce from those facilities, or to approve the sale or transfer of control of facilities that have been certified as exempt wholesale generators by the Federal Energy Regulatory Commission pursuant to Section 79z-5a(1) of Title 15 of the United States Code.

(d) (1) (A) 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.

(B) 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 and the Independent System Operator any significant variations from its filed plan.

(C) 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 and the Independent System Operator the daily operational status and availability of each facility.

(2) (A) 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 11 of the federal Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 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.

(B) 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 ten megawatts or greater shall be responsible for directly reporting to the Oversight Board and the Independent System Operator 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.

(e) In developing the standards pursuant to subdivision (b), the committee shall take into consideration generation facilities scheduled for retirement, valid warranties on generation facilities, and the operational authority of the Independent System Operator as prescribed in the standard Participating Generator Agreement and applicable sections of the Federal Energy Regulatory Commission's approved Independent System Operator tariff.

(f) 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 Independent System Operator 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.

(g) The Independent System Operator shall maintain records of generation facility outages and shall provide those records 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.

(h) This section does not apply to any of the following:

(1) Facilities owned by 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.

(3) Facilities owned by a city and county operating as a public utility, furnishing electric service as provided in Section 10001.

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.

SEC. 6. This act shall become operative only if Assembly Bill 28 of the 2001–02 Second Extraordinary Session is enacted and becomes effective.

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# **CONCURRENT RESOLUTION**

2001–02

**SECOND EXTRAORDINARY SESSION**

2002 RESOLUTION CHAPTER

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RESOLUTION CHAPTER 2

Senate Concurrent Resolution No. 3—Relative to final adjournment of the 2001-02 Second Extraordinary Session of the Legislature.

[Filed with Secretary of State May 10, 2002.]

*Resolved by the Senate of the State of California, the Assembly thereof concurring, That the 2001-02 Second Extraordinary Session of the Legislature shall adjourn sine die at midnight on May 9, 2002.*

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**2001 – 02**

**THIRD EXTRAORDINARY SESSION**

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## **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 Third Extraordinary Session convened on January 10, 2002, and adjourned *sine die* on May 2, 2002. The 91st day after adjournment is August 1, 2002.

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; and

**WHEREAS**, the California economy, already slowing prior to the terrorist attacks of September 11<sup>th</sup>, is in a recession along with the rest of the nation that will continue through at least the first half of 2002; and,

**WHEREAS**, California has suffered significant job losses totaling 64,300, or 11.2 percent of national job losses, since September 11<sup>th</sup> due to continued weakening of the economy and the effects of the terrorist attacks on the air transportation, lodging, and restaurant industries; and

**WHEREAS**, as a result, California is facing the steepest revenue decline in more than half a century, which necessitates prompt action to reduce current-year General Fund spending in addition to the hiring freeze and operating expense and equipment expenditure reductions already ordered pursuant to Governor's Executive Orders D-48-01 and D-49-01; and,

**WHEREAS**, the Legislative Analyst's Office and the Department of Finance are projecting a budget shortfall exceeding \$12 billion over the 2001-02 and 2002-03 fiscal years; and,

**WHEREAS**, it is necessary to convene the Legislature in extraordinary session to deliberate on critical budget 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 10<sup>th</sup> day of January, 2002, at a time appointed by each house of the Legislature of said day to consider and act upon legislation to do the following:

1. Enact current-year General Fund spending reductions as specified in the November 2001 "Proposed Reduction in 2001-02 Spending".
2. Enact further General Fund spending reductions identified for 2001-02.
3. Make recently enacted unemployment benefit increases retroactive to September 11, 2001, accelerate the delivery of certain capital outlay projects to stimulate the creation of jobs by shifting the financing for these projects to lease revenue bonds, and authorize general obligation bonds for critically needed infrastructure.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this eighth day of January 2002.

  
Governor of California

**ATTEST:**  
  
Secretary of State





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**STATUTES OF CALIFORNIA**

2001–02

THIRD EXTRAORDINARY SESSION

2002 CHAPTERS

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CHAPTER 1

An act to amend Items 0540-101-0001, 1111-011-0582, 2240-115-3006, 3900-001-001, 3960-011-1003, 5180-153-0001, 6110-102-0001, 6110-123-0001, 6110-184-0001, 6110-191-0001, 6110-193-0001, 6110-195-0001, 6110-196-0001, 6110-200-0001, 6110-232-0001, 6110-485, 6110-495, 6870-485, and 9670-015-0942 of Section 2.00 of, to add Items 0505-495, 0552-495, 0690-495, 0971-495, 2240-115-0929, 2240-495, 2660-302-0042, 2660-497, 2920-495, 2920-011-8100, 3125-495, 3340-495, 3360-496, 3480-495, 3600-495, 3790-495, 3860-011-0942, 3860-495, 3900-496, 4120-495, 4170-495, 4200-495, 4260-495, 4280-495, 4440-495, 4700-495, 5175-495, 5180-495, 5240-496, 5460-497, 6110-496, 6440-496, 6610-496, 8100-495, 8260-495, 8350-495, 8660-116-0470, 8660-495, 8940-495, 9908-495, 9909-495, 9911-495, and 9914-495 to, and to repeal Items 6110-133-0001, 6110-134-001, and 6110-210-0001 of, Section 2.00 of the Budget Act of 2001 (Chapter 106 of the Statutes of 2001), and to add Sections 3.20, 3.30, 3.40, and 3.70 to the Budget Act of 2001, relating to the support of state government, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor February 2, 2002. Filed with  
Secretary of State February 4, 2002.]

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

SECTION 1. The reversions and transfers added by this act are in addition to the appropriations made in Section 2.00 of the Budget Act of 2001 (Ch. 106, Stats. 2001) and are subject to the provisions of that act, as appropriate, including, as applicable, the provisions of that act that apply to the items of appropriation that are amended by this act. Unless otherwise specified, the references in this act to item numbers refer to items of appropriation in Section 2.00 of the Budget Act of 2001 (Ch. 106, Stats. 2001).

SEC. 2. Item 0505-495 is added to Section 2.00 of the Budget Act of 2001, to read:

0505-495—Reversion, Department of Information Technology. Notwithstanding any other provision of law, the sum of \$684,000 from the appropriation provided in Schedule (1) of Item 0505–001–0001, Budget Act of 2001 (Ch. 106, Stats. 2001), shall revert to the General Fund.

SEC. 3. Item 0540-101-0001 of Section 2.00 of the Budget Act of 2001 is amended to read:

0540-101-0001—For local assistance, Secretary for

Resources . . . . .	7,147,000
Schedule:	
(1) Grants . . . . .	3,147,000
(2) Los Angeles River . . . . .	1,000,000
(4) San Joaquin River Parkway . . . . .	3,000,000

Provisions:

1. The amount appropriated in Schedule 1 of this item \$3,147,000 shall be for the Coastal County and City Offshore Energy Assistance Program as required by Chapter 977 of the Statutes of 1996.
2. The funds received by other state agencies from Schedule (2) and (4) of this item are exempt from the reporting requirements of Section 28.50 of the Budget Act.
3. The funds appropriated in Schedule (2) and (4) of this item are available for encumbrance for state operations, capital outlay or local assistance through fiscal year 2002–03.
4. The funds appropriated in Schedule (2) and (4) of this item shall be expended as follows: Los Angeles River: \$1 million for either the acquisition of Wrigley Heights in the City of Long Beach or for the Cornfields property at Chinatown in the City of Los Angeles; San Joaquin River Parkway: \$3 million for the Spano Ranch acquisition in the Counties of Fresno and Madera.

SEC. 4. Item 0552-495 is added to Section 2.00 of the Budget Act of 2001, to read:

0552-495—Reversion, Office of the Inspector General. Notwithstanding any other provision of law, the sum of \$55,000 from the appropriation provided in Item 0552–001–0001, Budget Act of 2001 (Ch. 106, Stats. 2001) shall revert to the General Fund.

SEC. 5. Item 0690-495 is added to Section 2.00 of the Budget Act of 2001, to read:

0690-495—Reversion, Office of Emergency Services. Notwithstanding any other provision of law, the sum of \$1,000,000 from the appropriation provided in Schedule (2) of Item 0690-001-0001, Budget Act of 2001 (Ch. 106, Stats. 2001) shall revert to the General Fund.

SEC. 6. Item 0971-495 is added to Section 2.00 of the Budget Act of 2001, to read:

0971-495—Reversion, California Alternative Energy and Advanced Transportation Financing Authority. Up to \$24,900,000 of the unencumbered balance from the \$25,000,000 appropriation provided by Section 14 of Chapter 8 of the Statutes of 2001, First Extraordinary Session shall revert to the General Fund upon order of the Director of Finance.

SEC. 7. Item 1111-011-0582 of Section 2.00 of the Budget Act of 2001 is amended to read:

1111-011-0582—For transfer by the Controller from the High Polluter Repair or Removal Account to the General Fund . . . . . (94,000,000)

Provisions:

- 1. The funds transferred in this item represent funds that remained in the High Polluter Repair or Removal Account (HPRRA) because the Smog Impact Fee Refunds were paid by the General Fund, rather than the HPRRA.

SEC. 8. Item 2240-115-0929 is added to Section 2.00 of the Budget Act of 2001, to read:

2240-115-0929—For transfer, upon order of the Director of Finance, from the Housing Rehabilitation Loan Fund to the General Fund . . . . . (49,200,000)

SEC. 9. Item 2240-115-3006 of Section 2.00 of the Budget Act of 2001 is amended to read:

2240-115-3006—For transfer, upon order of the Director of Finance, from the Jobs-Housing Balance Improvement Account to the General Fund . . . . . (99,682,000)

SEC. 10. Item 2240-495 is added to Section 2.00 of the Budget Act of 2001, to read:

2240-495—Reversion, Department of Housing and Community Development. Notwithstanding any other provision of law, a total of \$59,682,000 from the appropriations provided in the following citations shall revert to the balance in the fund from which the appropriation was made.

3006—Jobs—Housing Balance Improvement Account

- (1) \$106,000 from Item 2240-001-3006, Budget Act of 2001 (Ch. 106, Stats. 2001)
- (2) \$59,576,000 from Item 2240-114-3006, Budget Act of 2001 (Ch. 106, Stats. 2001)

SEC. 11. Item 2660-302-0042 is added to Section 2.00 of the Budget Act of 2001, to read:

2660-302-0042 —For capital outlay, Department of Transportation, payable from funds deposited in the State Highway Account, State Transportation Fund that are not subject to Article XIX of the California Constitution

	20,000,000
Schedule:	
(1) 30—Mass Transportation . . . . .	20,000,000
(a) San Joaquin Corridor:	
Signals and Double Track . . . . .	(20,000,000)

SEC. 12. Item 2660-497 is added to Section 2.00 of the Budget Act of 2001, to read:

2660-497—Reversion, Department of Transportation. Notwithstanding any other provision of law, \$20,000,000 from the appropriation provided in Schedule (a) (2) San Joaquin Corridor: Signals and Double Track in Item 2660-301-0001, Budget Act of 2000 (Ch. 52, Stats. 2000), shall revert to the General Fund.

SEC. 13. Item 2920-495 is added to Section 2.00 of the Budget Act of 2001, to read:

2920-495—Reversion, Technology, Trade, and Commerce Agency. Notwithstanding any other provision of law, a total of \$457,000 from the appropriations provided in the following citations shall revert to the General Fund:  
0001—General Fund

- (1) \$457,000 from Item 2920-012-0001, Budget Act of 2001 (Ch. 106, Stats. 2001), as follows:
  - (a) \$297,000 from Schedule (2)(e) 20.60.005 India
  - (b) \$160,000 from Schedule (2)(c) 20.60.003 Philippines

SEC. 14. Item 2920-011-8100 is added to Section 2.00 of the Budget Act of 2001, to read:

2920-011-8100—For transfer by the Controller, upon order of the Director of Finance, from the Renewable Energy Loan Loss Reserve Fund to the General Fund . . . . . (\$29,938,000)

SEC. 15. Item 3125-495 is added to Section 2.00 of the Budget Act of 2001, to read:

3125-495—Reversion, California Tahoe Conservancy. Notwithstanding any other provision of law, a total of \$4,800,000 from the appropriations provided in the following citations shall revert to the General Fund:  
0001—General Fund

- (1) \$3,087,000 from Schedule (1) 50.30.002—Land acquisition and site improvements—Public access and recreation pursuant to Title 7.42 (commencing with Section 66905) of the Government Code appropriated in Item 3125-301-0001, Budget Act of 2001 (Ch. 106, Stats. 2001).

- (2) \$858,000 from Schedule (3) 50.30.004—Land acquisition and site improvements—Stream environment zones and watershed restorations pursuant to Title 7.42 (commencing with Section 66905) of the Government Code appropriated in Item 3125–301–0001, Budget Act of 2001 (Ch. 106, Stats. 2001).
- (3) \$855,000 from Schedule (4) 50.30.005—Land acquisition pursuant to Section 66907 of the Government Code appropriated in Item 3125–301–0001, Budget Act of 2001 (Ch. 106, Stats. 2001).

SEC. 16. Item 3340-495 is added to Section 2.00 of the Budget Act of 2001, to read:

3340-495—Reversion, California Conservation Corps. Notwithstanding any other provision of law, a total of \$3,200,000 from the appropriation provided in Chapter 8 of the Statutes of 2001, First Extraordinary Session, for the PowerWalk project shall revert to the General Fund.

SEC. 17. Item 3360-496 is added to Section 2.00 of the Budget Act of 2001, to read:

3360-496—Reversion, Energy Resources Conservation and Development Commission. Notwithstanding any other provision of law, a total of \$48,700,000 from the appropriations in the following citations shall revert to the General Fund.

0001—General Fund

- (1) \$2,200,000 from Item 3360–001–0001, Budget Act of 2001 (Ch. 106, Stats. 2001)
- (2) \$43,500,000 from Section 5 of Chapter 7 of the Statutes of 2001, First Extraordinary Session, as amended by Section 57 of Chapter 111 of the Statutes of 2001, consisting unencumbered funds and unliquidated encumbered balances that have not been committed to specific projects.
- (3) \$3,000,000 from Section 13 of Chapter 12 of the Statutes of 2001, First Extraordinary Session

SEC. 18. Item 3480-495 is added to Section 2.00 of the Budget Act of 2001, to read:

3480-495—Reversion, Department of Conservation. Notwithstanding any other provision of law, a total of \$4,488,000 from the appropriations provided in the following citations shall revert to the General Fund:

0001—General Fund

- (1) \$1,496,000 from Item 3480-101-0001, Budget Act of 2001 (Ch. 106, Stats. 2001).
- (2) \$1,496,000 from Item 3480-101-0001, Budget Act of 2000 (Ch. 52, Stats. 2000).
- (3) \$1,496,000 from Item 3480-101-0001, Budget Act of 1999 (Ch. 50, Stats. 1999).

SEC. 19. Item 3600-495 is added to Section 2.00 of the Budget Act of 2001, to read:

3600-495—Reversion, Department of Fish and Game. Notwithstanding any other provision of law, a sum of \$320,000 from the appropriation provided Schedule (1) 20-Biodiversity Conservation Program in Item 3600-001-0001, Budget Act of 2001 (Ch. 106, Stats. 2001), shall revert to the General Fund.

SEC. 20. Item 3790-495 is added to Section 2.00 of the Budget Act of 2001, to read:

3790-495—Reversion, Department of Parks and Recreation. Notwithstanding any other provision of law, a total of \$38,598,045 from the appropriations provided in the following citations shall revert to the General Fund:

0001—General Fund

- (1) \$580,000 from the amount transferred to State Operations from the appropriation in Item 3790-101-0001, Budget Act of 2000, pursuant to Provision 1 of Item 3790-001-0392, Budget Act of 2000 (Ch. 52, Stats. 2000).

- (2) \$31,221,545 from Schedule (a) 80.25 Recreational Grants appropriated in Item 3790-101-0001, Budget Act of 2000 (Ch. 52, Stats. 2000).
- (3) \$6,796,500 from Schedule (a) 80.25 Recreational Grants appropriated in Item 3790-101-0001, Budget Act of 1999 (Ch. 50, Stats. 1999).

SEC. 21. Item 3860-011-0942 is added to Section 2.00 of the Budget Act of 2001, to read:

3860-011-0942—For transfer by the Controller from the Trust Account for Energy Performance Awards in the Special Deposit Fund to the General Fund . . . . . (17,716,000)

SEC. 22. Item 3860-495 is added to Section 2.00 of the Budget Act of 2001, to read:

3860-495—Reversion, Department of Water Resources. Notwithstanding any other provision of law, a total of \$19,680,000 from the appropriations provided in the following citations shall revert to the General Fund:  
0001—General Fund

- (1) A total of \$11,544,000 from Item 3860-001-0001, Budget Act of 2001 (Ch. 106, Stats. 2001) as follows:
  - (a) \$2,200,000 from Schedule (1) 10-Continuing Formulation of the California Water Plan
  - (b) \$9,344,000 from Schedule (2) 15-CalFed Bay Delta Program
- (2) \$8,136,000 from Schedule (2) 30.20.020-Delta Levee Subventions appropriated in Item 3860-101-0001, Budget Act of 2001 (Ch. 106, Stats. 2001).

SEC. 22.3. Item 3900-001-0001 of Section 2.00 of the Budget Act of 2001 is amended to read:

3900-001-0001—For support of State Air Resources Board, for payment to Item 3900-001-0044 . . . . . \$66,087,000  
Provisions:

1. It is the intent of the Legislature that the State Air Resources Board consider the eligibility of manufacturers and consumers of low-speed vehicles or Neighborhood Electric Vehicles, or both, in the administration of any grant programs, loan programs, or rebate programs, as an incentive to manufacturers or consumers, or both, of zero emission vehicles, in recognition of those vehicles' contribution to achieving compliance with the zero emission vehicle mandate.
2. It is the intent of the Legislature that \$37.1 million from this item be allocated pursuant to Item 3900-001-0044, Provision 3.

SEC. 22.5. Item 3900-496 is added to Section 2.00 of the Budget Act of 2001, to read:

3900-496—Reversion, Air Resources Board. Notwithstanding any other provision of law, a total of \$23,000,000 provided in Item 3900-001-0383, Budget Act of 2001 (Ch. 106, Stats. 2001) shall revert to the Natural Resources Infrastructure Fund.

3960-011-1003—For transfer by the Controller from the Cleanup Loans and Environmental Assistance to Neighborhoods Account to the General Fund . . . . . (77,000,000)  
Provisions:

1. Of the funds transferred to the Cleanup Loans and Environmental Assistance to Neighborhoods Account pursuant to Item 3960-011-0001 of the Budget Act of 2000, \$77,000,000 shall be transferred to the General Fund.

SEC. 24. Item 4120-495 is added to Section 2.00 of the Budget Act of 2001, to read:

4120-495—Reversion, Emergency Medical Services Authority. Notwithstanding any other provision of law, the sum of \$2,500,000 from the appropriation provided in Item 4120-101-0001, Budget Act of 2001 (Ch. 106, Stats. 2001), shall revert to the General Fund.

SEC. 25. Item 4170-495 is added to Section 2.00 of the Budget Act of 2001, to read:

4170-495—Reversion, Department of Aging. Notwithstanding any other provision of law, the sum of \$100,000 from the appropriation provided in Section 3 of Chapter 682 of the Statutes of 2001, shall revert to the General Fund.

SEC. 26. Item 4200-495 is added to Section 2.00 of the Budget Act of 2001, to read:

4200-495—Reversion, Department of Alcohol and Drug Programs. Notwithstanding any other provision of law, the sum of \$10,467,000 from the appropriation provided in Item 4200-103-0001, Budget Act of 2000 (Ch. 52, Stats. 2000), as reappropriated by Item 4200-490, Budget Act of 2001 (Ch. 106, Stats. 2001), shall revert to the General Fund.

SEC. 27. Item 4260-495 is added to Section 2.00 of the Budget Act of 2001, to read:

4260-495—Reversion, Department of Health Services. Notwithstanding any other provision of law, the sum of \$2,530,000 of the appropriations provided in the following citations shall revert to the General Fund.

0001—General Fund

(1) \$530,000 from Schedule (1) 10—Public and Environmental Health appropriated in Item 4260-001-0001, Budget Act of 2001 (Ch. 106, Stats. of 2001).

(2) \$2,000,000 from Schedule (2)—Health Care Services appropriated in Item 4260-001-0001, Budget Act of 2001 (Ch. 106, Stats. 2001).

SEC. 28. Item 4280-495 is added to Section 2.00 of the Budget Act of 2001, to read:

4280-495—Reversion, Managed Risk Medical Insurance Board. Notwithstanding any other provision of law, the sum of \$54,300,000 from the appropriation provided in Schedule (1) 40—Healthy Families Program, in Item 4280-101-3020, Budget Act of 2001 (Ch. 106, Stats. 2001), shall revert to the Tobacco Settlement Fund.

SEC. 29. Item 4440-495 is added to Section 2.00 of the Budget Act of 2001, to read:

4440–495—Reversion, Department of Mental Health. Notwithstanding any other provision of law, the sum of \$400,000 from the appropriation provided in Item 4440–101–0001, Budget Act of 2001 (Ch. 106, Stats. 2001), and the sum of \$2,889,000 from the deficiency authority provided in Item 4440–011–0001, shall revert to the General Fund.

SEC. 30. Item 4700-495 is added to Section 2.00 of the Budget Act of 2001, to read:

4700–495—Reversion, Department of Community Services and Development. Notwithstanding any other provision of law, the sum of \$25,357,743 from the appropriations provided in the following citations shall revert to the General Fund:

0001—General Fund

- (1) \$1,611,000 from Schedule (2) 47–Naturalization Services appropriated in Item 4700–101–0001, Budget Act of 2001 (Ch. 106, Stats. 2001).
- (2) \$23,746,743 from Section 5 of Chapter 7 of the Statutes of 2001, First Extraordinary Session, as amended by Section 57 of Chapter 111, Statutes of 2001. The balance of unencumbered funds available in this measure, \$30,000,000, shall be used for cash or crisis payments to households.

SEC. 31. Item 5175-495 is added to Section 2.00 of the Budget Act of 2001, to read:

5175-495—Reversion, Department of Child Support Services. Notwithstanding any other provision of law, the sum of \$40,500,000 from the appropriations provided in the following citations shall revert to the General Fund:  
0001—General Fund

- (1) \$30,500,000 from Schedule (a)(2) 10.02—Child Support Incentives appropriated in Item 5175-101-0001, Budget Act of 2000 (Ch. 52, Stats. 2000).
- (2) \$10,000,000 from Schedule (1)(b) 10.02—Child Support Incentives appropriated in Item 5175-101-0001, Budget Act of 2001 (Ch. 106, Stats. 2001).

SEC. 32. Item 5180-153-0001 of Section 2.00 of the Budget Act of 2001 is amended to read:

5180-153-0001—For transfer by the State Controller, upon notification by the Department of Social Services, to the Transitional Housing for Foster Youth Fund . . . . . 5,200,000

SEC. 33. Item 5180-495 is added to Section 2.00 of the Budget Act of 2001, to read:

5180-495—Reversion, Department of Social Services. Notwithstanding any other provision of law, the sum of \$42,782,000 from the appropriations provided in the following citations shall revert to the General Fund:  
0001—General Fund

- (1) \$7,444,000 from Schedule (b)(2) 25.15.020— Administration in Item 5180-111-0001, Budget Act of 2000 (Ch. 52, Stats. 2000).
- (2) \$20,175,000 from Schedule (a)(1) 25.25.010— Child Welfare Services in Item 5180-151-0001, Budget Act of 2000 (Ch. 52, Stats. 2000).
- (3) \$3,830,000 from Schedule (a)(2) 25.25.020— Adoptions in Item 5180-151-0001, Budget Act of 2000 (Ch. 52, Stats. 2000).
- (4) \$5,000,000 from Schedule (2) 16.40—Foster Care in Item 5180-101-0001, Budget Act of 2001 (Ch. 106, Stats. 2001).

- (5) \$964,000 from Schedule (1) (a) 25.25.010—Child Welfare Services in Item 5180-151-0001, Budget Act of 2001 (Ch. 106, Stats. 2001). The State Department of Social Services shall address training needs that arise during the remainder of the 2001-02 fiscal year with state funds that maximize the receipt of federal matching funds.
- (6) \$369,000 from Schedule (2) (b) 25.15.020 in Item 5180-111-0001, Budget Act of 2001 (Ch. 106, Stats. 2001).
- (7) \$5,000,000 from Schedule (2) (a) 25.15.010 in Item 5180-111-0001, Budget Act of 2001 (Ch. 106, Stats. 2001).

SEC. 34. Item 5240-496 is added to Section 2.00 of the Budget Act of 2001, to read:

5240-496—Reversion, Department of Corrections. Notwithstanding any other provision of law, \$1,600,000 of the appropriation provided in Schedule (1) 21-Institution Program in Item 5240-001-0001, Budget Act of 2001 (Ch. 106, Stats. 2001), shall revert to the General Fund.

SEC. 35. Item 5460-497 is added to Section 2.00 of the Budget Act of 2001, to read:

5460-497—Reversion, Department of the Youth Authority. Notwithstanding any other provision of law, the sum of \$4,547,000 from the appropriation provided in Item 5460-001-0001, Budget Act of 2001 (Ch. 106, Stats. 2001), shall revert to the General Fund.

SEC. 36. Item 6110-102-0001 of Section 2.00 of the Budget Act of 2001 is amended to read:

6110-102-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund . . . . . 5,000,000

Provisions:

- 1. The funds appropriated in this item shall be used to provide grants to charter schools that are located in low-income areas for the purposes of leasing

facilities, contingent upon legislation to be enacted prior to January 1, 2002. The funds appropriated are intended to be offset by reductions to charter school funding as specified in the legislation, including, but not limited to, provisions pursuant to Article 2 (commencing with Section 47633) of Chapter 6 of Part 26.8 of Division 4 of Title 2 of the Education Code or Section 47613.1 of the Education Code.

SEC. 37. Item 6110-123-0001 of Section 2.00 of the Budget Act of 2001, as amended by Chapter 749 of the Statutes of 2001, is amended to read:

6110-123-0001—For local assistance, Department of Education (Proposition 98), for implementation of the Public Schools Accountability Act, pursuant to Chapter 6.1 (commencing with Section 52050) of Part 28 of the Education Code . . . . .	343,270,000
Schedule:	
(1) 20.60.030.031—Immediate Intervention/Underperforming Schools Program . . . . .	160,970,000
(2) 20.60.030.032—High Achieving/Improving Schools Program . . . . .	144,300,000
(3) 20.60.030.034—Low Performing Schools . . . . .	38,000,000

Provisions:

1. Funds appropriated in Schedule (1) are provided solely for the purpose of implementing the Immediate Intervention/Underperforming Schools Program, pursuant to Article 3 of Chapter 6.1 (commencing with Section 52053) of Part 28 of the Education Code. Of this amount, \$21,500,000 is for the purpose of providing planning grants of \$50,000 each to a third cohort of new schools, and the remainder is provided to fully fund implementation grants for the first and second cohorts of schools that received planning grants under the program during the 1999-00 and 2000-01 fiscal years.
2. Funds appropriated in Schedule (2) are provided solely for the purpose of implementing the Governor’s High Achieving/Improving Schools Program, pursuant to Article 4 of Chapter 6.1 (commencing with Section 52056) of Part 28 of the Education Code.

- 3. Of the funds appropriated in Schedule (3) of this item, \$18,000,000 shall be used to provide planning grants to schools in the first decile of the Academic Performance Index established pursuant to Section 52052 of the Education Code. First priority for funding shall be given to schools that have applied for participation in the High Priority Schools Grant Program for Low Performing Schools, established by Section 52055.600 of the Education Code, and commit to apply by May 15, 2002, for participation in the federal Comprehensive School Reform Demonstration Program (P.L. 105–78). The amount of funding to be allocated for planning grants for each schoolsite shall not exceed \$50,000.
- 4. Of the funds appropriated in Schedule (3) of this item, \$20,000,000 shall be used to provide planning grants to schools in the second decile of the Academic Performance Index established pursuant to Section 52052 of the Education Code. First priority for funding shall be given to schools that apply for participation in the High Priority Schools Grant Program for Low Performing Schools established by Section 52055.600 of the Education Code, and commit to apply for participation in the federal Comprehensive School Reform Demonstration Program (P.L. 105–78). Notwithstanding Section 2.00 of the Budget Act of 2001, these funds shall be available through June 30, 2003.

SEC. 38. Item 6110-133-0001 of Section 2.00 of the Budget Act of 2001 is repealed.

SEC. 39. Item 6110-134-0001 of Section 2.00 of the Budget Act of 2001 is repealed.

SEC. 40. Item 6110-184-0001 of Section 2.00 of the Budget Act of 2001 is amended to read:

6110–184–0001—For local assistance, Department of Education (Proposition 98), Program 20.10.025—Educational Technology Digital High School Program established pursuant to Article 4 (commencing with Section 52250) of Chapter 8.5 of Part 28 of the Education Code ..... 61,000,000

Provisions:

- 1. Notwithstanding the provisions of subdivision (e) of Section 52254 of the Education Code, funds may be allocated to a county office or offices to provide

statewide support and assistance as required by statute, upon approval of the Department of Finance.

SEC. 41. Item 6110-191-0001 of Section 2.00 of the Budget Act of 2001 is amended to read:

6110-191-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 20.60.050.002—Beginning Teacher Support and Assessment System . . . . . Provisions:	84,640,000
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1. The funds appropriated in this item are for direct disbursement by the State Department of Education for the Beginning Teacher Support and Assessment System, as set forth in Article 4.5 (commencing with Section 44279.1) of Chapter 2 of Part 25 of the Education Code. These funds shall be expended only after development of a program and expenditure plan by the State Department of Education, and approval of the plan by the Department of Finance.
2. Funds appropriated in this item are for the purpose of providing grants to support 24,274 teachers through local Beginning Teacher Support and Assessment System Programs.
3. Of the funds appropriated in this item, \$2,997,500 is provided for cost-of-living adjustments (COLAs) at a rate of 3.87 percent, for a total per participant grant level of \$3,375.
4. It is the intent of the Legislature that first-year holders of preliminary teaching credentials, as defined in subdivision (b) of Section 44259 of the Education Code, be afforded first priority for funding appropriated in this item. To the extent that any funds appropriated in this item remain after all first-year holders of preliminary teaching credentials have been served, those funds may be used to serve second-year holders of preliminary teaching credentials. If there are insufficient funds to serve all second-year holders of preliminary teaching credentials, the rate for second-year holders of preliminary teaching credentials shall be prorated.

SEC. 42. Item 6110-193-0001 of Section 2.00 of the Budget Act of 2001 is amended to read:

6110–193–0001—For local assistance, State Department of Education (Proposition 98), for transfer to Section A of the State School Fund Program 20.60–Staff Development . . . . . 129,464,000

Schedule:

- (1) 20.60.010.001–Administrator Training and Evaluation Program . . . . . 5,109,000
- (2) 20.60.050.004–School Development Plans and Resource Consortia . . . . . 21,622,000
- (3) 20.60.070–Bilingual Teacher Training Program . . . . . 1,740,000
- (5) 20.60.060–Instructional Support: Teacher Peer Review . . . . . 84,168,000
- (6) 20.60.110–Instructional Support: Improving School Effectiveness Reader Services for Blind Teachers . . . . . 325,000
- (7) 20.60.112–Instructional Support: Advanced Placement Teacher Training . . . . . 16,500,000

Provisions:

1. The funds appropriated in this item are for transfer by the Controller to Section A of the State School Fund, for allocation by the Superintendent of Public Instruction to school districts, county offices of education, and other educational agencies for purposes of the Proposition 98 programs funded in this item, in lieu of the amounts otherwise provided for those programs by statute.
2. Notwithstanding any other provision of law, the amount appropriated in Schedule (1) shall be the maximum amount of Proposition 98 funds allocated for the purposes of the administrator training and evaluation program established pursuant to Article 3 (commencing with Section 44681) of Chapter 3.1 of Part 25 of the Education Code. Funds appropriated in Schedule (1) include \$68,000 for the purpose of making adjustments for increases in average daily attendance at a rate of 1.40 percent. If growth funds are insufficient, the State Department of Education may adjust the per-pupil growth rates

- to conform to available funds. Additionally, \$191,000 is for the purpose of providing a cost-of-living adjustment (COLA) at a rate of 3.87 percent.
3. Notwithstanding any other provision of law, the amount appropriated in Schedule (2) shall be the maximum amount allocated for the purposes of the school development plans authorized pursuant to Article 1 (commencing with Section 44670.1) of Chapter 3.1 of Part 25 of the Education Code and the resource agencies or consortiums designated pursuant to Article 2 (commencing with Section 44680) of Chapter 3.1 of Part 25 of the Education Code. Funds appropriated in Schedule (b) include \$287,000 for the purposes of making adjustments for increases in average daily attendance at a rate of 1.40 percent. If growth funds are insufficient, the State Department of Education may adjust the per-pupil growth rates to conform to available funds. Additionally, \$805,000 is for the purpose of providing a cost-of-living adjustment (COLA) at a rate of 3.87 percent.
  4. Notwithstanding any other provision of law, the amount appropriated in Schedule (3) shall be the maximum amount allocated for the purposes of the Bilingual Teacher Training Assistance Program established by Article 4 (commencing with Section 52180) of Chapter 7 of Part 28 of the Education Code. Funds appropriated in Schedule (c) include \$24,000 for the purpose of making adjustments for increases in average daily attendance at a rate of 1.40 percent. If growth funds are insufficient, the State Department of Education may adjust the per-pupil growth rates to conform to available funds. Additionally, \$65,000 is for the purpose of providing a cost-of-living adjustment (COLA) at a rate of 3.87 percent.
  5. Notwithstanding Sections 44505 and 44506 of the Education Code, the Superintendent of Public Instruction shall reduce the rate of apportionment provided to school districts for the Peer Assistance and Review Program proportional to the amount of funding provided under Schedule (5).
  6. The funds appropriated in Schedule (5) shall be allocated in accordance with Article 4.5 (commencing with Section 44500) of Part 25 of the Education Code. Funds appropriated in Schedule (5) include \$1,917,000 for the purpose of making

adjustments for increases in average daily attendance at a rate of 1.40 percent. If growth funds are insufficient, the State Department of Education may adjust the per-pupil growth rates to conform to available funds. Additionally, \$5,371,000 is for the purpose of providing a cost-of-living adjustment (COLA) at a rate of 3.87 percent.

- 7. Notwithstanding any other provision of law, the amount appropriated in Schedule (6) shall be the maximum amount allocated for the purposes of the Reader Service for Blind Teachers, for transfer to the Reader Employment Fund established by Section 45371 for the purposes of Section 44925 of the Education Code. Funds appropriated in Schedule (6) include \$4,000 for the purposes of making adjustments in average daily attendance at a rate of 1.40 percent. If growth funds are insufficient, the State Department of Education may adjust the per-pupil growth rates to conform to available funds. Additionally, \$12,000 is for the purpose of providing a cost-of-living adjustment (COLA) at a rate of 3.87 percent.
- 8. Notwithstanding any other provision of law, the amount appropriated in Schedule (7) shall be the maximum amount allocated for the purposes of providing Advanced Placement teacher training pursuant to Section 52247 of Chapter 8.3 of Part 28 of the Education Code.

SEC. 43. Item 6110-195-0001 of Section 2.00 of the Budget Act of 2001, is amended to read:

6110–195–0001—For local assistance, Department of Education (Proposition 98), Program 20.60.140—Staff Development: Teacher Improvement, Teacher Incentives National Board Certification . . . . . 10,000,000  
 Provisions:

- 1. Of the funds appropriated in this item, \$5,000,000 is for the purpose of providing incentive grants of \$10,000 to teachers for achieving certification from the National Board for Professional Teaching Standards pursuant to Chapter 2, Article 13 (commencing with Education Code Section 44395).
- 2. Of the funds appropriated in this item, \$5,000,000 is for the purpose of providing incentive grants of \$20,000 to teachers that have achieved certification from the National Board for Professional Teaching

Standards and agree to teach in a low performing school pursuant to Chapter 2, Article 13 (commencing with Education Code Section 44395).

SEC. 44. Item 6110-196-0001 of Section 2.00 of the Budget Act of 2001, is amended to read:

6110-196-0001—For local assistance, Department of Education (Proposition 98), for transfer by the Controller to Section A of the State School Fund, for allocation by the Superintendent of Public Instruction to school districts, county offices of education, and other agencies for the purposes of Proposition 98 educational programs funded in this item, in lieu of the amount that otherwise would be appropriated pursuant to statute . . . . . 1,286,968,000  
Schedule:

(1) 30.10.010—Special Program, Child Development, Preschool Education . . . . . 294,920,000

(2) 30.10.020—Child Care Services . . . . . 1,654,973,000

(a) 30.10.020.001  
—Special Program, Child Development, General Child Development Programs . . . . . 578,703,000

(b) 30.10.020.002  
—Special Program, Child Development, Community College Match—Required Center . . . . . 2,979,000

(c) 30.10.020.004  
—Special Program, Child Development, Migrant Day Care . . . . . 30,522,000

- (d) 30.10.020.007  
 -Special Program, Child Development, Alternative Payment Program . . . . . 200,410,000
- (e) 30.10.020.011  
 -Special Program, Child Development, Alternative Payment Program-Stage 2 . . . . . 522,207,000
- (f) 30.10.020.012  
 -Special Program, Child Development, Alternative Payment Program-Stage 3 . . . . . 203,826,000
- (g) 30.10.020.008  
 -Special Program, Child Development, Resource and Referral . . . . . 15,524,000
- (h) 30.10.020.009  
 -Special Program, Child Development, Campus Child Care Tax Bailout . . . . . 5,460,000

(i)	30.10.020.015 Special Program, Child Development, Extended Day Care . . . . .	28,195,000
(j)	30.10.020.096 –Special Program, Child Development, Allowance for Handicapped . .	1,463,000
(k)	30.10.020.106 Special Program, Child Development, California Child Care Initiative . . . . .	250,000
(l)	30.10.020.901 –Special Program, Child Development, Quality Improvement . . . . .	60,134,000
(ll)	30.10.020.910 –Special Program, HIPPY (per Provision 2(b) and (7)(d)) . . . .	(1,000,000)
(m)	30.10.020.920 –Special Program, Child Development, Local Planning Councils . .	5,300,000
(3)	30.10.070–Special Program, Child Development After School Programs . . . . .	95,307,000

(4) 30.10.020.907–Special Program, Child Development, Minimum Wage Impact . . . . .	5,367,000
(5) 30.10.020.908–Special Program, Child Development, Cost-of-Liv- ing Adjustments . . . . .	45,026,000
(5.1) 30.10.020.017–Special Program, Child Care Accreditation Project . . . . .	4,697,000
(5.2) Reimbursements (Quality Ac- creditation Project) . . . . .	–4,697,000
(6) Amount Payable from the Federal Trust Fund (Item 6110–196–0890) . . . . .	–808,625,000

Provisions:

1. (a) \$3,750,000 of the amount in Schedule (3) of this item is for expansion of the After School and Safe Neighborhoods Partnerships Program. Notwithstanding any other provision of law, the State Department of Education shall prioritize expansion funding allocations as follows:
  - (1) New middle schools where at least 50 percent of students are eligible for free or reduced-cost meals through the school lunch program of the United States Department of Agriculture.
  - (2) Increase grant caps for participating middle schools that have students on waiting lists to participate. Grant caps may be increased by the lesser of either 25 percent of the current grant cap or the proportion of children unserved by the program as measured by documented waiting lists as of January 1, 2001, compared to actual after school enrollment on that same date.
  - (3) New elementary schools where at least 50 percent of students are eligible for free or reduced-cost meals through the school lunch program of the United States Department of Agriculture.
  - (4) Increase grant caps for participating elementary schools that have students on waiting lists to participate under the same

limitations as paragraph (2) of this subdivision. Further, in order to support student academic achievement, funds allocated to middle schools for expansion of the After School Learning and Safe Neighborhoods Partnerships Program shall only be available for programs meeting high academic quality standards. Criteria for judging the strength of academic quality for middle school applications shall be based on the following priority order: (1) programs offering tutoring and homework assistance in language arts and mathematics, coordinated with the school's academic program to assist student readiness in meeting the high school exit exam; (2) history and social science, or science. All academic components shall include supervision by staff meeting qualifications no less than that of an instructional aide and a staff-to-student ratio no greater than 20 students per staff.

- (aa) Of the amount appropriated in Schedule (3) of this item, \$3,750,000 is for expansion of a Before School component of the After School Learning and Safe Neighborhoods Partnerships Program. Expenditure of this money is contingent upon legislation to establish this new component.
- (aaa) In the event the State Department of Education anticipates that it will be unable to encumber all of the funds for expansion pursuant to subdivisions (a) and (aa) of this provision, \$2,000,000 of the anticipated savings shall be available for three-year grants on a one-time basis for after school regional centers established pursuant to Chapter 318 of the Statutes of 1998 for the purpose of serving as a centralized resource for technical assistance and training on best practices for either or both, (1) the Before School component and (2) middle schools in areas such as program content and local financing, including establishment of long-term partnership funds, staffing, and managing programs for accountability.

- (b) Of the amount appropriated in Schedule (1) of this item, \$23,799,000 is for the purpose of providing full-year funding for expansion of the half-day preschool program with priority given to funding allocations to underserved areas initiated with a \$23,799,000 augmentation in the Budget Act of 2000, as specified in Provision 1(aa) of Item 6110–196–0001 of Section 2.00 of Chapter 52, Statutes of 2000.
  - (c) Of the amount appropriated in Schedule (2)(a) of this item, \$40,000,000 is for the purpose of providing full-year funding for expansion of full-day, general child care for children ages 0–5 years old initiated with a \$40,000,000 augmentation in the Budget Act of 2000, as specified in Provision 1(b) of Item 6110–196–0001 of Section 2.00 of Chapter 52, Statutes of 2000.
  - (d) Of the amount appropriated in Schedule (2)(c) of this item, \$3,000,000 is for the purpose of providing full-year funding for expansion of migrant day care services initiated with a \$3,000,000 augmentation in the Budget Act of 2000, as specified in Provision 15 of Item 6110–196–0001 of Section 2.00 of Chapter 52, Statutes of 2000.
2. Notwithstanding Section 8278 of the Education Code, funds available for expenditure pursuant to Section 8278 of the Education Code shall be expended in the 2001–02 fiscal year pursuant to the following schedule:
- (a) The amount necessary for accounts payable pursuant to paragraph (1) of subdivision (b) of Section 8278 of the Education Code.
  - (b) \$5,000,000 in augmentation of Schedule (2) (I), Quality Improvement, for projects to improve the quality and availability of child care as specified in Provisions 7(d) and 7(e) of this item.
  - (c) Of the remaining funds available after meeting the requirements in (a) and (b) of this provision, \$1,732,000 shall be allocated for instructional materials and equipment for center-based programs and to improve resource lending libraries in resource and referral programs, \$5,000,000 shall be allocated for facilities

renovation and repair contracts necessary to meet health and safety standards and to comply with the federal Americans with Disabilities Act of 1990, and, up to \$32,508,000 shall be available for Stage 3 child care in accordance with Provision 9(b) of this item. Should additional amounts become available pursuant to Section 8278 beyond those specified herein, it is the intent of the Legislature that up to \$15,000,000 may be transferred to the Child Care Facilities Revolving Fund, of which \$5,000,000 may be used for the CalWORKs Center-Based Pilot. Additional amounts in excess of \$15,000,000 shall not be expended prior to approval of a plan by the Department of Finance pursuant to the notification requirements of Section 28.00 of this act.

- (d) The Controller shall establish an account entitled Section 8278 Expenditures in 1999 in 6110-196-0001, Program 30.10.060. Any unexpended General Fund balances as of June 30, 2001, or subsequent abatements, from those amounts listed in Schedules (1), (2)(a), (2)(b), (2)(c), (2)(d), (2)(g), (2)(h), (2)(i), (2)(j), (2)(k), (2)(l) and (2)(m) of this item, that are available pursuant to Section 8278 of the Education Code, shall be transferred to the account for the purpose of making expenditures pursuant to that section.
3. The State Department of Education shall report to the Joint Legislative Budget Committee and the Department of Finance, by March 31, 2002, the amount of child development funds, by program, that have been determined after audit to be unearned. The report shall include the settlement of claims payable by program from unearned contract fund balances. This provision includes both Federal Fund and General Fund contracts.
4. (a) Notwithstanding any other provision of law, alternative payment child care systems shall be subject to the rates established in the Regional Market Rate Survey of California child care and development providers for provider payments. The State Department of Education shall utilize a federal fund contract with the State Child Care Resource and Referral Network (Network) to conduct a market rate survey. It is the intent of the Legislature that the contract between the

State Department of Education and the Network require that the summary report and analyses of changes in mean and ceiling rates, adjustment factors, and regional rates be forwarded to the Department of Finance along with the mean and ceiling rates. The contract shall also provide resources sufficient for the Network to respond to requests for related information by the Department of Finance. Any changes to the market rate limits, adjustment factors or regions are subject to the approval process for child care contract funding terms and conditions as specified in Section 8447 of the Education Code. When approved, those changes shall be utilized by the State Department of Education and the State Department of Social Services in various programs under the jurisdiction of both departments to determine limits of reimbursement to providers.

- (b) Notwithstanding any other provision of law, annual revisions to the family copayment schedule for child care and development programs are also subject to the approval process pursuant to Section 8447 of the Education Code and, when approved, shall be utilized by both the State Department of Education and Department of Social Services where applicable.
5. The funds appropriated in this item for campus child care tax bailout shall be allocated by the State Department of Education based on a schedule provided by the Chancellor of the California Community Colleges. The chancellor shall schedule the allocation of these funds to community college districts that levied child care permissive override taxes in the 1977–78 fiscal year pursuant to Sections 8329 and 8330 of the Education Code in an amount equal to the property tax revenues, tax relief subventions, and state aid required to be made available by the district to its child care and development program for the 1979–80 fiscal year pursuant to Section 30 of Chapter 1035 of the Statutes of 1979, increased by any cost-of-living increases granted in subsequent fiscal years. These funds shall be used only for the purpose of community college child care and development programs.

6. Notwithstanding any provision of law to the contrary, higher educational institutions may establish and maintain child development programs on or near their respective campuses with priority for services given to children of students of that campus. Those higher educational institutions under contract with the State Department of Education for child care and development services shall be subject to the rules and regulations adopted by the Superintendent of Public Instruction except where those rules and regulations differ with respect to the conditions specified for the community colleges in Provision 11 of Item 6870-101-0001.
7. Funds in Schedule (2)(l), along with funds allocated pursuant to Provision 2(b) of this item, shall be reserved for activities to improve the quality and availability of child care, pursuant to the following:
  - (a) \$2,230,000 is for the schoolage care and resource and referral earmark.
  - (b) \$16,411,000 is for the infant and toddler earmark and shall be used for increasing the supply of quality child care for infants and toddlers. Of this amount, \$4,413,000 is available on a one-time basis. Of the remaining funds, up to \$8,998,000 is available for expenditure immediately and \$3,000,000 shall only be available after the Department of Education reports to the Department of Finance the 2002 federal fiscal year earmark requirement. It is intended that the earmark be funded at the minimum amount required under federal law with any discretionary funding remaining used to offset budget year expenditures in CalWORKs Stage 2 through budget revision approved by the Department of Finance. Notwithstanding any other provision of law, expenditure plans and contract provisions for awarding these funds shall give high, but not exclusive, priority to the development of new family day care home providers, especially those who offer care during nontraditional hours such as weekends, evenings, and nights and who offer care for special needs children.
  - (c) \$1,500,000 is for the five-year regional resource centers program initiated in the Budget Act of 1999 (Ch. 50, Stats. 1999) to develop capacity in underserved areas.

- (d) From the remaining funds including funds available pursuant to Provision 2(b) of this item, the following amounts shall be allocated for the following purposes: \$4,000,000 to train former CalWORKs recipients as child care teachers, \$2,000,000 in one-time funding to continue training and to develop, produce, and disseminate classroom curriculum linked to the prekindergarten learning and development guidelines developed pursuant to Section 8203.3 of the Education Code for child care centers; \$3,000,000 in one-time funding available through 2003–04 to adapt, produce and disseminate prekindergarten learning and development guidelines and related curriculum for all exempt and licensed family child care home providers; \$2,700,000 for contracting with the Department of Social Services for increased inspections of child care facilities, \$1,000,000 to continue the Family Child Care At Its Best training project, which, through an interagency agreement with the University of California at Davis Extension Program, provides child development training to licensed family child care home providers to enhance the quality and safety of licensed family child care homes, \$1,000,000 for Trustline registration workload (Ch. 3.35 (commencing with Sec. 1596.60), Div. 2, H.& S.C.); \$500,000 for health and safety training for licensed and exempt child care providers; \$320,000 for the Child Development Training Consortium, \$300,000 for the Health Hotline, \$300,000 to implement a technical assistance program to child care providers in accessing financing for renovation, expansion, and/or construction of child care facilities; and \$1,000,000 for the Home Instruction Program for Preschool Youngsters (HIPPY) for the districts in the amounts specified herein, contingent upon a written agreement with the California HIPPY State Office by October 1, 2001, to provide evaluation, training, and technical assistance to local districts implementing HIPPY programs according to the HIPPY statewide capacity building design. The agreement shall specify implementation goals including starting date and participation levels as agreed to by both

parties. In the event that a school district or county office of education does not substantially meet the implementation requirements specified in the written agreement by February 1, 2002, its share may be redistributed as determined by the Superintendent of Public Instruction and the California HIPPIY State Office with the approval of the Department of Finance through notification of the Legislature through the Section 28.00 notification process. Funds shall be allocated under this provision, as follows: (1) Los Angeles Unified School District (\$100,000), (2) Los Angeles County Office of Education (\$100,000), (3) Santee School District (\$115,000), (4) San Diego Unified School District (\$340,000), (5) Contra Costa County Office of Education (\$75,000), (6) San Francisco Unified School District (\$100,000), (7) Santa Barbara Unified School District (\$85,000), and (8) Stanislaus County Office of Education (\$85,000).

- (e) The State Department of Education shall allocate \$425,000 to preschool education projects including, but not limited to, those operated by the public television stations in Redding, San Francisco, San Jose, Los Angeles, Fresno, and San Diego. Of this amount, the department shall allocate up to \$320,000 to public television stations in Redding, San Francisco, San Jose, and Los Angeles, based upon the satisfaction by the projects operated by the public television stations in each of those cities of all of the following criteria: (1) the 30-percent minimum match; (2) a plan that identifies the providers to be trained; (3) number of trainers to be trained; (4) the quality of the training offered; (5) linkages to the child care community; and (6) cost-effectiveness. The balance of the \$425,000 identified in this subdivision shall be made available to support projects in Fresno and San Diego, based upon the determination by the State Department of Education of the satisfaction by the projects operated by the public television station in each of those cities of the criteria set forth in (1) to (6), inclusive, of this subdivision. As a condition of receiving funds as described in this subdivision in the

2001-02 fiscal year, each grantee that received funds in the 2000-01 fiscal year shall complete and submit to the State Department of Education, no later than March 1, 2002, an evaluation of the effectiveness of the project operated by the grantee in improving the quality of child care provided in the affected community.

- (f) \$30,000 shall be made available for a preschool public television project in Eureka.
  - (g) As required by federal law, the State Department of Education shall develop an expenditure plan that sets forth the final priorities and the reasons therefore if the final priorities are different from those approved in response to the reporting requirement contained in Provision 7(h) of Item 6110-196-0001 of Section 2.00 of the Budget Act of 2000 (Ch. 52, Stats. 2000). This plan shall be submitted to the Department of Finance by September 1, 2001, and funds shall not be encumbered prior to approval of the plan by the Department of Finance. The State Department of Education shall coordinate with the Department of Social Services, the California Children and Families State Commission, and other applicable entities to identify annual statewide expenditures for quality enhancements which qualify for meeting federal requirements, and shall reference these expenditures in its biennial federal quality plans or any subsequent amendments.
  - (h) \$15,000,000 from the General Fund shall be for child care worker recruitment and retention programs as specified by Chapter 547, Statutes of 2000.
8. (a) If the federal funds available pursuant to Provision 10 of Item 6110-196-0001 of Section 2.00 of the Budget Act of 1997 (Ch. 282, Stats. 1997) have not been transferred to Item 6110-001-0001 of Section 2.00 of this act by June 30, 2001, those funds shall be available in the 2001-02 fiscal year for (a) interim data reporting as approved by the Department of Finance, and, (b) for the same purposes and subject to the same conditions, including FSR development, and reporting requirements otherwise applicable to Item 6110-196-0001

and Item 6110–001–0890 of Section 2.00 of the Budget Act of 1997 (Ch. 282, Stats. 1997).

- (b) No later than August 31, 2001, the State Department of Education (SDE) shall convene a data collection task force composed of representatives of the SDE, the Legislative Analyst, the chairs and vice chairs of the appropriate fiscal and policy committees of the Legislature, the Department of Social Services, the Senate Office of Research, the Joint Legislative Audit Committee, the Department of Finance, child care providers, and other stakeholders as defined by the task force. The task force shall advise the SDE on the implementation of the interim data collection system and development and implementation of the long-term data collection system. The task force members shall provide advice concerning any associated feasibility study reports and requests for proposals, assist the SDE in designing systems that generate policy-relevant information, establish timelines for project completion, and monitor progress toward project completion. Any company or individual who participates in the task force or in an advisory capacity to the task force shall not be eligible to bid for the development of the system. In the development of this system, the SDE shall contract for a risk assessment of the project. The SDE shall provide copies of any status reports it is required to send to the United States Department of Health and Human Services, as well as any feasibility study reports and requests for proposals, to each of the task force participants. If the interim system and long-term system are not fully discussed in those reports, the SDE shall provide supplementary reports to the members of the task force on October 1, 2001, and March 1, 2002, regarding progress toward completion of the projects. It is the intent of the Legislature that the SDE take all necessary steps to comply with federal reporting requirements in a timely fashion.
- (c) The State Department of Education shall ensure that any long-term data collection system adopted by the department is able to collect the

data specified by Provision 8(c)(6) of Item 6110–196–0001 of the Budget Act of 2000 (Ch. 52, Stats. 2000).

- (d) For purposes of ensuring adequate data for policy consideration, management of the current year budget, and development of the child care budget for the 2002–03 fiscal year, with special emphasis on CalWORKs caseload driven programs, it is the intent of the Legislature that the SDE utilize funds made available pursuant to subdivision (a) above for interim data collection to finance any surveys or sampling activities needed to augment state staff capabilities in meeting requirements specified herein and as clarified or amended by the Department of Finance. It is legislative intent that the SDE expedite any contracting necessary to fulfill the data requirements of this subdivision. It is recognized that the CalWORKs child care programs present unique challenges requiring the cooperation of the two implementing state agencies with the Department of Finance to annually determine a budgetary plan and to determine any midyear adjustments which may be advisable. Therefore, the following requirements shall apply:

1. The State Department of Education shall maintain an improved allocation, contracting, and reimbursement system for CalWORKs Stage 2 and Stage 3 funding to ensure funds are distributed in proportion to statewide needs. These needs shall recognize attrition experience and family fees collected at the local level which shall be counted toward the funding available to meet those needs. The department shall conduct monthly analyses of caseloads and expenditures and adjust agency contract maximum reimbursement amounts and allocations as necessary to ensure funds are distributed proportional to need. The department shall share monthly caseload analyses with the Department of Social Services.
2. The department shall provide quarterly reports on the sufficiency of funding for Stage 2 and Stage 3 to the Department of

- Finance and the Department of Social Services (DSS) and to the Legislative Analyst's office. The department shall provide caseloads, expenditures, allocations, unit costs, family fees, and other key variables and assumptions used in determining the sufficiency of state allocations. Detailed backup by month and on a county-by-county basis shall be provided to the DSS at least on a quarterly basis for comparisons with Stage 1 trends.
3. Any request from the child care reserve shall be based on the information and analyses pursuant to the preceding paragraphs and shall be made jointly and coordinated with the DSS to eliminate duplication. In order to facilitate coordination, detailed backup by month and on a county-by-county basis, if different from quarterly data provided pursuant to the previous paragraph, shall be provided to the DSS to facilitate its analyses and comparison of overall CalWORKs caseloads and related child care needs.
  4. By September 15, 2001, and March 15, 2002, the department shall ensure that detailed caseload and expenditure data, through the most recent period for Stage 2 and Stage 3 along with all relevant assumptions, is provided to DSS to facilitate budget development and the May Revision, respectively. The detailed data provided shall include actual and projected monthly caseload from Stage 2 scheduled to time off of their transitional child care benefit from the last actual month reported by agencies through the 2003-04 fiscal year as well as local attrition experience. DSS shall utilize data provided by the State Department of Education, including key variables from the prior fiscal year and the first two months of the 2001-02 fiscal year, to provide coordinated estimates in November 2001 for each of the three stages of care for preparation of the 2002-03 Governor's Budget, and shall utilize data from the first two quarters of the 2001-02

fiscal year for preparation of the 2002 May Revision. DSS shall share its assumptions and methodology with SDE in the preparation of the 2002–03 Governor’s Budget.

5. As deemed necessary by the department for counties where there is more than one Alternative Payment Program participating in Stage 2 and Stage 3, county welfare departments shall participate jointly with the Alternative Payment Programs, as applicable, to jointly determine the amount of funds initially distributed to each Alternative Payment Program. However, the State Department of Education may adjust these allocations at any time for providers deemed by the State Department of Education to be on conditional status and shall adjust the allocations as necessary to ensure a distribution of funding proportional to each alternative payment provider’s documented need pursuant to the analysis specified in this provision.
6. Upon request by the Department of Finance, the State Department of Education shall determine, through survey or mandatory reporting, and through use of consultant services as necessary, requested information (such as selected updates of data collected pursuant to Provision 8(c)(6) of the Budget Act of 2000 (Ch. 52, Stats. 2000)) which shall be provided to the Department of Finance for use in 2002–03 budget development.
9. (a) The Department of Finance is authorized to augment the appropriation in this item for CalWORKs Stage 3 funding upon demonstration by the State Department of Education that additional funding is necessary to serve the caseload specified in Provision 9(b). The Department of Finance shall provide written notification to the chairperson of the fiscal committees of each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee at the time the augmentation is approved.

- (b) Notwithstanding any other provision of law, the funds in Schedule (2)(f) for Stage 3 are reserved exclusively for continuing child care to: (1) former CalWORKs families who are working, have left cash aid and have exhausted their two-year eligibility for transitional services in either Stage 1 or 2 pursuant to subdivision (c) of Section 8351 or Section 8353 of the Education Code, respectively, but still meet eligibility requirements for receipt of subsidized child care services; and (2) families who received lump-sum diversion payments or diversion services under Section 11266.5 of the Welfare and Institutions Code and have spent two years in Stage 2 off of cash aid, but still meet eligibility requirements for receipt of subsidized child care services. The funds made available for CalWORKs Stage 3 child care pursuant to this item, Item 6110-485, and pursuant to Provision 2(c) of this item are on a one-time basis. The State Department of Education shall advise all Alternative Payment Providers to notify the Stage 3 caseload that subsidies are only extended through the 2001-02 fiscal year under current eligibility, subsidy, and family fee conditions.
- (c) Any families who have been continuously enrolled in Stage 3 slots funded through the original increment of \$60,000,000 initially funded in the Budget Act of 1997 (Ch. 282, Stats. 1997) from the Child Care and Development Block Grant are exempted from these restrictions, provided they continue to meet eligibility criteria for receipt of subsidized child care. However, Alternative Payment Providers shall continue to replace exempted families with those meeting the eligibility requirements specified herein.
10. Nonfederal funds appropriated by this item which have been budgeted to meet the state's Temporary Assistance for Needy Families maintenance of effort requirement established pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) may not be expended in any way that would cause their disqualification as a federally allowable maintenance of effort expenditure.

11. In recognition of the extensive services currently provided to CalWORKs recipients, the increased level of services provided to these populations by resource and referral agencies as provided for in this item, and the economies of scale that occur as contract amounts have been multiplied since 1996–97, it is the intent of the Legislature that administrative and support services allowances for alternative payment contractors serving these populations be limited to no more than 25 percent of the direct cost of care payments to child care providers. Therefore, notwithstanding any other provision of law or regulation, the State Department of Education shall ensure that contract provisions conform to this intent for Stages 2 and 3 child care contracts funded through Schedules (2)(e) and (2)(f) of this item.
12. Notwithstanding Section 26.00 of this act, the funds appropriated in Schedule (5) of this item, for child development cost-of-living adjustments, is for transfer to Schedules (1), (2)(a), (2)(b), (2)(c), (2)(d), (2)(g), (2)(h), (2)(i), (2)(j), and (2)(m) within this item. Upon application of the 2001–02 COLA, the maximum standard reimbursement rate shall not exceed \$27.44 per hour for General Child Care programs and \$17.51 per hour for State Preschool. Furthermore, the Community College Match, the Migrant Child Care, and the CalSAFE Child Care programs shall adhere to the maximum standard reimbursement rates as prescribed for the General Child Care programs. All other rates and adjustment factors shall be revised to conform. All contract maximum amounts shall be revised so that erosion of service capacity from the 2000–01 rates are restored.
13. The funds appropriated in Schedule (4) of this item for child care and development services minimum wage impact are to be transferred as general cost-of-living adjustments, notwithstanding Provision 12, to other schedules in this item as determined by the Department of Education through a Budget Revision as approved by the Department of Finance.
14. Of the funds in Schedule (2)(c) of this item, up to \$5,000,000 may be used to establish or continue a pilot Migrant Alternative Payment Network Program for central valley counties. This program shall comply with the requirements approved

pursuant to Provision 18 of Item 6110-196-0001 of Section 2.00 of the Budget Act of 1998 (Ch. 324, Stats. 1998).

- 15. Notwithstanding any other provision of law, it is the intent of the Legislature that unearned contract amounts from General Funds or Federal Funds appropriated for CalWORKs Stages 2 and 3 in any prior year be used to offset direct service costs in CalWORKs Stage 2 child care in the 2000-01 fiscal year and each year thereafter. Therefore, in order to account for these funds in determining the budget, the Department of Education shall disencumber any amounts in excess of a three-percent reserve of the original contract amount for each unaudited contract and shall provide a report by September 1, 2001, and April 1, 2002, of the available balances to the Department of Finance. The Department of Education shall ensure child care audits are closed out in a timely fashion to ensure savings are available in the fiscal year budget following initial appropriation.

SEC. 45. Item 6110-200-0001 of Section 2.00 of the Budget Act of 2001 is amended to read:

6110-200-0001—For local assistance, Department of Education (Proposition 98), Program 20.60.037 Healthy Start Support Services for Children Act . . . . .	1,000,000
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SEC. 46. Item 6110-210-0001 of Section 2.00 of the Budget Act of 2001 is repealed.

SEC. 46.3. Item 6110-223-0001 is added to Section 2.00 of the Budget Act of 2001, to read:

6110-223-0001—For local assistance, State Department of Education (Proposition 98) for transfer to Section A of the State School Fund, for the purpose of limiting the PERS offset to K-12 revenue limit apportionments on a one-time basis . . . . .	\$35,000,000
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- 1. The amount provided shall be capped at \$35,000,000 and shall be allocated pursuant to subdivision (b) of Section 42238.12 of the Education Code.

SEC. 46.5. Item 6110-231-0001 is added to Section 2.00 of the Budget Act of 2001, to read:

6110-231-0001—For local assistance, State Department of Education (Proposition 98) for transfer to Section A of the State School Fund . . . . . \$67,831,000

Provisions:

- 1. The funds in this item shall be allocated to all school districts and county offices of education on the basis of an equal amount per unit of average daily attendance for the purpose of the Proposition 98 educational programs specified in subdivision (b) of Section 12.40 of this act.

SEC. 47. Item 6110-232-0001 of Section 2.00 of the Budget Act of 2001 is amended to read:

6110-232-0001—For local assistance, Department of Education (Proposition 98) for transfer to Section A of the State School Fund, Program 10.26, Program to Reduce Class Size in Two Courses in Grade 9 pursuant to Chapter 6.8 (commencing with Section 52080) of Part 28 of the Education Code . . . . . 135,185,000

Provisions:

- 1. Of the funds appropriated in this item, \$4,165,000 is provided for cost-of-living adjustments (COLAs) at a rate of 3.87 percent.

SEC. 48. Item 6110-485 of Section 2.00 of the Budget Act of 2001 is amended to read:

6110-485—Reappropriation (Proposition 98) Department of Education. The sum of \$319,271,000 is reappropriated from the Proposition 98 Reversion Account, for the following purposes:

0001—General Fund

- (1) \$4,166,000 to the State Department of Education for the purpose of funding prior year Annual Parent Notification-Staff Development mandate claims pursuant to Chapter 929, Statutes of 1997.
- (3) \$12,005,000 for transfer by the Controller to Section A of the State School Fund, for allocation by the Superintendent of Public Instruction to SELPAs to fully fund the 2000-01 special education average daily attendance increase.

- (5) \$846,000 to the State Department of Education, for transfer to Section A of the State School Fund, to fully fund the 1999–00 deficit in the child nutrition program.
- (6) \$1,281,000 to the State Department of Education, for transfer to Section A of the State School Fund to fully fund the 2000–01 deficit in the child nutrition program.
- (8) \$10,000,000 on a one–time basis to the State Department of Education for Regional Occupational Centers and Programs for equipment.
- (9) \$1,000,000 to the State Department of Education for allocation to FCMAT to provide professional management assistance to the Emery Unified School District.
- (10) \$200,000 to the State Department of Education for allocation to FCMAT to provide professional management assistance to school districts in west Contra Costa County.
- (11) \$500,000 to the State Department of Education for allocation to FCMAT for the purposes of implementing the Student Friendly Services through Technology project.
- (12) \$100,000 to the State Department of Education for the purpose of reimbursing districts for the cost of substitute educators pursuant to Section 44987.3 of the Education Code.
- (13) \$15,000,000 to the State Department of Education for allocation to schools pursuant to Article 2 (commencing with Section 51120) of Chapter 1.5 of Part 28 of the Education Code (Nell Soto Parent/Teacher Involvement Program).

- (15) \$62,505,000 as a contingency expenditure, to be authorized by the Department of Finance for transfer to the Controller as necessary for the reimbursement of state–mandated cost claims and interest submitted by school districts and county offices of education. These funds would be applied toward the minimum funding requirement for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution for the 2000–01 fiscal year.
- (16) \$23,939,000 to the State Department of Education for the purpose of funding prior year school crimes reporting mandate claims pursuant to Chapter 759 of the Statutes of 1992 and Chapter 410 of the Statutes of 1995.
- (17) \$8,590,000 to the State Department of Education for the purpose of funding ongoing mandates claims, excluding the School Bus Safety II mandate, pursuant to the enactment of mandates claims legislation during the 2001–02 Regular Session.
- (18) \$4,500,000 for allocation to FCMAT for ongoing fiscal oversight of school districts pursuant to Provision 4.
- (19) \$4,500,000 to the State Department of Education for allocation to the Fiscal Crisis and Management Assistance Team for costs associated with administration of the California School Information Services Project.
- (20) \$1,000,000 for allocation to the Fiscal Crisis and Management Assistance Team for the purpose of reviewing school district hiring practices, pursuant to Section 42127.85 of the Education Code.
- (21) \$15,000,000 to the State Department of Education for the Principal Training Program pursuant to legislation enacted during the 2001–02 Regular Session related to providing professional development training to administrators.

- (22) \$1,600,000 in one-time funding to the State Department of Education for the School Violence Reimbursement Project in the Grossmont Union High School District.
- (23) \$3,500,000 in one-time funding to the State Department of Education for the purpose of supporting sustainability and evaluation activities by existing Teenage Pregnancy Prevention Grant Program grantees that received funding in 2001-02 pursuant to Section 8922 of the Education Code. Funding shall be distributed proportionate to the funding received in 2000-01.
- (24) \$11,566,000 to the State Department of Education for the purpose of funding FCMAT's implementation of the local California School Information Services Project.
- (25) \$635,000 to the State Department of Education for the Beginning Teacher Salary Program.
- (27) \$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.
- (32) \$110,000 on a one-time basis to the State Department of Education for grants to school districts and county offices of education pursuant to the gender equity train-the-trainer grant programs established pursuant to Section 224.5 of the Education Code.
- (33) \$6,000,000 to the State Department of Education for the allocation on a one-time basis to implement the High Tech High School Program pending enactment of legislation during the 2001-02 Regular Session.
- (36) \$500,000 to the State Department of Education to allocate to school districts for one-time costs associated with the English Language Development Test.
- (37) \$31,728,000 to the State Department of Education for the Mathematics and Reading Professional Development Program, pursuant to legislation enacted in the 2001-02 Regular Session.

- (39) \$5,000,000 to be set aside on a one–time basis for the purpose of funding legislation related to establishing the California Information Technology Career Academy Grant Initiative.
- (40) \$10,000,000 on a one–time basis to the State Department of Education to augment the School Safety Block Grant Program.
- (41) \$3,000,000 to the State Department of Education to contract for the development of the High School Exit Exam Workbooks.
- (42) \$75,000,000 to the State Department of Education to be allocated on a one–time basis for the purposes specified in Provision 8 of this item.

Provisions:

- 1. The funds reappropriated in subdivision (24) of this item shall be transferred to FCMAT only if education telecommunications funds do not materialize.
- 3. The funds reappropriated in subdivision (12) of this item shall only be used to reimburse districts which request reimbursement pursuant to Section 44987.3 of the Education Code.
- 4. Of the funds reappropriated in subdivision (18) of this item, \$4,500,000 shall be allocated to FCMAT for purposes as follows:
  - (a) \$3,500,000 for the purposes of fully funding county office of education (COE) oversight activities pursuant to Chapter 1213 of the Statutes of 1991 and subsequent laws. These activities include, but are not limited to, conducting reviews, examinations, and audits of districts and providing written notifications of the results at least annually by county offices of education on the fiscal solvency of the districts with disapproved budgets, qualified or negative certifications, or, pursuant to Section 42127.6 of the Education Code, districts facing fiscal uncertainty. Written notifications of the results of these reviews, audits, and examinations shall be provided at least annually to the district governing board, the Superintendent of Public Instruction, the Director of Finance, and the Office of Secretary for Education.
  - (b) \$1,000,000 to fund reimbursement of COE activities pursuant to Provision 4 of Item

6110-107-0001 or for extraordinary costs of audits, examinations, or reviews of district budgets in cases where the COE has reason to believe fraud, misappropriation of funds, or other illegal fiscal practices require COE review. If the legislation is adopted in the 2001-02 legislative session regarding COE fiscal oversight activities, the funds in this provision may also be used for those purposes. Any unexpended funds provided under this paragraph may be allocated for the development and implementation of training in accordance with paragraph (2) of subdivision (d) of Section 42127.8 of the Education Code.

- (c) The amounts in subdivision (a) of this provision shall be distributed by a formula to be adopted by FCMAT in consultation with the California County Superintendent Educational Services Association and approved by the Department of Finance and the Superintendent of Public Instruction. The amounts in subdivision (b) of this provision shall be distributed by FCMAT on an as-needed basis subject to approval by the Department of Finance and the Superintendent of Public Instruction.
7. The funds reappropriated in subdivision (22) of this item shall be allocated by the State Department of Education to the Grossmont Union High School District in San Diego County for the School Violence Reimbursement Project. The Grossmont Union High School District shall expend these funds to increase the ratio of adults to students on campus, including, but not limited to, school staff and faculty, community partners, school security personnel, school resource officers, and volunteers, and to fund a pilot program for a school violence prevention hotline to reduce the risks of acts of violence against students and staff. These funds may also be used to reimburse the Grossmont Union High School District for nonbudgeted expenses incurred during the separate school campus shootings within the district in 2001.
8. (a) Of the funds reappropriated in subdivision (42) of this item up to \$8,000,000 shall be set aside to provide a third year of Immediate Intervention/Underperforming Schools program implementation grant funding for schools that received their first year of IIUSP

implementation funding in 2000–01, if they meet the following conditions (1) have met their Academic Performance Index growth targets, pursuant to Section 52052 of the Education Code, for two consecutive years and (2) are not receiving funding through the Comprehensive School Reform Demonstration program and (3) they were in the first decile of the Academic Performance Index (API) in the 2000–01 fiscal year. The amount of funding provided to these schools for a third year of implementation shall be the amount specified in Section 52054.5 of the Education Code, less the amount received pursuant to Section 52057 of the Education Code. Notwithstanding Section 2.00 of the Budget Act of 2001 (Ch. 106, Stats. 2001), these funds shall be available through June 30, 2003.

The balance of these funds shall be allocated to all school districts, county offices of education, and charter schools in the state on the basis of an equal amount per unit of average daily attendance, including average daily attendance attributable to regional occupational centers and programs and adult education programs, as reported on the second principal apportionment for the 2000–01 fiscal year, and average daily enrollment in preschool and child care programs operated on schoolsites. For the purpose of determining the average daily enrollment of children served by local education agencies in preschool and childcare development programs operated on schoolsites, the Superintendent of Public Instruction shall divide a local education agency's total number of child days of enrollment in these programs in the 2000–01 school year by 180 days to determine an average daily enrollment for the programs and allocate funds according to this average daily enrollment. Of the funds distributed for the purposes of this provision, each school district, county office of education, and charter school shall receive not less than \$3,750 for each schoolsite within its jurisdiction. Each school district, county office of education, and charter school has discretion to allocate these funds

within its jurisdiction, as each deems appropriate.

- (b) As a condition of receipt of funds provided in this item, school districts, county offices of education, and charter schools shall, in a local governing board resolution adopted in a regularly scheduled public meeting, identify energy conservation measures that result in a decrease in the amount of energy used by schools within the local education agency. The local governing board resolution shall also include a list of specific actions that will be carried out to achieve the reduction in energy use. Funds appropriated under this item may be used for energy conservation measures, increased energy costs, career/technical education one-time purposes, or any other one-time educational purpose.

SEC. 49. Item 6110-495 of Section 2.00 of the Budget Act of 2001 is amended to read:

6110-495—Reversion, Department of Education, Proposition 98. The following amounts shall revert to the Proposition 98 Reversion Account:

1. \$56,030,000 from Chapter 2 of the 1999 First Extraordinary Session.
2. \$73,970,000 from Item 6110-104-0001 of Section 2.00 of the Budget Act of 1999 (Ch. 50, Stats. 1999).
3. \$67,500,000, or whatever lesser or greater amount reflects the remaining unencumbered balance after the reappropriation specified in Provision 5 of Item 6110-494, of the General Funds appropriated in Item 6110-196-0001 of Section 2.00 of the Budget Act of 2000 (Ch. 52, Stats. 2000) with the exception of Schedules (b)(5.1) and (b)(5.2) for CalWORKs child care programs.
4. \$16,800,000 from Item 6110-125-0001 of Section 2.00 of the Budget Act of 2000 (Ch. 52, Stats. 2000).
5. \$16,000,000 from Item 6110-184-0001 of Section 2.00 of the Budget Act of 2000 (Ch. 52, Stats. 2000).
6. \$98,871,000 from Item 6110-104-0001 of Section 2.00 of the Budget Act of 2000 (Ch. 52, Stats. 2000).

7. \$15,261,000 or whatever greater or lesser amount reflects the unencumbered balance from Item 6110-204-0001 of Section 2.00 of the Budget Act of 2000 (Ch. 52, Stats. 2000).
8. \$53,868,000 or whatever greater or lesser amount reflects the unencumbered balance from Item 6110-205-0001 of Section 2.00 of the Budget Act of 2000 (Ch. 52, Stats. 2000).
9. \$50,000,000 from Item 6110-133-0001 of Section 2.00 of the Budget Act of 2000 (Ch. 52, Stats. 2000).
10. \$20,000,000, or whatever lesser or greater amount reflects the unencumbered balance of the appropriation specified in Item 6110-198-0001 of Section 2.00 of the Budget Act of 2000 (Ch. 52, Stats. 2000).
11. \$45,000,000 or whatever greater or lesser amount reflects the unencumbered balance of the appropriation specified in Item 6110-232-0001 of Section 2.00 of the Budget Act of 2000 (Ch. 52, Stats. 2000).
12. \$2,500,000 or whatever greater or lesser amount reflects the unencumbered balance of the appropriation specified in Item 6110-158-0001 of Section 2.00 of the Budget Act of 2000 (Ch. 52, Stats. 2000).
13. \$17,700,000 or whatever greater or lesser amount reflects the unencumbered balance of the appropriation specified in Item 6110-156-0001 of Section 2.00 of the Budget Act of 1999 (Ch. 50, Stats. 1999).
14. \$35,000,000 from Item 6110-112-0001 of Section 2.00 of the Budget Act of 2000 (Ch. 52, Stats. 2000).
15. \$10,000,000 from Schedule (e) 20.60.060—Instructional Support: Teacher Peer Review of Item 6110-193-0001 of Section 2.00 of the Budget Act of 2000 (Ch. 52, Stats. 2000).
17. \$7,000,000 or whatever greater or lesser amount reflects the unencumbered balance of the appropriation specified in Item 6110-212-0001 of Section 2.00 of the Budget Act of 2000 (Ch. 52, Stats. 2000).

SEC. 50. Item 6110-496 is added to Section 2.00 of the Budget Act of 2001, to read:

6110-496—Reversion, Department of Education. Notwithstanding any other provision of law, the sum of \$6,000,000 from Program 20 in Item 6110-136-0001, Budget Act of 2001 (Ch. 106, Stats. 2001), for stipends for teacher attendees of University of California Professional Teacher Development Program, shall revert to the General Fund.

SEC. 52. Item 6440-496 is added to Section 2.00 of the Budget Act of 2001, to read:

6440-496—Reversion, University of California. Notwithstanding any other provision of law, the sum of \$31,000,000 from the funds appropriated in Schedule (1) Support, in Item 6440-001-0001, Budget Act of 2001 (Ch. 106, Stats. 2001), as amended by Chapter 564 of the Statutes of 2001, shall revert to the General Fund.

SEC. 53. Item 6610-496 is added to Section 2.00 of the Budget Act of 2001, to read:

6610-496—Reversion, California State University. Notwithstanding any other provision of law, the sum of \$20,000,000 from the funds appropriated in Schedule (1) Support in Item 6610-001-0001, Budget Act of 2001 (Ch. 106, Stats. 2001), shall revert to the General Fund.

SEC. 54. Item 6870-485 of Section 2.00 of the Budget Act of 2001 is amended to read:

6870-485—Reappropriation (Proposition 98) California Community Colleges. The sum of \$121,325,000 is reappropriated from the Proposition 98 Reversion Account for the following purposes.  
0001—General Fund

- (1) \$3,153,000 to the California Community Colleges for the purpose of funding 2000–01 costs for the Part–Time Faculty Office Hours Program. Notwithstanding Section 87885 of the Education Code, or any other provision of law, these funds shall provide up to 50 percent of the total costs (including state and local matching funds) of the compensation paid for office hours of part–time faculty. Furthermore, the use of these funds is contingent on the enactment of legislation to reinstate a 1:1 state–to–local matching ratio.
- (2) \$23,000,000 to the California Community Colleges for assisting colleges in covering a portion of their natural gas and electricity costs incurred during the 2000–01 fiscal year, or enhancing efficiency efforts. Funds shall be allocated to the chancellor’s office for distribution to districts in direct proportion to colleges’ actual energy expenditures in the 2000–01 fiscal year.
- (3) \$26,000,000 to the California Community Colleges to assist colleges in covering a portion of their increased natural gas and electricity costs incurred during the 2001–02 fiscal year or for enhancing conservation efforts. Funds shall be allocated to the chancellor’s office for distribution to individual colleges on a square–foot basis of owned or long–term leased space.
- (4) \$7,172,000 to the California Community Colleges for the purpose of funding 2001–02 costs for the Part–Time Faculty Office Hours Program. Of the funds provided, the use of \$4,672,000 is contingent upon the enactment of legislation to reinstate a 1:1 state–to–local matching ratio.

- (5) \$57,000,000 to the California Community Colleges solely to increase compensation for part-time faculty from the amounts previously authorized. Funds shall be distributed to districts based on the total actual full-time equivalent students served in the previous fiscal year and include a small district factor as determined by the chancellor. These funds are to be used to assist districts in making part-time faculty salaries more comparable to full-time salaries for similar work, as determined by each district's local collective bargaining unit. These funds shall not supplant the amount of resources each district used to compensate part-time faculty or be used to exceed parity of each part-time faculty employed by each district with regular full-time faculty at the same district, as certified by the chancellor. If a district achieves parity, its allocation may be used for any other educational purpose.
- (6) \$5,000,000 to the California Community Colleges for the purpose of funding 2001-02 costs for the Community College Teacher and Reading Development Partnerships. Grants are designed to both encourage promising students to pursue a career in teaching through development of an articulated internship program with school districts and California State University institutions and to assist elementary school pupils to develop improved reading skills. Acceptance of grants shall constitute concurrence by the district to collect and provide all information specified by the chancellor. The board of governors shall implement the program in accordance with the plan approved by the Office of the Secretary for Education.

SEC. 55. Item 8100-495 is added to Section 2.00 of the Budget Act of 2001, to read:

8100-495—Reversion, Office of Criminal Justice Planning. Notwithstanding any other provision of law, the sum of \$82,000,000 of the appropriation provided in Schedule (22.1) 50.30.700—Special Projects—Public Safety in Item 8100–101–0001, Budget Act of 2000 (Ch. 52, Stats. 2000), shall revert to the General Fund.

SEC. 56. Item 8260-495 is added to Section 2.00 of the Budget Act of 2001, to read:

8260–495—Reversion, California Arts Council. Notwithstanding any other provision of law, the sum of \$5,100,000 from the appropriations provided in the following citations shall revert to the General Fund.

0001—General Fund

(1) \$4,341,000 from Item 8260–101–0001, Budget Act of 2001 (Ch. 106, Stats. 2001) as follows:

(a) Schedule (1) 05—Arts in Education (\$3,244,000)

(b) Schedule (3) 20—Organizational Support Grants (\$647,000)

(c) Schedule (5) 30—Special Initiatives Program (\$450,000)

(2) \$759,000 from Item 8260–111–0001, Budget Act of 2001 (Ch. 106, Stats. 2001), for the California Challenge Program.

SEC. 57. Item 8350-495 is added to Section 2.00 of the Budget Act of 2001, to read:

8350-495—Reversion, Department of Industrial Relations. Notwithstanding any other provision of law, the sum of \$1,000,000 from the appropriation provided in Schedule (6) 40—Prevention of Industrial Injuries and Deaths of California Workers in Item 8350–001–0001, Budget Act of 2001 (Ch. 106, Stats. 2001), shall revert to the General Fund.

SEC. 58. Item 8660-495 is added to Section 2.00 of the Budget Act of 2001, to read:

8660–495—Reversion—Public Utilities Commission. Notwithstanding any other provision of law, the sum of \$93,398,000 from the appropriations provided in the following citations shall revert to the General Fund:

0001—General Fund

(1) \$93,398,000 from Section 5 of Chapter 7 of the Statutes of 2001, First Extraordinary Session.

SEC. 58.5. Item 8660-116-0470 is added to Section 2.00 of the Budget Act of 2001, to read:

8660-116-0470—For transfer by the Controller from the California High-Cost Fund–B to the General Fund . . . . . (35,500,000)  
Provisions:

1. The Legislature deems \$35,500,000 in the California High-Cost Fund–B to be in excess of the cost of the telephone program for which fees were levied.
2. In no case may a fee increase be imposed as a result of redirecting the fees in this item.
3. Any excess from the transfer authorized in this item shall be returned to the California High-Cost Fund–B by the Controller on July 1, 2002. For purposes of this provision, excess is defined as the amount which is greater than the sum of the amounts expended in 2001–02 for (1) the program specified in Section 5 of Chapter 7 of the Statutes of 2001, First Extraordinary Session, as amended by Section 57 of Chapter 111, Statutes of 2001, (2) the program specified in Chapter 7 of the Statutes of 2001, First Extraordinary Session, as amended by Chapter 4 of the Statutes of 2001, Second Extraordinary Session, and (3) \$2,000,000 from Schedule (1) 07–Science Technology and Innovation in Item 2920–101–0001, Budget Act of 2001 (Ch. 106, Stats. 2001).

SEC. 59. Item 8940-495 is added to Section 2.00 of the Budget Act of 2001, to read:

8940–495—Reversion, Military Department. Notwithstanding any other provision of law, the sum of \$2,100,000 from the appropriation provided in Schedule (9) 65–California National Guard youth programs in Item 8940–001–0001, Budget Act of 2001 (Ch. 106, Stats. 2001), shall revert to the General Fund.

SEC. 60. Item 9670-015-0942 of Section 2.00 of the Budget Act of 2001 is amended to read:

9670–015–0942—For transfer from the Smog Impact Fee Refund Account to the General Fund upon order of the Director of Finance . . . . . (214,132,000)

SEC. 61. Item 9908-495 is added to Section 2.00 of the Budget Act of 2001, to read:

9908-495—Reversion, Janitorial/Contract Services. Notwithstanding any other provision of law, the sum of \$2,000,000 from Item 9908-001-0001, Budget Act of 2000 (Ch. 52, Stats. 2000) as reappropriated by Item 9908-490, Budget Act of 2001 (Ch. 106, Stats. 2001), shall revert to the General Fund.

SEC. 62. Item 9909-495 is added to Section 2.00 of the Budget Act of 2001, to read:

9909-495—Reversion, Health Insurance Portability and Accountability Act. Notwithstanding any other provision of law, the sum of \$19,039,000 of the appropriation provided in Item 9909-001-0001, Budget Act of 2001 (Ch. 106, Stats. 2001), shall revert to the General Fund.

SEC. 63. Item 9911-495 is added to Section 2.00 of the Budget Act of 2001, to read:

9911-495—Reversion, Utilities Costs. Notwithstanding any other provision of law, the sum of \$64,195,000 of the appropriation provided in Item 9911-001-0001, Budget Act of 2001 (Ch. 106, Stats. 2001), shall revert to the General Fund.

SEC. 64. Item 9914-495 is added to Section 2.00 of the Budget Act of 2001, to read:

9914-495—Reversion, Postage Rate increases. Notwithstanding any other provision of law, the sum of \$3,000,000 from the balance of the appropriations provided in the following citations shall revert to the General Fund:

0001—General Fund

- (1) \$1,000,000 from the appropriation in Item 9914-001-0001, Budget Act of 2000 (Ch. 52, Stats. 2000)
- (2) \$2,000,000 from the appropriation in Item 9914-001-0001, Budget Act of 2001, (Ch. 106, Stats. 2001)

SEC. 65. Section 3.20 is added to the Budget Act of 2001, to read:

SEC. 3.20. Notwithstanding any other provision of law, the Director of Finance is authorized to revert to the General Fund all or a portion of the balance of appropriations as identified pursuant to Executive Order D-49-01. These reversions will effect a minimum \$150 million statewide reduction in operating expenses and equipment costs. The Director of Finance will provide to the Chairperson of the Joint Legislative Budget Committee, and the chairperson of the committee in each house that considers appropriations, a summary listing by department of the amounts reverted.

SEC. 66. Section 3.30 is added to the Budget Act of 2001, to read:

SEC. 3.30. Notwithstanding any other provision of law, the Director of Finance is authorized to revert all or a portion of the unliquidated encumbered balance of 2000-01 and prior fiscal years' General Fund support appropriations for which goods and services have not been received as identified pursuant to Executive Order D-49-01. These reversions will effect a minimum \$25 million statewide reduction in past years' expenditures. The Director of Finance will provide to the Chairperson of the Joint Legislative Budget Committee, and the chairperson of the committee in each house that considers appropriations, a report listing the savings generated by each department.

SEC. 67. Section 3.40 is added to the Budget Act of 2001, to read:

SEC. 3.40. Notwithstanding any other provision of law, the Director of Finance is authorized to revert all or a portion of the balance of certain 2001-02, General Fund, local district project appropriations. These reversions will effect approximately a \$30 million statewide reduction in local district project expenditures. The Director of Finance will provide to the Chairperson of the Joint Legislative Budget Committee, and the chairperson of the committee in each house that considers appropriations, a report detailing the specific projects affected by these reversions.

SEC. 68. Section 3.70 is added to the Budget Act of 2001, to read:

SEC. 3.70. Hiring Freeze Reversion—Notwithstanding any other provision of law, the Director of Finance is authorized to revert all or a portion of the unencumbered balance of appropriations made by this act that reflect savings resulting from the Hiring Freeze pursuant to

Executive Order D-48-01. The Controller shall transfer any amounts identified by the Director of Finance for this purpose to the fund from which the appropriation was made. The Director of Finance will provide to the Chairperson of the Joint Legislative Budget Committee, and the chairperson of the committee in each house that considers appropriations, a summary of the amounts reverted.

SEC. 69. 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 necessary reversions, transfers, and adjustments by this act to the appropriations in the Budget Act of 2001 for support of state government for the 2001–02 fiscal year be made as soon as possible, it is necessary that this act take effect immediately.

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## CHAPTER 2

An act to amend Sections 33050, 42238, 42238.12, 42238.44, 51725, 51727, and 51729 of, and to add Sections 42238.45 and 52055.660 to, the Education Code, to amend Section 1 of Chapter 723 of the Statutes of 2001, and to amend Section 33 of Chapter 891 of the Statutes of 2001, relating to education, making an appropriation therefore, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor February 2, 2002. Filed with  
Secretary of State February 4, 2002.]

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

SECTION 1. Section 33050 of the Education Code is amended to read:

33050. (a) The governing board of a school district or a county board of education, on a districtwide or countywide basis or on behalf of one or more of its schools or programs, after a public hearing on the matter, may request the State Board of Education to waive all or part of any section of this code or any regulation adopted by the State Board of Education that implements a provision of this code that may be waived, except:

- (1) Article 1 (commencing with Section 15700) and Article 2 (commencing with Section 15780) of Chapter 4 of Part 10.
- (2) Chapter 6 (commencing with Section 16000) of Part 10.

(3) Chapter 12 (commencing with Section 17000), Chapter 12.5 (commencing with Section 17070.10), and Chapter 14 (commencing with Section 17085) of Part 10.

(4) Part 13 (commencing with Section 22000).

(5) Section 35735.1.

(6) Paragraph (8) of subdivision (a) of Section 37220.

(7) The following provisions of Part 10.5 (commencing with Section 17211):

(A) Chapter 1 (commencing with Section 17211).

(B) Article 1 (commencing with Section 17251) to Article 6 (commencing with Section 17365), inclusive, of Chapter 3.

(C) Sections 17416 to 17429, inclusive; Sections 17459 and 17462 and subdivision (a) of Section 17464; and Sections 17582 to 17592, inclusive.

(8) The following provisions of Part 24 (commencing with Section 41000):

(A) Sections 41000 to 41360, inclusive.

(B) Sections 41420 to 41423, inclusive.

(C) Sections 41600 to 41866, inclusive.

(D) Sections 41920 to 42911, inclusive.

(9) Sections 44504 and 44505.

(10) Article 3 (commencing with Section 44930) of Chapter 4 of Part 25 and regulations in Title 5 of the California Code of Regulations adopted pursuant to Article 3 (commencing with Section 44930) of Chapter 4 of Part 25.

(11) Part 26 (commencing with Section 46000).

(12) Chapter 6 (commencing with Section 48900) and Chapter 6.5 (commencing with Section 49060) of Part 27.

(13) Section 51513.

(14) Chapter 6.10 (commencing with Section 52120) of Part 28, relating to class size reduction.

(15) Section 52163.

(16) The identification and assessment criteria relating to any categorical aid program, including Sections 52164.1 and 52164.6.

(17) Sections 52165, 52166, and 52178.

(18) Article 3 (commencing with Section 52850) of Chapter 12 of Part 28.

(19) Section 56364.1, except that this restriction shall not prohibit the State Board of Education from approving any waiver of Section 56364 or Section 56364.2, as applicable, relating to full inclusion.

(20) Article 4 (commencing with Section 60640) of Chapter 5 of Part 33, relating to the STAR Program, and any other provisions of Chapter 5 (commencing with Section 60600) of Part 33 that establish requirements for the STAR Program.

(b) Any waiver of provisions related to the programs identified in Section 52851 shall be granted only pursuant to Article 3 (commencing with Section 52850) of Chapter 12 of Part 28.

(c) The waiver of an advisory committee required by law shall be granted only pursuant to Article 4 (commencing with Section 52870) of Chapter 12 of Part 28.

(d) Any request for a waiver submitted by the governing board of a school district or a county board of education pursuant to subdivision (a) shall include a written statement as to both of the following:

(1) Whether the exclusive representative of employees, if any, as provided in Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, participated in the development of the waiver.

(2) The exclusive representative's position regarding the waiver.

(e) Any request for a waiver submitted pursuant to subdivision (a) relating to a regional occupational center or program established pursuant to Article 1 (commencing with Section 52300) of Chapter 9 of Part 28, that is operated by a joint powers entity established pursuant to Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the Government Code, shall be submitted as a joint waiver request for each participating school district and shall meet both of the following conditions:

(1) Each joint waiver request shall comply with all of the requirements of this article.

(2) The submission of a joint waiver request shall be approved by a unanimous vote of the governing board of the joint powers agency.

(f) The governing board of any school district requesting a waiver under this section of any provision of Article 5 (commencing with Section 39390) of Chapter 3 of Part 23 shall provide written notice of any public hearing it conducted pursuant to subdivision (a), at least 30 days prior to the hearing, to each public agency identified under Section 39394.

SEC. 2. Section 42238 of the Education Code is amended to read:

42238. (a) For the 1984–85 fiscal year and each fiscal year thereafter, the county superintendent of schools shall determine a revenue limit for each school district in the county pursuant to this section.

(b) The base revenue limit for the current fiscal year shall be determined by adding to the base revenue limit for the prior fiscal year the following amounts:

(1) The inflation adjustment specified in Section 42238.1.

(2) For the 1995–96 fiscal year, the equalization adjustment specified in Section 42238.4.

(3) For the 1996–97 fiscal year, the equalization adjustments specified in Sections 42238.41, 42238.42, and 42238.43.

(4) For the 1985–86 fiscal year, the amount received per unit of average daily attendance in the 1984–85 fiscal year pursuant to Section 42238.7.

(5) For the 1985–86, 1986–87, and 1987–88 fiscal years, the amount per unit of average daily attendance received in the prior fiscal year pursuant to Section 42238.8.

(6) For the 2003–04 fiscal year, the equalization adjustment specified in Section 42238.44.

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

(d) (1) For districts for which the number of units of average daily attendance determined pursuant to Section 42238.5 is greater for the current fiscal year than for the 1982–83 fiscal year, compute the following amount, in lieu of the amount computed pursuant to subdivision (c):

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

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

(C) Add the amounts in subparagraphs (A) and (B).

(2) This subdivision shall become inoperative on July 1, 1998.

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

(f) For the 1984–85 fiscal year only, the county superintendent shall reduce the total revenue limit computed in this section by the amount of the decreased employer contributions to the Public Employees' Retirement System resulting from enactment of Chapter 330 of the Statutes of 1982, offset by any increase in those contributions, as of the 1983–84 fiscal year, resulting from subsequent changes in employer contribution rates.

(g) The reduction required by subdivision (f) shall be calculated as follows:

(1) Determine the amount of employer contributions that would have been made in the 1983–84 fiscal year if the applicable Public

Employees' Retirement System employer contribution rate in effect immediately prior to the enactment of Chapter 330 of the Statutes of 1982 were in effect during the 1983–84 fiscal year.

(2) Subtract from the amount determined in paragraph (1) the greater of subparagraph (A) or (B):

(A) The amount of employer contributions that would have been made in the 1983–84 fiscal year if the applicable Public Employees' Retirement System employer contribution rate in effect immediately after the enactment of Chapter 330 of the Statutes of 1982 were in effect during the 1983–84 fiscal year.

(B) The actual amount of employer contributions made to the Public Employees' Retirement System in the 1983–84 fiscal year.

(3) For purposes of this subdivision, employer contributions to the Public Employees' Retirement System for any of the following shall be excluded from the calculation specified above:

(A) Positions supported totally by federal funds that were subject to supplanting restrictions.

(B) Positions supported by funds received pursuant to Section 42243.6.

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

(4) For accounting purposes, the reduction made by this subdivision may be reflected as an expenditure from appropriate sources of revenue as directed by the Superintendent of Public Instruction.

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

(1) The district's property tax revenue received pursuant to Chapter 3 (commencing with Section 75) and Chapter 6 (commencing with Section 95) of Part 0.5 of the Revenue and Taxation Code.

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

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

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

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

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

(7) The amount, if any, received pursuant to any provision of the Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the Health and Safety Code), except for any

amount received pursuant to Section 33401 or 33676 of the Health and Safety Code that is used for land acquisition, facility construction, reconstruction, or remodeling, or deferred maintenance, except for any amount received pursuant to Section 33492.15, paragraph (4) of subdivision (a) of Section 33607.5, or Section 33607.7 of the Health and Safety Code that is allocated exclusively for educational facilities.

(8) For a unified school district, other than a unified school district that has converted all of its schools to charter status pursuant to Section 47606, the amount of statewide average general-purpose funding per unit of average daily attendance received by school districts for each of four grade level ranges, as computed by the State Department of Education pursuant to Section 47633, multiplied by the average daily attendance, in corresponding grade level ranges, of any pupils who attend charter schools funded pursuant to Chapter 6 (commencing with Section 47630) of Part 26.8 for which the district is the sponsoring local educational agency, as defined in Section 47632, and who reside in and would otherwise have been eligible to attend a noncharter school of the district.

(i) No transfer of seventh and eighth grade pupils between an elementary school district and a high school district shall result in the receiving district receiving a revenue limit apportionment for those pupils that exceeds 105 percent of the statewide average revenue limit for the type and size of the receiving school district.

SEC. 3. Section 42238.12 of the Education Code is amended to read:

42238.12. (a) For the 1995–96 fiscal year and each fiscal year thereafter, the county superintendent of schools shall 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 resulting from the enactment of Chapter 330 of the Statutes of 1982, adjusted for any changes in those contributions resulting from subsequent changes in employer contribution rates, excluding rate changes due to the direct transfer of the state-mandated portion of the employer contributions to the Public Employees' Retirement System, through the current fiscal year. The adjustment shall be calculated for each school district, as follows:

(1) (A) Determine the amount of employer contributions that would have been made in the current fiscal year if the applicable Public Employees' Retirement System employer contribution rate in effect immediately prior to the enactment of Chapter 330 of the Statutes of 1982 were in effect during the current fiscal year.

(B) For the purposes of this calculation, no school district shall have a contribution rate higher than 13.020 percent.

(2) Determine the actual amount of employer contributions made to the Public Employees' Retirement System in the current fiscal year.

(3) If the amount determined in paragraph (1) for a school district is greater than the amount determined in paragraph (2), the total revenue limit computed for that school district shall be decreased by the amount of the difference between those paragraphs; or, if the amount determined in paragraph (1) for a school district is less than the amount determined in paragraph (2), the total revenue limit for that school district shall be increased by the amount of the difference between those paragraphs.

(4) For the purpose of this section, employer contributions to the Public Employees' Retirement System for any of the following positions shall be excluded from the calculation specified above:

(A) Positions or portions of positions supported by federal funds that are subject to supplanting restrictions.

(B) Positions supported by funds received pursuant to Section 42243.6.

(C) Positions supported, to the extent of employers contributions not exceeding twenty-five thousand dollars (\$25,000) by any single educational agency, from a non-General Fund revenue source determined to be properly excludable from this section by the Superintendent of Public Instruction with the approval of the Director of Finance.

(5) For accounting purposes, any reduction to district revenue limits made by this provision may be reflected as an expenditure from appropriate sources of revenue as directed by the Superintendent of Public Instruction.

(6) The amount of the increase or decrease to the revenue limits of school districts computed pursuant to paragraph (3) for the 1995–96 fiscal year or any fiscal year thereafter shall not be adjusted by the deficit factor applied to the revenue limit of each school district pursuant to Section 42238.145.

(b) Funding appropriated through the Budget Act of 2001 or legislation amending the Budget Act of 2001 for the purpose of limiting the reductions to revenue limits calculated pursuant to this section and to Section 2558 for the 2001–02 fiscal year shall be allocated on a one-time basis in the following manner:

(1) Each school district and county office of education subject to a reduced apportionment pursuant to this section or to Section 2558 shall receive a share of the amount described in paragraph (3) that is proportionate to the reduction in their apportionment pursuant to this section or to Section 2558 for the 2001–02 fiscal year as compared to the statewide total reduction that would occur absent this paragraph.

(2) For the 2001–02 fiscal year, in lieu of the alternative calculation authorized by paragraph (1), San Francisco Unified School District shall

receive an amount equal to five dollars and 57 cents (\$5.57) multiplied by its second principal apportionment average daily attendance for the 2001–02 fiscal year.

(3) Notwithstanding any other provision of law, total allocations pursuant to this subdivision shall not exceed thirty-five million dollars (\$35,000,000).

(c) Thirty-five million dollars (\$35,000,000) is hereby appropriated from the General Fund for transfer to Section A of the State School Fund for local assistance for the purpose of limiting the reductions to revenue limits calculated pursuant to this section and to Section 2558 for the 2003–04 fiscal year. Funding from this appropriation shall be allocated in the following manner:

(1) Each school district and county office of education subject to a reduced apportionment pursuant to this section or to Section 2558 shall receive a share of the amount appropriated in this subdivision that is proportionate to the reduction in their apportionment pursuant to this section or to Section 2558 for the 2003–04 fiscal year as compared to the statewide total reduction that would occur absent this paragraph.

(2) For the 2003–04 fiscal year, in lieu of the alternative calculation authorized by paragraph (1), the San Francisco Unified School District shall receive an amount equal to five dollars and 57 cents (\$5.57) multiplied by its second principal apportionment average daily attendance for the 2003–04 fiscal year.

(3) Notwithstanding any other provision of law, total allocations pursuant to this subdivision shall not exceed thirty-five million dollars (\$35,000,000) for the 2003–04 fiscal year.

(4) For the purposes of making the computations required by Sections 8 of Article XVI of the California Constitution, the appropriation made by this section shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 2003–04 fiscal year and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 2003–04 fiscal year.

(d) For the 2004–05 fiscal year, and each fiscal year thereafter, apportionment reductions pursuant to this section and to Section 2558 shall be limited as follows:

(1) Each school district and county office of education subject to a reduced apportionment pursuant to this section or to Section 2558 shall receive a share of the amount described in paragraph (3) that is proportionate to the reduction in their apportionment pursuant to this section or to Section 2558 for the 2004–05 fiscal year as compared to the statewide total reduction as would occur absent this paragraph.

(2) In lieu of the alternative calculation authorized by paragraph (1), the San Francisco Unified School District shall receive funding equal to the amount of funding per unit of average daily attendance specified in paragraph (2) of subdivision (c) as increased annually by cost-of-living adjustments specified in Section 42238.1, multiplied by its second principal apportionment average daily attendance for that fiscal year.

(3) Notwithstanding any other provision of law, total limitations pursuant to this subdivision shall not annually exceed the amount described in paragraph (3) of subdivision (c) as annually increased by the cost-of-living adjustments specified in Section 42238.1, multiplied by the annual statewide percentage growth in total average daily attendance, measured at the second principal apportionment.

SEC. 4. Section 42238.44 of the Education Code is amended to read:

42238.44. (a) This section shall be known and may be cited as, the Fairness in Education Funding Act.

(b) (1) For the 2003–04 fiscal year, the Superintendent of Public Instruction shall compute an equalization adjustment for each school district, so that no district’s 2002–03 base revenue limit per unit of average daily attendance is less than the 2002–03 base revenue limit per unit of average daily attendance above which fall not more than 10 percent of the total statewide units of average daily attendance for each category of school district set forth in subdivision (c).

(2) For purposes of this section, the district base revenue limit and the statewide average base revenue limit shall not include any amounts attributable to Section 45023.4, 46200, or 46201.

(c) Subdivision (b) shall apply to the following school districts, which shall be grouped according to size and type as follows:

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

(d) The Superintendent of Public Instruction shall compute a revenue limit equalization adjustment for each school district’s base revenue limit per unit of average daily attendance as follows:

(1) Multiply the amount computed for each school district pursuant to subdivision (b) by the average daily attendance used to calculate the district’s revenue limit for the 2003–04 fiscal year.

(2) Divide forty million dollars (\$40,000,000) for the 2003–04 fiscal year by the statewide sum of the amount computed pursuant to paragraph (1).

(3) Multiply the amount computed for the school district pursuant to paragraph (1) of subdivision (b) by the amount computed pursuant to paragraph (2).

(e) (1) For the purposes of this section, the 2002–03 statewide 90th percentile base revenue limit determined pursuant to paragraph (1) of subdivision (b), and the fraction computed pursuant to paragraph (2) of subdivision (d) for the 2002–03 second principal apportionment, shall be final, and shall not be recalculated at subsequent apportionments. The fraction computed pursuant to paragraph (2) of subdivision (d) shall not, under any circumstances, exceed 1.00. For purposes of determining the size of a school district pursuant to subdivision (c), county superintendents of schools, in conjunction with the Superintendent of Public Instruction, shall use school district revenue limit average daily attendance for the 2002–03 fiscal year as determined pursuant to Section 42238.5 and Article 4 (commencing with Section 42280).

(2) For the purposes of calculating the size of a school district pursuant to subdivision (c), the Superintendent of Public Instruction shall include units of average daily attendance of any charter school for which the school district is the chartering agency.

(3) For the purposes of computing the target amounts pursuant to subdivision (b), the Superintendent of Public Instruction shall count all charter school average daily attendance toward the average daily attendance of the school district that is the chartering agency.

SEC. 5. Section 42238.45 is added to the Education Code, to read:

42238.45. (a) (1) For the 2001–02 fiscal year, the Superintendent of Public Instruction shall compute an adjustment for each school district, so that no district’s 2000–01 base revenue limit per unit of average daily attendance is less than the 2000–01 base revenue limit per unit of average daily attendance above which fall not more than 10 percent of the total statewide units of average daily attendance for each category of school district set forth in subdivision (b).

(2) For purposes of this section, the district base revenue limit and the statewide average base revenue limit shall not include any amounts attributable to Section 45023.4, 46200, or 46201.

(b) Subdivision (a) shall apply to the following school districts, which shall be grouped according to size and type as follows:

District	ADA
Elementary . . . . .	less than 101
Elementary . . . . .	more than 100
High School . . . . .	less than 301

High School . . . . .	more than 300
Unified . . . . .	less than 1,501
Unified . . . . .	more than 1,500

(c) For the 2001–02 fiscal year, the Superintendent of Public Instruction shall determine and allocate on a one-time basis for each school district amounts as follows:

(1) Multiply the amount computed for each school district pursuant to subdivision (a) by the average daily attendance used to calculate the district’s revenue limit for the 2001–02 fiscal year.

(2) Divide forty million dollars (\$40,000,000) appropriated for purposes of this section for the 2001–02 fiscal year by the statewide sum of the amount computed pursuant to paragraph (1).

(3) Multiply the amount computed for the school district pursuant to paragraph (1) of subdivision (a) by the amount computed pursuant to paragraph (2).

(d) (1) For the purposes of calculating the size of a school district pursuant to subdivision (b), the Superintendent of Public Instruction shall include units of average daily attendance of any charter school for which the school district is the chartering agency.

(2) For the purposes of computing the target amounts pursuant to subdivision (a), the Superintendent of Public Instruction shall count all charter school average daily attendance toward the average daily attendance of the school district that is the chartering agency.

(e) Allocations for purposes of this section do not represent adjustments to school district base revenue limits.

SEC. 6. Section 51725 of the Education Code is amended to read:

51725. (a) The High-Tech High School Grant Program is hereby established to provide five one-time grants to eligible school districts or charter schools for purposes of establishing new high-tech high schools.

(b) As used in this article, “high-tech high school” means a public comprehensive high school maintained by a school district or charter school that offers a very rigorous college preparation curriculum with an emphasis in science, mathematics, and engineering, and also may include digital arts and media. Technology shall be integrated throughout the curriculum and shall be a fundamental tool for both teaching and learning. Instruction at a high-tech high school shall be consistent with the academic content standards adopted by the State Board of Education and the applicable curriculum framework content standards adopted by the State Board of Education. A high-tech high school may not include a school maintained by the California Youth Authority, or operated by a regional occupational center or program, continuation high school, community day school, a State Special School, distance learning school, or independent study school. An adult

education program may not be offered at a high-tech high school. Nothing in this section prohibits a comprehensive high school that operates a high-tech high school from having an affiliation with a regional occupational center or program, but the regional occupational center or program shall not be eligible for funding under this article and may not establish a high-tech high school under this article.

(c) The Superintendent of Public Instruction shall administer the application process for the award of grants. The Superintendent of Public Instruction, with the approval of the State Board of Education shall award grants on a competitive basis. The total amount of each grant is two million dollars (\$2,000,000), which shall be awarded over two years. The award of a grant requires a local match that is at least equal to the amount of the grant. All funds awarded pursuant to this section shall be used solely for the establishment of high-tech high schools. Notwithstanding any other provision of law, the Superintendent of Public Instruction shall not be required to adopt regulations in order to administer the High-Tech High School Grant Program and allocate program funds.

(d) Funding for the purposes of this article is contingent on an appropriation made in the annual Budget Act or other legislation. Funding in each year shall be equally divided among schools awarded grants, with no recipient receiving more than two million dollars (\$2,000,000) in total over the two years.

SEC. 7. Section 51727 of the Education Code is amended to read:

51727. (a) The Superintendent of Public Instruction shall accept applications and may not award more than five grants. Applications shall be due February 1, 2002. The Superintendent of Instruction shall complete the review of applications pursuant to subdivision (c) of Section 51726 and make awards pursuant to subdivision (d) of Section 51726 no later than March 31, 2002. The proposed high-tech high school for which a school district or charter school receives funding shall be operational by September 30, 2002. If the Superintendent of Public Instruction does not receive five applications that merit funding pursuant to subdivision (c) of Section 51726, some or all grants may be delayed until receiving the approval of the State Board of Education.

(b) The Superintendent of Public Instruction, with the approval of the State Board of Education, may, upon a showing of good cause and if necessary, extend any of the following dates:

- (1) The deadline for application submission.
- (2) The date the grant award is to be made.
- (3) The date by which a high-tech high school is to be operational.

(c) If a grant recipient fails to make the high-tech high school operational by the specified date, the Superintendent of Public Instruction, with the approval of the State Board of Education may

rescind the grant award and award the grant funds to another eligible grant recipient as determined by the Superintendent of Public Instruction, with the approval of the State Board of Education.

(d) If the grant funds awarded pursuant to this article are not used towards the establishment and implementation of a new high-tech high school, the Superintendent of Public Instruction shall withhold an amount equal to the funds the school district or charter school received pursuant to this article from the next monthly principal apportionment payment. The Superintendent of Public Instruction shall conduct compliance visits as required to ensure that the funds are used appropriately.

SEC. 8. Section 51729 of the Education Code is amended to read: 51729. This article 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. 9. Section 52055.660 is added to the Education Code to read: 52055.660. Notwithstanding any provision of this article, for the 2001-02 fiscal year, the Superintendent of Public Instruction shall allocate funds for the program established by this article as specified in the Budget Act of 2001, as amended by legislation enacted during the 2001-02 Third Extraordinary Session.

SEC. 10. Section 1 of Chapter 723 of the Statutes of 2001 is amended to read:

Section 1. Of the funds provided pursuant to Schedules (1), (16), and (17) of Item 6110-485 of Section 2 of the Budget Act of 2001, the Controller shall allocate the amounts as follows:

(a) Five million four hundred fifty-six thousand dollars (\$5,456,000) for the payment of claims from school districts, except for community colleges, pursuant to subdivisions (c) and (h) of Section 48980 of the Education Code (Annual Parent Notification-Staff Development, CSM 97-TC-24), for costs incurred from July 1, 1997, to June 30, 2002, inclusive.

(b) (1) The payment of claims from school districts, except for community college districts, pursuant to former Section 38048 of, and Sections 39831.3 and 39831.5 of, the Education Code and Section 22112 of the Vehicle Code (School Bus Safety Act II, CSM 97-TC-22), for costs incurred from July 1, 1996, to June 30, 2002, inclusive, shall only be made if funds for this purpose are provided in the Budget Act of 2001, as amended by legislation enacted during the 2001-02 Third Extraordinary Session, or any future Budget Acts.

(2) On or before March 18, 2002, the State Auditor shall conduct an audit of the School Bus Safety Act II (CSM-97-TC-22) mandate to provide independently developed and verified information related to the cost of claims associated with the mandate. The State Auditor shall

report the results of the audit and recommendations to the appropriate budget subcommittees of each house, the Legislative Analyst, and the Department of Finance on or before March 30, 2002. In conducting the audit, the State Auditor shall do all of the following:

(A) Review and evaluate the laws, rules, and regulations applicable to the issues.

(B) Review the Commission on State Mandates parameters and guidelines to determine if they adequately define the mandate's reimbursable activities and provide sufficient guidance for claiming reimbursable costs.

(C) Examine any prior reviews of the cost of claims.

(D) Examine a sample of the cost of claims to determine if the expenditures and activities that are claimed are consistent with the parameters and guidelines for reimbursement that have been adopted by the Commission on State Mandates.

(E) Evaluate the commission's methodology for estimating the future costs of this mandate.

(3) Payment of claims pursuant to this subdivision shall not be made by the Controller until the time the State Auditor has completed the audit required by paragraph (2) to determine whether the parameters and guidelines related to the act are consistent with the original intent of the Legislature and the Department of Finance has approved the release of these funds.

(4) The Department of Finance shall not approve the release of these funds sooner than 30 days after notification in writing of the necessity therefor to the chairperson of the budget subcommittee of each house that considers education budgets. The notification shall include a statement from the Controller specifying the extent to which the proposed release of funds is consistent with, or departs from, the findings of the State Auditor.

(c) Thirty-one million two hundred thirty-nine thousand dollars (\$31,239,000) for the payment of claims from school districts, except for community college districts, pursuant to Sections 628.2 and 628.6 of the Penal Code and Sections 700 to 704, inclusive, of Title 5 of the California Code of Regulations, and the Department of Education Guidelines for School Crimes Reporting (School Crimes Reporting II, CSM 97-TC-03), for costs incurred from July 1, 1996, to June 30, 2002, inclusive.

SEC. 11. Section 33 of Chapter 891 of the Statutes of 2001 is amended to read:

Sec. 33. The amount of forty million dollars (\$40,000,000) is hereby appropriated from the Proposition 98 Reversion Account to the Superintendent of Public Instruction for transfer to Section A of the State

School Fund for the purposes of Section 42238.45 of the Education Code.

SEC. 12. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure continued funding and operation of the primary and secondary public schools in this state, it is necessary that this act take effect immediately.

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### CHAPTER 3

An act making an appropriation to amend and supplement the Budget Act of 2001 for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California and declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 25, 2002. Filed with  
Secretary of State April 26, 2002.]

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

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

(a) The California economy is suffering the effects of the tragic events of September 11, 2001.

(b) Providing economic stimulus and employment opportunities to the citizens of California will help prevent further erosion of the economy.

(c) Construction of public works projects provides numerous jobs and the need for related goods and services.

(d) State government can help provide economic stimulus and employment opportunities by ensuring that construction projects are continued.

(e) Given the General Fund revenue shortfalls, it is necessary to utilize lease revenue bond financing in order to continue construction projects that were previously funded from the General Fund.

(f) It is necessary to provide funding for projects that have either exceeded or are anticipated to exceed previously authorized appropriations due to contractor bids that exceeded authorized levels or design estimates.

SEC. 2. (a) The State Public Works Board shall, on or before June 30, 2002, disencumber and revert any funds from General Fund appropriations for the projects listed in subdivision (b).

(b) There is hereby appropriated the sum of three hundred seventy million nine hundred thirty-six thousand dollars (\$370,936,000) from the Public Buildings Construction Fund, in accordance with the following schedule:

(1) Thirteen million seven hundred fifty-five thousand dollars (\$13,755,000) to the California Conservation Corporation for project 20.10.150-Delta Service Center Site Selection and Acquisition—Acquisition.

(2) Twenty-six million seven hundred thirty-nine thousand dollars (\$26,739,000) to the University of California for project 99.11.030-Merced Campus Classroom and Office Building-Preliminary plans, working drawings, construction, and equipment.

(3) Three hundred eight million five hundred thousand dollars (\$308,500,000) to the University of California for project 99.00.055-Institutes for Science and Innovation-Preliminary plans, working drawings, construction, and equipment.

(4) Five million four hundred seventy thousand dollars (\$5,470,000) to the Department of Justice for project 85.60.020-Santa Rosa Replacement Laboratory-Construction.

(5) Two million seven hundred eight thousand dollars (\$2,708,000) to the Department of the Youth Authority for project 60.54.110-Fred C. Nelles Youth Correctional Facility: Replace Taft Adjustment Center-Construction.

(6) Six million two hundred forty thousand dollars (\$6,240,000) to the Department of Justice for project 85.60.060-Redding Replacement Laboratory-Construction.

(7) One million seven hundred seventy-one thousand dollars (\$1,771,000) to the Department of Forestry and Fire Protection for project 30.10.125-Mendocino Ranger Unit Headquarters: Replace Automotive Shop-Construction.

(8) One million three hundred ninety thousand dollars (\$1,390,000) to the Department of Forestry and Fire Protection for project 30.40.090-Antelope Forest Fire Station: Replace Barracks/Mess Hall-Working drawings and construction.

(9) One million five hundred ten thousand dollars (\$1,510,000) to the Department of Forestry and Fire Protection for project 30.40.105-Vallecito Conservation Camp: Replace Utilities/Construct Apparatus Buildings-Working drawings and construction.

(10) Two million nine hundred thirteen thousand dollars (\$2,913,000) to the California Department of Corrections for project

61.34.426-Ironwood State Prison, Blythe: Correctional Treatment Center, Phase II-Construction.

SEC. 3. The State Public Works Board may issue lease-revenue bonds, notes, or bond anticipation notes pursuant to Chapter 5 (commencing with Section 15830) of Part 10b of Division 3 of Title 2 of the Government Code to finance the design or construction, or both, of the projects authorized by subdivision (b) of Section 2.

SEC. 4. The State Public Works Board and the appropriate agency or department may obtain interim financing for the project costs authorized in subdivision (b) of Section 2 from any appropriate source, including, but not limited to, the Pooled Money Investment Account pursuant to Sections 16312 and 16313 of the Government Code.

SEC. 5. Each participating agency or department that has a project scheduled in subdivision (b) of Section 2 is authorized and directed to execute and deliver all leases, contracts, agreements, or other documents necessary or advisable to consummate the sale of bonds or otherwise effectuate the financing of these scheduled projects.

SEC. 6. The State Public Works Board may authorize the augmentation of the cost of construction of the projects scheduled in subdivision (b) of Section 2 pursuant to the board's authority under Section 13332.11 of the Government Code. In addition, the board may authorize any additional amount necessary to establish a reasonable construction reserve and to pay the cost of financing including the payment of interest during the design and construction of the projects, the costs of financing a debt service fund, and the cost of issuance of permanent financing for the projects. This additional amount may include interest payable on any interim financing obtained.

SEC. 7. Notwithstanding any other provision of law, approvals by the State Public Works Board for the project identified under paragraph (3) of subdivision (b) of Section 2 shall apply only to the allocation of state capital outlay funds appropriated by the Legislature, including land acquisition and equipment funds.

SEC. 8. In the event that the bonds authorized for projects in subdivision (b) of Section 2 are not sold, the agency or department that has initiated loans shall commit a sufficient portion of its current support appropriation, as determined by the Department of Finance, to repay any interim financing. It is the intent of the Legislature that this commitment be made until all interim financing is repaid either through the proceeds from the sale of bonds or from an appropriation.

SEC. 9. Notwithstanding any other provision of law, the funds appropriated in subdivision (b) of Section 2 shall be available for encumbrance until June 30, 2007.

SEC. 10. It is the intent of the Legislature that the appropriations in subdivision (b) of Section 2 shall replace amounts from prior Budget Act

appropriations that will be reverted through the State Public Works Board process. Any expenses previously incurred from these funds shall be recorded as a cost to the Public Buildings Construction Fund rather than the General Fund.

SEC. 11. The State Public Works Board is not deemed a lead or responsible agency for purposes of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code for any activities under the State Building Construction Act of 1955 (Part 10b (commencing with Section 15800) of the Government Code. This section does not exempt any participating agency or department from the requirements of the California Environmental Quality Act. This section is intended to be declarative of existing law.

SEC. 12. Notwithstanding any other provision of law, the Department of Finance may transfer, on or before June 30, 2002, any unallocated or unencumbered funds, or both, previously transferred from the General Fund to the Inmate Construction Revolving Account back to the General Fund.

SEC. 13. Notwithstanding any other provision of law, the Department of Finance may transfer, on or before June 30, 2002, any unallocated or unencumbered funds, or both, previously transferred from the General Fund to the Architectural Revolving Fund back to the General Fund.

SEC. 14. The projects identified in paragraph (2) of subdivision (b) of Section 2-University of California Merced Campus Classroom and Office Building and paragraph (3) of subdivision (b) of Section 2-University of California Institutes for Science and Innovation, may utilize design-build construction consistent with the University of California's practices, policies, and procedures.

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:

To supplement the amount appropriated in the Budget Act of 2001 in order to provide for the health and safety of the citizens of California, it is necessary that this act take effect immediately.

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#### CHAPTER 4

An act to amend Section 1280 of the Unemployment Insurance Code, relating to unemployment insurance, and making an appropriation therefor.

[Approved by Governor May 6, 2002. Filed with Secretary of State May 6, 2002.]

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

SECTION 1. Section 1280 of the Unemployment Insurance Code is amended to read:

1280. (a) For any new claims filed with an effective date on or after January 1, 1992, and prior to September 11, 2001, an individual’s weekly benefit amount is the amount appearing in column B in the following table opposite that wage bracket in column A that contains the amount of wages paid to the individual for employment by employers during the quarter of his or her base period in which his or her wages were the highest.

A	B
Amount of wages in highest quarter	Weekly benefit amount
\$900.00– 948.99 .....	40
949.00– 974.99 .....	41
975.00–1,000.99 .....	42
1,001.00–1,026.99 .....	43
1,027.00–1,052.99 .....	44
1,053.00–1,078.99 .....	45
1,079.00–1,117.99 .....	46
1,118.00–1,143.99 .....	47
1,144.00–1,169.99 .....	48
1,170.00–1,195.99 .....	49
1,196.00–1,221.99 .....	50
1,222.00–1,247.99 .....	51
1,248.00–1,286.99 .....	52
1,287.00–1,312.99 .....	53
1,313.00–1,338.99 .....	54
1,339.00–1,364.99 .....	55
1,365.00–1,403.99 .....	56
1,404.00–1,429.99 .....	57
1,430.00–1,455.99 .....	58
1,456.00–1,494.99 .....	59
1,495.00–1,520.99 .....	60
1,521.00–1,546.99 .....	61
1,547.00–1,585.99 .....	62
1,586.00–1,611.99 .....	63

1,612.00–1,637.99 .....	64
1,638.00–1,676.99 .....	65
1,677.00–1,702.99 .....	66
1,703.00–1,741.99 .....	67
1,742.00–1,767.99 .....	68
1,768.00–1,806.99 .....	69
1,807.00–1,832.99 .....	70
1,833.00–1,871.99 .....	71
1,872.00–1,897.99 .....	72
1,898.00–1,936.99 .....	73
1,937.00–1,975.99 .....	74
1,976.00–2,001.99 .....	75
2,002.00–2,040.99 .....	76
2,041.00–2,066.99 .....	77
2,067.00–2,105.99 .....	78
2,106.00–2,144.99 .....	79
2,145.00–2,170.99 .....	80
2,171.00–2,209.99 .....	81
2,210.00–2,248.99 .....	82
2,249.00–2,287.99 .....	83
2,288.00–2,326.99 .....	84
2,327.00–2,352.99 .....	85
2,353.00–2,391.99 .....	86
2,392.00–2,430.99 .....	87
2,431.00–2,469.99 .....	88
2,470.00–2,508.99 .....	89
2,509.00–2,547.99 .....	90
2,548.00–2,586.99 .....	91
2,587.00–2,625.99 .....	92
2,626.00–2,664.99 .....	93
2,665.00–2,703.99 .....	94
2,704.00–2,742.99 .....	95
2,743.00–2,781.99 .....	96
2,782.00–2,820.99 .....	97
2,821.00–2,859.99 .....	98
2,860.00–2,898.99 .....	99
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3,159.00-3,197.99 .....	106
3,198.00-3,236.99 .....	107
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If the amount of wages paid an individual for employment by employers exceeds four thousand nine hundred sixty-six dollars and ninety-nine cents (\$4,966.99) in the quarter of his or her base period in which these wages were highest, the individual's weekly benefit amount shall be 39 percent of these wages divided by 13, but in no case shall this amount exceed two hundred thirty dollars (\$230). If the benefit payable under this subdivision is not a multiple of one dollar (\$1), it shall be computed to the next higher multiple of one dollar (\$1).

(b) Notwithstanding subdivision (a), for existing claims on or after September 11, 2001, provided that the unemployment benefits have not been exhausted as of September 11, 2001, and for all new claims filed with an effective date beginning on or after September 11, 2001, and prior to January 1, 2003, an individual's weekly benefit amount is the amount for weeks of unemployment beginning on or after September 11, 2001, appearing in column B in the following table opposite that wage bracket in column A that contains the amount of wages paid to the individual for employment by employers during the quarter of his or her base period in which his or her wages were the highest.

A	B
Amount of wages in highest quarter	Weekly benefit amount
\$900.00– 948.99 .....	40
949.00– 974.99 .....	41
975.00–1,000.99 .....	42
1,001.00–1,026.99 .....	43
1,027.00–1,052.99 .....	44
1,053.00–1,078.99 .....	45
1,079.00–1,117.99 .....	46
1,118.00–1,143.99 .....	47
1,144.00–1,169.99 .....	48
1,170.00–1,195.99 .....	49
1,196.00–1,221.99 .....	50
1,222.00–1,247.99 .....	51
1,248.00–1,286.99 .....	52

1,287.00-1,312.99 .....	53
1,313.00-1,338.99 .....	54
1,339.00-1,364.99 .....	55
1,365.00-1,403.99 .....	56
1,404.00-1,429.99 .....	57
1,430.00-1,455.99 .....	58
1,456.00-1,494.99 .....	59
1,495.00-1,520.99 .....	60
1,521.00-1,546.99 .....	61
1,547.00-1,585.99 .....	62
1,586.00-1,611.99 .....	63
1,612.00-1,637.99 .....	64
1,638.00-1,676.99 .....	65
1,677.00-1,702.99 .....	66
1,703.00-1,741.99 .....	67
1,742.00-1,767.99 .....	68
1,768.00-1,806.99 .....	69
1,807.00-1,832.99 .....	70
1,833.00-1,871.99 .....	71
1,872.00-1,897.99 .....	72
1,898.00-1,936.99 .....	73
1,937.00-1,975.99 .....	74
1,976.00-2,001.99 .....	75
2,002.00-2,040.99 .....	76
2,041.00-2,066.99 .....	77
2,067.00-2,105.99 .....	78
2,106.00-2,144.99 .....	79
2,145.00-2,170.99 .....	80
2,171.00-2,209.99 .....	81
2,210.00-2,248.99 .....	82
2,249.00-2,287.99 .....	83
2,288.00-2,326.99 .....	84
2,327.00-2,352.99 .....	85
2,353.00-2,391.99 .....	86
2,392.00-2,430.99 .....	87
2,431.00-2,469.99 .....	88
2,470.00-2,508.99 .....	89
2,509.00-2,547.99 .....	90
2,548.00-2,586.99 .....	91
2,587.00-2,625.99 .....	92

2,626.00–2,664.99 .....	93
2,665.00–2,703.99 .....	94
2,704.00–2,742.99 .....	95
2,743.00–2,781.99 .....	96

If the amount of wages paid an individual for employment by employers exceeds two thousand seven hundred eighty-one dollars and ninety-nine cents (\$2,781.99) in the quarter of his or her base period in which these wages were highest, the individual's weekly benefit amount shall be 45 percent of these wages divided by 13, but in no case may this amount exceed three hundred thirty dollars (\$330).

(c) For new claims filed with an effective date beginning on or after January 1, 2003, an individual's weekly benefit amount is the amount appearing in column B in the following table opposite the wage bracket in column A that contains the wages paid to the individual for employment by employers during the quarter of his or her base period in which his or her wages were the highest.

A	B
Amount of wages in highest quarter	Weekly benefit amount
\$900.00– 948.99 .....	40
949.00– 974.99 .....	41
975.00–1,000.99 .....	42
1,001.00–1,026.99 .....	43
1,027.00–1,052.99 .....	44
1,053.00–1,078.99 .....	45
1,079.00–1,117.99 .....	46
1,118.00–1,143.99 .....	47
1,144.00–1,169.99 .....	48
1,170.00–1,195.99 .....	49
1,196.00–1,221.99 .....	50
1,222.00–1,247.99 .....	51
1,248.00–1,286.99 .....	52
1,287.00–1,312.99 .....	53
1,313.00–1,338.99 .....	54
1,339.00–1,364.99 .....	55
1,365.00–1,403.99 .....	56
1,404.00–1,429.99 .....	57
1,430.00–1,455.99 .....	58
1,456.00–1,494.99 .....	59
1,495.00–1,520.99 .....	60

1,521.00–1,546.99 .....	61
1,547.00–1,585.99 .....	62
1,586.00–1,611.99 .....	63
1,612.00–1,637.99 .....	64
1,638.00–1,676.99 .....	65
1,677.00–1,702.99 .....	66
1,703.00–1,741.99 .....	67
1,742.00–1,767.99 .....	68
1,768.00–1,806.99 .....	69
1,807.00–1,832.99 .....	70

If the amount of wages paid an individual for employment by employers exceeds one thousand eight hundred thirty-two dollars and ninety-nine cents (\$1,832.99) in the quarter of his or her base period in which these wages were highest, the individual’s weekly benefit amount shall be 50 percent of these wages divided by 13, but in no case shall this amount exceed the applicable of the following:

(1) For new claims filed with an effective date beginning on or after January 1, 2003, and before January 1, 2004, three hundred seventy dollars (\$370).

(2) For new claims filed with an effective date beginning on or after January 1, 2004, and before January 1, 2005, four hundred ten dollars (\$410).

(3) For new claims filed with an effective date beginning on or after January 1, 2005, four hundred fifty dollars (\$450).

If the benefit payable under this subdivision is not a multiple of one dollar (\$1), it shall be computed to the next higher multiple of one dollar (\$1).

SEC. 2. (a) It is the intent of the Legislature in enacting the amendments to Section 1280 of the Unemployment Insurance Code that those amendments be construed to allow a qualified unemployed person’s benefit year to begin on the date that the qualified unemployed person became unemployed.

(b) For purposes of subdivision (a), “qualified unemployed person” means a person who meets all of the following conditions:

(1) The person became unemployed on or after September 11, 2001, and before January 1, 2002.

(2) The person did not file a claim for unemployment compensation benefits on or before January 1, 2002, because that individual sought the additional benefits that would have been paid on or after January 1, 2002.

(3) The person filed a new claim for unemployment compensation benefits with an effective date beginning on January 6, 2002, or January 13, 2002.

(c) It is the further intent of the Legislature to make the payment of unemployment insurance benefit increases effective in the most expeditious manner.

SEC. 3. From the moneys transferred to the state's Unemployment Trust Fund pursuant to subsection (d) of Section 1103 of Title 42 of the United States Code, six hundred million dollars (\$600,000,000) shall be utilized for the payment of unemployment compensation and for ensuring the solvency of the state's Unemployment Trust Fund.

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**CONCURRENT RESOLUTION**

2001-02

**THIRD EXTRAORDINARY SESSION**

2002 RESOLUTION CHAPTER

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RESOLUTION CHAPTER 1

Senate Concurrent Resolution No. 2—Relative to final adjournment of the 2001–02 Third Extraordinary Session of the Legislature.

[Filed with Secretary of State May 6, 2002.]

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the 2001–02 Third Extraordinary Session of the Legislature shall adjourn sine die.

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CALIFORNIA LEGISLATURE

**2001–02 REGULAR SESSION  
2001–02 SECOND EXTRAORDINARY SESSION  
2001–02 THIRD EXTRAORDINARY SESSION**

# **SUMMARY DIGEST**

*of*

Statutes Enacted and Resolutions (Including Proposed  
Constitutional Amendments) Adopted in 2002

*and*

**1999–2002 Statutory Record**



GREGORY SCHMIDT  
*Secretary of the Senate*

E. DOTSON WILSON  
*Chief Clerk of the Assembly*

Compiled by  
DIANE F. BOYER-VINE  
*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 2002.

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 1999–2002 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 1999–2002. 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 reconvened on January 7, 2002, and adjourned *sine die* on November 30, 2002. Statutes enacted in 2002, other than those taking immediate effect, will become effective January 1, 2003. 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 Second Extraordinary Session reconvened on January 7, 2002, and adjourned *sine die* on May 9, 2002. 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 8, 2002. Please refer to the preceding year’s Statutes and Amendments to the Codes for statutes enacted prior to the reconvening date.

The 2001–02 Third Extraordinary Session convened on January 10, 2002, and adjourned *sine die* on May 2, 2002. 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 1, 2002.



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**DIGESTS OF STATUTES  
ENACTED IN 2002**

2001–02 REGULAR SESSION

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**BILL CHAPTERS**

Ch. 1 (SB 65) Burton. State employees: State Bargaining Unit 6.

(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 a memorandum of understanding entered into between the state employer and State Bargaining Unit 6 (California Correctional Peace Officers 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 memorandum of understanding approved by this bill that require the expenditure of funds on or after July 1, 2001, may 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 contains various provisions relating to civil service and employer-employee relations between the state and its employees and contains comparable provisions, that apply to state employees in State Bargaining Unit 6, with respect to general reemployment lists; reinstatements; probationary periods; rejection of probationers; relocation; transfers; use of broadband classifications; personnel classification plans; demonstration projects on classifications, compensation, and related projects; salary ranges; layoffs; demotions; seniority; and demotions in lieu of layoffs. Existing law also establishes procedures for the adoption of regulations by the Department of Personnel Administration and contains comparable provisions that apply only to state employees in State Bargaining Unit 6.

This bill would delete those comparable provisions and would instead make the general provisions applicable to state employees in State Bargaining Unit 6.

(3) Existing law provides that in any case where specified provisions of the State Civil Service Act 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 additionally make that provision applicable to specified provisions of the State Civil Service Act relating to military leaves of absence and layoffs.

(4) Existing law declares that it is the policy of the state to pay state traffic officers compensation that is comparable to that paid to officers employed by the police departments of Los Angeles, San Diego, Oakland, and San Francisco.

This bill would require the state to compensate sworn members of the California Highway Patrol who are rank-and-file members of State Bargaining Unit 5 to be paid the estimated average total compensation, as defined, for each corresponding rank for those police departments, unless otherwise agreed by the state and the exclusive representative in the collective bargaining process. The bill would require the state and the exclusive representative to jointly survey annually and calculate the estimated average total compensation, as specified.

(5) The Public Employees' Retirement Law defines "final compensation" for purposes of calculating retirement benefits.

This bill would provide that, for patrol members in State Bargaining Unit 5 and specified excluded patrol members, who retire or die between July 1, 2001, and June 30, 2004, or

between July 1, 2004, and June 30, 2006, the member's final compensation shall be increased by a specified percentage based on the member's contribution rate.

(6) Existing law provides that the contribution rates for state miscellaneous, state industrial, and state safety members of the Public Employees' Retirement System in State Bargaining Units 7, 8, 10, 12, 13, 16, 18, and 19 shall be reduced by 2<sup>1</sup>/<sub>2</sub>% during the period from August 31, 2001, to June 30, 2002, and by an additional 2<sup>1</sup>/<sub>2</sub>% during the period from July 1, 2002, to June 30, 2003, inclusive.

This bill would make those contribution rate reductions inapplicable to state miscellaneous and state industrial members in State Bargaining Unit 13 and would make other technical and clarifying changes.

(7) Existing law provides that contribution rates for specified state peace officer/firefighter members of the Public Employees' Retirement System shall be reduced by 2<sup>1</sup>/<sub>2</sub>% during the period from August 31, 2001, to June 30, 2002, and by an additional 2<sup>1</sup>/<sub>2</sub>% during the period from July 1, 2002, to June 30, 2003, inclusive.

This bill would make those contribution rate reductions also applicable to state peace officer/firefighter members of the system employed by the legislative branch of state government who are not members of civil service and to state peace officer/firefighter members who are supervisors within the boards and departments of the Youth and Adult Correctional Agency or correctional supervisors within the State Department of Mental Health and would make other technical and clarifying changes to those provisions. The bill would also authorize the Department of Personnel Administration to set different employee contribution rates for other specified peace officer/firefighter members excluded from collective bargaining.

(8) Existing law prescribes a 2<sup>1</sup>/<sub>2</sub>% at age 55 or a 3% at age 55 retirement formula for state peace officer/firefighter members.

This bill would prescribe a 3% at age 50 retirement formula for state peace officer/firefighter members who are members of State Bargaining Unit 6 and who retire or die on or after January 1, 2006.

(9) Existing law, the Public Employees' Medical and Hospital Care Act, authorizes the Board of Administration of the Public Employees' Retirement System to, among other things, approve health benefit plans offered by employee organizations, subject to specified conditions.

This bill would authorize the employee organization for State Bargaining Unit 6 to offer different medical plan designs with varying rates in different areas of the state.

(10) Existing law makes confidential the home address of any of a list of state officers and employees that appears in the Department of Motor Vehicles records, if the officer or employee requests it be kept confidential, with certain exemptions for information available to specified governmental agencies. Violation of the confidentiality requirement is a felony.

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 the California Highway Patrol. This bill, by adding persons to be covered by those confidentiality requirements, would expand the scope of a crime, thereby imposing a state-mandated local program.

(11) Existing provisions of the Budget Act of 2001 appropriate specified amounts from the General Fund, unallocated special funds, and unallocated nongovernmental cost funds for the augmentation of state employee compensation.

This bill would appropriate an additional \$15,421,000, as scheduled, from those funds, in augmentation of specified items of the Budget Act of 2001 for state employee compensation.

(12) 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.

(13) This bill also would declare that it is to take effect immediately as an urgency statute.

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**NOTE:** Superior numbers appear as a separate section at the end of the digests.

Ch. 2 (AB 217) 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, 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. 3 (SB 259) Murray. Baldwin Hills Conservancy.

Existing law establishes the Baldwin Hills Conservancy and prescribes the functions and duties of the conservancy. Existing law prescribes the territory under the jurisdiction of the conservancy, and defines the "Baldwin Hills area" as the land area currently within the Kenneth Hahn State Recreation Area, the Baldwin Hills community, the surrounding property bordered on the south by Slauson Avenue, and on the east by La Brea Avenue, and including a spur of land extending from Stocker Street to an area between La Brea Avenue and Crenshaw Boulevard, and including Ballona Creek and adjacent property within  $\frac{1}{4}$  mile of Ballona Creek on either side, from the Santa Monica Freeway (Interstate 10) to the Marina Freeway (Interstate 90).

This bill would revise that definition of the "Baldwin Hills area" to include areas designated on a specified map detailing the boundaries of the Baldwin Hills area, and property adjacent to Ballona Creek within 50 yards of Ballona Creek on either side from the Santa Monica Freeway (Interstate 10) to the Marina Freeway (Interstate 90).

Existing law requires that the governing board of the conservancy consist of 9 voting members, including, among other members, 3 members of the public appointed by the Governor who are residents of Los Angeles County selected from a list of prominent members of the community who shall represent the diversity of the surrounding community.

This bill would increase to 13 the number of voting members of the board, and would require that 6 members of the public who are residents of Los Angeles County and represent the diversity of the surrounding community be appointed by the Governor. The bill would require that of those 6 members, one member shall represent Culver City, and 3 members shall be residents of specified communities and members of homeowner groups within those communities. The bill would also include, among the voting members of the board, the Members of the Los Angeles County Board of Supervisors within whose district the majority of the Baldwin Hills area is located. The bill would also require the board to perform a study of the potential environmental and recreational uses of Ballona Creek and the adjacent property, as specified, develop a proposed map for that area, and provide a report to the Legislature on those activities by January 1, 2003.

Existing law requires the conservancy to review and approve any operating agreement or amendments to an existing operating agreement between the Department of Parks and Recreation and any local operating agency, including the County of Los Angeles, for the Kenneth Hahn State Recreation Area, and specifies that any proposed operating agreement or an amendment to an agreement shall not be effective unless the conservancy provides written approval of the proposed agreement.

This bill would delete those provisions pertaining to operating agreements or amendments to operating agreements and would require that any proposed operating agreement, or amendment to an agreement, for the Kenneth Hahn State Recreation Area to be submitted to the conservancy at least 90 days prior to the proposed effective date of the agreement to enable the conservancy to provide input, as appropriate.

Existing law requires the conservancy to approve changes to the current agreement for the operation of the Kenneth Hahn State Recreation Area that may be proposed for adoption by the Department of Parks and Recreation.

This bill would eliminate that requirement.

This bill would prohibit the conservancy from extending, under any circumstances, the road designated as "Stocker Street" to Overland Avenue or to any street within the boundaries of Culver City without the prior written approval of the City Council of Culver City.

#### Ch. 4 (SB 107) Sher. Natural community conservation planning.

(1) The existing Natural Community Conservation Planning Act authorizes the Department of Fish and Game to enter into an agreement with any person for the purpose of preparing and implementing a natural community conservation plan to provide comprehensive management and conservation of multiple wildlife species.

This bill would repeal that act and would enact a new Natural Community Conservation Planning Act. The bill would authorize the department to enter into agreements, which would be required to meet specified conditions, with any person or public entity for the purpose of preparing a natural community conservation plan to provide comprehensive management and conservation of multiple wildlife species.

The bill would require the department to establish a process for public participation throughout plan development and review to ensure that interested persons have an adequate opportunity to provide input in the process.

The bill would require each natural community conservation plan to include an implementation agreement governing specified matters.

The bill would authorize the department to be compensated for the actual costs incurred in participating in the preparation and implementation of natural community conservation plans.

(2) 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 impose duties on the department, the bill would make an appropriation.

#### Ch. 5 (SB 711) Dunn. State employees on active duty: benefits.

Existing law provides that a state employee who, as a member of the California National Guard or a United States military reserve organization, is ordered to active duty by Presidential determination that it is necessary to augment the active forces for any operational mission, or when in time of national emergency declared by the President or otherwise authorized by law, shall receive for the duration of the event for a period not to exceed 180 days as part of his or her compensation the difference between the amount of his or her military pay and the amount the person would have received as a state employee, and all benefits he or she would have received had he or she not served on active duty, as specified.

This bill would provide that a state employee who is a member of the California National Guard or a United States Military Reserve organization shall receive these benefits for a period not to exceed 365 days if he or she is ordered to serve on active duty on and after September 11, 2001, as a result of the War on Terrorism.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 6 (AB 749) Calderon. Workers' compensation: administration and benefits.

(1) Existing law provides for an annual assessment of employers by the Department of Industrial Relations for the purpose of funding increased investigation and prosecution of workers' compensation fraud by the Bureau of Fraudulent Claims of the Department of Insurance and by district attorneys. Existing law provides for the assessment of civil penalties for acts constituting workers' compensation fraud.

This bill would also authorize use of these funds for investigation and prosecution of an employer's willful failure to secure payment of workers' compensation. This bill would require the Bureau of State Audits to evaluate the effectiveness of the efforts of the Fraud Assessment Commission, the Bureau of Fraudulent Claims, the Department of Industrial Relations, and local law enforcement agencies in identifying, investigating, and prosecuting workers' compensation fraud and the willful failure to secure payment of workers' compensation. It would expand the membership of the Fraud Assessment Commission from 5 to 7 members by adding 2 representatives of organized labor. The bill would increase the civil penalty amounts that could be imposed for workers' compensation fraud. These funds would be deposited in the Workers' Compensation Fraud Account in the Insurance Fund.

(2) Existing law requires workers' compensation insurers to maintain or provide occupational safety and health loss control consultation services certified by the Director of Industrial Relations.

This bill would eliminate the requirement that these services be certified by the director, would eliminate fees imposed on insurers for that certification, would accordingly eliminate the Loss Control Certification Fund in which these fees are deposited, would require an expansion of the scope of these services, and would make legislative findings in this regard. The bill would eliminate the requirement that each insurer submit an annual health and safety loss control plan to the director for identifying employers with the greatest workers' compensation losses and the most significant and preventable health and safety hazards.

The bill would require the Department of Industrial Relations to establish an insurance loss control services coordinator position to provide information to employers about the availability of these loss control consultation services, to be funded from the Workers' Occupational Safety and Health Education Fund that would be created by the bill. The bill would require the Commission on Health and Safety and Workers' Compensation to establish and maintain a worker occupational safety and health training and education program. The bill would require the director to levy and collect fees from workers' compensation insurers for purposes of the program, with the fees to be deposited in the Workers' Occupational Safety and Health Education Fund. Moneys in the fund could be expended for the above purposes upon appropriation by the Legislature.

(3) Existing law requires the Insurance Commissioner to designate a rating organization to assist him or her in developing, among other things, a classification system.

This bill would require the designated rating organization to develop and file with the Insurance Commissioner a weekly premium per employee for each classification used or proposed by the designated rating organization for use in determining the premium for an uninsured employer.

(4) Existing law provides for the Insurance Commissioner to approve rates for workers' compensation insurance.

This bill, notwithstanding any other provision of law, would authorize an insurer to increase rates on policies with inception dates prior to January 1, 2003, to reflect the changes in benefit levels enacted by this bill. It would also provide that the Insurance Commissioner

would not have the authority to disapprove a rate, discount, or credit established by an insurer for any policy issued to an employer for coverage of employees participating in a specified program established under a collective bargaining agreement.

(5) Existing law provides for a 6-member board of directors to administer the State Compensation Insurance Fund, with the Director of Industrial Relations serving as a nonvoting, ex officio member.

This bill would add the Speaker of the Assembly and the President pro Tempore of the Senate, or their designees, to the board as ex officio members.

(6) Existing law specifies the authority of the State Compensation Insurance Fund.

This bill would commission an independent study, with the assistance of an investment banking firm, to determine the feasibility of the State Compensation Insurance Fund issuing bonds or securities. The bill would require advertising of the fund to include a specified disclaimer.

(7) Existing law provides for a manager of the State Compensation Insurance Fund.

This bill would change the title of this officer to president.

(8) Existing law requires the rates of the State Compensation Insurance Fund to be fixed at a percentage of the payroll of any employer which, in the long run and on average, will produce a sufficient sum, when invested at 3½% interest, to meet specified goals.

This bill would replace the 3½% interest standard with a standard that the investment be made in a way so as to realize the maximum return consistent with safe and prudent management practices.

(9) Existing law makes certain conclusive presumptions regarding a child's or spouse's dependency on a deceased employee for support as it pertains to workers' compensation benefits.

This bill would make similar presumptions with respect to a deceased employee who has no person who qualifies as dependent on the support of the deceased employee.

(10) Existing law generally provides for settlement and commutation of workers' compensation benefits, but does not allow settlement or commutation of prospective vocational rehabilitation services except upon a specified finding by a workers' compensation judge.

This bill would additionally authorize an employee and a represented employee to settle the employee's right to prospective vocational rehabilitation services with a one-time payment under certain conditions.

(11) Existing law provides for the Department of Industrial Relations to be divided into at least 6 divisions, including the Division of Workers' Compensation, which is under the direction of an administrative director. Existing law provides that the administrative director has various powers and duties with respect to the Workers' Compensation Appeals Board and workers' compensation administrative law judges who hear appeals of workers' compensation claims.

This bill would create the position of court administrator with respect to the workers' compensation adjudicatory process at the trial level, who would be appointed by the Governor with the advice and consent of the Senate. This bill would specify the court administrator's powers and duties. The bill would add various other provisions, including certain qualifications and ethics requirements for workers' compensation administrative law judges and other provisions relating to the operation of the workers' compensation courts.

(12) Existing law requires the administrative director to conduct audits of insurers, self-insured employers, and 3rd-party administrators to ensure that injured workers are promptly and accurately receiving the full measure of compensation they are entitled to receive.

This bill would require the administrative director to conduct a profile audit review of each audit subject at least once every 5 years and to conduct a full compliance audit on each audit subject that fails to meet or exceed the profile audit review performance standard established by the director. The bill would provide for the assessment of penalties on audit subjects that

fail to meet established audit standards, and based on the results of these audits, the administrative director would be required to publish and make available on request a list ranking all insurers, self-insured employers, and 3rd-party administrators audited.

(13) Existing law requires that specified notices be provided to injured employees.

This bill would specify the contents of various notices that are required to be posted, given to, or mailed to an employee. The bill would provide for specified procedures to be used in notifying employees regarding benefits and required actions in pursuing a workers' compensation claim.

(14) Existing law provides that the Commission on Health and Safety and Workers' Compensation in the Department of Industrial Relations is to be funded by appropriations from the Workplace Health and Safety Revolving Fund, into which certain civil and administrative penalties are deposited.

This bill would instead provide for the deposit of these penalties in the Workers' Compensation Administration Revolving Fund, and would provide funding for the commission from this fund, upon appropriation by the Legislature.

(15) Existing law requires the Industrial Medical Council to, among other things, counsel and assist the administrative director and suggest standards for improving care furnished to injured employees.

This bill would require the administrative director, in consultation with the council and other specified entities, on or before July 1, 2003, to begin to conduct a study of medical treatment provided to workers who have sustained industrial injuries and illnesses. It would require the administrative director, on or before July 1, 2004, to make recommendations based on the study to the Legislature.

This bill, commencing July 1, 2004, until January 1, 2009, would require the administrative director to establish the Return-to-Work Program in order to promote the early and sustained return to work of the employee following a work-related injury or illness. The bill would create the Workers' Compensation Return-to-Work Fund, subject to appropriation by the Legislature, from which reimbursement would be made to employers meeting specified criteria relating to program participation. It would also require the administrative director to contract with an independent research organization to conduct a study and issue a report on the program, and to make this report available to the public and the Legislature on or before January 1, 2008.

(15.5) Existing law makes it a crime for any person to make false or fraudulent statements, or take certain other actions, with respect to any claim under the workers' compensation system.

This bill would also make it a crime to make or cause to be made any knowingly false or fraudulent material statement or representation in connection with claims and reimbursements under the Return-to-Work Program. The creation of these new crimes would impose a state-mandated local program.

(16) Existing law provides for the Director of Industrial Relations to issue and serve on any employer that has failed to secure the payment of workers' compensation a stop order prohibiting the use of employee labor, and to also issue and serve on the employer a penalty assessment order in the amount of \$1,000 per employee employed, as specified.

This bill would authorize the director to assess a higher amount upon a determination that an employer has been uninsured for a period in excess of one week during the calendar year preceding the determination. The bill would enact other related changes with respect to these provisions. It would require the director to establish and maintain a program to encourage, facilitate, and educate employers to provide early and sustained return to work after occupational injury or illness.

This bill would also authorize the appeals board to provide for a summary hearing on the issue of compensability if a claim is settled by the director by means of a compromise and release or stipulations with request for award.

(17) Existing law specifies the medical information about an injured employee that an insurer or a claim administrator may disclose to an employer, including the diagnosis of the injury if that diagnosis would affect the employer's premium.

This bill would permit disclosure to an employer of the mental or physical condition for which workers' compensation is claimed and the treatment provided for this condition.

(18) Existing law generally provides that the report of the qualified medical evaluator and the report of the treating physician with respect to a workers' compensation injury shall be the only admissible reports relative to making a determination with regard to an employer's workers' compensation liability. Existing law provides that once a worker has received a comprehensive medical-legal evaluation, the worker is not entitled to another evaluation if he or she later becomes represented by an attorney.

This bill would delete the limitation on obtaining another evaluation and would make various other changes to these and other related provisions.

(19) Existing law generally provides that the findings of the treating physician are presumed to be correct, unless rebutted, in cases where an additional comprehensive medical evaluation is obtained.

This bill would limit the operation of this presumption to situations involving the treatment of a worker by his or her personal physician or personal chiropractor, who was predesignated prior to the date of injury.

(20) Existing law requires injured employees to be provided with medical services, including prescription drugs.

This bill would require the use of generic drugs and would require the Administrative Director of the Division of Workers' Compensation to adopt by July 1, 2003, and revise no less frequently than biennially, an official pharmaceutical fee schedule. The bill would additionally require that the injured employee have access to a pharmacy within a reasonable distance from his or her residence. It would also provide that the administrative director has the sole authority to develop an outpatient surgery facility fee schedule for services not performed under contract.

(21) Existing law provides certain methods for determining workers' compensation benefits payable to a worker or his or her dependents for purposes of temporary disability, permanent total disability, permanent partial disability, and in case of death.

This bill would provide for increased temporary disability and permanent partial disability and death benefits for injuries or deaths occurring on or after January 1, 2003, with additional increases in benefits phased in over several years. The bill would also revise the computation of the permanent disability benefit by increasing the number of weeks, as specified, for injuries occurring on or after January 1, 2004.

(22) Existing law requires that a disability indemnity payment made by any written instrument be immediately negotiable and payable in cash on demand.

This bill would provide that it is not a violation of this provision if a delay in the negotiation of a written instrument is caused solely by the application of state or federal banking laws or regulations.

(23) Existing law provides for the payment of workers' compensation death benefits to wholly dependent children, as defined, of a deceased employee-parent until the youngest child attains 18 years of age.

This bill would also provide these benefits to children who are physically or mentally incapacitated from earning until the death of these children.

(23.5) Existing law authorizes collective bargaining agreements between a private employer or groups of employers engaged in construction, construction maintenance, and related activities and a recognized or certified exclusive bargaining representative that establishes a dispute resolution process for workers' compensation instead of the hearing before the Workers' Compensation Appeals Board and its workers' compensation administrative law judges, or that provides for specified other alternative workers' compensation programs.

This bill would enact similar provisions with respect to employers in the aerospace and timber industries. By requiring certain information in connection with these provisions to be submitted by an employer under penalty of perjury, this bill would expand the definition of the crime of perjury, thereby imposing a state-mandated local program.

(24) Existing law requires certain disputes relating to workers' compensation to be submitted to arbitration, including certain disputes relating to permanent disability rating and vocational rehabilitation.

This bill would delete the requirement for the arbitration of these disputes.

(25) Existing law provides that medical and disability benefits may be claimed for up to one year from specific triggering events.

This bill would additionally establish timeframes whereby lien claimants must file liens against compensation.

(26) This bill would also require the Director of Industrial Relations to establish 8 additional workers' compensation administrative law judge positions and the same number of other associated positions.

(27) This bill would exempt a claim or right under workers' compensation from provisions relating to secured transactions.

(28) This bill would declare the intent of the Legislature relative to various matters.

(29) This bill would make various technical, nonsubstantive changes and other related changes.

(30) 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. 7 (AB 1327) Leslie. Water rights: Truckee River.

(1) Existing law provides that an appropriation of water in this state from a stream flowing into this state for beneficial use in another state may be made only when, under the laws of the other state, water may be diverted in that state for beneficial use in this state.

Existing law provides that, with regard to a stream flowing across the state boundary, a right of appropriation having the point of diversion and place of use in another state and recognized by the laws of that state has the same force and effect as if the point of diversion and place of use were in this state, except as otherwise specified.

(2) Existing law provides that these provisions do not apply to interstate lakes or streams flowing in or out of those lakes.

This bill would provide that the provisions described in (1) above apply to any appropriation or change in point of diversion, place of use, or purpose of use under a right to the use of waters from the Truckee River if the appropriation or change is made pursuant to a specified operating agreement entered into by the United States, the State of Nevada, and this state.

#### Ch. 8 (AB 1414) Dickerson. Public lands.

(1) Existing law establishes the Department of Fish and Game in the Resources Agency.

This bill would require the department, upon appropriation of funds by the Legislature for that purpose, to prepare draft management plans for parcels wholly within its jurisdiction acquired on or after January 1, 2002, for public review within 18 months of the recordation date. The bill would require the department to report, on or before February 1 of each year, to the appropriate legislative fiscal subcommittees regarding the plans.

(2) Existing law continuously appropriates money in the Fish and Game Preservation Fund to the department to carry out the Fish and Game Code. Because this bill would impose duties on the department, the bill would make an appropriation.

(3) Existing law establishes the Resources Agency in state government, under the supervision of the Secretary of the Resources Agency.

This bill would also, upon appropriation of funds by the Legislature for that purpose, require the Resources Agency, in conjunction with each department, board, conservancy, and commission within that agency, to develop and maintain a database of lands and easements that have been acquired by the departments and boards within the agency. The bill would require the Resources Agency to provide a report to the Governor and the Legislature on or before December 31, 2003, and each year thereafter.

The bill would also require the Resources Agency, until January 1, 2010, to prepare an annual report summarizing expenditures on the California Clean Water, Safe Neighborhood Parks, and Coastal Protection Bond Act of 2002, if that act is enacted by the Legislature during the 2001–02 Regular Session of the Legislature.

#### Ch. 9 (AB 1531) Kehoe. Consumer credit.

Existing law requires a consumer credit reporting agency, upon consumer request, to allow consumer inspection of its files regarding that consumer.

Existing law requires those files to include the telephone numbers of a source of information included in the report, of a recipient of a consumer credit report of the consumer, and of others making certain inquiries of the credit report of the consumer, if provided.

This bill instead would suspend those requirements regarding the disclosure of those telephone numbers until January 1, 2003.

The will would make other conforming changes.

The bill would declare that it is to take effect immediately as an urgency statute.

#### Ch. 10 (SB 585) Perata. Elections: ballots.

Existing law provides that at partisan primary elections, each voter not registered as intending to affiliate with any one of the political parties participating in the election shall be furnished only a nonpartisan ballot, unless he or she requests a ballot of a political party and that political party, by party rule duly noticed to the Secretary of State, authorizes a person who has declined to state a party affiliation to vote the ballot of that political party.

This bill would impose a state-mandated local program by requiring the county elections official to maintain a record of which political party's ballot was requested, or whether a nonpartisan ballot was requested, by each person who declined to state a party affiliation. It would require that the record be made available to any person or committee who is authorized to receive copies of the printed indexes of registration for primary and general elections pursuant to a specified provision of law.

This bill would become operative on March 6, 2002.

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 provide that it shall take effect immediately as an urgency statute.

#### Ch. 11 (AB 1131) Frommer. Apprenticeship programs.

Existing law provides that reimbursement rate for apprenticeship education shall be established in the annual Budget Act. Existing law applies the reimbursement rate to isolated apprentices and defines isolated apprentices as apprentices registered with the Division of Apprenticeship Standards in the Department of Industrial Relations.

This bill would limit reimbursement under the existing provision for related and supplemental instruction provided to indentured apprentices to reimbursement for instruction provided by a program approved by the Division of Apprenticeship Standards.

Ch. 12 (SB 369) Dunn. Multifamily rental and affordable housing: financing.

Prior law, which was repealed on January 1, 2002, authorized any city or county to issue revenue bonds for the purpose of providing financing for multifamily rental housing, and capital improvements related to that housing.

This bill would reenact these provisions, as modified.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 13 (AB 154) La Suer. Controlled substances: permits to conduct business.

(1) Existing law provides that any manufacturer, wholesaler, retailer, or any other person or business entity in this state who sells, transfers, or otherwise furnishes any substance contained on a list of specified substances to a person or business entity in this state or any other state or who obtains from a source outside of the state any specified substance shall submit an application to, and obtain a permit for the conduct of that business from, the Department of Justice. Selling, transferring, or otherwise furnishing any specified substance without a permit is a misdemeanor or a felony.

This bill would provide that for any substance added to the list on or after January 1, 2002, the Department of Justice may postpone the effective date of the requirement for a permit for a period not to exceed six months from the listing date of the substance.

(2) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 14 (SB 728) Machado. State employees: memoranda of understanding.

(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 1, 3, 4, 11, 15, and 21, the California State 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 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 provisions of the Teachers' Retirement Law, operative until July 1, 2003, establish the normal rate of contribution for members of the Defined Benefit Program in State Bargaining Units 10, 12, 16, 18, and 19, and other specified members, and require these members to contribute to the retirement fund 5<sup>1</sup>/<sub>2</sub>% of creditable compensation from August 31, 2001, to June 30, 2002, and 3% of the creditable compensation from July 1, 2002, to June 30, 2003.

This bill would approve provisions that require 25% of the amount contributed by a member to the retirement fund, as specified above, to be credited to the member's Defined Benefit Supplement account. The bill would also make conforming changes.

(3) Existing law, the Teachers' Retirement Law, establishes the normal rate of contribution to the retirement fund for specified members based on bargaining unit.

This bill, operative until July 1, 2003, would establish the contribution rate for members of the Defined Benefit Program in State Bargaining Unit 3 or 21, and would require these members, from January 1, 2002, to June 30, 2002, to contribute to the retirement fund an amount equal to 5<sup>1</sup>/<sub>2</sub>% of the member's creditable compensation, and to contribute 3% of

creditable compensation to the retirement fund from July 1, 2002, to June 30, 2003. In addition, 25% of the amount contributed would be credited to the member's Defined Benefit Supplement account.

(4) The Public Employees' Retirement Law provides that the contribution rate for a state miscellaneous member whose service is not included in the federal system is 6% of the compensation in excess of \$317 per month for service rendered on or after July 1, 1976. Existing law also provides that the contribution rate for a state miscellaneous member whose service has been included in the federal system is 5% of compensation in excess of \$513 per month for service rendered on or after July 1, 1976.

This bill would amend the above provisions to instead refer to a state miscellaneous member employed by the California State University, the University of California, the legislative branch, or the judicial branch. The bill would also make corresponding changes.

(5) Existing law, the Public Employees' Retirement Law, also provides the normal rate of contribution for a state miscellaneous or industrial member, subject to certain criteria.

This bill would revise and recast the above provisions to provide that those procedures would be subject to modification pursuant to the terms of a memorandum of understanding between the state employer and those bargaining units. The bill would also permit the Department of Personnel Administration to set a different contribution rate for members who are not defined as state employees, and for officers or employees of the executive branch who are not members of the civil service.

(6) The Public Employees' Retirement Law provides that for specified state members the normal rate of contribution is 6% of compensation in excess of \$317 per month for a member whose service is not included in the federal system, or in excess of \$513 for one whose service is included in the federal system.

This bill would permit the Director of the Department of Personnel Administration to establish the normal rate of contribution for members who do not fall within the definition of "state employee," as specified, and for officers or employees of the executive branch of state government who are not members of the civil service.

(7) Existing law establishes the normal rate of contribution to the Public Employees Retirement System for specified state safety members.

This bill would provide that the normal rate of contribution for specified state safety members in State Bargaining Units 1, 3, 4, 11, or 15 from January 1, 2002, to June 30, 2002, and 1% of compensation from July 1, 2002, to June 30, 2003, as specified.

(8) Existing law also establishes the contribution rate for specified state peace officer/firefighter members and sets this figure at 8% of compensation in excess of \$238 per month.

This bill would permit the Director of the Department of Personnel Administration to establish the normal rate of contribution for members who do not fall within the definition of "state employee" and officers or employees of the executive branch of the state government who are not members of the civil service.

(9) Existing provisions of the Budget Act of 2001 appropriate specified amounts from the General Fund, unallocated special funds, and unallocated nongovernmental cost funds for the augmentation of state employee compensation.

This bill would appropriate an additional \$35,486,000, as scheduled, from those funds in augmentation of specified items of the Budget Act of 2001 for state employee compensation.

(10) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 15 (SB 801) Speier. Health: health facilities and clinics: women, infants, and children's nutrition.

Existing law regulates the licensure of health facilities and clinics, as defined, and prescribes the duties of the State Department of Health Services in this regard. Under existing law, any person who violates provisions regulating health facilities or who willfully or repeatedly violates any rule or regulation adopted thereunder is guilty of a misdemeanor.

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**NOTE:** Superior numbers appear as a separate section at the end of the digests.

Existing law makes it a condition of licensure that these facilities, with certain exceptions, implement a formal plan, on or before January 1, 2005, to eliminate or substantially reduce medication-related errors in the facility.

This bill would impose several requirements on the formal plan, including a requirement that the plan evaluate, assess, and include a method to address specified procedures and systems relating to medication-related errors. The bill would require the department to monitor the implementation of each of the facility's plans upon licensure visits beginning January 1, 2005.

Because a violation of the provisions applicable to health facilities is a crime, the bill would impose a state-mandated local program.

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.

Existing law, commencing July 1, 2002, provides, until January 1, 2005, that the nutrition coupons issued under the program shall be redeemable by recipients at any authorized retail food vendor, and requires the department, by July 1, 2004, to submit a report to the appropriate committees of the Legislature regarding the implementation of this provision.

This bill would instead provide that the provisions described above concerning retail food vendors shall be operative January 1, 2004, and shall remain in effect until July 1, 2006. This bill would require the department to submit the report described above to the Legislature on or before January 1, 2006. This bill would make related 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.

This bill would declare that it is to take effect immediately as an urgency statute.

#### Ch. 16 (SB 1987) Burton. Public contracts: 2012 Olympic Games.

Existing law provides specified requirements in awarding certain public contracts.

This bill would authorize the Governor to sign agreements required by the United States Olympic Committee as part of the bid process for San Francisco to become the United States Candidate City for the 2012 Olympic Games.

This bill would make legislative findings and declarations that, among other things, the Bay Area Sports Organizing Committee has developed a self-sufficient bid for a privately financed 2012 Olympic Games. This bill would authorize the Governor to enter into an agreement for the state to be jointly liable, not to exceed a specified amount, with the local organizing committee, as specified, for obligations of the local organizing committee, and for any financial deficit relating to the Olympic Games, through the creation of the Olympic Games Trust Fund, as provided.

This bill would declare that it would take effect immediately as an urgency statute.

#### Ch. 17 (SB 836) Scott. Sex offenders.

Existing law requires certain persons convicted of any specified sexual offenses to register with local law enforcement officials, as specified. Existing law also requires that if the person who is registering has no residence address, he or she shall update his or her registration no less than once every 60 days in addition to other registration requirements, as specified. In regard to those persons without a residence address who are subject to registration, existing law declares that it is the intent of the Legislature that efforts be made with respect to those persons who are on probation or parole to engage them in treatment.

This bill would make a conforming change with respect to legislative intent expressed in other existing law and delete the statement of intent by the Legislature.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 18 (AB 1242) Wiggins. Pest control: Glassy-winged Sharpshooter.

Existing law generally creates programs in the Department of Food and Agriculture for eradication of Pierce's disease and its vector, the Glassy-winged Sharpshooter.

This bill would state various findings and declarations relating to the Glassy-winged Sharpshooter and Pierce's disease and their effect on the wine and grape industry.

This bill would appropriate \$7,140,000 in federal funds made available to the department to the Department of Food and Agriculture Fund, to be distributed via grants, as specified, and to cover administrative expenses directly related to the program, as specified.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 19 (AB 1543) Firebaugh. Public postsecondary education: exemption from nonresident tuition.

Existing law requires 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 with respect to legalizing his or her immigration status, be exempted from paying nonresident tuition at the California Community Colleges and the California State University.

This bill would authorize a state court, if it finds that the above provision, or any similar provision adopted by the Regents of the University of California, is unlawful, to order that the administering entity that is the subject of the lawsuit terminate any waiver awarded under that statute or action, as equitable relief, and would prohibit the award of money damages, tuition refund or waiver, or other retroactive relief. The bill would provide that the California Community Colleges, the California State University, and the University of California are immune from the imposition of any award of money damages, tuition refund or waiver, or other retroactive relief in a lawsuit.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 20 (SB 469) Alpert. Water quality: total maximum daily loads.

(1) Existing law requires the State Water Resources Control Board to formulate and adopt state policy for water quality control in accordance with specified objectives. Existing law requires each California regional water quality control board to establish water quality objectives in water quality control plans in accordance with specified objectives, for submission to the state board.

This bill would require the state board to prepare, on or before July 1, 2003, guidelines to be used by the state board and the regional boards for the purpose of listing and delisting waters and developing and implementing the total maximum daily load (TMDL) program and total maximum daily loads pursuant to the federal Clean Water Act. The bill would require the guidelines to be finalized not later than January 1, 2004.

(2) Existing law requires the state board to act on the regional board's water quality control plans within 60 days of submission or 90 days of resubmission.

This bill would require the state board to comply with the 60 day time deadline when taking action on a regional board's water quality control plan that is being amended solely for an action related to the regional board's TMDL submittal, and that the 60 day time deadline is not extended by time spent sending the submittal back to the regional board, unless the proposed amendment is for an exceedingly complex TMDL, which shall be provided in writing by the state board, or the submission by the regional board is clearly incomplete.

(3) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 21 (SB 823) Poochigian. Local law enforcement funding.

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. Existing law requires each county or city and county to report annually on those programs to the county board of supervisors and the Board of Corrections beginning August 15, 2001. Existing law requires the Board of Corrections to compile the local reports and make a report to the Governor and Legislature by January 15, 2003, and annually thereafter, as provided. Existing law also requires a county, city, or city and county Supplemental Law Enforcement Oversight Committee to submit data detailing and summarizing allocations to the Controller and provides that the county, city, or city and county shall forfeit its allocation if that data is not provided.

This bill would require the annual report on those programs to be made beginning October 15, 2002, and would prohibit the expenditure of allocated funds and interest thereon if that report and the data detailing and summarizing allocations are not submitted. This bill would require the Board of Corrections to compile the local reports and make a report to the Governor and Legislature by March 15, 2003, and annually thereafter.

The bill would declare that it is to take effect immediately as an urgency statute.

#### Ch. 22 (AB 227) Dutra. Unclaimed property: escheat.

Under existing law, property that is held by a business that is unclaimed for more than specified periods escheats to the state. Existing law requires persons holding unclaimed property to report and deliver it to the Controller within a prescribed time period, and imposes interest payments at the rate of 12% per annum and penalties for a failure to do so. Existing law also provides that any person who paid or delivered to the Controller on or before December 31, 2001, in accordance with specified requirements, is not subject to statutory interest payments for failure to pay or deliver unclaimed property. Existing law requires the Controller to submit a report to the Legislature on the amnesty program, to be published no later than December 31, 2002.

This bill would extend the above deadline for paying or delivering unclaimed property to the Controller to December 31, 2002, subject to specified conditions. The bill would also extend the time for the Controller to submit a report to the Legislature to no later than July 31, 2003, and would make other technical, nonsubstantive changes.

The bill would declare that it is to take effect immediately as an urgency statute.

#### Ch. 23 (AB 953) Simitian. Park and open-space districts.

(1) Existing law permits a park or open-space district to, by unanimous vote of the members of its board, exchange real property that is dedicated for park or open-space purposes for land that is of equal or greater value and is needed for park or open-space purposes, with certain restrictions.

This bill would permit a district to exchange interests in real property in addition to real property for the same purpose and with the same restrictions.

Existing law permits a park or open-space district to convey to any public agency real property that is dedicated and used for park or open-space purposes as long as the public agency agrees in writing to continue to use the land for park or open-space purposes and not to convey the property without the consent of the majority of the voters in the district pursuant to an election.

This bill would permit a district to convey interests in real property under the same conditions.

Existing law permits the general manager of the East Bay Regional Park District, upon approval of the district's board, to bind the district without advertising and without written

contract for the payment of supplies, materials, labor or other consideration for any purpose, in amounts not exceeding \$25,000. The expenditures must be reported at the board's next regular meeting.

This bill would also permit the general manager of the Midpeninsula Regional Open Space District and the general manager of the Sonoma County Agricultural Preservation and Open Space District to do the same.

(2) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 24 (AB 1145) Jackson. Regional open-space district: County of Ventura.

Existing law permits proceedings for the formation of a regional park and open-space district in specified counties of the state to be initiated by resolution of the county board of supervisors adopted after a noticed hearing, and specifies the contents of the resolution.

This bill, in addition, would permit the formation of a regional open-space district in Ventura County to be initiated by resolution of the county board of supervisors after a noticed hearing. The bill would specify the contents of the resolution, including a requirement to call an election, as prescribed. The bill would specify that, with respect to a district formed pursuant to those provisions, where the board of directors of the district is appointed by the board of supervisors of the county in which the district is located, the terms of office of each member of the board of directors is 4 years commencing at noon on the first Monday in January, except as provided.

Ch. 25 (SB 33) Soto. School-parent compacts: Nell Soto Parent/Teacher Involvement Program.

Existing law establishes the Nell Soto Parent/Teacher Involvement Program, pursuant to which the Superintendent of Public Instruction allocates one-time grants to schools in accordance with prescribed criteria, for the purpose of strengthening communication between schools and parents. Existing law requires a teacher to be compensated for his or her participation.

The bill would delete the limitation that the grants be one-time grants and would authorize the California School for the Blind and the California School for the Deaf to participate in the program. The bill would provide for the allocation of funding pursuant to the Nell Soto Parent/Teacher Involvement Program to the California School for the Deaf, the California School for the Blind, and schools ranked in the bottom 5 deciles on the Academic Performance Index, with priority given to the California School for the Deaf, the California School for the Blind, and schools in the bottom 2 deciles. The bill would require that teaching paraprofessionals also be compensated for their participation.

The bill would require the Superintendent of Public Instruction to evaluate the Nell Soto Parent/Teacher Involvement Program and would authorize the superintendent to use up to \$75,000 from funds appropriated for the program for administration of the program.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 26 (SB 1227) Burton. Housing and Emergency Shelter Trust Fund Act of 2002.

Under existing law, there are programs providing assistance for, among other things, multifamily housing, emergency housing, farmworker housing, home ownership for low- and very low income households, and downpayment assistance for first-time homebuyers. Existing law also establishes specified code enforcement programs.

This bill would enact the Housing and Emergency Shelter Trust Fund Act of 2002, which, if adopted, would authorize, for purposes of financing various existing housing and code enforcement programs, and additional specified programs subject to the enactment of enabling legislation, the issuance of bonds in the amount of \$2,100,000,000 pursuant to the State General Obligation Bond Law.

This bill would provide for submission of the bond act to the voters at the November 5, 2002, statewide general election in accordance with specified law.

The bill would enact additional provisions for the distribution of designated portions of the proceeds of the bond act and the administration of the programs pursuant to which those funds would be distributed. Those provisions would become operative only if the bond act is adopted by the voters.

This bill would also delete obsolete provisions.

This bill would declare that it is to take effect immediately as an urgency statute.

#### Ch. 27 (AB 887) Daucher. Highways: Route 90: relinquishment.

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.

This bill would authorize the commission to relinquish to the City of Yorba Linda a specified portion of State Highway Route 90, upon terms and conditions the commission finds to be in the best interests of the state. The relinquishment would become effective immediately following the recordation by the county recorder of the relinquishment resolution containing the commission's approval. The portion of State Highway Route 90 relinquished would cease to be a state highway on the effective date of the relinquishment.

This bill would declare that it is to take effect immediately as an urgency statute.

#### Ch. 28 (AB 1448) Maddox. Prevailing wage laws: violations.

Existing law governing the obligations of contractors and subcontractors involved in public works projects requires that employees be paid the prevailing wage, as determined by the Director of Industrial Relations, and requires that contractors and subcontractors keep accurate payroll records, which may be made available for public inspection, as provided. These provisions contain certain requirements that, under existing law, will be repealed on January 1, 2003. The provisions to be repealed include (1) a requirement that contractors and subcontractors verify under penalty of perjury the accuracy of their payroll records and their compliance with certain provisions; (2) a requirement that a subcontractor file certified copies of payroll records as requested by specified entities; and (3) an exemption for contractors from penalties for a subcontractor's failure to provide requested payroll records that instead makes the subcontractor subject to the penalty.

Existing law provides that a contractor or subcontractor who employs a worker in violation of limits on hours that may be worked in a day or week is liable for a specified penalty. Under existing law, this provision will be repealed on January 1, 2003, and replaced by a provision under which a contractor is subject to a penalty for his or her own violations of the limits on employee hours, as well as being subject to a penalty for any violations by his or her subcontractors.

This bill would delete the January 1, 2003, repeal of these wage and hour provisions, thus keeping these provisions in effect indefinitely. By extending the term of the provision requiring verification of payroll records under penalty of perjury, the bill would preserve the existence 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. 29 (AB 1729) Committee on Insurance. Unemployment insurance.

(1) Existing law designates the Director of Employment Development as the chairperson of a strike force on the underground economy. The strike force is required to make annual reports to the Governor and the Legislature.

This bill would require the annual reports to be made by June 30 of each year.

(2) Existing law requires that the director provide certain information to school employers by October 15 of each year.

This bill would change the reporting date to March 31.

(3) Under existing law relating to employer withholding of taxes from employee wages, a banking day is defined as any day other than a weekend day or a banking holiday recognized by the Federal Reserve System.

This bill would revise the definition of a banking day to exclude weekend days and banking holidays recognized by the Internal Revenue Service.

(4) The bill would also correct erroneous cross-references, update references to federal law, and repeal outdated provisions or provisions with outdated cross-references.

Ch. 30 (AB 131) Corbett. Personal income and bank and corporation tax laws: federal conformity.

Existing state income and corporation tax laws, in modified conformity with federal income tax laws, provide for tax benefits and other specified treatment in connection with retirement plans.

This bill would provide additional state income and corporation tax law conformity with federal income tax laws with respect to rollovers allowed among various types of plans, and purchase of service credit in government defined benefit plans.

This bill would take effect immediately as a tax levy.

Ch. 31 (SB 332) Sher. Building standards: straw-bale structures.

(1) Existing law, known as the State Building Standards Law, creates the California Building Standards Commission and authorizes it to review proposed building standards, adopt or reject these proposed standards, and codify and publish the adopted standards in the California Building Standards Code. Local agencies have the responsibility for the enforcement of numerous provisions of the California Building Standards Code.

The existing law declares the intent of the Legislature to adopt safety guidelines for the construction of structures, including single-family dwellings, that use baled rice straw, as defined, as a loadbearing or nonloadbearing material. The guidelines do not become operative within any city or county unless and until a specified finding is made and the finding is filed with the Department of Housing and Community Development.

This bill would revise the guidelines and would require them to apply to the construction of all structures that use baled straw as a loadbearing or nonloadbearing material within a city or county that has adopted the guidelines in existing law prior to January 1, 2002. It would provide that the guidelines proposed by this bill would not become operative in any other city or county, unless and until the legislative body of a city or county makes an express finding that the guidelines apply within the city or county because of local conditions and the city or county files a copy of the finding with the department. It would also provide that the guidelines would become inoperative when building standards that permit the construction of these structures become effective after approval by the commission. Because the bill would impose new duties on local enforcement agencies, the bill would constitute 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 declare that it is to take effect immediately as an urgency statute.

Ch. 32 (SB 550) Costa. Endangered species.

Under existing law, until December 31, 2002, the accidental take of candidate, threatened, or endangered species resulting from inadvertent or ordinary negligent acts on a farm or ranch in the course of otherwise lawful routine and ongoing agricultural activities is not prohibited by the California Endangered Species Act.

This bill would delete the requirement that the acts be inadvertent or ordinary negligent acts in order for the exception to apply.

This bill would provide that its provisions would remain in effect only until January 1, 2009, and as of that date would be repealed, unless a later enacted statute that is enacted before January 1, 2009, deletes or extends that date.

Ch. 33 (AB 16) Hertzberg. Education facilities: Kindergarten-University Public Education Facilities Bond Acts of 2002 and 2004.

(1) Existing law, the Class Size Reduction Kindergarten-University Public Education Facilities Bond Act of 1998, provides for the issuance, pursuant to the State General Obligation Bond Law, of state general obligation bonds in an amount not to exceed \$9,200,000,000, exclusive of refunding bonds, to provide aid to school districts, county superintendents of schools, and county boards of education in accordance with prescribed provisions, including, but not limited to, the Leroy F. Greene State School Facilities Act of 1998.

This bill would make certain adjustments in the facilities funding mechanism, including, but not limited to, provisions relating to multitrack year-round schools, supplemental apportionments for small schools, costs adjustments for projects in densely populated urban areas, the priority ranking mechanism, the state to local cost share for modernization, Field Act compliance for leased or purchased buildings, energy efficiency grant adjustments, older building modernization costs, hardship eligibility, and critically overcrowded schools, making some of these changes operative only for projects funded pursuant to the proceeds of state bonds approved by the voters after January 1, 2002. The bill would also establish the 2002 and 2004 state school facilities funds, for receipt of the proceeds of bonds approved by the voters for these purposes.

(2) This bill would enact the Kindergarten-University Public Education Facilities Bond Act of 2002, to become operative only if approved by the voters at the November 5, 2002, statewide general election, and would provide for its submission to the voters at that election.

The bill would also enact the Kindergarten-University Public Education Facilities Bond Act of 2004, to become operative only if approved by the voters at the 2004 direct primary election, and would provide for its submission to the voters at that election. The bill would further enact a second Kindergarten-University Public Education Facilities Bond Act of 2004, to be submitted to the voters at the November 2, 2004, statewide general election only if the first 2004 bond act is not approved by the voters.

The bond acts, if approved by the voters, would provide for the issuance of state general obligation bonds in an amount not to exceed a combined total of \$25,350,000,000, exclusive of refunding bonds, consisting of a total of \$13,050,000,000, exclusive of refunding bonds, for the 2002 bond act and a total of \$12,300,000,000, exclusive of refunding bonds, for either of the 2004 bond acts. The bill would provide that, of this amount, for each bond act, a prescribed amount would be deposited in the 2002 State School Facilities Fund and the 2004 State School Facilities Fund, as appropriate, to provide aid to school districts, county superintendents of schools, and county boards of education, and a prescribed amount would be deposited in the 2002 Higher Education Capital Outlay Bond Fund and the 2004 Higher Education Capital Outlay Bond Fund, as appropriate, which would be established by this bill, to provide aid for California public higher education facilities.

(3) Under existing law, the State Allocation Board consists of the Director of Finance, the Director of General Services, and the Superintendent of Public Instruction. The board also includes 2 Members of the Senate, appointed by the Senate Committee on Rules, and 2 Members of the Assembly, appointed by the Speaker of the Assembly.

This bill would add to the board a person appointed by the Governor and an additional Member of the Senate and an additional Member of the Assembly, appointed as specified. The bill would specify that 2 of the Senators would belong to the majority party and one of the Senators would belong to the minority party, and that 2 of the Members of the Assembly would belong to the majority party and one of the Members of the Assembly would belong to the minority party.

(4) Existing law authorizes a school district to levy a fee, charge, dedication, or other requirement against any construction within the boundaries of the school district for the purpose of funding the construction or reconstruction of school facilities. The law authorizes a school district to increase the levy, as prescribed, if state funds for new school facility construction are not available, as defined.

This bill would suspend the operation of the provision authorizing the increased levy until the 2002 statewide general election, or if bonds are approved at the 2002 statewide general election, until the 2004 direct primary election. This bill would exclude the availability of certain funds for the purpose of making the determination as to whether state school facility funds are available. The bill would also establish the Homebuyer Down Payment Assistance Program to provide assistance in payment of the school facilities fee on affordable housing development.

(5) This bill would appropriate the sum of \$651,289,000, from the Public Buildings Construction Fund to the California State Library, the University of California, the California State University and the California Community Colleges for construction of education facilities, including, but not limited to, library facilities, pursuant to a prescribed schedule, and would authorize the State Public Works Board to issue related lease-revenues bonds.

(6) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 34 (SB 657) Scott. Income and bank and corporation taxes: federal conformity.

Under the Personal Income Tax Law and the Bank and Corporation Tax Law, various provisions of the federal Internal Revenue Code, as enacted as of a specified date, are referenced in various sections of the Revenue and Taxation Code. Those laws provide that for taxable years beginning on or after January 1, 1998, the specified date of those referenced Internal Revenue Code sections is January 1, 1998, unless otherwise specifically provided.

Existing law requires, for any introduced bill that proposes changes in any of those dates, that the Franchise Tax Board prepare a complete analysis of the bill that describes all changes to state law that will automatically occur by reference to federal law as of the changed date. It further requires the Franchise Tax Board to immediately update and supplement that analysis upon any amendment to the bill, and requires that analysis to be made available to the public and to be submitted to the Legislature for publication in the daily journal of each house of the Legislature.

This bill would change the specified date of those referenced Internal Revenue Code sections to January 1, 2001, for taxable years beginning on or after January 1, 2002, and thereby would make numerous substantive changes to both the Personal Income Tax Law and the Bank and Corporation Tax Law with respect to those areas of preexisting conformity that are subject to changes under federal laws enacted after January 1, 1998, and that have not been, or are not being, excepted or modified.

This bill would make certain other changes in federal income tax laws applicable, with specified exceptions and modifications, and make specified supplemental, technical, or clarifying changes, for purposes of the Personal Income Tax Law or the Bank and Corporation Tax Law, or both, with respect to, among other things, credits that may reduce certain taxes below the tentative minimum tax, the credit for research and development expenses, adjustments in computing alternative minimum taxable income, the exclusion of extraterritorial income, annuities and certain proceeds of life insurance contracts, the Ricky

Ray Hemophilia Relief Fund Act of 1998, the denial of deduction for club dues, the mark to market accounting method, the inapplicability of excise tax on premiums paid, certain amounts paid in connection with insurance contracts, specified federal acts, the installment method of accounting, qualified state tuition programs, the Federal Agriculture Improvement and Reform Act of 1996, determinations relating to deferred compensation, taxation of estates and trusts, small business stock, failure by an individual to pay estimated income tax, underpayment of estimated tax, underpayments of installments, elimination of interest on overlapping periods of tax overpayments and underpayments, mining exploration and development costs, tax-exempt interest, "S corporations," certain publicly traded partnerships treated as corporations, the deduction for a qualified computer contribution, secured indebtedness, tax on passive investment income, securities futures contracts, and the sale or exchange of livestock. This bill would specify various dates on which specified provisions apply, make findings and declarations that certain provisions are declaratory of existing law, and specify the intent and operation in the application of provisions conforming to various federal acts.

This bill would provide that it would only become operative if this bill and AB 1122 are both chaptered.

This bill would take effect immediately as a tax levy.

#### Ch. 35 (AB 1122) Corbett. Taxation: federal conformity.

Under the Personal Income Tax Law and the Bank and Corporation Tax Law, various provisions of the federal Internal Revenue Code, as enacted as of a specified date, are referenced in various sections of the Revenue and Taxation Code. Those laws provide that for taxable years beginning on or after January 1, 1998, the specified date of those referenced Internal Revenue Code sections is January 1, 1998, unless otherwise specifically provided.

Existing law requires, for any introduced bill that proposes changes in any of those dates, that the Franchise Tax Board prepare a complete analysis of the bill that describes all changes to state law that will automatically occur by reference to federal law as of the changed date. It further requires the Franchise Tax Board to immediately update and supplement that analysis upon any amendment to the bill, and requires that analysis to be made available to the public and to be submitted to the Legislature for publication in the daily journal of each house of the Legislature.

This bill would change the specified date of those referenced Internal Revenue Code sections to January 1, 2001, for taxable years beginning on or after January 1, 2002, and thereby would make numerous substantive changes to both the Personal Income Tax Law and the Bank and Corporation Tax Law with respect to those areas of preexisting conformity that are subject to changes under federal laws enacted after January 1, 1998, and that have not been, or are not being, excepted or modified.

This bill would make certain other changes in federal income tax laws applicable, with specified exceptions and modifications, and make specified supplemental, technical, or clarifying changes, for purposes of the Personal Income Tax Law or the Bank and Corporation Tax Law, or both, with respect to, among other things, credits that may reduce certain taxes below the tentative minimum tax, the credit for research and development expenses, adjustments in computing alternative minimum taxable income, the exclusion of extraterritorial income, annuities and certain proceeds of life insurance contracts, the Ricky Ray Hemophilia Relief Fund Act of 1998, the denial of deduction for club dues, the mark to market accounting method, the inapplicability of excise tax on premiums paid, certain amounts paid in connection with insurance contracts, specified federal acts, the installment method of accounting, qualified state tuition programs, the Federal Agriculture Improvement and Reform Act of 1996, determinations relating to deferred compensation, taxation of estates and trusts, small business stock, failure by an individual to pay estimated income tax, underpayment of estimated tax, underpayments of installments, elimination of interest on overlapping periods of tax overpayments and underpayments, mining

exploration and development costs, tax-exempt interest, “S corporations,” certain publicly traded partnerships treated as corporations, the deduction for a qualified computer contribution, secured indebtedness, tax on passive investment income, securities futures contracts, and the sale or exchange of livestock. This bill would specify various dates on which specified provisions apply, make findings and declarations that certain provisions are declaratory of existing law, and specify the intent and operation in the application of provisions conforming to various federal acts.

This bill would provide that it would only become operative if this bill and SB 657 are both chaptered.

This bill would take effect immediately as a tax levy.

Ch. 36 (AB 168) Nation. Charter schools: funding.

Existing law requires the Controller, commencing with the 1999–2000 fiscal year, to transfer from the General Fund to Section A of the State School Fund, a continuously appropriated fund, amounts necessary to meet computed apportionments of general-purpose funding for charter schools, as specified. These provisions become inoperative on July 1, 2002, and are repealed on January 1, 2003.

This bill would, until July 1, 2004, specify that a charter school shall be treated as a school district for purposes of the State School Fund.

By extending appropriations through the 2003–04 fiscal year, the bill would thereby make an appropriation.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 37 (SB 526) Sher. Underground storage tanks: discharges: closure: data storage: brownfield sites insurance.

(1) Under the existing Barry Keene Underground Storage Tank Cleanup Trust Fund Act of 1989, owners and operators of petroleum underground storage tanks are required to establish and maintain evidence of financial responsibility for taking corrective action and compensating third parties for bodily injury and property damage arising from operating an underground storage tank.

The act provides for the issuance of a specified closure letter relative to the completion of an investigation and corrective action for an underground storage tank. The act, prohibits the issuance of such a closure letter unless the soil or groundwater, or both, where applicable, have been tested for MTBE, as specified.

This bill would additionally prohibit the issuance of such a closure letter unless the board, a California regional water quality control board, or the local agency finds that the tank is in compliance with specified corrective action requirements.

(2) Under the act, the State Water Resources Control Board is required to develop and implement a data base system for storing and retrieving data from cases involving discharges of petroleum from underground storage tanks, including specified information on sites where discharges have occurred.

The act requires that a site included in the system be designated as having no residual contamination if, at the time the site is closed, the board determines that no residual contamination remains on the site.

This bill would instead require that a site be designated in the data system as having no residual contamination if, at the time a closure letter is issued for the site, the board makes that determination.

(3) The act requires the board to adopt regulations to implement the act and the board is authorized to adopt emergency regulations to implement requirements for demonstrating financial responsibility and establishing corrective action requirements.

This bill would delete the department’s specific authority to adopt emergency regulations to implement those provisions.

(4) The existing Financial Assurance and Insurance for Redevelopment Program (FAIR), requires the Secretary for Environmental Protection to solicit proposals for a package of environmental insurance products from insurance companies through a competitive bidding process. The insurance company selected by the secretary is required to offer a prenegotiated package of environmental insurance products to any interested recipient of a loan under the Cleanup Loans and Environmental Assistance to Neighborhoods (CLEAN) Program, which provides loans to finance the performance of actions necessary to respond to the release or threatened release of hazardous material on an eligible property, and to any other person who conducts a response action in the state. Existing law provides that the selected insurance company or companies are the exclusive state-designated provider of environmental insurance under the FAIR Program for a period of 3 years and requires the request for proposal to specify whether the secretary intends to select only one insurance company or more than one insurance company.

This bill would delete the requirement that the request for proposal specify whether the secretary intends to select only one insurance company or more than one insurance company.

The bill would declare that it would take effect immediately as an urgency statute.

Ch. 38 (AB 1759) Wesson. California Memorial Scholarship Program: California memorial license plates.

(1) Existing law establishes the Golden State Scholarshare Trust and Governor's Scholarship Programs, under the administration of the Scholarshare Investment Board, to provide financial aid for postsecondary education costs of participating students.

This bill would establish the California Memorial Scholarship Program under the administration of the board to provide scholarships for surviving dependents, as defined, of California residents, as defined, killed as a result of injuries sustained during the terrorist attacks of September 11, 2001. The bill would establish the California Memorial Scholarship Fund, out of which moneys would be provided to fund the scholarships. The bill would prescribe the responsibilities of the Treasurer and the board in administering the scholarship program.

(2) Existing law requires the Department of Motor Vehicles to issue specific special interest license plates in accordance with a specified procedure.

This bill would provide for the issuance of California memorial license plates. The bill would provide that additional revenue derived from the issuance, renewal, transfer, and substitution of California memorial license plates would be deposited, as specified, in the Antiterrorism Fund and the California Memorial Scholarship Fund.

(3) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 39 (AB 1350) Canciamilla. Gas corporations: condemnation.

(1) Existing law prohibits a public utility that offers competitive services, other than a railroad corporation, a refined petroleum product common carrier pipeline corporation, or a water corporation, or an electrical company or gas corporation that needs to meet its commission-ordered obligation to serve, from condemning any property for the purpose of competing with another entity in the offering of those competitive services, unless the Public Utilities Commission finds that the condemnation would serve the public interest.

This bill would authorize, notwithstanding the above prohibition, a gas corporation to exercise the power of eminent domain to condemn any property for the purpose of competing with another entity in the offering of natural gas and services related to natural gas, but only as to property for which the gas corporation has filed a complaint in eminent domain in superior court on or before October 31, 2002. The bill would also provide that it shall become inoperative on October 31, 2002, and, as of April 1, 2003, is repealed.

(2) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 40 (AB 1684) Committee on Public Employees, Retirement and Social Security. State employees: memorandum of understanding.

(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 a memorandum of understanding entered into between the state employer and State Bargaining Unit 2, the Association of California State Attorneys and Administrative Law Judges, 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.

(2) 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 2<sup>1</sup>/<sub>2</sub>% during the period from January 1, 2002, to June 30, 2002, inclusive, and by an additional 2<sup>1</sup>/<sub>2</sub>% during the period from July 1, 2002, to June 30, 2003, inclusive, for state miscellaneous and state industrial members of the Public Employees' Retirement System in State Bargaining Unit 2.

(3) Existing law provides generally that wages earned and unpaid at the time an employee is discharged or an employee without a written contract quits are due and payable not later than 72 hours thereafter.

This bill would expressly permit a state employer to contribute unpaid vacation and other leave on a pretax basis, to the discharged or quitting employee's state-sponsored supplemental retirement account if the employee has submitted a written election authorizing the contribution, as specified.

(4) Existing law prohibits the contravention or setting aside by a private agreement of certain laws prescribing the frequency of wage payments.

This bill would provide that a state employer does not violate that prohibition by authorizing employees who quit or are discharged to take payment for unused or accumulated vacation or other leave.

(5) 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 \$875,000 from those funds for state employee compensation, in augmentation of the Budget Act of 2001.

(6) The bill would also declare that it is to take effect immediately as an urgency statute.

Ch. 41 (AB 1760) John Campbell. Orange County Water District.

The Orange County Water District Act provides for basin equity assessments and production requirements and limitations on persons and operators within the district and requires each person or operator not excluded, to file a basin equity assessment report on or before the 30th day of September of each year, setting forth the total amounts of water produced from groundwater within the district and from supplemental sources during the

preceding water year. If the person or operator fails to file a basin equity assessment report on or before that date the district must assess a penalty charge against that person or operator.

This bill would, instead, mandate the assessment of the penalty if the person or operator fails to file a basin equity assessment report on or before the 30th day of November of each year.

#### Ch. 42 (SB 508) Vasconcellos. Education: pupils.

Existing law establishes the Public Schools Accountability Act of 1999, which contains the Immediate Intervention/Underperforming Schools Program (IIUSP) and 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 authorize a school participating in the IIUSP to alternatively contract with an entity that has proven, successful expertise specific to the challenges inherent in low-performing schools instead of contracting with an external evaluator.

Existing law establishes the High Priority Schools Grant Program for Low Performing Schools (High Priority Program) within the Public Schools Accountability Act of 1999. Existing law requires a school that applies to participate in the federal Comprehensive School Reform Demonstration Program but does not participate because there are insufficient funds to allow the school to participate to be automatically approved for participation in the High Priority Program. Under existing law the Superintendent of Public Instruction is required to allocate \$200 per pupil to eligible schools for implementation of a school action plan under the program.

This bill would condition the automatic approval for participation in the High Priority Program on the school's completion of an action plan for participation in the federal program that meets certain requirements that a plan is required to meet for purposes of the IIUSP. The bill would also modify the deadlines for submission and approval of a school action plan during the 2001–02 fiscal year.

The bill would increase to \$400, including funds received under the federal Comprehensive School Reform Demonstration Program and other specified provisions, the amount of per pupil funding provided under the program.

Existing law requires a school action plan developed for purposes of the High Priority Program to include a pupil literacy and achievement component that contains a strategy to achieve certain goals, among which is that each English learner will demonstrate increased performance on the English language development test and the statewide achievement tests.

This bill would change that goal so that English learners rather than each English learner will demonstrate that increased performance.

Existing law encourages a school participating in the High Priority Program to assess the academic progress of pupils on an annual basis and authorizes the use of any curriculum-based achievement test for that purpose.

This bill would condition this use of a curriculum-based achievement test to those that are proven to be valid and reliable.

Existing law requires the State Department of Education to conduct a study on the issue of sustainability of funding for low-performing schools and requires the study to include an analysis of the ability of a school to sustain growth in academic achievement, particularly when the pupil population that continuously attends the school manifests issues of poverty and low socioeconomic status, and other characteristics that are generally out of the direct control of the school.

The bill would, instead, require the study to include, among other things, (1) a description of the ongoing needs of low-performing schools and the sources of funding schools have used to meet these needs, (2) an analysis of the use and effectiveness of funds provided pursuant to the High Priority Program, and (3) an assessment of whether local, state, and federal resources are likely to be sufficient to sustain all or some of the academic

improvements initiated in low-performing schools after funding made available pursuant to the High Priority Program expires.

The bill would require each school district with schools participating in the High Priority Schools Grant Program for Low Performing Schools to submit to the Superintendent of Public Instruction an evaluation of the impact, costs, and benefits of the program as it relates to the school district and the schools under its jurisdiction that are participating in the program, as prescribed. The bill would require the Superintendent of Public Instruction to develop and the State Board of Education to approve, the guidelines for a request for proposal for an independent evaluator to prepare a multiyear comprehensive evaluation of the implementation, impact, costs, and benefits of the program, and to disseminate the results of that report to the Legislature, the Governor, and interested parties, as prescribed.

Existing law requires that certain funds be allocated to school districts, county offices of education, and charter schools on the basis of an equal amount per unit of average daily attendance, including average daily enrollment in preschool and child care programs operated on schoolsites. Existing law sets forth the method for determining the average daily enrollment of children served in preschool and child care development programs.

This bill would specify that these funds are to be allocated to local education agencies and that the preschool and child care programs whose average daily enrollment is used to determine the amount to be allocated are required to be operated by local education agencies under contract with the Child Development Division of the State Department of Education. The bill would revise the method for determining the average daily enrollment of children served in preschool and child care development programs. The bill would define "schoolsites" for purposes of this provision.

The bill would make technical and conforming changes.

The bill would declare that it is to take effect immediately as an urgency statute.

#### Ch. 43 (SB 1231) Committee on Local Government. Validations.

This bill would enact the First Validating Act of 2002, 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. 44 (SB 1338) Peace. Budget Act of 2001: contingencies or emergencies.

The Budget Act of 2001 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 2001 also appropriated \$2,500,000 for loans to state agencies for contingencies or emergencies.

This bill would appropriate \$327,227,000 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. 45 (AB 1559) Diaz. State data centers.

(1) Existing law establishes the Hawkins Data Center within the Department of Justice, the Stephen P. Teale Data Center, which is funded by the continuously appropriated Stephen P. Teale Data Center Revolving Fund, within the Business, Transportation and Housing Agency, and the California Health and Human Services Agency Data Center, which is funded from the continuously appropriated California Health and Human Services Data Center Revolving Fund, within the California Health and Human Services Agency. The data centers are under the supervision of data center directors appointed by the respective

appointing authority in consultation with the Director of Information Technology, and are subject to consolidation with other information technology centers if the Director of Information Technology deems it in the best interest of the state.

These provisions become inoperative on July 1, 2002, and are repealed as of January 1, 2003.

This bill would revise and recast these provisions by, among other things, deleting the provisions requiring consultation with the Director of Information Technology in the appointment of the data centers' directors, and the provisions specifying that the data centers are subject to consolidation with other information technology centers. It would also indefinitely extend the duration of these provisions. By making the existence of continuously appropriated funds permanent, this bill would make an appropriation.

(2) This bill would declare that it is to take effect immediately as an urgency statute.

#### Ch. 46 (AB 1354) Rod Pacheco. Emergency housing.

Under existing law, the Department of Housing and Community Development is required to adopt regulations for the administration of the Emergency Housing and Assistance Program. Existing law further provides that, notwithstanding a specified provision of law relating to discrimination, nothing in these provisions shall be construed to preclude a provider of emergency shelter or transitional housing from restricting occupancy on the basis of sex.

This bill would additionally provide that the provisions described above shall not be construed to preclude a provider of emergency shelter or transitional housing from restricting occupancy on the basis of age.

This bill would declare that it is to take effect immediately as an urgency statute.

#### Ch. 47 (SB 1189) 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 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 with a fixed seating capacity in excess of 1,500 seats located in Tulare County or a motorsports entertainment complex, as described, in San Bernardino County.

This bill would make findings regarding the need for special legislation.

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 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.

This bill would declare that it is to take effect immediately as an urgency statute.

#### Ch. 48 (AB 1087) Calderon. Apprenticeships: electricians.

Existing law requires the Division of Apprenticeship Standards by July 1, 2001, to establish minimum training, competency, and certification standards for electricians, as

defined, and to establish and adopt regulations and fees to implement those standards. Existing law requires the division to establish advisory committees as needed to establish electricians' standards by March 1, 2000, and to include electrical contractors on the committees.

This bill would require the division to issue certification cards to electricians who become certified pursuant to the standards set by the division. The bill would continuously appropriate fees collected by the division pursuant to existing law for expenditure in an amount sufficient to pay the cost of supplying the certification cards. The bill would exempt from these provisions work performed in connection with temporary or portable electrical devices in specified industries.

The bill would also require electricians who perform work as electricians for contractors with specified types of licenses to obtain certification by January 1, 2005. The bill would prohibit electricians working for those certain contractors from performing electrical work, unless they are certified. The bill would exempt apprentice electricians from certification, but would permit apprentices who are within one year of completing their apprenticeships to take the certification examination and, upon passing the examination, become certified immediately upon completing the term of their apprenticeship. The bill would require the division to establish a specified committee to establish written educational curriculum standards for enrollees in an electrician training program.

The bill would require the division to make electrician certification information available in non-English languages, provide non-English certification tests, ensure that certain apprenticeship programs provide for reasonable alternative means of satisfying minimum federal education standards, and provide a specified report to the Legislature no later than January 1, 2004.

The bill would also make technical, nonsubstantive changes.

The bill would authorize, after January 1, 2005, uncertified persons who have registered with the division and have completed or are enrolled in a training program to perform electrical work under supervision, as specified. The bill would authorize the division to charge an initial registration fee for this purpose, not to exceed \$25, and would continuously appropriate these fees for the division's administrative costs with regard to the training program.

#### Ch. 49 (AB 1848) Diaz. School desegregation: Targeted Instructional Improvement Grants.

Existing law combines the funding for court-ordered desegregation programs and for voluntary integration programs to form the Targeted Instructional Improvement Grant Program and requires a school district receiving these funds to expend them to fund the costs of any court-ordered desegregation program if the order exists and is still in force or to provide instructional improvement for the lowest achieving pupils in the district.

This bill would, notwithstanding this provision, authorize a school district or multidistrict consortium or collaborative to expend the funds to continue operating a voluntary or court-ordered desegregation program that was established before the enactment of the Targeted Instructional Improvement Grant Program, including a court-ordered program that the district continues operating after the court order establishing the program is dissolved.

#### Ch. 50 (AB 1864) Salinas. Pajaro Valley Water Management Agency.

Existing law, the Pajaro Valley Water Management Agency Act, grants to the Pajaro Valley Water Management Agency various powers for the purposes of water management within its boundaries, including the power to regulate groundwater replenishment programs and recapture supplemental groundwater made available by these programs. The act declares that the purpose of the agency is to manage existing and supplemental water supplies to ensure sufficient water supplies for present and anticipated needs. The act defines "supplemental

water” to mean water imported from outside the watershed of the groundwater basin and certain conserved flood waters.

This bill would modify the definition of supplemental water to include recycled water.

Ch. 51 (AB 2657) Bogh. Instruction: grade point average.

Existing law prohibits 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.

This bill would establish a 4 year implementation schedule for those provisions by commencing application to pupils in grade 9 in the 2005–06 school year.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 52 (SB 467) Scott. Disability insurance.

Existing Law provides unemployment compensation benefits for qualified unemployed individuals. In determining the disability base period for persons whose unemployment benefits for the benefit year have expired, the disability period is calculated with reference to specified 3-month periods in which the disability benefits begin.

This bill would change the specified 3-month periods to include those 3 months included in the respective quarters of a calendar year.

Existing law provides that a specified percentage of the wages of all California employees are to be deposited in the Disability Fund for purposes of funding unemployment compensation disability benefits. Existing law also authorizes an employer, or a majority of employees employed in this state by the same employer, subject to approval by the Director of Employment Development and conditioned upon specified requirements, to elect to be covered under a voluntary plan for the payment of disability insurance.

This bill would make technical amendments to a number of the provisions governing voluntary plans for the payment of disability insurance deductions.

Ch. 53 (AB 2597) Committee on Elections, Reapportionment and Constitutional Amendments. Municipal elections.

Existing law requires that specified charter proposals be submitted to the voters, including charter proposals to amend or repeal a city charter proposed by a petition signed by 15% of the registered voters of the city, and charter proposals to amend or repeal of a city and county charter proposed by a petition signed by 10% of the registered voters of the city and county. Existing law requires that the number of registered voters be determined according to the county elections official’s last official report of registration to the Secretary of State.

This bill would require that the report of registration used for this determination be the report effective at the time that the proponents of a measure proposing to amend a charter give notice of their intent to circulate the petition.

Existing law requires that a petition to amend a municipal charter be filed with the elections official not later than 200 days after the date on which the notice of intent to circulate the petition was published or posed, or both.

This bill would require that the petition be filed within 180 days from the date of receipt of the title and summary, or after termination of an action for a writ of mandate requiring that the ballot title or summary be amended and, if applicable, receipt of an amended title or summary, or both, whichever comes later.

Ch. 54 (AB 255) Zettel. Elder abuse.

(1) Existing law, the Elder Abuse and Dependent Adult Civil Protection Act, establishes various procedures for the reporting, investigation, and prosecution of elder and dependent adult abuse. These procedures require certain persons, called mandated reporters, to report known or suspected instances of elder or dependent adult abuse. Under existing law, care custodians of elder or dependent adults and local law enforcement agencies are mandated

reporters. A violation of the reporting requirements by a mandated reporter, as defined, is a misdemeanor.

This bill would revise the provisions setting forth the purposes of the act, would revise the definition of mandated reporter by including a “clergy member,” as defined, and would redefine “care custodian” to include certain employees of humane societies, animal control agencies, fire departments, and offices of environmental health and code enforcement. The bill would also add abduction to the conduct that is required to be reported under the act, would redefine “multidisciplinary personnel team,” and “neglect,” and would define “imminent danger.” It would also exclude from the definition of “health practitioner” religious practitioners who diagnose, examine, or treat elders or dependent adults.

(2) Existing law authorizes various entities to receive information relevant to an incident of elder or dependent adult abuse and applies confidentiality requirements and liability limitations to those entities.

This bill would extend to any district attorney’s office the authority to receive this information and apply the related confidentiality and liability provisions to the office.

Because the bill would expand the definition of a crime, it would impose a state-mandated local program.

(3) Existing law specifies procedures under which a law enforcement officer or other designated persons, may take an endangered adult, as defined, into temporary emergency protective custody or, whether or not medical treatment is required, any physician treating the endangered adult may request that the law enforcement agency take that endangered adult into temporary emergency protective custody, under specified circumstances. Existing law defines various terms for purposes of these provisions.

This bill would revise the definition of the terms to conform to the definitions used for purposes of the act.

(4) Existing law requires every county welfare department to establish and maintain within the county welfare department a specialized entity responsible for the operation of an adult protective services program. Existing law defines various terms for purposes of these provisions.

This bill would revise these definitions of the terms to conform to the definitions used for purposes of the act.

(5) Existing law provides for enhanced adult protective services provisions, to the extent funds are provided in the annual Budget Act, that require that adult protective services include certain activities and require each county to establish an emergency response adult protective services program containing specified requirements.

This bill would combine these provisions with those described in (4) above and make other changes to conform these provisions to the act. The bill would revise the program requirements related to providing immediate intake or intervention in response to reports and the requirements of an immediate response concerning certain reports involving elder or dependent adults residing in other than long-term care or residential facilities. It would also require a county adult protective service agency to provide certain organizations with specified instructional materials regarding elder and dependent adult abuse and neglect and their obligations under the act. The imposition of this new requirement on counties would create a state-mandated local program.

(6) Existing law requires that certain investigations of allegations of elder and dependent adult abuse, and the case management of elder and dependent adult abuse cases, be performed by county merit system or civil service employees. Under existing law, a county adult protective service agency may utilize a contracted private or nonprofit telephone answering service after normal working hours and on weekends and holidays. These provisions are implemented only to the extent that funding is provided in the Budget Act.

This bill would eliminate that restriction on the application of those provisions.

This bill would also make technical revisions.

(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.

Ch. 55 (AB 1785) Reyes. Health: local agency joint powers agreements.

Existing law requires counties to provide or secure certain public health care services, and authorizes the formation of local health care districts and the establishment of municipal hospitals for the purpose of providing needed public health care services.

Existing law, the Joint Exercise of Powers Act, permits 2 or more public agencies to enter into an agreement to jointly exercise any power common to the contracting parties.

Existing law, notwithstanding this provision, authorizes a private, nonprofit hospital in the Counties of Contra Costa, Kings, San Diego, Tuolumne, and Tulare to enter into joint powers agreements with a public agency.

This bill would also authorize Selma Community Hospital, a private, nonprofit hospital in the County of Fresno, to enter into a joint powers agreement with specified public agencies.

The bill would state the finding and declaration of the Legislature that a special law is necessary and that a general law cannot be made applicable.

Ch. 56 (SB 183) Burton. State employees: retirement benefits.

(1) Existing law authorizes members of the Public Employees' Retirement System to receive service credit for various types of service that are not otherwise eligible for service credit upon payment of specified additional contributions, which contributions are deposited in the Public Employees' Retirement Fund, a continuously appropriated special fund.

This bill would authorize state and school members of the system and, if adopted by their contracting agencies, local members of the system to receive service credit for service performed with specified legislative, executive, and judicial fellowship programs, upon payment of specified additional contributions and subject to certain limitations. By increasing member contributions to the Public Employees' Retirement Fund, the bill would make an appropriation.

(2) Under the Public Employees' Retirement Law, state employees classified as state safety members are entitled to generally higher benefits, and subject to higher contribution rates, than those employees classified as state miscellaneous members. Member contributions are deposited in the Public Employees' Retirement Fund, a continuously appropriated fund.

Under this bill, a state employee who is (1) a member of State Bargaining Unit 7, (2) in a related managerial, supervisory, or confidential position, or (3) an officer or employee of the executive branch in a related position, subject to specified conditions, and who is classified as a state miscellaneous member would, as of July 1, 2004, become a state safety member, unless he or she elects to remain a miscellaneous member, as specified in existing law. By increasing member contributions to the Public Employees' Retirement Fund, the bill would make an appropriation.

(3) The Public Employees' Retirement Law prescribes a 3% at age 50 retirement formula for state peace officer/firefighter members who are members of State Bargaining Unit 6 and who retire or die on or after January 1, 2006.

This bill would additionally make the 3% at age 50 retirement formula applicable to state peace officer/firefighter members who are members of State Bargaining Unit 7 and who retire or die on or after July 1, 2004, and would make a related, technical change.

(4) Under existing law, specified employees of the Department of Justice, among others, are defined as “peace officers” and, as such, may exercise certain powers, including the power of search, seizure, and arrest, and are state peace officer/firefighter members of the Public Employees’ Retirement System.

This bill would include the Attorney General in the definition of a “peace officer.”

Ch. 57 (AB 81) Migden. Property taxation: state-assessed property.

The California Constitution requires the State Board of Equalization to assess the property, other than franchises, of companies transmitting or selling gas or electricity. Existing regulations require the board to assess an electric generation facility, for purposes of this constitutional provision, only if (1) the facility was constructed pursuant to a certificate of public convenience and necessity issued by the California Public Utilities Commission to the company that presently owns the facility or (2) the company owning the facility is a state assessee for reasons other than its ownership of the generation facility or its ownership of pipelines, flumes, canals, ditches, or aqueducts lying within 2 or more counties.

Existing property tax law provides for the valuation, as a unit, of properties of a state assessee that are operated as a unit as a primary function of that assessee, and for the allocation of the assessed value of the unit among various counties in which the state-assessee’s unitary property is located. Existing law also provides, pursuant to specified formulas, for the application in each county of specified tax rates to unitary assessed value, and for the allocation among jurisdictions in that county of the resulting revenues.

This bill would, commencing with the January 1, 2003, property tax lien date, require the board to annually assess electric generation facilities, with specified exceptions, with a generating capacity of 50 megawatts or more that is owned by an electrical corporation, as defined.

This bill also would require that the assessed value of electric generation facilities required to be assessed by the board be allocated exclusively to the county in which the facility is located, and that the revenues derived from the assessment of this property be allocated in the same percentage shares as revenues derived from locally assessed property among the jurisdictions in which the property is located. By establishing new duties with respect to the annual allocation of property tax revenues derived from state-assessed property, 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. 58 (AB 352) Runner. Undetectable knives.

Existing law provides that any person who commercially manufactures or causes to be commercially manufactured, knowingly imports into the state for commercial sale, keeps for commercial sale, or offers or exposes for commercial sale, any undetectable knife is guilty of a misdemeanor. Existing law also defines an “undetectable knife” to mean any knife or other instrument that, among other criteria, is not detectable by a metal detector set at standard calibration.

This bill would revise the definition of “undetectable knife” to include any knife or other instrument that, among other criteria, is not detectable by a metal detector or magnetometer, as specified.

Ch. 59 (AB 1285) Reyes. Supplemental Instruction: Fresno Unified School District.

Existing law requires the governing board of each district maintaining any or all of grades 7 to 12, inclusive, to offer supplemental instructional programs for pupils enrolled in grades 7 to 12, inclusive, who do not demonstrate sufficient progress toward passing the exit examination required for high school graduation. Existing law authorizes these supplemental instructional programs to be offered during the summer, before school, after school, on Saturday, or during intersession, or in any combination of summer, before school, after school, Saturday, or intersession instruction, but requires that they be in addition to the regular schoolday. Existing law prohibits the waiver of these provisions.

This bill would, notwithstanding existing law, authorize the State Board of Education to grant a waiver request from the Fresno Unified School District to allow that school district to use supplemental instructional program funds to offer to pupils enrolled at the Cooper Middle School an instructional day that is 60 minutes longer than at other middle schools in the district in order to provide more instruction in language arts and mathematics. The bill would require the Superintendent of Public Instruction to conduct an evaluation of this alternative use of supplemental instruction funds and submit an evaluative report to the Legislature by December 31, 2004. These provisions would become inoperative on July 1, 2004, and would be repealed as of January 1, 2005.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 60 (AB 1433) Horton. Military service: benefits.

Existing law authorizes extensions of time for certain credit contracts of, and stays of administrative and judicial proceedings of, enlisted members of the National Guard ordered into active state service by the Governor for specified emergency purposes.

Existing law prohibits eviction or distress, except upon leave of court, with respect to premises, rented at or below a certain monthly rate, that were occupied by the spouse, children, or other dependents of reservists called into active duty as a result of the Iraq-Kuwait crisis. Existing law also requires the court to issue a stay for a specified period or make other prescribed orders, unless the court found that the ability to pay the rent was not materially affected by that military service. Existing law makes knowing eviction or distress a misdemeanor.

This bill would revise and recast those provisions to provide similar protections for members of the National Guard ordered into active state service by the Governor or active federal service by the President of the United States for emergency purposes, and for reservists called to active duty, as specified. This bill would provide protections for these persons during their period of military service with respect to, among other things, court proceedings, contract obligations, rental agreements, taxes or assessments, and health or medical insurance.

This bill would also make other, related changes.

By making violations of certain provisions misdemeanors, this bill would impose a state-mandated local program.

This bill would state the intention of the Legislature in enacting these 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.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 61 (AB 1734) Committee on Utilities and Commerce. Telecommunications services.

(1) Existing law establishes the California High-Cost Fund-B Trust and the Deaf Equipment Acquisition Fund (DEAF Trust). Existing law authorizes the trustee of the California High-Cost Fund-B Trust to transfer money, on or before September 30, 2001, to the DEAF Trust to cover the costs of programs to provide specified telecommunications services and equipment to deaf or disabled persons in this state. Existing law requires the commission to reimburse the California High-Cost Fund-B Trust for any transfer of money to the DEAF Trust. Existing law requires that reimbursement during specified dates to the California High-Cost Fund-B Trust be deposited in a separate memorandum account within the DEAF Trust. Existing law requires that on July 1, 2002, any funds remaining in the DEAF Trust, including amounts deposited in the memorandum account for purposes of reimbursing the California High-Cost Fund-B Trust, revert to the General Fund in the State Treasury, with all amounts in the memorandum account reverting for the purpose of funding the California High-Cost Fund-B Trust account in the State Treasury.

This bill would instead require that on July 1, 2002, any funds in the DEAF Trust that were deposited in the memorandum account for purposes of reimbursing the California High-Cost Fund-B Trust revert to the Controller for deposit in the California High-Cost Fund-B Trust Committee Fund in the State Treasury. The bill would also require that on July 1, 2003, any funds remaining in the DEAF Trust, exclusive of those funds in the memorandum account, revert to the Deaf and Disabled Telecommunications Program Administrative Committee Fund in the State Treasury.

(2) Existing law establishes the Deaf and Disabled Telecommunications Program Administrative Committee (committee) to advise the Public Utilities Commission regarding the implementation, development, and administration of programs to provide specified telecommunications services and equipment to persons who are deaf or disabled, and to carry out the programs pursuant to the commission's direction, control, and approval. Existing law establishes the Deaf and Disabled Telecommunications Program Administrative Committee Fund in the State Treasury to carry out the programs pursuant to the commission's direction, control, and approval, and requires the commission to report to the Governor and the Legislature regarding a transition plan for programs associated with the fund.

This bill would, commencing July 1, 2003, rename the committee the Telecommunications Access for Deaf and Disabled Administrative Committee, and delete the authority of the committee to carry out programs pursuant to the commission's direction, control, and approval. The bill would require the committee to advise the commission on certain contracts and agreements related to deaf and disabled telecommunications programs and to submit recommendations to the commission for the administration and governance of certain deaf and disabled telecommunications programs. The bill would require the commission to establish qualifications for persons to serve as members of the committee so that consumers of telecommunications services for the deaf and disabled represent not less than  $\frac{2}{3}$  of the membership of the committee and, to the extent feasible, that one of those members have experience in the administration of similar deaf and disabled telecommunications programs. The bill would require, commencing July 1, 2003, that any staffing costs incurred by the commission for the oversight and administration of the deaf and disabled telecommunications programs be funded by moneys appropriated from the Deaf and Disabled Telecommunications Program Administrative Committee Fund.

(3) Existing law requires that all revenues collected by telephone corporations in rates to fund the deaf and disabled telecommunications programs be submitted to the commission. Existing law requires that commencing July 1, 2002, the commission transfer the moneys received, and all unexpended revenue collected prior to July 1, 2002, to the Controller for deposit in the Deaf and Disabled Telecommunications Program Administrative Committee Fund.

This bill would instead require the commission to transfer the moneys received, including unexpended revenue collected prior to July 1, 2003, commencing July 1, 2003.

(4) Existing law requires the commission to design and implement various programs to provide telecommunications services to deaf, disabled, and hearing-impaired individuals.

This bill would authorize the commission to contract with entities, including nonprofit entities, or persons with necessary expert knowledge, ability, and experience to provide, manage, or operate specified telecommunications services and equipment for the deaf and disabled telecommunications programs. The bill would require any contractor the commission selects to deliver these services to consult with the Telecommunications Access for Deaf and Disabled Administrative Committee regarding the specialized needs of individuals using the deaf and disabled telecommunications services and equipment.

(5) This bill would declare that it is to take effect immediately as an urgency statute.

#### Ch. 62 (AB 1819) Robert Pacheco. Delinquent fines: collection.

Existing law authorizes any county or court to implement a comprehensive program to identify and collect delinquent fines and forfeitures, with or without a warrant having been issued against the alleged violator, if the base fine, excluding state and county penalties, is at least \$100. Existing law authorizes the county or court to deduct and deposit in the county treasury the cost of operating that program, excluding capital expenditures, from any revenues collected prior to making any distribution of revenues to other governmental entities required by any other provision of law.

This bill instead would authorize any county or court that implements a comprehensive program to identify and collect delinquent fines and forfeitures, with or without a warrant having been issued against the alleged violator, if the base fines and forfeitures are delinquent. The bill would allow the cost of operating the program, excluding capital expenditures, to be deposited in the county treasury or the trial court operations fund prior to disbursement pursuant to existing law. The bill would expressly provide that any county or court may establish a minimum base fine or forfeiture amount for inclusion in the program.

#### Ch. 63 (AB 1873) Koretz. Peace officers: confidential records.

Under existing law, peace officer personnel records and other specified records, or information from those records, are confidential and may not be disclosed by the department or agency that employs the peace officer in any civil or criminal proceeding except by discovery pursuant to specified provisions of law.

This bill would recast these provisions and provide that these records may not be disclosed in any civil or criminal proceeding except by discovery pursuant to specified provisions of law.

#### Ch. 64 (AB 2106) Bogh. Jurisdiction.

Generally, jurisdiction over an offense is in the jurisdictional territory where it occurs. Existing law provides that the jurisdiction for an offense committed in part in 2 different jurisdictional territories is in any competent court of either jurisdictional territory. For certain specified theft-related crimes involving property moved among jurisdictional territories, jurisdiction lies in any of those territories. For crimes of domestic and sexual abuse, where the defendant and victim are the same and the offenses occur in several jurisdictional territories, jurisdiction lies in each of those territories. Existing law provides for other special jurisdictional determinations involving treason, incest, bigamy, and other offenses without clear territorial connection, or with connections to multiple territories.

This bill would provide for territorial jurisdiction over charged violations of specified provisions relating to weapons of mass destruction in the courts of any of the territories in which any one of the offenses occurred, if the offenses are part of a single scheme or terrorist attack.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 65 (AB 2336) Negrete McLeod. Prisoners: hearing notice.

Under existing law, in specified actions or proceedings in which a prisoner's parental or marital rights are subject to adjudication, an order for the prisoner's temporary removal from the institution and for the prisoner's production before the court may be made by the superior court of the county in which the action or proceeding is pending, or by a judge thereof. Existing law requires that a copy of the order be transmitted to the warden, superintendent, or other person in charge of the institution not less than 48 hours before the order is to be executed.

This bill would require that instead a copy of the order be transmitted not less than 15 days before the order is to be executed.

Ch. 66 (AB 2563) Vargas. Domestic violence.

Existing law gives the court authority, as specified, to revoke or terminate probation, or to modify conditions of probation. Under existing law, a court cannot modify, revoke, or change court orders of probation without written notice to the proper probation officer, and cannot modify a probation order without providing a 2-day written notice to the prosecutor, and an opportunity to be heard on the matter.

This bill would provide that a protective order that is a term or condition of probation in a domestic violence case may not be modified without a 5-day written notice being provided to the prosecuting attorney. This bill would require a court limiting or terminating a protective order as a condition of probation in a domestic violence case to consider if there has been any material change in circumstances since the crime for which the order was issued, and to consider any issue that relates to whether good cause exists for the change, including specified considerations.

Ch. 67 (SB 1271) Ackerman. Nonprobate transfers: Uniform TOD Security Registration Act.

Existing law, the Uniform TOD Security Registration Act, provides for the transfer of the ownership or proceeds of a security, as defined, upon the death of the owner, without probate or estate administration, and defines a security account for these purposes.

This bill would add the term cash equivalents, as defined, and an investment management or custody account with a trust company or a trust department of a bank with trust powers, as specified, to the definition of security account for purposes described above.

Ch. 68 (SB 1322) Ackerman. Debtor and creditor relations.

(1) Existing law permits a plaintiff to apply for a writ of possession, which must show, among other things, the basis of the plaintiff's claim and that the plaintiff is entitled to the property claimed. Existing law requires a hearing on a noticed motion before the writ of possession may be issued, except as specified, and prohibits a court from issuing a writ until the plaintiff posts an undertaking in a value of at least twice the defendant's interest. Existing law permits a defendant to post an undertaking to prevent the seizure of the property or reclaim it.

This bill would provide an alternative procedure for writs of possession if a court finds that a defendant has no interest in the property. The bill would require, under these circumstances, that a court waive the requirement of the plaintiff's undertaking and that the court determine the amount of the defendant's undertaking, as specified. The bill would also require a levying officer to deliver to the person in possession of the property a copy of the court order for issuance of the writ of possession.

(2) Under the existing Enforcement of Judgments Law, a judgment creditor may levy upon the property of a judgment debtor to satisfy the judgment, and the judgment debtor may claim that certain property is exempt from the levy by following a specified procedure. Under that existing law, a levying officer holds the property until the final determination of the exemption.

This bill would require that if an exemption of property, as described above, is not determined within a specified time, the property claimed to be exempt shall be released, unless otherwise ordered by the court. The bill would further permit a levying officer to release the property described above after an appeal is waived or the time for filing an appeal has expired.

Ch. 69 (SB 1325) Kuehl. Personal jurisdiction: general appearance.

Under existing law, a defendant, on or before the last day of his or her time to plead or within any further time that the court may for good cause allow, may serve and file a notice of motion for certain purposes, including to quash service of summons on the ground of lack of jurisdiction of the court over him or her.

The bill would permit a defendant or cross-defendant to move to quash service of summons, move to stay or dismiss the action on the grounds of inconvenient forum, or move to dismiss for delay in prosecution, and simultaneously answer, demur, or move to strike the complaint or cross-complaint. The bill would specify certain circumstances under which a party is not deemed to have made a general appearance for purposes of a court exercising its jurisdiction.

The bill would declare the intent of the Legislature in enacting its provisions to conform California practice with respect to challenging personal jurisdiction to the practice under Rule 12(b) of the Federal Rules of Civil Procedure.

Ch. 70 (SB 1370) Bowen. Servicing of indebtedness: transfer.

Existing law requires any person transferring the servicing of indebtedness to a different servicing agent to provide written notice to the borrower or subsequent obligor, as specified.

This bill additionally would require any person transferring the servicing of indebtedness to a different servicing agent to provide to the new servicing agent all existing insurance policy information that the person is responsible for maintaining.

Ch. 71 (SB 1371) Morrow. Court reporting.

Existing law requires an official court reporter to provide a transcript in plain and legible longhand to the court or either party of the transcript of a judicial proceeding originally taken in shorthand.

This bill also would require that transcript to be provided in longhand to a nonparty if he or she is entitled to receive the transcript whether or not the nonparty was entitled to attend the proceeding.

The bill would make other technical nonsubstantive changes to the state statutes which govern the production of transcripts by court reporters, including reorganizing and consolidating various code sections which make reference to the obsolete municipal courts.

Ch. 72 (SB 2061) Morrow. Evidentiary privileges.

Existing law specifies that the right of a person to claim an evidentiary privilege is waived if the holder of the privilege discloses a significant part of the privileged communication or has consented to that disclosure, as specified.

This bill would add the domestic violence victim-counselor privilege to the list of evidentiary privileges to which this provision applies. The bill would also add a communication made in the course of a sexual assault victim-counselor or domestic violence victim-counselor relationship to the list of communications presumed to have been made in confidence and therefore privileged.

Existing law provides that a communication between a client and his or her lawyer is not deemed lacking in confidentiality solely because the communication is transmitted by facsimile, cellular telephone, or other electronic means between the client and his or her lawyer.

This bill would delete that provision and add a provision specifying that a communication between persons in a privileged relationship does not lose its privileged character for the sole

reason that it is communicated by electronic means or because persons involved in the delivery, facilitation, or storage of electronic communication may have access to the content of the communication.

Ch. 73 (SB 1359) Haynes. Display of the American flag.

Existing law prohibits any person, private entity, or governmental agency from adopting a measure that prevents any person or private entity from exercising his or her legal right to display a Flag of the United States on private property, unless it is used as, or in conjunction with, an advertising display. Existing law prohibits these provisions from being construed to prevent a city, county, or city and county from imposing reasonable restrictions as to the time, place, and manner of placement or display of a Flag of the United States when necessary for the preservation of the public's health, safety, or order, and prohibits any restrictions from being imposed solely to promote aesthetic considerations.

This bill would additionally prohibit any local government agency, as defined, from adopting any policy or regulation that prohibits or restricts an employee of that agency from displaying a Flag of the United States, or a pin of that flag, on his or her person, in his or her workplace, or on a local government agency vehicle, except as specified.

Ch. 74 (AB 1992) Correa. County employees' retirement: board of retirement: Orange County.

(1) Existing law authorizes boards of retirement of retirement systems subject to the County Employees Retirement Law of 1937 to appoint an administrator who shall not be subject to county civil service, who shall be a county employee, and who may be dismissed at will by the board, as specified.

This bill would authorize the board of retirement of the Orange County Employees Retirement System to appoint an administrator, assistant and subordinate administrators, legal counsel, an investment officer, and specified senior management employees. Those appointees would be employees of the retirement system, subject to terms of employment determined by the board of retirement.

(2) Under existing law, counties and districts, as defined, may provide retirement benefits to their employees pursuant to the County Employees Retirement Law of 1937.

This bill would include the Orange County Employees Retirement System within the definition of a "district" for purposes of providing retirement benefits to the system's employees. The bill would provide that when the system becomes a district, the employees of that district who had previously been in county service shall continue to be members of the system, without interruption in service or loss of credit, and all necessary appropriations and transfers of funds shall be charges against the funds of that district.

(3) The County Employees Retirement Law of 1937 authorizes a board of supervisors or governing body of a district, by resolution, to make any formula for calculation of benefits applicable to service credit earned prior to the date of the resolution and to require, subject to certain conditions, the affected members to pay some or all of the contributions that would have been paid if the formula had been in effect during that designated period prior to the date of the resolution.

This bill would additionally authorize the board of supervisors or the governing body of a district in Orange County, by resolution adopted by majority vote and made pursuant to a memorandum of understanding, as specified, to make certain formulas for the calculation of benefits for general or safety members applicable to the employees of a bargaining unit comprised of general members, safety members, or employees of the Probation Services Unit and Probation Supervisory Management Unit, as specified. The bill would also require the affected members, subject to certain conditions, to pay some or all of those additional contributions, as specified.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 75 (SB 1268) Battin. Lake Cuyamaca Recreation and Park District.

(1) Existing law establishes the Lake Cuyamaca Recreation and Park District, and prescribes the functions and duties of the district. Existing law authorizes the district to acquire all necessary and proper lands and facilities by borrowing funds or purchasing on contract. Existing law prohibits the amount of indebtedness incurred from exceeding an amount equal to the anticipated tax income for a 2-year period, and requires that all indebtedness be repaid in approximately equal annual installments during a period not to exceed 5 years from the date on which the indebtedness is incurred, at a rate not to exceed 6% per annum. Existing law requires that a tax be levied and collected sufficient to pay the interest and principal on the indebtedness.

This bill would specify that the amount of indebtedness shall not exceed an amount equal to the anticipated revenue for a 2-year period, and would require that all indebtedness be repaid in annual installments during a period not to exceed 10 years from the date on which the indebtedness is incurred, at a rate that is less than or equal to the rate permitted under certain provisions of existing law. The bill would delete those provisions requiring that a tax be levied to repay the principal and interest on the indebtedness.

(2) Existing law authorizes the district board to call an election for the issuance of bonds to pay for the acquisition of a structure or improvement of real property if the acquisition or improvement reasonably requires an expenditure of funds in excess of available funds of the district derived from ordinary taxation. Existing law prescribes procedures for, and imposes conditions upon, the issuance of bonds by the district.

This bill would require the district to proceed under certain provisions of existing law relating to issuance of bonds by recreation and park districts, if the district elects to incur general obligation bonded indebtedness for the acquisition or improvement of real property or for the funding or refunding of any outstanding indebtedness.

Ch. 76 (SB 1579) Brulte. Public resources: recreation and park districts.

The existing Recreation and Park District Law specifies procedures for park district formation, procedures for the selection of the district board of directors and officers, the powers and duties of the board, and financial provisions. Existing law authorizes the board of directors of a district to form zones within a district to provide different services, to provide different levels of service, or to raise additional revenues within specific areas of the district. Existing law requires the board of directors of a district to terminate the proceedings if the board determines, among other things, that property owners who own more than 50% of the assessed value of all taxable property in the district have filed written objections to the formation.

This bill would require the board to terminate the proceedings if the board determines that property owners who own more than 50% of the assessed value of all taxable property in the proposed zone, instead of the district, have filed written objections to the formation of the zone.

Ch. 77 (SB 1833) Peace. Budget Act of 2001: public social services.

The Budget Act of 2001 appropriated \$726,494,000 from the General Fund to the State Department of Social Services for expenditure for local assistance, including children's services, special programs, and community care licensing.

This bill would increase this appropriation to \$753,619,000, as scheduled, and make related changes.

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. 78 (AB 1765) Bogh. Vehicle length limitation.

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 exempt schoolbuses fitted with a crossing control arm from that limitation when the excess length is caused by the projection of the device, as specified.

Ch. 79 (AB 1892) Harman. Orange County Sanitation District.

The County Sanitation District Act authorizes a sanitation district to acquire, construct, and complete certain works, property, or structures necessary or convenient for sewage collection, treatment, and disposal.

This bill would authorize the Orange County Sanitation 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.

This bill would declare that it constitutes necessary special legislation.

This bill would declare that it shall take effect immediately as an urgency statute.

Ch. 80 (AB 1915) Lowenthal. Vehicles: license plates.

Existing law provides for the assignment of a specific license number to a motor vehicle, which may be changed only upon application to the Department of Motor Vehicles (DMV), and under certain circumstances. Existing law provides for controls on the replacement of lost, stolen, or mutilated license plates when the applicant provides an address different from that in DMV records.

This bill would require the DMV to provide a new set of license plates to a registered owner of a vehicle who appears in person and submits a completed application and also presents to the DMV the previously issued plates, proof of identity and vehicle ownership, and either evidence of victimization by a domestic abuser or evidence of efforts to get assistance in regard to the domestic abuse, as specified. This bill would exempt special interest license plates from this requirement.

Ch. 81 (AB 2034) Horton. Community colleges: Reporting by Community College Employees of Improper Governmental Activities Act.

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, known as 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, known as the Reporting by Community College Employees of Improper Governmental Activities Act, enacts provisions, applicable to community college campuses, that are similar to the California Whistleblower Protection Act, including procedures for the investigation and determination of complaints by the State Personnel Board.

This bill would require the hearings to be conducted in accordance with the statutes governing community colleges and the rules of practice and procedure of the State Personnel Board. The bill would also require that no costs associated with hearings of the State Personnel Board conducted pursuant to a cited provision of the Reporting by Community College Employees of Improper Governmental Activities Act shall be charged to the board of governors. The bill would instead require that all of the costs associated with those hearings shall be charged directly to the community college district that employs the complaining employee, or with whom the complaining applicant for employment has filed his or her employment application.

Ch. 82 (AB 2038) Ashburn. County service areas.

Existing law permits the board of supervisors by a  $\frac{4}{5}$  vote to appropriate up to \$1,000,000 of its available moneys to a revolving fund for specified uses relating to county service areas under prescribed conditions, including a requirement that the revolving fund be reimbursed. Existing law also authorizes the Board of Supervisors of Santa Barbara County to disburse money from the revolving fund to county service areas without the requirement of reimbursement.

This bill would grant the same authority to the Board of Supervisors of Tulare County.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 83 (AB 2122) Washington. 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 limits counties and cities and counties to investing no more than 40% of their money in eligible commercial paper and limits other local agencies, such as cities, to investing no more than 25% of their money in eligible commercial paper.

This bill would make the City of Los Angeles subject to the same concentration limits for investment in eligible commercial paper as counties and cities and counties.

Ch. 84 (AB 2142) Chavez. Financial guaranty insurance.

Existing law regulates insurers transacting financial guaranty insurance. Existing law requires at least 95% of a financial guaranty insurance corporation's outstanding total net liability on specified obligations, including corporate obligations, partnership obligations, and asset-backed securities, to be investment grade.

This bill would exempt corporate obligations, partnership obligations, and asset-backed securities from that investment requirement governing financial guaranty insurance corporations.

Ch. 85 (AB 2146) Chu. Community colleges: intersession terms.

(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 provides that nothing in the Education Code is to be construed as permitting a community college faculty member to acquire regular classification with respect to employment in a summer school maintained by a community college district. Existing law also excludes service in connection with this employment from the computation of the service required as a prerequisite to attainment of, or eligibility for, classification as a regular employee of the district.

This bill would also exclude intersession terms from this computation if this exclusion is in accordance with an applicable collective bargaining agreement.

(2) Existing law relating to the employment of faculty by a community college district defines an "academic year" as that period between the 1st day of a fall semester or quarter and the last day of the following spring semester or quarter.

This bill would further require that an "academic year" exclude any intersession term that has been excluded pursuant to an applicable collective bargaining agreement. The bill would also make various technical and conforming revisions.

Ch. 86 (AB 2167) Koretz. Real estate licenses.

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 salesperson within this state. Existing law requires an applicant for an original real estate salesperson license to successfully complete 2 courses from a list of designated courses. Existing law also requires an applicant for renewal of a real estate license to successfully complete 45 hours of educational courses including 4 designated courses.

This bill would require, on and after July 1, 2003, an applicant for an original real estate salesperson license to successfully complete a course in real estate practices and one course from the list of designated courses. The bill would also provide, on and after July 1, 2003, that successful completion of the 4 designated courses for renewal of a real estate license requires an applicant to demonstrate that he or she has passed a final examination.

Ch. 87 (AB 2196) Lowenthal. Podiatrists.

Existing law, the Medical Practice Act, makes it a misdemeanor for a person who is not licensed as a physician and surgeon to use certain words, letters, and phrases or any other terms that imply that he or she is authorized to practice medicine as a physician and surgeon. Existing law makes it a misdemeanor for a person who is not licensed to practice podiatric medicine to use certain words, letters, and phrases or any other terms that imply that he or she is a podiatrist.

This bill would specify that a person who is licensed to practice podiatric medicine may use the phrases "doctor of podiatric medicine," "doctor of podiatry," and "podiatric doctor" or the initials "D.P.M.," and the person would not be in violation of the act.

Ch. 88 (AB 2398) Robert Pacheco. Community colleges: surplus personal property.

(1) 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. Existing law also allows these districts to exchange for value, sell for cash, or donate any personal property belonging to the district if the property is determined to be surplus, the property is exchanged with, or sold or donated to, school districts or other community college districts and the receipt of the property would not be inconsistent with technology plans of the recipient district.

This bill would allow the surplus property to also be exchanged with, or sold or donated to, other public entities. The bill would also make conforming changes.

(2) Existing law allows the governing board of a community college district to empower, by a unanimous vote of its members, a district employee to sell at a private sale property that does not exceed \$2,500 in value.

This bill would substitute the \$2,500 maximum valuation of the property with a \$5,000 maximum value.

Ch. 89 (AB 2435) Jackson. Victims of crime: services.

Existing law provides for various services to be provided to victims of crime in the state.

This bill would require the Secretary of the State and Consumer Services Agency to submit a report to the Legislature no later than January 1, 2004, on crime victim services in the state.

Ch. 90 (AB 2502) Wyland. Horse racing.

Under existing law, the organization representing the horsemen at a horse racing event receives distributions of funds for purses to be paid to or for the benefit of the horsemen at the racing meeting. Of the portion of the takeout to be paid as purses, the horsemen's organization representing the horsemen receives a percentage for administrative expenses and services rendered to the horsemen. Under existing law which is scheduled to be repealed by its own terms on January 1, 2004, any association, including a fair, that conducts thoroughbred racing must pay to the owners' organization contracting with the association

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an additional percentage for a national marketing program, as specified, to promote thoroughbred racing unless the owners' organization chooses not to contribute to the program. This same law requires the owners' association annually to file a report with the board and the Legislature, as specified, accounting for the receipt and expenditures of these funds.

This bill would delay the repeal of these requirements until January 1, 2008.

Ch. 91 (AB 2708) Mountjoy. School safety plan.

Existing law requires each school to adopt a comprehensive school safety plan by March 1, 2000, and to review and update its plan by March 1, every year thereafter.

This bill would specify that a new school campus that begins offering classes to pupils after March 1, 2001, must comply with these requirements.

Ch. 92 (AB 2723) Washington. Evidence: admissibility.

Existing law provides for the inadmissibility of certain evidence as a matter of public policy, including portions of statements, writings, or benevolent gestures expressing sympathy or a general sense of benevolence relating to the pain, suffering, or death of a person involved in an accident and made to that person or to the family of that person, which are inadmissible as evidence of an admission of liability in a civil action. However, a statement of fault, which is part of, or in addition to, any of the above is not inadmissible.

This bill would extend this rule of evidence to the admissibility of evidence of an admission of liability in administrative adjudication proceedings pursuant to the Administrative Procedure Act.

Ch. 93 (AB 2917) Chan. California Health Facility Construction Loan Insurance Law.

Existing law, the California Health Facility Construction Loan Insurance Law, provides an insurance program administered by the Office of Statewide Health Planning and Development for health facility construction, improvement, and expansion loans made to a political subdivision or nonprofit corporation, as defined. In order for a loan to be eligible for insurance under this law, it is required to be secured by a first mortgage, first deed of trust, or other first priority lien on a fee interest of the borrower.

This bill would expand the security for these loan purposes to include a leasehold interest of a specified duration.

Ch. 94 (SB 1323) Ackerman. Municipal bankruptcy.

Under existing law, any taxing agency or instrumentality of the state may file a petition and prosecute to completion bankruptcy proceedings permitted under the laws of the United States.

This bill would, instead, authorize, except as provided by statute, a local public entity, as defined, in this state to file a petition and exercise powers pursuant to the applicable federal bankruptcy law. The bill would make other conforming changes and would make technical changes to correct obsolete references.

Ch. 95 (SB 1336) Alpert. 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 \$1,457,756.09 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.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 96 (SB 1559) Figueroa. Child witness: closed circuit television.

Existing law authorizes a minor under the age of 13 years, to give testimony by way of a closed-circuit television under specified circumstances and procedures if the minor's testimony will involve a recitation of the facts under either of 2 circumstances: (1) an alleged sexual offense committed on or with that minor; or (2) the minor is a victim of a violent felony as defined. The currently operative version of the statute is operative until January 1, 2003, and on that date is repealed. Effective January 1, 2003, the version of the statute to become operative would only apply under the first circumstance.

This bill would extend indefinitely the operation of the currently operative version of the statute, thereby authorizing a minor to give testimony under either of the 2 circumstances described above. The bill would also repeal the version of the statute to become operative January 1, 2003.

Ch. 97 (SB 1815) Chesbro. County surplus property.

Existing law authorizes the board of supervisors of a county 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.

This bill would delete the references to "nonprofit corporation" and instead substitute an organization exempt from taxation pursuant to specified provisions of federal law and would add such an organization, organized for the provision of health and human services, to those entities to which a county board of supervisors may donate or leave this property.

Ch. 98 (SB 1935) Costa. Commercial coaches: commercial modulars.

The Mobilehomes-Manufactured Housing Act of 1980, authorizes the Department of Housing and Community Development to adopt regulations for the construction of commercial coaches and special purpose commercial coaches. A knowing violation of the act or regulations issued pursuant to it is punishable as a misdemeanor. The act defines a special purpose commercial coach as a vehicle with or without motive power, designed for human occupancy, for industrial, professional, or commercial purposes, that is not required to be moved under a permit.

This bill would provide that the definition of a commercial coach and special purpose commercial coach means the same as commercial modular and special purpose commercial modular, respectively, and applies to all statutory references of these terms.

Ch. 99 (AB 3008) Committee on Budget. Budget implementation: education finance.

The Budget Act of 2001 makes appropriations, including appropriations in regard to the state's funding obligations for school districts and community college districts, for support of state government for the 2001-02 fiscal year.

This bill, in augmentation of the Budget Act of 2001, would reappropriate designated appropriations made in that act, relating to various educational programs in the total amount of \$1,796,591,000, to the Trustees of the California State University for the support of the California State University for the 2001-02 fiscal year.

This bill would appropriate \$503,433,000 from the Proposition 98 Reversion Account for transfer to Section A of the State School Fund, for allocation by the Superintendent of Public Instruction to school districts, county offices of education, and other agencies for the purposes of adult education, as specified, for costs incurred in the 2001-02 fiscal year.

This bill would declare that it makes appropriations for the usual and current expenses of the state, thereby taking effect immediately.

Ch. 100 (AB 516) Cedillo. Redevelopment: Byzantine-Latino Quarter.

(1) Existing law requires the Department of Transportation to keep and repair all objects or markers adjacent to a state highway that have been erected to mark registered historical places.

This bill would require the Department of Transportation, through the erection of highway signs and appropriate markers to provide recognition of the historical importance of the Byzantine-Latino Quarter within the City of Los Angeles.

(2) The bill would declare that it is to take effect immediately as an urgency statute.

#### Ch. 101 (AB 3011) Committee on Budget. Education.

(1) The bill would appropriate \$1,046,893,000 for expenditure in the 2002–03 fiscal year from the General Fund, with \$931,303,000 appropriated to the Superintendent of Public Instruction and \$115,590,000 appropriated to the Board of Governors of the California Community Colleges for allocation on a one-time basis to community college districts. Of the amount appropriated to the Superintendent of Public Instruction, \$76,000,000 would be for allocation on a one-time basis for the Instructional Time and Staff Development Reform Program, \$60,643,000 would be for allocation on a one-time basis for the STAR program, \$67,300,000 would be for allocation on a one-time basis for the Governor's High Achieving/Improving Schools Program, \$713,360,000 would be for allocation on a one-time basis for the Targeted Instructional Improvement Grant program, and \$14,000,000 would be for allocation on a one-time basis for the Beginning Teacher Support and Assessment System. This appropriation would be applied toward the 2002–03 fiscal year minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

(2) The bill would require the Superintendent of Public Instruction and the Board of Governors of the California Community Colleges to allocate the funds appropriated in the bill by August 1, 2002.

(3) The bill would not become operative unless AB 3008 of the 2001–02 Regular Session is enacted.

(4) The 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. 102 (AB 1828) Bill Campbell. Halal food.

Existing law provides that every person who, with intent to defraud, sells any meat or meat preparations falsely representing them to be kosher or prepared in compliance with Hebrew orthodox religious requirements, or who fails to indicate that both kosher and nonkosher meat is for sale in the same place of business, as specified, is punishable by a fine of not less than \$100 nor more than \$600, or imprisonment in a county jail for not less than 30 days nor more than 90 days, or by both that fine and imprisonment.

This bill would provide that a person who, with intent to defraud, sells any meat or meat preparations falsely representing them to be halal or prepared in compliance with Islamic religious requirements, or who fails to indicate that both halal and nonhalal meat is for sale in the same place of business, as specified, is punishable by the same imprisonment and fine. 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. 103 (AB 2112) Cogdill. Vehicles: hazardous materials.

Under existing law, it is a crime to operate a motor vehicle without a driver's license unless an exemption is applicable. Existing law provides that a nonresident over the age of 18 years having in his or her immediate possession a valid driver's license issued by a foreign

jurisdiction of which he or she is a resident, may operate a motor vehicle in this state without a driver's license with specified exceptions.

This bill would further require such a nonresident, 21 years of age or older, if transporting hazardous materials, as defined, in a commercial vehicle, to have a valid license with the appropriate endorsement issued by another state or other jurisdiction that is recognized by the department, or to have in his or her immediate possession a Canadian driver's license and a copy of his or her current training certificate to transport hazardous material that complies with all federal laws and regulations with respect to hazardous materials. Because this bill would expand the application of a crime, it would impose a state-mandated local program.

This bill would also specify that a nonresident who is entitled to an exemption while operating a commercial vehicle and who is required to have a current medical certificate in his or her possession, as specified, shall comply with any restriction on that certificate.

This bill would state the intent of the Legislature that this act not be construed to abrogate any provision of law that would otherwise require an individual to obtain a California driver's license. This bill would declare that it is to take effect immediately as an urgency statute.

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. 104 (AB 2687) Maldonado. Transportation of hazardous materials: drinking water reservoirs.

Existing law authorizes the Department of the California Highway Patrol, after consultation with the Department of Transportation or the city or county agency with traffic control jurisdiction over a highway, to close a highway to vehicles transporting hazardous materials or hazardous waste, if, among other things, the highway is located within a watershed of a drinking water reservoir that is owned and operated by a municipal water district, and meets other specified criteria. Driving, or directing or permitting an authorized agent to drive, a vehicle in violation of these provisions is a misdemeanor.

This bill would provide that these provisions apply to public water systems, as defined, in addition to municipal water districts, and would make technical changes to the criteria relating to drinking water reservoirs for these purposes.

By expanding the scope 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. 105 (SB 2069) Burton. Citations: quotas.

Existing law prohibits a state or local agency from establishing any policy requiring peace officers to meet a quota for arrests made or citations issued. Existing law also prohibits a state or local agency from using the number of arrests made or citations issued as the sole criterion for specified personnel matters relating to peace officers.

This bill would, in addition, prohibit a state or local agency from establishing any policy requiring parking enforcement employees to meet a quota for arrests made or citations issued, and would prohibit a state or local agency from using the number of arrests made or citations issued as the sole criterion for specified personnel matters relating to parking enforcement employees. This bill would also include the Regents of the University of California within the definition of an "agency" to which these prohibitions are applicable.

Ch. 106 (AB 2508) Dickerson. Remembrance Memorial for California Korean War Veterans at Santa Nella.

Existing law provides for the construction and maintenance of veterans' buildings and memorials in the state.

This bill would recognize the existing Korean War memorial built in 1998 in the San Joaquin Valley National Cemetery near Santa Nella as the official state memorial for veterans of the Korean War, to be known as the Remembrance Memorial for California Korean War Veterans at Santa Nella.

Ch. 107 (AB 269) Correa. Professional and vocational licensing boards, commissions, and bureaus.

Existing law provides for the establishment of professional and vocational licensing boards, commissions, and bureaus that are overseen by the Department of Consumer Affairs. These boards, commissions, and bureaus license, regulate, and discipline persons practicing or engaging in professions and vocations regulated by them.

This bill would state that the highest priority for licensing boards, commissions, and bureaus, in performing their licensing, regulatory, and disciplinary functions, is the protection of the public.

Ch. 108 (AB 1874) Horton. Insurance: license renewal.

Existing law provides for the licensure, including the renewal of licenses, and regulation of rental car agents and credit insurance agents by the Insurance Commissioner.

This bill would authorize the commissioner to mail a renewal application to these licensees to the latest address the commissioner has for the licensees not less than 60 days before the license is set to expire. The bill would authorize the renewal application for an expired license to be filed up to one year after the expiration date of the license. The bill would require, in addition to the renewal fee, a penalty of 50% of the renewal fee to be charged a licensee who files the renewal application after the expiration of the license.

Ch. 109 (AB 1961) Canciamilla. Residential care facilities for the elderly: terminally ill persons.

Existing law provides for the licensure and regulation of residential care facilities for the elderly by the State Department of Social Services.

Existing law prohibits any person who requires 24-hour skilled nursing or intermediate care, or who is bedridden, other than for a temporary illness or for recovery from surgery, from being a resident at a residential care facility for the elderly.

Existing law authorizes the waiver of this prohibition to allow a resident who has been diagnosed as terminally ill to remain in the facility when certain requirements are met.

This bill would permit a residential care facility for the elderly to obtain a waiver from the department, when certain requirements are met, for the purpose of allowing a person who has been diagnosed by his or her physician and surgeon as being terminally ill to become a resident of the facility if that person is already receiving hospice services and would continue to receive those services without disruption.

Ch. 110 (AB 2154) Robert Pacheco. Expedited Youth Accountability Program.

Existing law establishes, until 2003, the Expedited Youth Accountability Program, operative in Los Angeles County, and in other counties upon approval of the board of supervisors, as specified. The program provides for the issuance of citations requiring the appearance of minors not detained for any felony or misdemeanor offense, and not cited to the Informal Juvenile and Traffic Court, before the juvenile court. The program requires participating counties to establish deadlines that ensure that a case brought pursuant to these provisions will be heard within 60 calendar days after the minor is cited. The citation includes a detailed description of the person and a written promise by that person to appear or a notice

to appear, as specified. It also requires the issuance of that citation to the parent or guardian of a minor. Failure to appear is a misdemeanor.

This bill would delete the 2003 termination date, thereby making those provisions operative indefinitely. By making these provisions operative indefinitely, the bill would expand the definition of a crime by requiring specified statements to be made under penalty of perjury and would impose new duties on local juvenile justice systems, thereby establishing 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. 111 (AB 2404) Reyes. Mobile health care units.

Existing law establishes the Mobile Health Care Services Act that regulates the licensure to operate a mobile unit, as defined, as an adjunct to a licensed parent health facility or clinic, an independent-freestanding clinic, or another type of approved mobile unit. These provisions are administered by the State Department of Health Services. Existing law requires an applicant to submit an application that states, among other things, the proposed area or areas where the mobile unit will be providing services.

This bill would prohibit the department from requiring, after the initial licensure, or the initial approval of the addition to existing licensure of a parent facility, to operate a mobile service unit, that each site where the mobile unit operates be licensed or approved by the department unless the mobile unit will be operating outside of the proposed area or areas specified in the application as required under the above provisions.

Existing law requires that proposed modifications to previously approved mobile unit services, procedures, and sites be reviewed and approved by the department. Existing law requires that site changes also be reported by the licensee to local authorities, as appropriate, and requires that the licensed parent facility or clinic be responsible for obtaining approvals for the site of the mobile unit from local planning, zoning, and fire authorities, as required.

This bill would provide instead, with regard to mobile unit sites, that a mobile unit shall not operate at any site, unless the site has been reported by the licensee to the department at least 15 days before the mobile unit's first visit to the site. The bill would provide that prior to the operation of a mobile unit at any site for the first time, the licensee shall report the site to local authorities for purposes of obtaining approvals as provided under the above provisions.

#### Ch. 112 (AB 2519) Keeley. Nonprofit corporations: dissolution.

Existing law, the Nonprofit Corporation Law, sets forth procedures for the voluntary dissolution of a nonprofit public benefit corporation. Under existing law, the directors of that corporation are required to file with the Secretary of State a certificate of dissolution stating, among other matters, that the corporation's assets have been distributed or that none were acquired by the corporation.

This bill would delete this statement from the required information on a certificate of dissolution and would require that a document issued by the Attorney General either waiving objections to the distribution of the corporation's assets or confirming that the corporation has no assets be attached to the certificate of dissolution before being filed with the Secretary of State.

#### Ch. 113 (AB 2773) Salinas. Prisons.

Existing law provides that the Director of Corrections, in the capacity of chairman of the Prison Industry Board, may order any authorized public works project involving construction, renovation, or repair of prison facilities to be performed by inmate labor when the total expenditure does not exceed \$200,000. Existing law provides that under specified

conditions, state agencies are authorized to carry out projects if the estimated cost does not exceed \$400,000.

This bill would provide that the director, in the capacity of chairman of the Prison Industry Board, would be authorized to order the public works projects as described that do not exceed the \$400,000 cost limit authorized by other existing law.

Ch. 114 (SB 1317) Johannessen. 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.

This bill would expand the definition of "local sheriff" to include marshals or deputy marshals of Shasta County and district attorney investigators of the Counties of Shasta and Butte, subject to specified conditions. The bill would also make conforming and technical changes.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 115 (SB 1318) Karnette. State teachers' retirement: member contributions.

Existing law requires members of the Defined Benefit Program of the State Teachers' Retirement Plan to contribute to the retirement fund 8% of the member's creditable compensation, with those contributions being credited to the individual account of the member, as specified.

This bill would authorize the member's employer to pay all or a portion of those contributions for the member, subject to specified conditions.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 116 (SB 1752) Soto. County employees' retirement boards.

The County Employees Retirement Law of 1937 authorizes the boards of retirement and investment in Kern County, Orange County, San Joaquin County, and Santa Barbara County to contract with the county counsel or with attorneys in private practice, or employ staff attorneys, for legal services.

This bill would authorize the boards of retirement and investment in San Bernardino County to also contract for these legal services, as specified.

This bill would also declare that it is to take effect immediately as an urgency statute.

Ch. 117 (SB 1708) Poochigian. Charter schools: special education funding.

Existing federal law, the Individuals with Disabilities in Education Act (IDEA), requires school districts, county offices of education, and special education local plan areas to comply with state laws that conform to the federal Individuals with Disabilities Education Act, in order that the state may qualify for federal funds available for the education of individuals with exceptional needs. The IDEA requires that the local educational agency service children with disabilities who attend charter schools in the same manner as it serves children with disabilities in other schools.

This bill would clarify that a charter school is allowed to report average daily attendance to accommodate eligible pupils who require extended year services as part of an individualized education plan under the IDEA.

Ch. 118 (SB 1965) Alpert. Sex offender registration.

Existing law requires the Department of Justice to continually compile specified information categorized by community of residence and ZIP Code regarding any person required to register as a sex offender for a conviction for the commission or attempted commission of any specified sex offense. Existing law requires the Department of Justice to provide a CD-ROM or other electronic medium containing the compiled sex offender information to certain law enforcement agencies. These law enforcement agencies are

required to make the CD-ROM or other electronic medium available for public viewing, as specified. Existing law requires any applicant for viewing, among other things, to provide identification in the form of a California driver's license or California identification card, showing the applicant to be at least 18 years of age.

This bill would require an applicant for viewing the compiled sex offender information to provide the above described identification or a military identification card and orders with proof of permanent assignment or attachment to a military command or vessel in California, showing that he or she is at least 18 years of age.

Ch. 119 (SB 1889) Johannessen. Transactions and use tax: Redding.

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.

This bill would additionally authorize the City of Redding, 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 0.25% for general governmental purposes.

This bill would make legislative findings and declarations as to the necessity of a special statute.

Ch. 120 (AB 355) Havice. School community policing.

Existing law establishes the School Community Policing Partnership Act under which grants are awarded on a competitive basis to county offices of education, school districts and consortia of school districts and county offices of education that develop and implement plans that demonstrate a collaborative and integrated approach for implementing a system of providing safe and secure environments through community policing. Existing law prohibits the use of grant funds to fund school resource officers.

This bill would prohibit use of grant funds to fund school resource officer positions created on or before January 1, 2003.

Ch. 121 (AB 610) Kelley. Nonprofit charitable temporary food facilities.

Existing law, the California Uniform Retail Food Facilities Law, defines a nonprofit charitable temporary food facility as a temporary food facility that is conducted and operated by a specified type of corporation, that is exempt from taxation pursuant to specified provisions of law. Under existing law, a nonprofit charitable temporary food facility may operate once annually for a period of time not to exceed 72 hours. Under existing law, any person who violates any provision of the California Uniform Retail Food Facilities Law, or any related regulation, is guilty of a misdemeanor.

This bill would expand the definition of a nonprofit charitable temporary food facility to include an established club or organization of students. The bill would additionally authorize a nonprofit charitable temporary food facility to operate up to 4 times annually, for up to 72 hours for each of the 4 time periods.

The bill would provide that the provisions relating to nonprofit charitable temporary food facilities shall not prevent a local enforcement agency from performing inspections of, or requiring permits for, any nonprofit charitable temporary food facility to ensure compliance with existing food safety provisions.

Because the violation of provisions applicable to retail food facilities is 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. 122 (AB 1358) Pescetti. Childcare facilities: inspections.

**NOTE:** Superior numbers appear as a separate section at the end of the digests.

Existing law provides that any person may request an inspection of any child daycare facility after notifying the State Department of Social Services of an alleged violation of applicable requirements. Existing law requires the department to inspect a child daycare facility on receipt of such a complaint, except as provided. Existing law authorizes the department to conduct announced and unannounced site visits.

This bill would require the department to conduct any authorized inspection, announced site visit, or unannounced site visit of any child daycare facility only during the period beginning one hour before and ending one hour after the facility's normal business hours, or at any time childcare services are being provided, with specified exception. This bill would also require the department to develop regulations establishing a procedure for the department to inactivate a license, in its discretion and upon the licensee's request, and would provide for inspections during the period of inactive status, as prescribed.

This bill would become operative July 1, 2003.

#### Ch. 123 (AB 1958) Bates. Coroner's reports.

Existing law, which is repealed by its own terms on January 2, 2003, requires a provider of health care, a health service plan, or a health contractor to disclose medical information if the disclosure is required by a coroner in the course of an investigation by the coroner's office for the purpose of identifying the decedent or locating next of kin, or when investigating deaths that may involve public health concerns, organ or tissue donation, child abuse, elder abuse, suicides, poisonings, accidents, sudden infant death, suspicious deaths, unknown deaths, or criminal deaths, or when otherwise authorized by the decedent's representative. Medical information requested by the coroner under this provision must be limited to information regarding the patient who is the decedent and who is the subject of the investigation and must be disclosed to the coroner without delay upon request.

This bill would extend this provision indefinitely.

#### Ch. 124 (AB 2033) Robert Pacheco. Admissibility of evidence.

Existing law sets forth the rules governing the proof of the content of a writing in a civil or criminal action or proceeding. Under existing law, if made in the regular course of business, as specified, a nonerasable optical image reproduction of a writing may be introduced in court as proof of a writing, provided that additions, deletions, or changes to the original document are not permitted by that technology.

This bill would expand that category of evidence to include any other reproduction of a public record by a trusted system, as specified. The bill would also make technical, nonsubstantive changes to that provision. The bill would become operative on the date the Secretary of State adopts specified standards regarding the storage of documents in electronic media.

#### Ch. 125 (AB 2114) La Suer. Department of Justice: evidence.

Under existing law, state and local agencies contract with various laboratories to assist in the apprehension or prosecution of criminals.

This bill would require the Department of Justice to adopt standards and guidelines regarding the handling of potential evidence arising out of the testing of substances that are suspected to be related to activities of terrorists, to be used by laboratories operated by or contracting with the Department of Justice, any state agency, or any local agency, and by any other laboratory in the state the department determines may test any material that may become evidence in a criminal prosecution for any crime committed in the commission of terrorist activities. This bill would declare that its provisions shall be accomplished to the extent that funds are available.

The bill would declare that it shall take effect immediately as an urgency statute.

#### Ch. 126 (AB 2173) Wayne. Sentencing: enhancements.

Existing law provides procedures for imposing consecutive sentences under specified circumstances, and for various sentence enhancements involving firearms.

This bill would recast those provisions.

The bill would set forth a general requirement that enhancements be in addition and consecutive to the offense, and that, where applicable, the middle term be imposed unless there are aggravating or mitigating circumstances. It would specifically make these general provisions applicable to indeterminate, as well as to determinate, sentences. It would eliminate various duplicative provisions.

The bill would eliminate certain enhancements where other provisions of law provide for duplicate or more severe enhancements.

The bill would make various clarifying changes and would make additional technical changes.

**Ch. 127 (AB 2303) Runner. Vehicle registration: smog certificate validity.**

(1) Existing law generally governs the registration of motor vehicles, and provides that, among other requirements, that except as otherwise provided, the Department of Motor Vehicles shall require upon initial registration, and upon transfer of ownership and registration, of any motor vehicle, as specified, and upon registration of a motor vehicle previously registered outside this state which is subject to those provisions, a valid certificate of compliance or a certificate of noncompliance, as appropriate, in regard to smog certification.

(2) Existing law also provides exceptions to these provisions, including when a valid certificate was issued in connection with the most recent renewal of registration of the vehicle, and the transfer occurred not more than 60 days following the date by which that renewal of registration was required.

This bill would delete the exception described in paragraph (2) above, and instead, would provide an exception where the initial application for transfer is submitted within the 90-day validity period of a smog certificate, as specified. The bill would make related changes.

**Ch. 128 (AB 2831) Simitian. 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 request, those test results in plain language and in oral or written form.

Existing law permits 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, subject to specified requirements regarding, among other things, consent of the patient. Under existing law, certain clinical laboratory test results are prohibited from being conveyed to a patient by Internet posting or other electronic means, including test results related to routinely processed tissues.

This bill would instead provide that clinical laboratory test results related to routinely processed tissues may not be conveyed to the patient by Internet posting or other electronic means if they reveal a malignancy. This bill would also provide that the requirements described above do not prohibit direct communication by Internet posting or other electronic means to convey clinical laboratory test results by a treating health care professional, as specified.

**Ch. 129 (SB 976) Polanco. Elections: rights of voters.**

Existing law provides for political subdivisions that encompass areas of representation within the state. With respect to these areas, public officials are generally elected by all of the voters of the political subdivision (at-large) or from districts formed within the political subdivision (district-based).

Existing law generally allows the voters of the entire political subdivision to determine whether the elected public officials are elected by divisions or by the entire political subdivision.

This bill would provide that an at-large method of election, as defined, may not be imposed or applied in a manner that results in the dilution or abridgment of the right of registered voters who are members of a protected class, as defined, by impairing their ability to elect candidates of their choice or to influence the outcome of an election.

This bill would provide that a violation of its provisions shall be established if it is shown that racially polarized voting, as defined, occurs in elections for governing board members of a political subdivision, among other things. It would provide that an intent to discriminate against a protected class, as defined, is not required to establish a violation of this bill.

This bill would authorize a court to impose appropriate remedies, including district-based elections, and to award a prevailing nonstate or nonlocal government plaintiff party reasonable attorney's fees and expenses consistent with specified case law as part of the costs.

This bill would permit a member of a protected class to file an action pursuant to this bill under specified circumstances.

#### Ch. 130 (SB 1048) Speier. Parking authorities.

The Parking Law of 1949 provides for, in every city or city and county, a parking authority that functions only after the adoption of a resolution of need by its legislative body. Existing law authorizes the mayor to appoint the members of the parking authority and permits the mayor of a charter city or city and county having a parking and traffic commission created by its charter, with the approval of the legislative body, to require the members of the commission to serve ex officio as members of the parking authority.

This bill would, in a charter city or city and county having a board of directors of a public transportation agency created by its charter, authorize 5 or more members of the board to serve ex officio as members of the parking authority.

The bill would declare that it is to take effect immediately as an urgency statute.

#### Ch. 131 (SB 1263) Soto. Veterinary medicine.

Existing law, the Veterinary Medicine Practice Act, provides for the licensing and regulation of the practice of veterinary medicine. A violation of the act is a crime.

The act provides that the laws regulating the practice of veterinary medicine do not apply to individuals practicing veterinary medicine who meet certain requirements, including (1) veterinarians employed by the University of California while engaged in the performance of duties in connection with the College of Agriculture, the Agriculture Experiment Station, the School of Veterinary Medicine, or the agricultural extension work of the university, and (2) students in the School of Veterinary Medicine of the University of California who participate in diagnosis and treatment as part of their educational experience, including those in off-campus educational programs under the direct supervision of a licensed veterinarian appointed by the university.

This bill would require, for purposes of the exception applicable to a student in an off-campus educational program, that the veterinarian who supervises the student be in good standing.

This bill would also exempt from the laws regulating the practice of veterinary medicine veterinarians employed by the Western University of Health Sciences while engaged in the performance of duties in connection with the College of Veterinary Medicine and students in the College of Veterinary Medicine of the Western University of Health Sciences who participate in diagnosis and treatment as part of their education experience, including those in off-campus educational programs under the direct supervision of a licensed veterinarian in good standing appointed by the university.

This bill would require an off-campus educational site to display in a conspicuous place a consumer notification specifying that the veterinary facilities are also being used for

diagnosis and treatment of animals by graduate students in a veterinary medical program. The bill would provide that a violation of this requirement is not a crime.

The Veterinary Medicine Practice Act requires the Veterinary Medical Board in the Department of Consumer Affairs to determine qualifications to practice veterinary medicine by means of an examination, including an examination concerning statutes and regulations of the act. Existing law exempts from this provision University of California veterinary medical students who have successfully completed a course on veterinary law and ethics meeting certain requirements.

This bill would require that the course completed by the student be board approved in order for the student to qualify for the exemption. The bill would also exempt from the examination requirement Western University of Health Sciences veterinary medical students meeting the course requirement.

Ch. 132 (SB 1920) Knight. Air resources: air pollution control districts and air quality management districts: budget adoption.

Existing law provides for the establishment of air pollution control districts and air quality management districts. Each district is required to adopt its annual budget in accordance with certain requirements, including that the district provide notice of and hold a public hearing for the exclusive purpose of reviewing its budget and of providing the public with the opportunity to comment upon the proposed district budget. Existing law requires the public hearing for reviewing and commenting on the budget to be separate from the hearing at which the district adopts its budget.

This bill would require the public hearing for reviewing and commenting to be separated, by a period of not less than two weeks, from the hearing at which the budget is adopted, and would exclude districts with a population of 1,000,000 persons or less from the requirement that the public hearing for reviewing and commenting on the budget be held exclusively for those purposes.

Ch. 133 (SB 2052) Sher. Natural community conservation plans: endangered species.

Existing law establishes the Natural Community Conservation Planning Act. Under this act, the Fish and Game Commission, upon recommendation from the Department of Fish and Game, may authorize the taking of any candidate species whose conservation, protection, restoration, and enhancement is provided for in a department approved natural community conservation plan.

Under the existing California Endangered Species Act, the commission is required to establish a list of candidate species along with a list of endangered species and a list of threatened species. The act defines candidate species, for purposes of the act, to mean a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that the commission has formally noticed as being under review by the department for addition to either the list of endangered species or the list of threatened species, or a species for which the commission has published a notice of proposed regulation to add the species to either list.

This bill would provide that, for purposes of the Natural Community Conservation Planning Act, the phrase "candidate species" has the same meaning as defined under the California Endangered Species Act, and would make technical changes in existing law.

Ch. 134 (AB 670) Strom-Martin. Animal cruelty, abuse, and neglect.

Existing law provides that it is unlawful to maliciously and intentionally maim, mutilate, torture, wound, deprive of necessary sustenance, drink or shelter, subject to needless suffering, or kill an animal.

This bill would permit employees of county child and adult protective services agencies to receive instruction from those agencies on identifying and reporting animal cruelty, abuse, and neglect. This bill would provide that they may report known or suspected animal cruelty,

abuse, or neglect to the entity or entities that investigate reports of animal cruelty, abuse, and neglect in that county.

Ch. 135 (AB 957) 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, including the Lupus Foundation of America, California Chapters Fund, for purposes of education and awareness, and to provide research grants to develop and advance the understanding, causes, techniques, and modalities effective in the prevention, care, treatment, and cure of lupus.

This bill would clarify that the funds are required to be used by the California based operating chapters of the Lupus Foundation of America for lupus education and awareness, and for research grants for those purposes as specified in current law.

Ch. 136 (AB 1317) Liu. Pupils: expulsion.

Under existing law, a pupil may be expelled from school for specified reasons. Existing law entitles a pupil under consideration of expulsion to a hearing to determine whether the pupil should be expelled.

This bill would, in addition to any other immunity that may exist, expressly deem any testimony provided by a pupil witness in an expulsion hearing conducted pursuant to those provisions to be a privileged publication or broadcast for purpose of those provisions of law relating to libel and slander.

Ch. 137 (AB 1703) Steinberg. Attorneys: pro bono services.

Commencing January 1, 2003, existing law requires the contracting law firm of a contract with the state for legal services exceeding \$50,000 to certify that it agrees to make a good faith effort to provide a minimum number of hours of pro bono legal services during each year of the contract. Existing law provides that the minimum number of hours of pro bono legal services may be either (1) 30 times the number of attorneys in the law firm with the hours prorated on an actual day basis for any contract period of less than a full year or (2) 10% of the contract.

This bill would define "10% of the contract" to mean the number of hours equal to 10% of the contract amount divided by the average billing rate of the firm.

Ch. 138 (AB 1784) Harman. Construction of instruments.

Existing law provides rules for the interpretation of wills, trusts, deeds, and other instruments, which are to be used as interpretive aids where the intention of the transferor is not indicated by the instrument.

This bill would revise the above-described rules for interpretation by, among other things, clarifying the appropriate use of extrinsic evidence to determine the intention of the transferor; making changes in terminology; limiting the application of certain rules to specified transfers; conforming certain rules with the Uniform Probate Code; adding new provisions regarding securities; repealing certain rules; eliminating redundant provisions; and making technical and conforming revisions.

Ch. 139 (AB 1967) Zettel. Sexually violent predators: notification: change in status.

Existing law provides for the civil commitment of an inmate determined to be a defined sexually violent predator. Existing law defines a "sexually violent predator" as a person who has been convicted of a sexually violent offense against 2 or more victims, and who has a diagnosed mental disorder that makes the person a danger to the health and safety of others in that it is likely that he or she will engage in sexually violent criminal behavior if discharged.

Existing law permits a person committed as a sexually violent predator to petition the court for conditional release from commitment to receive supervision and treatment in the community pursuant to a conditional release program for one year, or to petition the court for subsequent unconditional discharge.

Existing law requires that the State Department of Mental Health notify certain law enforcement entities when the department makes a recommendation to the court for community outpatient treatment for any person committed as a sexually violent predator.

This bill would also require the department to notify these law enforcement entities when a person committed as a sexually violent predator has petitioned a court for outpatient care in a conditional release program or has petitioned a court for subsequent unconditional discharge, if the department has been notified or is aware of the filing of the petition.

Ch. 140 (AB 2144) Committee on Insurance. Insurance.

The California Life and Health Insurance Guarantee Association Act provides that with respect to covered policies the California Life and Health Insurance Guarantee Association becomes obligated after an entry of an order of liquidation or rehabilitation, the association may elect to succeed to the rights of the insolvent insurer after the date of the order of liquidation or rehabilitation. The act also requires the association to pay premiums for coverage relating to periods after the date of the order of liquidation or rehabilitation if the association elects to succeed to the rights of the insolvent insurer.

This bill would instead require the association to pay all unpaid premiums due for coverage relating to periods before and after the date of the order of liquidation or rehabilitation if the association elects to succeed to the rights of the insolvent insurer.

Ch. 141 (AB 2382) Corbett. Mobilehome parks.

(1) The Mobilehome Residency Law deems the substantial failure of the management of a mobilehome park to provide and maintain physical improvements in the common facilities in good working order and condition or the substantial violation of a mobilehome park rule, or both, to be a public nuisance that may be remedied only by a civil action or abatement. The law authorizes a civil action to be brought by, among others, the district attorney or city attorney of the jurisdiction in which the park is located.

This bill would, instead, permit a nuisance action to be brought by the district attorney or county counsel of the jurisdiction in which the park, or the greater portion of the park, is located, the city attorney or city prosecutor, if the park is located within the jurisdiction of the city, and the Attorney General.

(2) Existing law, known as the Mobilehome Parks Act, requires the owner or operator of a mobilehome park to abate any nuisance in the park within a prescribed period after written notice to remove the nuisance, and requires the district attorney of the county in which the park, or the greater portion of the park, is located to bring a civil action to abate the nuisance.

This bill would permit the county counsel of the county in which the park, or the greater portion of the park, is located and the city attorney or city prosecutor, if the park is located within the jurisdiction of the city, to bring a civil action to abate the nuisance. It would also authorize the Attorney General to bring a civil action to abate the nuisance.

Ch. 142 (AB 2555) Leach. Child care and development services: local contracts.

Existing law authorizes the Superintendent of Public Instruction to enter into and execute local contractual agreements with any public or private entity or agency for the delivery of child care and development services or the furnishing of property, facilities, personnel, supplies, equipment, and administrative services related to the delivery of child care development services.

This bill would provide that if an agency places a person who has been convicted of specified theft-related crimes in a position of fiscal responsibility or control, as defined, the agency may have its contract suspended or terminated immediately, upon review and

recommendation of the general counsel of the State Department of Education. The bill would require the agency to receive 90 days prior notice of the termination and would allow the agency to appeal the termination action. The bill would require the department to withdraw the termination action if the agency provides evidence that the convicted person has been removed from the position and provides assurance that the person will not be returned to a position of financial responsibility or control.

Ch. 143 (AB 2784) Chavez. Telephone corporations: disabled telecommunications program.

Existing law requires the Public Utilities Commission to design and implement a program whereby each telephone corporation provides specialized or supplemental telephone communications equipment to subscribers who are certified to be disabled. Existing law further provides that the certification include a statement of medical need for specialized telephone communications equipment, provided by a licensed physician or by a qualified state or federal agency as determined by the commission.

This bill would revise the later provision to additionally authorize a licensed optometrist to provide a statement of visual need.

Ch. 144 (AB 2925) Migden. Jury duty.

Existing law establishes a system of state funding for trial courts. Existing law establishes the Trial Court Trust Fund for the purpose of funding trial court operations. For purposes of those provisions, court operations are defined to include, among other things, juror expenses of per diem fees and mileage. Existing law also specifies the fees and travel reimbursement to be paid to jurors in civil and criminal cases. Existing law reimburses a juror 15¢ per mile for each mile traveled in attending court per day.

This bill would provide for travel reimbursement to jurors only after the first day of attendance as a juror and would increase this amount to 34¢ per mile for each mile traveled per day, in going only.

Ch. 145 (SB 1465) Costa. Horse racing.

Existing law generally requires every licensee conducting a horse racing meeting to provide for the running of at least one race each racing day limited to California-bred horses, to be known as the "California-bred race." Existing law requires for thoroughbred and quarter horse racing that the total amount distributed to horsemen and horsewomen for California-bred stakes races from the purse account to be not less than 10% of the total amount distributed for all stakes races from the purse account at that racing meeting.

This bill would permit some of that 10% from the purse account at a race meeting to be distributed to horsemen and horsewomen for races featuring California-breds, upon approval of the official registering agency.

Existing law requires any association conducting a race meeting that includes thoroughbred racing to deposit certain sums with the official registering agency for thoroughbred horses, and requires that official registering agency to distribute a portion of those sums annually to the California-bred race fund for the promotion of California-bred races and for purses for California Cup Day and other California-bred races. Under existing law, any of that portion of the funds not used for those purposes is redistributed to augment the breeder and stallion funds, as specified.

This bill would permit some of those funds apportioned for California-bred purposes to be used as purses for races featuring California-bred horses, upon the approval of the official registering agency. This bill would also provide that, out of those funds that remain in the California-bred fund at the end of a year, an amount up to 1% of the total breeder, stallion, and owner award receipts shall remain in the fund for allocation under these provisions the following year, and only the balance above that amount, if any, is to be distributed to the breeder and stallion funds, as specified.

Ch. 146 (SB 1481) Polanco. Inmate welfare fund.

Existing law provides that the sheriff of each county may maintain an inmate welfare fund to be kept in the treasury of the county into which profit from a store operated in connection with the county jail, 10% of all gross sales of inmate hobbycraft, and any rebates or commissions received from a telephone company, as specified, is required to be deposited. Existing law provides that the money and property deposited in the inmate welfare fund shall be expended by the sheriff primarily for the benefit, education, and welfare of the inmates confined within the jail; any funds that are not needed for the welfare of the inmates may be expended for the maintenance of county jail facilities.

This bill would clarify that the inmate welfare fund is not to be used to pay required county expenses of confining inmates in a local detention system, such as meals, clothing, housing, or medical services or expenses, except that it may be used to augment those expenses as determined by the sheriff to be in the best interests of inmates.

Ch. 147 (SB 1721) Soto. Land use: farmworker housing.

Existing law requires local agencies to make specified findings before disapproving or conditionally approving housing development projects for very low, low- or moderate-income households and subjects local agencies to court action if the required specified findings are not made, or the local agency's decision is inconsistent with those findings and the findings are not supported by substantial evidence.

This bill would apply these provisions to a local agency using design review standards to disapprove or render infeasible a housing development project, including farmworker housing.

Ch. 148 (SB 1754) McPherson. Bench warrants: assessments.

Existing law allows a county, by resolution of the board of supervisors, to require the courts of that county to impose an assessment of \$7 upon every person who fails to appear in court when required to do so, or who fails to comply with any valid court order.

Existing law requires the money collected under this system to be used for the development of an automated county warrant system.

This bill would raise to \$15 the amount that a county may require the courts of that county to assess upon every person who fails to appear in court or fails to comply with a valid court order.

This bill would authorize a county to use any money remaining after developing and maintaining the automated warrant system to fund a warrant service task force for the purpose of serving all bench warrants issued within the county.

Ch. 149 (SB 1779) Burton. Damages: childhood sexual abuse: statute of limitations.

Existing law requires that an action for recovery of damages suffered as a result of childhood sexual abuse, as defined, be commenced within 8 years of the date the plaintiff attains the age of majority or within 3 years of the date the plaintiff discovers or reasonably should have discovered that the psychological injury or illness occurring after the age of majority was caused by sexual abuse, whichever occurs later, and provides that certain of those actions may not be commenced on or after the plaintiff's 26th birthday.

This bill would provide that those actions may be commenced on or after the plaintiff's 26th birthday if the person or entity against whom the action is commenced knew, had reason to know, or was otherwise on notice, of any unlawful sexual conduct by an employee, volunteer, representative, or agent, and failed to take reasonable steps, and implement reasonable safeguards, to avoid future acts of unlawful sexual conduct. The bill would revive a cause of action solely for those claims for a period of one year, except as specified.

Ch. 150 (SB 1878) Poochigian. Will contests.

(1) Existing law provides that a no contest clause in an instrument is not enforceable against specified types of actions unless expressly identified in the no contest clause as a violation of the clause. Existing law includes a petition for settlement or for compromise affecting the terms of the instrument among those types of actions.

This bill would delete the above action from those provisions.

(2) Existing law also specifies the types of proceedings that do not, as a matter of public policy, violate a no contest clause.

This bill would revise and recast those provisions, and would also expand that list to include proceedings regarding the interpretation of an instrument containing a no contest clause, the approval of a settlement or compromise, the reformation of an instrument, and the accounting or report of a fiduciary, as specified. The bill would also define "direct contest" and "indirect contest" for purposes of those provisions, and would revise the definition of "contest," as specified. The bill would also make related, conforming changes.

Ch. 151 (AB 662) Vargas. Pupil suspension and expulsion.

Existing law prohibits a pupil from being suspended from school or recommended for expulsion unless the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has committed specified acts.

This bill would additionally authorize a superintendent or the principal of the school in which a pupil is enrolled to suspend or recommend for expulsion a pupil who unlawfully offers, arranges to sell, negotiates to sell, or sells the prescription drug Soma.

Ch. 152 (AB 1458) Kelley. State Board of Equalization: business and special taxes.

Existing law provides for the administration of various taxes by the State Board of Equalization.

This bill would authorize the board to accept offers in compromise on a final tax liability, as defined, under the Sales and Use Tax Law and the Use Fuel Tax Law, and on a final fee liability, as defined, under the Underground Storage Tank Maintenance Fee Law, as applicable.

The Fee Collection Procedures Law provides for the administration of various fee programs by the board.

This bill would authorize the board to allow for the relief of interest for failure to make a timely return or payment due to a disaster, as provided.

By 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. 153 (AB 1509) Runner. Legislative Counsel: holidays.

Existing law establishes the holidays to which state employees in the executive branch of government, including the Legislative Counsel and the employees of the Legislative Counsel Bureau, are entitled.

This bill would require that the Legislative Counsel and the employees of the Legislative Counsel Bureau observe any holiday to which the Legislative Counsel and the employees of the Legislative Counsel Bureau are entitled and that is also observed by the Legislature on the same day that the holiday is observed by the Legislature.

Ch. 154 (AB 1714) Canciamilla. Public resources: prohibited uses.

Existing law makes it unlawful for any elected state officer, appointee, employee, or consultant to use or permit others to use state resources for a campaign activity, or personal or other purposes that are not authorized by law. Existing law also provides that the incidental and minimal use of state resources is not unlawful.

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**NOTE:** Superior numbers appear as a separate section at the end of the digests.

This bill instead would prohibit the use of public resources for the activities specified above and would also apply this prohibition to any elected local officer and any local appointee, employee, or consultant.

The bill would also provide that the incidental and minimal use of public resources is not subject to criminal prosecution.

Ch. 155 (AB 1749) Longville. Juneteenth National Freedom Day.

Existing law requires the Governor to proclaim various days as holidays and days of remembrance.

This bill would require the Governor to proclaim the 3rd Saturday in June each year as “Juneteenth National Freedom Day: A day of observance,” and would urge the people of California to join in celebrating this day to honor and reflect on the significant role that African-Americans have played in the history of the United States and how they have enriched society through their steadfast commitment to promoting brotherhood and equality.

Ch. 156 (AB 1752) Migden. Public records.

The Bagley-Keene Open Meeting Act generally requires that meetings of state bodies, as defined, be conducted openly. That act generally 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. The act requires 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 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.

This bill would make these requirements imposed on the Franchise Tax Board also applicable to the State Board of Equalization with respect to writings pertaining to any item that does not involve a named tax or fee payer. The bill would require the State Board of Equalization to distribute the writings, as specified, to all persons who request or have requested copies of these writings.

Ch. 157 (AB 1854) Ashburn. Milk marketing orders.

Existing law provides that the Secretary of the Department of Food and Agriculture may issue marketing orders which contain provisions for the establishment of plans for advertising any commodity grown in the state. Existing law also provides that the advertising and sales promotion plans for fluid milk may contain provisions to allocate funds for promotion of cheese and butter products. Existing law also requires the Department of Food and Agriculture to report to the Governor and the Legislature regarding the effectiveness of the fluid milk promotion plans.

This bill would provide that funds may be allocated for the promotion of ice cream products. This bill would also remove provisions requiring the department to report the effectiveness of the promotion plans to the Governor and Legislature.

Existing law provides that the provisions relating specifically to milk products would remain in effect until January 1, 2003.

This bill would remove the repeal date of these provisions.

Ch. 158 (AB 1893) Papan. Commercial banks.

Existing law imposes limitations on the amount of money that a person, partnership, or association may owe a commercial bank. Existing law authorizes exceptions to these limitations if a loan is, among other things, secured by obligations of the United States or is covered by a guarantee or commitment by any Federal Reserve Bank, any department or bureau of the United States, or any specified small business development corporation.

This bill would add another exception for obligations secured by a segregated deposit account in a lending bank provided the security interest in the deposit has been perfected and meets specified conditions.

Ch. 159 (AB 1964) Diaz. City ordinances: notice.

(1) Existing law requires the city clerk, within 15 days after the passage of an ordinance by the city council, to cause the ordinance to be published or posted according to specified procedures.

This bill would permit any member of the public to file with the city clerk a request for notice of specific proposed ordinances or proposed amendments to ordinances. The bill would authorize the city to charge a fee reasonably related to the costs of providing the service. The bill would permit the city to provide notice by a general mailing list instead. By requiring the city clerk to mail or otherwise transmit notice of proposed ordinances, 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.

Ch. 160 (AB 2105) La Suer. DNA collection.

Under existing law, specified felony offenders and registrable sex offenders are required to provide blood and saliva samples along with their prints for a state DNA database. The materials are collected by detention facilities or designated state, local, or private agencies, and forwarded to the Department of Justice. Existing law makes it unlawful to possess, use, or threaten to use weapons of mass destruction or restricted biological substances, as specified.

This bill would add persons convicted of terrorist activity in violation of specified weapons of mass destruction provisions to those offenders who are required to provide DNA samples for inclusion in the state database.

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. 161 (AB 2181) Dutra. Metropolitan Transportation Commission.

Existing law creates the Metropolitan Transportation Commission with transportation planning and programming responsibilities in the 9-county San Francisco Bay Area region. Existing law authorizes the commission to impose a regional gasoline tax not to exceed 10¢ per gallon subject to approval of voters in the region. Existing law requires the commission to adopt a regional transportation expenditure plan for the revenues derived from the tax. In order for a transportation project to be included in the expenditure plan, the project is required to meet one of several specified regional transportation needs.

This bill would revise the description of 2 of the specified regional transportation needs that a project is required to meet.

Ch. 162 (AB 2182) John Campbell. Local agency investments.

Existing law prescribes the types of investments in which a local agency generally may invest its funds for deposit, including United States Treasury notes, bonds, bills, or

certificates of indebtedness, or those for which the faith and credit of the United States are pledged for the payment of principal and interest.

This bill would provide, until January 1, 2007, that, notwithstanding the above-described provisions, a county or city and county may invest any portion of the funds that it deems wise or expedient using prescribed criteria that authorize investments in various securities, obligations, and other financial instruments, including direct obligations of the United States Treasury or any other obligation guaranteed as to principal and interest by the United States government, bonds, notes, debentures, or other obligations of, or securities issued by, any federal government agency, instrumentality, or government-sponsored enterprise, and state treasury notes, bonds, or registered state warrants.

Ch. 163 (AB 2310) Chu. High school equivalency certificates.

Existing law requires the Superintendent of Public Instruction to issue a California high school equivalency certificate and an official score report, or an official score report only, to any person who has not completed high school and who meets certain specified requirements. Existing law requires that applications for a California high school equivalency certificate and official score report be submitted by each test center following each examinee's completion of all or a portion of the five tests comprising the general educational development test battery.

This bill would delete the requirement that applications for a California high school equivalency certificate and official score report be submitted by each test center following each examinee's completion of all or a portion of the five tests comprising the general educational development test. The bill would instead require that fee to be submitted when registering for the test. The bill would require each scoring contractor to provide the superintendent with a set of results for each examinee who has taken that test, and would make other, conforming changes in related provisions.

Ch. 164 (AB 2387) Bates. State Coastal Conservancy: education programs: grants.

Existing law authorizes the State Coastal 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.

Existing law provides that the conservancy is not required to take any action pursuant to those provisions, unless and until funds are made available by the Legislature specifically for the purpose described above. Existing law prohibits the conservancy from using more than 10% of the funds provided for the program for administrative costs.

This bill would prohibit the conservancy from awarding a grant to a local public educational agency or community college, if the source of the grant is the General Fund.

Ch. 165 (AB 2484) Jackson. School violence prevention.

Existing law establishes the Carl Washington School Safety and Violence Prevention Act, which requires the Superintendent of Public Instruction to provide funds to school districts serving pupils in any of grades 8 to 12, inclusive, for the purpose of promoting school safety and reducing schoolsite violence. Existing law requires the funds allocated pursuant to this act to be expended by the school districts for any one or more of specified purposes.

This bill would add as another eligible purpose, providing and implementing instructional curricula and materials on the prevention of school violence and school terrorism through recognition and reporting.

Ch. 166 (AB 2541) Negrete McLeod. School-to-career initiatives.

Existing law establishes the Interagency Partnership for School-to-Career Programs as a formal collaboration between the Secretary for Education, the State Department of Education, the Chancellor's Office of the California Community Colleges, and the Health

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and Human Services Agency, for the purpose of administering a grant program to local entities who meet various requirements.

This bill would, in addition to other requirements, require a grant applicant to demonstrate its ability to offer instruction on the topic of employees' and employers' rights and obligations in the workplace.

Ch. 167 (AB 2548) Nation. Real estate.

The Real Estate Law provides for the licensing and regulation of real estate brokers and salespersons by the Department of Real Estate with respect to certain activities. Existing law provides that certain persons are exempt from regulation under these provisions, including any person authorized in writing by a savings institution to act as an agent of that institution if authorized under state law or comparable authority of the Federal Home Loan Bank Board.

This bill would delete an obsolete reference to the Federal Home Loan Bank Board and would instead refer to the Office of Thrift Supervision of the United States Department of the Treasury.

Ch. 168 (AB 2647) Liu. Transportation.

(1) Existing law requires transportation planning agencies and certain other agencies, on a regular basis, to report to the Director of Transportation relative to social services transportation services and related matters, and to prepare an inventory of services and an action plan for service consolidation. Existing law requires the director to submit a summary of these reports to the Legislature on a biennial basis.

This bill would repeal the provisions requiring the agencies to report to the director and prepare an inventory of services and the provisions requiring the director to submit a summary of the reports to the Legislature.

(2) Existing law governing public contracts requires the Department of Transportation to establish and administer a computerized databank containing a list of certified minority, women, and disadvantaged business enterprises, and also containing a list of disabled veteran business enterprises certified by the Department of General Services.

This bill would delete the requirement with respect to the list of disabled veteran business enterprises.

(3) Existing law requires the Department of Transportation to submit a report every 3 years to the Secretary of the Business, Transportation and Housing Agency relative to transportation corridors.

This bill would repeal these provisions.

Ch. 169 (AB 2791) Migden. Income taxes: limited liability companies: limited liability partnerships.

The Personal Income Tax Law requires every limited liability company, limited liability partnership, foreign limited partnership, foreign limited liability partnership, or foreign limited liability company doing business in this state to pay annually a tax for the privilege of doing business in this state.

This bill would, if a limited liability company or limited liability partnership files a return that is designated as its final return, require the Franchise Tax Board to notify the taxpayer that the annual tax continues to be due annually until a certificate of cancellation is filed with the Secretary of State.

Existing law requires the filing of certificates of limited partnership, foreign limited partnership, foreign limited liability partnership, or foreign limited liability company in the office of the Secretary of State in order to form a limited partnership, foreign limited partnership, foreign limited liability partnership, or foreign limited liability company.

This bill would require the Secretary of State to provide notice that the filing of the certificate will obligate the limited partnership, foreign limited partnership, foreign limited

liability partnership, or foreign limited liability company to pay an annual tax, for the taxable year, as specified.

Ch. 170 (AB 2846) Frommer. Public safety officers: American flag.

The Public Safety Officers Procedural Bill of Rights Act provides that no punitive action, nor denial of promotion on grounds other than merit, shall be undertaken by a public agency without providing the public safety officer with an opportunity for an administrative appeal. The act specifies, among other matters, procedures that are required in connection with an interrogation and investigation of a public safety officer.

This bill would provide that, notwithstanding any other provision of law, the employer of a public safety officer may not take any punitive action against an officer for wearing a pin or displaying any other item containing the American flag, unless the employer gives the officer written notice stating that the pin or other item violates an existing rule, regulation, policy, or local agency agreement or contract identifying that rule, regulation, policy, or local agency agreement or contract, and stating that the officer may file an appeal against the employer challenging the alleged violation.

Ch. 171 (AB 2885) Strom-Martin. Forest practices: timber operator license.

The existing Z'berg-Nejedly Forest Practice Act of 1973 generally prohibits any person from conducting timber operations unless a timber harvesting plan prepared by a registered professional forester has been submitted for the operations to the Department of Forestry and Fire Protection. Existing law prohibits the real person in interest, as defined, from having any interest in or responsibility for the conduct of the timber operations of any person licensed during the period for which a timber operator license has been either suspended or revoked.

This bill would additionally prohibit the real person in interest from having any interest in or responsibility for the conduct of the timber operations of any person licensed during the period for which a timber operator license has been denied.

Ch. 172 (SB 584) Perata. Political Reform Act of 1974: definitions.

(1) Under the Political Reform Act of 1974, as amended by the Legislature, the definition of "income" specifically excludes any loan or loans from a commercial lending institution that are made in the lender's regular course of business on terms available to members of the public without regard to official status, if either the loan is secured by the principal residence of filer, or the balance owed does not exceed \$10,000.

This bill would delete the requirement that, in order for the loan to be excluded from the definition of income, the loan must be either secured by the principal residence of filer, or the balance owed must not exceed \$10,000.

(2) Under the Political Reform Act of 1974, as amended by the Legislature, the definition of "income" specifically excludes any indebtedness created as part of a retail installment or credit card transaction if made in the lender's regular course of business on terms available to members of the public without regard to official status, so long as the balance owed to the creditor does not exceed \$10,000.

This bill would delete the requirement that, in order for the indebtedness to be excluded from the definition of income, the balance owed to the creditor not exceed \$10,000.

Ch. 173 (SB 1472) Romero. Corporations.

Existing law sets forth various requirements applicable to a corporation with outstanding shares of record held by 100 or more persons relative to a supermajority vote requirement for an amendment of the articles of incorporation or a certificate of determination. A corporation is exempt from these requirements if it meets 4 conditions.

This bill would delete one of these conditions and make other related changes.

Ch. 174 (SB 1515) Machado. Community facilities districts: exclusions.

Existing law, the Mello-Roos Community Facilities Act of 1982, provides a method for local agencies to finance certain public capital facilities and services by the establishment of a community facilities district and the imposition of special taxes. Existing laws grant landowners who voluntarily agree not to develop their property various benefits under open-space easements, Williamson Act contracts, farmland security zone contracts, conservation easements, and agricultural conservation easements.

This bill would provide that territory that is subject to any of those easements or contracts may not be included within or annexed to a community facilities district that provides or would provide facilities or services related to sewers, nonagricultural water, or streets and roads unless the landowner consents. With respect to territory included in a community facilities district by landowner consent as required by the bill, the bill would prohibit termination of an easement or cancellation of a contract prior to the release of the land from specified liens.

Ch. 175 (SB 1643) Johnson. Public agency emergencies.

(1) The Ralph M. Brown Act generally requires, with specified exceptions for authorized closed sessions, that meetings of a legislative body of a local agency be conducted openly and that the body provide notice, as specified, prior to its meetings. The act authorizes a legislative body to hold an emergency meeting in an emergency situation, as defined, without complying with specified 24-hour notice and posting requirements, if prompt action is necessary due to the disruption or threatened disruption of public facilities and if the presiding officer of the body, or a designee thereof, notifies local media, as specified, one hour prior to the emergency meeting.

This bill would authorize an emergency meeting under these provisions in the event of a dire emergency, as defined, and provide that, in this situation, notice shall be given at or near the time that the presiding officer notifies the members of the legislative body of the emergency meeting.

(2) The act provides that the legislative body may not meet in closed session during an emergency meeting. The act also provides that the general requirement that meetings be open shall not be construed to prevent the legislative body of a local agency from holding closed sessions with the Attorney General, district attorney, sheriff, or chief of police, or their respective deputies, on matters posing a threat to the security of public buildings or a threat to the public's right of access to public services or public facilities.

This bill would provide that a legislative body holding an authorized emergency meeting may meet in closed session pursuant to provisions allowing a closed session with law enforcement on specified security matters if agreed to by  $\frac{2}{3}$  vote of the members present at the emergency meeting, or, if less than  $\frac{2}{3}$  of the members are present, by unanimous vote.

(3) 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 by express provisions of law, and upon payment of fees to cover costs.

This bill would include as exempt from disclosure under these provisions a document prepared by a local agency that assesses its vulnerability to terrorist attack or other criminal acts intended to disrupt the public agency's operations and that is for distribution or consideration in a closed session.

Ch. 176 (SB 1707) Committee on Judiciary. Arbitration: standards of ethics.

Existing law, beginning July 1, 2002, requires a person serving as a neutral arbitrator pursuant to an arbitration agreement to comply with the ethics standards for arbitrators adopted by the Judicial Council. Existing law also requires these standards to be consistent with the standards established for arbitrators in the judicial arbitration program, and authorizes these standards to expand the general disclosure and disqualification requirements imposed by law for contract arbitration. Existing law further requires these

standards to address the disclosure of interests, relationships, or affiliations that may constitute conflicts of interest, including prior service as an arbitrator or other dispute resolution neutral entity, disqualifications, acceptance of gifts, and establishment of future professional relationships.

This bill would specify that these provisions do not apply to an arbitration conducted pursuant to the terms of a public or private sector collective bargaining agreement.

Ch. 177 (SB 1729) McPherson. Vehicles: violations.

Existing law provides that a local authority may adopt rules and regulations by ordinance or resolution prohibiting the use of a particular highway under its jurisdiction by certain vehicles, as specified.

This bill would provide that an ordinance or resolution enacted by a local authority prohibiting the use of a particular highway by certain vehicles may impose a fine or a penalty of up to \$100 for a violation.

Ch. 178 (SB 2032) Monteith. Display of the United States flag: common interest developments.

The Davis-Stirling Common Interest Development Act sets forth certain requirements for declarations and governing documents of common interest developments. Existing law requires that an association manage a common interest development, and requires the association to fulfill certain procedures in order to impose disciplinary action upon a member for a violation of the governing documents or rules of the association.

This bill would prohibit any declaration or other governing document of a common interest development from limiting or prohibiting, or being construed to limit or prohibit, the display of the flag of the United States, as defined, except as required for the protection of the public health or safety, in or on an owner's separate interest or within a portion of the common area used exclusively by the owner, as specified. It would also provide that, in any action brought to enforce these provisions, the prevailing party shall be awarded reasonable attorneys' fees and costs.

Ch. 179 (AB 601) Leach. Business contracts.

Existing law authorizes a person who sells the goodwill of a business and a shareholder disposing of all of his or her shares in the corporation or its subsidiary or disposing of all or substantially all of the assets of the corporation or those of a division or subsidiary together with the goodwill of the corporation or its division or subsidiary, to contract with the buyer to refrain from competing with the business so sold, under certain conditions. Existing law additionally authorizes a member of a limited liability company and a partner of a partnership to agree to refrain from competing with a business upon the dissolution of the company or partnership, upon the sale of the member's or partner's interest in the entity, or upon the disassociation of the partner from the partnership.

This bill would extend this authorization to any owner's sale or other disposition of the ownership interest or assets, together with the goodwill, of a business entity or a division or subsidiary thereof. The bill would define "business entity," "owner," and "ownership interest" for purposes of these provisions. The bill would include a partnership and a limited liability company within the definition of a business entity and would make related changes with respect to partnerships and limited liability companies.

Ch. 180 (AB 886) Simitian. Parental authority: educational decisions.

Existing law authorizes a court to limit the control exercised over a minor by a parent or guardian in all cases in which the minor is adjudged a ward or dependent child of the court. Existing law also provides that a guardian or conservator has charge of the education of the ward or conservatee.

This bill would provide that whenever the court specifically limits the right of the parent or guardian to make educational decisions for a child, the court shall appoint a responsible

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adult to make educational decisions for the child. The bill would provide that whenever the court grants a petition removing the guardian or conservator of a minor or tendering the resignation of the guardian or conservator of a minor, if the court does not immediately appoint a successor guardian or conservator, the court shall appoint a responsible adult to make educational decisions for the minor until a successor guardian or conservator is appointed. The bill would also provide that whenever the court suspends or limits the powers of the guardian or conservator to make educational decisions for the minor, the court shall appoint a responsible adult to make educational decisions for the minor until the guardian or conservator is again authorized to make educational decisions for the child, as specified. The bill would further provide that an individual who would have a conflict in representing the child, as specified, may not be appointed to make educational decisions.

Ch. 181 (AB 1336) Koretz. Pet dealers.

Existing law regulates the retail sale of dogs and cats by a pet dealer, as defined. Existing law in this regard includes a requirement that the dealer provide written information to purchasers relating to various subjects, such as breeder information, illnesses, and immunization records.

This bill would require every pet dealer to deliver to the purchaser of each dog or cat written material containing information on the benefits of spaying and neutering, and other specified subjects.

This bill would provide that a pet dealer may satisfy his or her obligation by delivering model materials developed by the Pet Industry Joint Advisory Council and other specified entities.

Ch. 182 (AB 1863) Committee on Higher Education. California State University: regulations.

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, 2003, 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 extend the repeal of this provision from January 1, 2003, to January 1, 2008.

The bill would require the trustees each year to report to the Governor, the Senate Education Committee, and the Assembly Higher Education Committee on all regulatory actions taken by the trustees during the previous calendar year and related matters.

Ch. 183 (AB 1934) Corbett. Telephone corporations: background security checks.

Existing law permits telephone corporations to construct, own, control, operate and manage telephone lines and to provide telephone service for compensation in the state, subject to regulation by the Public Utilities Commission.

This bill would require telephone corporations to perform an investigation into the background of certain applicants for employment. The bill would also require that a background check be performed on certain persons hired by a telephone corporation under a personal services contract, as independent contractors and as vendors, and would require independent contractors and vendors to certify that they have obtained the background checks, and to make those checks available to the telephone corporation upon request. The bill would provide that the telephone corporation is not responsible for administering or paying for the background checks of persons hired under a personal services contract, independent contractors, and vendors.

Ch. 184 (AB 2299) Bates. Tolls: evasion.

Existing law makes the evasion of tolls on toll facilities subject to civil penalties governed by a specified procedure which includes an administrative investigation and review procedure and an administrative and judicial appeal process. If a vehicle is found to have evaded tolls, the agency responsible for enforcement must forward a specified notice of violation to the registered owner of the vehicle within 21 days of the violation.

This bill would provide that, if accurate information concerning the identity and address of the registered owner is not available to the processing agency within 21 days of the violation, the processing agency shall have an additional 45 calendar days to obtain such information and forward the notice of toll evasion violation. Where the registered owner is a repeat violator, as specified, this bill would require the processing agency to forward the notice of toll evasion violation within 90 calendar days of the violation. This bill would also require the processing agency to use its best efforts to obtain accurate information concerning the registered owner for these purposes.

Ch. 185 (AB 2346) Dickerson. Peace officers: deputy sheriffs.

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 Riverside or 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 also applicable to deputy sheriffs employed by the Counties of Kern, Humboldt, Imperial, Mendocino, Plumas, Santa Barbara, Siskiyou, Sonoma, Sutter, and Tehama. The bill would make other technical changes.

This bill would incorporate additional changes in Section 830.1 of the Penal Code, proposed by SB 183, to be operative only if SB 183 and this bill are both chaptered and become effective on or before January 1, 2003, and this bill is chaptered last.

Ch. 186 (AB 2402) Rod Pacheco. Speed limits: City of Norco: pedestrian and equestrian trails.

Existing law prohibits any person from driving a vehicle at a speed greater than the speed limit. Existing law generally sets forth prima facie speed limits unless changed or otherwise authorized by law. Existing law permits local authorities to set prima facie speed limits higher or lower than the established prima facie speed limits on the basis of an engineering and traffic survey, as defined, if the different speed limit is necessary to facilitate the orderly movement of traffic and is reasonable and safe.

This bill would authorize the City of Norco, when conducting an engineering and traffic survey, to consider equestrian safety in addition to the specified factors set forth.

The bill would make legislative findings and declarations as to the necessity of a special statute.

Ch. 187 (SB 1745) Polanco. Domestic violence reporting.

Existing law provides that mandated written and telephoned reports of known or suspected child abuse by health practitioners and other specified professionals shall be confidential, and that violations of this confidentiality shall be punishable as misdemeanors,

as specified. Existing law also provides, however, that authorized persons within county health departments shall be permitted to receive copies of reports made by specified health practitioners pursuant to provisions of law requiring reports of maternal substance abuse and copies of needs assessments prepared by health practitioners related to pregnant and postpartum substance abusing women.

This bill would make a nonsubstantive, technical correction to existing law authorizing persons within county health departments to receive copies of the aforementioned reports and assessments made by specified health professionals regarding maternal substance abuse.

Existing law requires law enforcement agencies to prepare reports regarding calls for assistance that are related to domestic violence.

This bill would state the Legislature's findings and declarations with respect to the relationship between domestic violence and the abuse and neglect of children. This bill would require child protective services, law enforcement agencies, and others to develop protocols in collaboration with one another, as specified, as to how law enforcement and child welfare agencies will cooperate in their response to a domestic violence related incident in a home in which a child resides.

This bill would declare that it is the intent of the Legislature that this bill would reduce duplication, overlap, and local costs.

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. 188 (AB 137) Reyes. Agricultural preserves: annexations.

Under the Williamson Act, upon the annexation by a city of any land subject to a contract with a county that enforceably restricts the land to agricultural use within an agricultural preserve, the city succeeds to all rights, duties, and powers of the county under the contract unless the land being annexed was within one mile of the city boundary when the contract was executed, the contract was executed prior to January 1, 1991, and the city filed a protest of record that identifies the affected contract and the subject parcel. The act authorizes a local agency formation commission to request, and requires the Department of Conservation to provide, advice and assistance regarding the commission's obligation to determine whether an annexing city may exercise its option not to succeed to the rights, duties, and powers of the county under the contract.

This bill would require the Department of Conservation to advise the local agency formation commission of its concerns, whether or not it has been requested to do so, and would require the commission to address those concerns. The bill would require the commission to base its determination on substantial evidence in the record. The bill would prescribe criteria for the exercise by the city of its option not to succeed to a contract.

#### Ch. 189 (AB 1982) Bogh. Workers' compensation: advanced disability pension benefits.

Existing workers' compensation law permits a city, county, special district, or harbor district that is a member of the Public Employees' Retirement System, is subject to the County Employees Retirement Law of 1937, or is subject to the Los Angeles City Employees' Retirement Systems, to make advanced disability pension payments to any local safety officer who meets certain criteria and is approved for a disability allowance.

This bill would require these entities to make these advanced disability pension payments commencing no later than 30 days from the date of issuance of the employee's last regular payment for wages or salary, payment for specified benefits, or payment for sick leave, unless

certain conditions exist. It would impose the above requirement only if an employee meets specified conditions.

This bill would require these advanced disability pension payments to continue until the claimant is approved or disapproved for a disability allowance pursuant to final adjudication as provided by law.

Ch. 190 (AB 1330) Steinberg. State employees.

(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 may 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 14, 17, and 20, the California State Employees Association, and would provide that the provisions of any memorandum of understanding that require the expenditure of funds 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 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) The Public Employees' Retirement Law provides for the normal rate of contribution to the retirement fund for a state miscellaneous or industrial member, subject to certain criteria.

This bill, operative until July 1, 2003, would establish various normal rates of contribution for state miscellaneous or industrial members in State Bargaining Units 14, 17, and 20, as specified, who are and are not included in the federal system, and to be effective as of a date to be determined by the Director of the Department of Personnel Administration, but no later than May 1, 2002, to June 30, 2002, inclusive, and effective from July 1, 2002, to June 30, 2003, inclusive.

(3) Existing law establishes the normal rate of contribution to the Public Employees' Retirement System for specified state safety members.

This bill would provide that the normal rate of contribution for specified state safety members in State Bargaining Unit 20 from a date to be determined by the Director of the Department of Personnel Administration, but no earlier than May 1, 2002, to June 30, 2003, is 1% of compensation in excess of \$317 per month paid to that member for service rendered.

(4) Existing provisions of the Budget Act of 2001 appropriate specified amounts from the General Fund, unallocated special funds, and unallocated nongovernmental cost funds for the augmentation of state employee compensation.

This bill would appropriate an additional \$4,837,000, as scheduled, from those funds in augmentation of specified items of the Budget Act of 2001 for state employee compensation.

(5) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 191 (AB 1753) Migden. Magazine distributors.

Existing law provides for the regulation of various businesses and professions by the Department of Consumer Affairs.

This bill would require a magazine distributor to place clearly and conspicuously the magazine subscription expiration date on renewal notices mailed to its subscribers or to direct subscribers to refer to the magazine's mailing label for the subscription expiration date. The

bill would require the subscription expiration date to be disclosed on a magazine's mailing label.

Ch. 192 (AB 1909) Cohn. Domestic violence: demonstration project.

Under existing law, any person who perpetrates domestic violence, as defined, is subject to both criminal penalties and civil remedies, as specified.

This bill would, subject to adequate, discretionary funding from a city or county, authorize the superior courts in San Diego County and in Santa Clara County, and in any other county able and willing to participate, to develop a demonstration project to identify the best practices in civil, juvenile, and criminal court cases involving domestic violence. The bill would require superior courts participating in this demonstration project to report their findings and recommendations to the Judicial Council and the Legislature by May 1, 2004. The bill would permit the Judicial Council to make those recommendations available to any court or county.

Ch. 193 (AB 1933) Reyes. Domestic violence.

Existing law requires every person to abstain from injuring the person or property of another or from infringing upon the rights of another. Existing law also provides that a person who commits a sexual battery, as specified, is liable for damages, including, but not limited to general, special, and punitive damages.

This bill would also provide that a person who commits the tort of domestic violence, as specified, is liable for damages, including, but not limited to, general, special, and punitive damages. The bill would also set forth findings and declarations regarding its purposes.

Ch. 194 (AB 2252) Cohn. Sex crimes: evidence.

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 those violations of the law proscribing assault with the intent to commit a specified felony that require sexual intent.

Existing law vests territorial jurisdiction for specified sexual, domestic, and stalking offenses that involve the same defendant and victim but occur in more than one territorial jurisdiction, in any jurisdiction where at least one of the offenses occurred.

This bill would add the charges of assault with intent to commit specified sex crimes and aggravated sexual assault of a child to those offenses for which territorial jurisdiction over multiple violations lies in any jurisdiction where one of those offenses happened, subject to a specified hearing in which the prosecution is required to present evidence that all district attorneys in counties with jurisdiction of the offenses agree to the venue. It would also eliminate, as to the sexual offenses, the requirement that these offenses involve a single victim for territorial jurisdiction to lie in any jurisdiction where one of these offenses happened. This bill would also permit, as to all of the specified sexual, domestic, and stalking offenses, similar jurisdictional rules to apply to any charge which could properly be joined to one of those offenses.

Ch. 195 (AB 2417) La Suer. Common interest developments: meetings.

Existing law, the Davis-Stirling Common Interest Development Act, defines and regulates common interest developments and provides that any member of the association may attend meetings of the board of directors of the association, except when the board adjourns to

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executive session to consider specified matters. Existing law requires matters discussed in executive session to be generally noted in the minutes of the board of directors.

This bill would require that matters discussed in executive session be noted in the minutes of the immediately following meeting open to the entire membership.

Ch. 196 (AB 2456) Jackson. Employment of offenders.

Under existing law, prison inmates and persons confined in a county jail, industrial farm, road camp, or city jail, who have been convicted of specified offenses, may not be employed so that they have access to personal information of private individuals, as specified. Under existing law, wards of the juvenile court or the Department of the Youth Authority, who have been adjudicated as having committed any of these same specified offenses, are not permitted to perform any function that provides them access to personal information of private individuals, as specified. Under existing law, the personal information to which each of these inmates and wards is denied access is specified to include, but not be limited to, social security numbers, addresses, driver's license numbers, credit card numbers, and telephone numbers.

This bill would expand the list of specifically included types of personal information to which these parties are denied access by adding an array of identification and identity-related materials. It would also expand the prohibition on employment that permits access to this personal information to cover any person convicted of one of the specified offenses while that person is performing community service in lieu of a fine or custody.

Ch. 197 (AB 2493) Robert Pacheco. Service of process.

Existing law provides for the registration by the county clerk of legal document assistants, unlawful detainer assistants, and process servers, as specified.

This bill would make technical, nonsubstantive changes to those provisions.

Existing law provides the methods by which a summons is served, as specified. Existing law provides alternative service by publication if the party cannot with reasonable diligence be served in another manner.

This bill would prohibit a court, in making a determination that a party cannot be served in another manner, from conducting a search of public databases that restrict access to residential addresses, including, but not limited to, the Department of Motor Vehicles' records.

Existing law proscribes the manner in which a registered process server is to levy a writ of execution on specified types of property.

This bill would permit a registered process server to levy more than once under a valid writ of execution.

Upon a judgment creditor's delivery of an application for issuance of an earnings withholding order, existing law authorizes a registered process server to issue an earnings withholding order to the county where the judgment debtor's employer is served a writ of execution. Existing law provides that the fee for these services be allowed as a recoverable cost, as specified, but not to exceed \$1.50.

This bill would delete the monetary limitation and provide that the fee for these services be allowed as a recoverable cost, under specified provisions.

Ch. 198 (AB 2526) Dickerson. Crimes.

Under existing law, if a defendant is convicted of an offense, the defendant may be required to pay all or a portion of the costs for any legal assistance that was provided by the court, for probation or probation investigation, for incarceration in a local detention facility, or for the provision of parole supervision. Existing law requires an ability to pay determination hearing before these costs may be assessed to the defendant and, if practicable, requires the court to consolidate these hearings. Existing law authorizes the determination of the ability to pay

made at the consolidated hearing to be used for all purposes related to these specified provisions.

This bill would require the court to consolidate all ability to pay determination hearings into one proceeding and would authorize the court to use this determination of ability to pay made at the consolidated hearing for all purposes.

Ch. 199 (AB 693) Longville. School facilities improvement districts: elections.

Existing law authorizes the governing board of a school facilities improvement district to provide for and call a special bond election within the district to submit to the voters a proposition on whether to incur debt and issue bonds. Existing law permits the election to be called for any date, with specified exceptions, including elections held on, or the day before or after, a state holiday, and elections for school bonds pursuant to specified provisions of law.

This bill would prohibit an election within a 45-day period before or after a statewide election, unless called for the same date as the statewide election or an established election date.

Ch. 200 (AB 1493) Pavley. Vehicular emissions: greenhouse gases.

(1) Existing law establishes the California Climate Action Registry, and requires the registry to perform various functions relating to the provision of technical assistance for emissions reductions, including maintaining a record of certified greenhouse gas emission baselines and emission results. Existing law requires these records to be available to the public, except for any portion deemed confidential by a participant in the registry. Existing law, the California Public Records Act, provides that all public records, as defined, are open to inspection at all times during the office hours of a state or local agency and any person has a right to inspect any public record, except as specifically provided in the act.

This bill would revise the exception applicable to records maintained by the registry to make those records available to the public, except that portion of the data or information exempt from disclosure pursuant to the act. The bill would require the registry, in consultation with the State Air Resources Board, to adopt procedures and protocols for the reporting and certification of reductions in greenhouse gas emissions from mobile sources for use by the state board in granting the emission reduction credits.

(2) Existing law requires the state board to endeavor to achieve the maximum degree of emission reductions possible from vehicular and other mobile sources in order to accomplish the attainment of the state standards at the earliest practicable date.

This bill would require the state board to develop and adopt, by January 1, 2005, regulations that achieve the maximum feasible reduction of greenhouse gases emitted by passenger vehicles and light-duty trucks and any other vehicles determined by the state board to be vehicles whose primary use is noncommercial personal transportation in the state. The bill would prohibit those regulations from taking effect prior to January 1, 2006, in order to give the Legislature time to review the regulations and determine whether further legislation should be enacted prior to the effective date of the regulations. Under the bill, the regulations would apply only to a motor vehicle manufactured in the 2009 model year, or any model year thereafter.

The bill would require the regulations to provide flexibility, to the maximum extent feasible, in the means by which a person may comply with those regulations, including, but not limited to, authorization for a person to use alternative methods of compliance with the regulations. The bill would prohibit the state board from imposing a mandatory trip reduction measure or land use restriction in providing that compliance flexibility. The bill would prohibit the state board, in adopting the regulations, from requiring the imposition of additional fees and taxes on any motor vehicle, fuel, or vehicle miles traveled; a ban on the sale of any vehicle category, a reduction in vehicle weight; a limitation on, or reduction of, the speed limit on any street or highway in the state; or a limitation on, or reduction of, vehicle

miles traveled. The bill would declare that the provisions of the bill prohibiting the state board from imposing additional fees or taxes on any motor vehicle, fuel, or vehicle miles traveled, or to limit or reduce the speed limit on any street or highway in the state to be declaratory of existing law. The bill would require the state board to ensure that any alternative methods of compliance achieve equivalent or greater reductions in emissions of greenhouse gases as the regulations. The bill would also require the state board to conduct public workshops regarding the regulations in specified communities with the most significant exposure to air contaminants. The bill would also require the state board to grant emission reduction credits for reductions of greenhouse gas emissions achieved prior to the operative date of the regulations, utilizing the 2000 model year as the baseline for calculating those reductions. The bill would require the state board to include an exemption in those regulations for vehicles subject to specified exhaust emission standards. The bill would authorize the state board to elect not to adopt a standard for a greenhouse gas, if the state board determines that the federal government has adopted a standard regulating that greenhouse gas, and the state board makes specified findings related to the similarity of the federal standard. The bill would also require the state board, by January 1, 2005, to provide a report to the Legislature on the contents of those regulations.

Ch. 201 (AB 1912) Kehoe. Transportation: transit operations: funding.

Existing law requires that a specified portion of the funds in the Public Transportation Account in the State Transportation Fund be appropriated to the Controller for allocation to transportation planning agencies and county transportation commissions, as specified, for allocation to the transit operators in the area of the agency's or commission's jurisdiction. Existing law allows the allocation of funds to an operator for its operating costs, only if the operator is not precluded by contract from employing part-time drivers or contracting with common carriers of persons operating under a franchise or license and the operator is in compliance with prescribed ratios of fare revenues to operating costs.

This bill would delete these existing conditions on the allocation of funds to an operator for operating costs. The bill would provide that specified provisions do not prohibit or limit a public transit operator from employing part-time drivers or contracting with common carriers or persons operating under a franchise or license.

Ch. 202 (AB 1965) Bogh. Public postsecondary education: Medal of Honor recipients.

Existing law prohibits any state-owned college, university, community college, or other school from charging any tuition or fees to certain dependents or survivors of veterans, including any child of any veteran of the United States military who has a service-connected disability, has been killed in service, or has died of service-connected disability, where the annual income of the child, including the value of any support received from a parent, does not exceed the national poverty level.

This bill would further provide that an undergraduate student who is a recipient of a Medal of Honor, commonly known as a Congressional Medal of Honor, or any undergraduate students who are children of a recipient of the Medal of Honor and who are no more than 27 years old, would not be subject to tuition or fees at any campus of the University of California, the California State University, or the California Community Colleges if they meet the income requirements set forth in existing law, and are California residents, as defined. These provisions would only apply to the University of California to the extent the regents make them applicable by resolution.

Ch. 203 (AB 2984) Committee on Insurance. Insurance: depository institutions: production agencies: surplus line brokers: reinsurance intermediaries.

(1) Existing law provides for the licensure and regulation of insurers by the Insurance Commissioner and the Department of Insurance.

This bill would establish provisions regulating retail sales practices, solicitations, advertising, and offers of any insurance product or annuity to a consumer by a depository institution, or any person engaged in those activities at the office of a depository institution or on behalf of a depository institution.

(2) Existing law contains provisions governing the licensing and practice of production agencies, surplus line brokers, and reinsurance intermediaries. A violation of certain provisions regulating the duties of surplus line brokers is a crime.

This bill would revise licensing provisions with regard to production agencies, surplus line brokers, and reinsurance intermediaries, and would also revise requirements for certain licensees within those categories. Because this bill would expand the duties of a surplus line broker and thereby expand the definitions of crimes associated with a violation of these duties, 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. 204 (SB 937) Margett. Public contracts: bids and disputes.

The Subletting and Subcontracting Fair Practices Act requires a public entity taking bids for construction of a public work or improvement to establish a date for submission of bids by prime contractors. Existing law applicable to local agencies requires that any bids that are submitted after the bid submittal deadline must be returned unopened to the bidder.

This bill would recast the provisions governing notice of bid submittal deadlines, and would also apply to state agencies the requirement that postdeadline bids be returned unopened.

#### Ch. 205 (SB 1302) Costa. All-terrain vehicles.

Under existing law, the definition of an all-terrain vehicle includes among its requirements that the vehicle be 600 pounds or less in unladen weight.

This bill would expand the definition of all-terrain vehicles to include those motor vehicles up to 900 pounds in unladen weight. All-terrain vehicles are subject to certain regulatory requirements, and to the extent this bill would increase the scope of an existing 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. 206 (SB 1494) Ackerman. Property tax: liens.

Under existing law, every tax on real property is a lien against the property assessed.

This bill would, in addition, provide that any penalties or interest on real property is a lien on the property.

#### Ch. 207 (SB 1513) Karnette. Public resources: oil spill contingency planning: financial responsibility.

Existing law establishes in state government the office of administrator for oil spill response and requires the administrator to adopt and implement regulations and guidelines governing the adequacy of oil spill contingency plans.

Under existing law, a nontank vessel, as defined, that is required to have a contingency plan may not enter marine waters of the state unless the nontank vessel owner or operator has provided to the administrator evidence of financial responsibility that demonstrates, to the administrator's satisfaction, the ability to pay at least \$300,000,000 to cover damages caused by a spill, and the owner or operator of the nontank vessel has obtained a certificate of financial responsibility from the administrator for the nontank vessel. However, until

January 1, 2003, the administrator is authorized to establish a lower standard of financial responsibility for a nontank vessel that has a carrying capacity of 6,500 barrels of oil or less, or, if the nontank vessel is owned and operated by California or a federal agency, a carrying capacity of 7,500 barrels of oil or less.

This bill would extend, until January 1, 2006, the expiration date of the authority of the administrator to establish a lower standard of financial responsibility for the specified nontank vessels.

Ch. 208 (SB 1689) Margett. Criminal law: prohibited weapons.

Existing law prohibits the manufacture, importation, sale, giving, lending, and possession of specified weapons and related items, including metal knuckles. Violation of these provisions is a crime.

This bill would prohibit the commercial manufacture, knowing importation for commercial sale, and keeping, offering, or exposing for commercial sale of hard plastic knuckles. Violation of this provision would be a misdemeanor.

By expanding the scope 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. 209 (SB 1709) Poochigian. Charter schools: audits.

Existing law requires 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.

This bill would, in addition, require a charter school to transmit a copy of its annual, independent, financial audit report for the preceding fiscal year to the Controller and the county superintendent of schools of the county in which the charter school is sited.

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. 210 (SB 1739) Morrow. Witnesses: protection.

Existing law establishes a Witness Protection Program administered by the Attorney General to provide for the relocation or other protection of a witness in a criminal proceeding where there is credible evidence, as defined, of substantial danger that the witness may suffer intimidation or retaliatory violence. Existing law authorizes the Attorney General to enter into an agreement with a witness under specified terms, and provides that a witness selected by the Attorney General may receive services under the program from "victim of crime" funds. Existing law provides for the Attorney General to determine whether family, friends, or associates of the witness are endangered, and therefore are also subject to protection under these provisions. Existing law provides that the Attorney General may reimburse state and local agencies for the costs of providing witness protection services when an action is brought by local prosecutors. Existing law provides immunity to the Attorney General for any condition in the witness protection agreement that cannot reasonably be met due to a witness committing a crime while in the program.

This bill would allow local and state prosecutors, rather than just the Attorney General, to select witnesses for inclusion in the program; to enter into witness protection contracts to provide protection on specified terms; and to determine the eligibility of family, friends, or associates of a witness for protection. This bill would permit the Attorney General to reimburse state and local agencies for the costs of protection services when an action is brought by state prosecutors, as well as when an action is brought by local prosecutors. This bill would also provide immunity to state and local prosecutors, rather than just the Attorney General, for any condition in the witness protection agreement that cannot reasonably be met due to a witness committing a crime during participation in the program.

Existing law prohibits a person from accepting or receiving, directly or indirectly, any payment or benefit in consideration for providing information obtained as a result of witnessing an event or occurrence that he or she knows, or reasonably should know, is a crime, or if he or she has personal knowledge of facts that he or she knows, or reasonably should know, may require that person to be called as a witness in a criminal prosecution. Certain rewards and categories of compensation are exempted from these prohibitions, including lawful compensation provided by law enforcement or prosecutors to informants.

This bill would exempt from these criminal prohibitions lawful compensation provided to a witness participating in the Witness Protection Program.

Ch. 211 (SB 1741) Johnson. Political Reform Act of 1974: campaign statements.

Under the existing Political Reform Act of 1974, a “late contribution” means any contribution, including a loan, that totals \$1,000 or more that is made to or received by a candidate, a controlled committee, or a primarily formed committee, before the date of the election at which the candidate or measure is to be voted on, but after the closing date of the last campaign statements required to be filed before the election. Existing law requires that each candidate or committee that makes or receives a late contribution report the late contribution, as specified, within 24 hours of the time the late contribution is made or received.

This bill would require the recipient of a late contribution to report whether the contribution was made in the form of a loan.

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 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.

Ch. 212 (SB 1742) Johnson. Political Reform Act of 1974: limitations of contributions.

Under the existing Political Reform Act of 1974, a candidate for elective state office is authorized to return all or part of any contribution to the donor at any time.

This bill would prohibit a candidate for elective state office from returning, to himself or herself, contributions that were made by the candidate to the candidate’s controlled committee.

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 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  $2/3$  vote.

Ch. 213 (SB 1859) Costa. Elections: ballot pamphlets.

Existing law requires the ballot pamphlet for an election at which state bond measures will be submitted to the voters to include a discussion of the state's current bonded indebtedness situation. Existing law requires that the discussion include specified information.

This bill would additionally require, in cases where a bond measure allocates funds for programs, the discussion to include the proportionate share of funds for each major program funded by the measure.

Ch. 214 (SB 2086) Committee on Revenue and Taxation. Property taxation: administration.

Existing property tax law provides for a state grant program for the funding of local administration of the property tax.

This bill would make technical changes to these provisions to correct certain cross-references.

Pursuant to authorization by the California Constitution, existing property tax law establishes 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. Existing law requires those who qualify for these exemptions to notify a county assessor, on or before March 15, or in the case of the religious exemption, June 30, if the taxpayer no longer qualifies for the exemption.

This bill would change these notification dates to February 15.

Existing property tax law allows taxes, penalties, and interest imposed for delinquent filings of property tax exemption applications to be reduced in the case of an exemption application of a college, cemetery, church, religion, exhibition, veterans' organization, free public library, free museum, public school, community college, state college, state university, or a person or entity claiming the welfare exemption.

This bill would specify that those taxpayers applying for an exemption for aircraft of historical significance may also have penalties reduced pursuant to these provisions.

Existing property tax law allows taxes, penalties, and interest imposed for delinquent filings of property tax exemption applications to be reduced in the case of an exemption of a college, cemetery, church, religion, exhibition, or veterans' organization that acquires new property or is organized after the lien date, if an application for exemption is filed on or before the lien date in the calendar year next succeeding the calendar year in which the property was acquired.

This bill would allow these taxes, penalties, and interest to be reduced pursuant to these provisions only if the entity files an exemption application within 90 days from the first day of the next month following the date on which the property was acquired.

The California Constitution provides that, unless otherwise provided in the constitution or by federal law, all property in the state is taxable and is assessed at its fair market value. Existing law requires a taxpayer to furnish to assessors various types of information about the taxpayer's property.

This bill would authorize the board of supervisors of a county to enact an ordinance that requires any party that records a digital subdivision map with the county recorder to also file a duplicate digital copy of that map with the county assessor.

Existing property tax law allows county assessors to destroy documents containing information obtained from taxpayers 6 years after the lien date for the taxes for which the information was obtained, or 3 years after the lien date if the documents have been microfiched, microfilmed, imaged, or otherwise preserved.

This bill would allow, in the same manner, county assessors to destroy affidavits for certain property tax exemptions.

Ch. 215 (SB 2096) Committee on Environmental Quality. Laboratory services.

Existing law requires a laboratory that performs analyses for specified substances, including pesticide residues in food, to either obtain certification by the State Department of Health Services or, in the alternative, to obtain accreditation under the National Environmental Laboratory Accreditation Program (NELAP) if it chooses to meet standards adopted by the National Environmental Laboratory Accreditation Conference (NELAC) and become eligible for recognition by other states and agencies that require or accept NELAP accreditation.

Existing law provides that the period of accreditation for NELAP accredited laboratories shall be 12 months.

This bill would require that an application for renewal be filed with the department prior to the expiration date of the accreditation, and failure to do so would result in expiration of the accreditation.

Existing law requires the department to deny or revoke a certificate if it finds that certain conditions exist.

This bill would revise these conditions. The bill would, among other things, include among these conditions failure by the laboratory to analyze proficiency testing samples, and submission by the laboratory, as its own, of proficiency testing sample results generated by another laboratory.

This bill would make related and conforming changes.

Ch. 216 (AB 2559) Wesson. Veterans' Home of California.

The Veterans' Homes Bond Act of 2000 requires the proceeds from the sale of the bonds issued under that act to be deposited in a newly established Veterans' Home Fund. That act provides that upon appropriation by the Legislature, the moneys in that fund are to be allocated first to meet state funding requirements for the renovation or construction of those veterans' homes identified by a specified statute, and then to fund any additional homes established pursuant to the bond act.

This bill would continuously appropriate the moneys in the Veterans' Home Fund, without regard to fiscal years and in an amount not to exceed \$31,000,000, to meet state funding requirements for the construction of veterans' homes, located in the City of Lancaster and in the community of Saticoy, that are identified by the same specified statute, and a veterans' home located in West Los Angeles, that is an additional home established pursuant to the bond act.

This bill would make various findings and declarations regarding these provisions. The bill would also state the intent of the Legislature in enacting these provisions.

This bill would provide that it would become operative only if AB 2953, SB 1234, and SB 1773 are enacted and become effective on or before January 1, 2003.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 217 (SB 1234) Johannessen. Veterans' homes.

Existing law, the "State Building Construction Act of 1955," authorizes the State Public Works Board to acquire or construct public buildings and to issue revenue bonds, negotiable notes, and negotiable bond anticipation notes to finance that construction.

This bill would authorize the State Public Works Board to issue lease-revenue bonds, notes, or bond anticipation notes pursuant to the State Building Construction Act of 1955 to finance the acquisition, design, construction, renovation, or expansion of veterans' homes at Yountville, Barstow, Chula Vista, Lancaster, Saticoy, and West Los Angeles, and in Fresno County and Shasta County, as provided. It would continuously appropriate these funds to

the board on behalf of the Department of Veterans' Affairs for this purpose. This bill would specify the amount of authorized capital outlay for the project.

The bill would condition any issuance of bonds or notes for these purposes on a commitment from the federal government to pay for the federal matching share of the cost of the design, construction, renovation, or expansion of these homes.

This bill would make various legislative findings and declarations regarding these provisions.

This bill would provide that it would become operative only if AB 2559, AB 2953, and SB 1773 are enacted and become effective on or before January 1, 2003.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 218 (AB 2953) Wiggins. Veterans' homes: renovation.

The Veterans' Homes Bond Act of 2000 requires the proceeds from the sale of the bonds issued under that act to be deposited in a newly established Veterans' Home Fund. That act provides that upon appropriation by the Legislature, the moneys in that fund are to be allocated to the Department of Veterans Affairs first to meet state funding requirements for the renovation or construction of those veterans' homes identified by a specified statute.

This bill would continuously appropriate, without regard to fiscal years, an amount not to exceed \$15,000,000 from the Veterans' Home Fund to the department for the renovation of the Veterans' Home of California, Yountville.

This bill would provide that it would become operative only if AB 2559, SB 1234, and SB 1773 are enacted and become effective on or before January 1, 2003.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 219 (SB 1773) Chesbro. Veterans' homes: renovation.

The Veterans' Homes Bond Act of 2000 requires the proceeds from the sale of the bonds issued under that act to be deposited in a newly established Veterans' Home Fund. That act provides that upon appropriation by the Legislature, the moneys in that fund are to be allocated to the Department of Veterans Affairs first to meet state funding requirements for the renovation or construction of those veterans' homes identified by a specified statute.

This bill would continuously appropriate, without regard to fiscal years, an amount not to exceed \$15,000,000 from the Veterans' Home Fund to the department for the renovation of the Veterans' Home of California, Yountville.

This bill would continuously appropriate, without regard to fiscal years, certain remaining funds from the Veterans' Home Fund for these renovations, and would also continuously appropriate certain federal matching funds for related purposes.

This bill would provide that it would become operative only if AB 2559, AB 2953, and SB 1234 are enacted and become effective on or before January 1, 2003.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 220 (AB 2315) Chu. Office of State Printing: paid advertisements.

Existing law prohibits the Office of State Printing from doing any printing for the promotion of sales for any industry.

This bill would, until January 1, 2006, authorize the department to accept paid advertisements in materials printed or published by the state, except for paid political advertising. It would require the department to report to the Governor and the Legislature on its implementation of these provisions no later than December 31, 2005.

Ch. 221 (SB 1019) Torlakson. Counties: clerks.

Existing law requires the county clerk to perform specific duties, including, among other things, giving notice of the time and place fixed for hearings, accepting documents and reports for filing, receiving notice of causes of action against the county and petitions, transmitting and receiving resolutions, and preparing and certifying to all proceedings on file

relative to the issuance and sale of bonds. Existing law prescribes the election procedures for various special districts.

This bill would repeal obsolete provisions and revise references to the county clerk and the registrar of voters to, instead, refer to, as appropriate, the clerk of the board of supervisors, the county elections official, the clerk of the legislative body, or the appropriate financial officer or other designated official in a county. This bill would revise certain obsolete provisions relating to special district elections.

Ch. 222 (SB 1232) Committee on Local Government. Validations.

This bill would enact the Second Validating Act of 2002, 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. 223 (SB 1233) Committee on Local Government. Validations.

This bill would enact the Third Validating Act of 2002, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Ch. 224 (SB 1313) Margett. Counties and cities: contracts: law enforcement.

Existing law authorizes a county board of supervisors to contract on behalf of the sheriff of that county, and the legislative body of any city to contract on behalf of that city, to provide supplemental law enforcement services to private individuals or entities to preserve the peace at special events or occurrences that happen on an occasional basis.

This bill would extend that authorization with respect to providing supplemental law enforcement services to private nonprofit corporations that are recipients of government low-income housing funds or grants to preserve the peace on an ongoing basis, and to private entities at critical facilities on an ongoing basis, as specified.

Ch. 225 (SB 1655) Scott. Teacher credentialing: administrative services credential.

Existing law sets forth the minimum requirements for both a preliminary and professional services credential with a specialization in administrative services.

This bill would authorize the Commission on Teacher Credentialing to issue those credentials to persons who meet expedited alternative requirements and would set forth those requirements.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 226 (SB 1800) Johannessen. Public Safety Officer Medal of Valor Act.

Existing law authorizes the Governor to make awards each year to employees or groups of employees who distinguish themselves by outstanding service to the state during the preceding year and to present a Medal of Valor to each member of the National Guard, State Military Reserve, and the Naval Militia who, while an officer or enlisted member of these services, distinguishes himself or herself by courageous conduct at the risk of life, above and beyond the call of duty, while in the service of the state or the United States.

This bill would enact the Public Safety Officer Medal of Valor Act and create the Medal of Valor Review Board with a specified membership. The board would serve without compensation or reimbursement for expenses. The bill would authorize the Governor to award a Medal of Valor to one, or more, in extraordinary cases, public safety officer each year cited by the Attorney General, from among candidates recommended by the board, for extraordinary valor above and beyond the call of duty. The bill would authorize the board to conduct meetings, select candidates, hold one annual hearing, take testimony, call witnesses, and secure information directly from state departments and local agencies necessary to carry out its duties.

Ch. 227 (SB 1877) Johnson. Health care.

Existing law authorizes health care service plans and disability insurers administering health benefit plans covering employees of small employers to enter into agreements with qualified associations to assume responsibility for certain administrative functions. Existing law limits the types of services provided by the association and specifies the requirements needed for an association to qualify. Under existing law, these provisions are repealed on January 1, 2003. A violation of the provisions relating to health care service plans is a crime.

This bill would delete the repeal date for these 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. 228 (SB 2001) Committee on Elections and Reapportionment. Election procedures.

Existing law prohibits a county elections official from circulating nomination papers, and a circulator from obtaining signatures within 100 feet of any election booth or polling place.

This bill would provide that this prohibition does not prohibit a county elections official or a deputy county elections official from circulating his or her own nomination papers.

Existing law specifies procedures applicable to the preparation, submittal, and printing of rebuttal arguments to a measure appearing on the ballot of a county, district, or school district election.

This bill would repeal those procedures and replace them with a uniform procedure applicable to rebuttal arguments for county, district, and school district ballot measures.

Existing law requires the elections official administering a county, municipal, district, or school district election, not less than 10 calendar days before specified official election materials are submitted for printing, including the official voter's pamphlet, to make a copy of those election materials available for public examination. It permits any voter, during that 10-calendar-day public examination period, to seek a writ of mandate or an injunction, upon specified grounds, requiring the amendment or deletion of any or all of the materials.

This bill would make clarifying changes in those provisions.

This bill would make related technical changes.

Ch. 229 (SB 2072) Karnette. Vehicles: state highways: weight limits.

Existing law limits the gross weight of vehicles and loads permissible on state highways. Until January 1, 2003, existing law allows the Department of Transportation, upon adoption of conforming ordinances by the City of Long Beach and the City of Los Angeles, to issue special permits to the operators of vehicles that exceed these weight limits when the vehicles travel on defined sections of state highways located within those cities. The law sets forth specified criteria for obtaining these special permits.

This bill would extend indefinitely the operation of the provisions that allow the department to issue special permits for vehicles traveling on the defined state highway sections.

Ch. 230 (AB 2873) Frommer. Accounting.

Existing law establishes the California Board of Accountancy, in the Department of Consumer Affairs, for the purpose of licensing and regulating public accountants. In addition to other requirements, a licensee is required to issue a report conforming to professional standards upon completion of a compilation, review, or audit of financial statements.

This bill would require audit documentation, as defined, to contain sufficient documentation to enable a reviewer with relevant knowledge and experience, but having no previous connection with an auditing engagement, to understand the nature, timing, extent, and results of auditing or other procedures performed, evidence obtained, conclusions

reached, and the identity of the persons who performed and reviewed the work. The bill would create a presumption where the requirements are not met, which may be rebutted by a preponderance of the evidence, that the procedures were not applied, tests were not performed, information was not obtained, and relevant conclusions were not reached with regard to the portions of the audit not documented as required.

This bill would require audit documentation to be maintained for the longer of a 7-year period or a period sufficient to satisfy professional standards and comply with applicable laws and regulations. The bill would also require licensees to maintain a written audit documentation retention and destruction policy that sets forth the licensees' practices and procedures.

This bill would authorize the board to adopt certain regulations regarding audit documentation retention, including regulations establishing a different retention period for specific categories of audit documentation where warranted.

Existing law authorizes the board to revoke, suspend, or refuse to renew any permit or certificate, or to censure the holder of that permit or certificate, for unprofessional conduct.

The bill would make a violation of the audit documentation requirements unprofessional conduct subject to disciplinary action by the board.

#### Ch. 231 (AB 270) Correa. Professions: accountancy.

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, specifying the board's composition, and authorizing the board to appoint an executive officer will become inoperative on July 1, 2006, and will be repealed on January 1, 2007.

This bill would change these dates, making the provisions inoperative on July 1, 2005, and repealing them on January 1, 2006. The bill would increase the number of members on the board from 11 to 15 by increasing the number of public members from 5 to 8 and the licensee members from 6 to 7. The bill would revise the qualification requirements for certain members of the board.

Existing law provides that each board or commission in the Department of Consumer Affairs facing a statutory repeal date has the burden of establishing a compelling need for its continuation to the Joint Legislative Sunset Review Committee. Existing law limits this review in the case of the Board of Accountancy.

This bill would expand that review regarding the Board of Accountancy to include consideration of reports and studies specified in the law regulating accountancy.

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. Existing law authorizes the board to vest this committee with the powers of the board for specified purposes.

This bill would delete the authority to vest the powers of the board in this committee.

Existing law authorizes the board, after notice and hearing, to revoke, suspend, or refuse to renew any permit or certificate, as specified, or to censure the holder of that permit or certificate for unprofessional conduct. Under existing law, unprofessional conduct includes a conviction for a crime substantially related to the qualifications, functions, and duties of a certified public accountant or public accountant, and dishonesty, fraud, or gross negligence in certain duties. Existing law requires, with respect to standards of professional conduct, a licensee to report to the board in writing, within 30 days of the time the licensee has knowledge of certain events concerning the licensee, including the conviction of a crime.

This bill would require a licensee to report other specified events concerning the licensee, including certain civil judgments and settlements, and would authorize the board to adopt regulations to further define certain reporting requirements. It would also require courts and specified insurers and surplus brokers to report certain events to the board. This bill would expand the definition of unprofessional conduct to include repeated negligence indicating

a lack of competency and would provide the board with subpoena power and the authority to proceed in an investigation or action in specified circumstances.

Existing law prohibits a person engaged in the practice of public accountancy from performing services for a client for a commission or from receiving a commission from a client when that person also performs specified services for that client.

This bill would include in that prohibition services for a commission for or receiving a commission from, an officer or director of a client or client-sponsored retirement plan.

Existing law provides that unlicensed persons can be minority owners of public accountancy firms, notwithstanding other laws providing for the issuance of permits to practice accountancy only to licensees, if specified requirements are met.

This bill would add the requirement that a licensed firm disclose the actual or potential involvement of nonlicensee owners in services provided.

Existing law requires an applicant for licensure as a certified public accountant to demonstrate experience in the attest function. A firm, other than a sole proprietor or a small firm, is required to meet specified peer review requirements in order to provide attest services and an individual applicant is required to meet specified criteria to sign reports on attest engagements. The board is required to adopt regulations implementing, interpreting, and making specific the peer review requirements.

This bill would require the board to report to the Legislature and the department by September 1, 2003, concerning the peer review program.

This bill would also require the board to report to the Legislature by September 1, 2003, on problems with respect to the policing and disciplining of accountants employed by a large public accounting firm.

Existing law appropriates all moneys in the Accountancy Fund to the board to carry out provisions of the law relating to accountancy.

This bill would make an appropriation because it authorizes the board to expend moneys in the fund for additional purposes.

This bill would incorporate additional changes to Section 5100 of the Business and Professions Code to take effect if this bill and AB 2873 are both enacted and become effective on or before January 1, 2003, and this bill is enacted last.

#### Ch. 232 (AB 2970) Wayne. Accounting: audits.

Existing law establishes the California Board of Accountancy, in the Department of Consumer Affairs, for the purpose of licensing and regulating public accountants. In addition to other requirements, a licensee is required to issue a report conforming to professional standards upon completion of a compilation, review, or audit of financial statements.

This bill would prohibit a licensee from accepting employment with a publicly traded corporation or its affiliate within 12 months of the date of issuance of a financial statement where the licensee had a specified level of participation in the audit engagement and the employment would permit the licensee to exercise significant authority over accounting or financial reporting.

#### Ch. 233 (AB 1797) Harman. Conflicts of interest: disqualification.

Existing provisions of the Political Reform Act of 1974 prohibit a public official at any level of state or local government from making, participating in making, or attempting to use his or her official position to influence a governmental decision in which he or she knows or has reason to know that he or she has a financial interest, as defined. Existing law also requires specified elected and appointed officers at the state and local level of government to disclose specified financial interests by filing periodic statements of economic interests.

This bill would require a public official who holds a specified office and who has a financial interest in a decision within the meaning of the Political Reform Act of 1974 to publicly identify the financial interest giving rise to the conflict of interest or potential conflict of interest, recuse himself or herself from discussing and voting on the matter, and

leave the room until after the discussion, vote, and other disposition of the matter is concluded, except as specified.

This bill would impose a state-mandated local program by imposing these penalties on persons who violate the provisions of this 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.

This bill would provide that no reimbursement is required by this act for a specified reason.

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.

#### Ch. 234 (AB 1803) Harman. Horse racing.

The existing Horse Racing Law regulates the various forms of horse racing authorized in this state. Under that existing law, a barrel race is defined as a horse race around a course with 3 barrels placed in a triangular pattern which conforms to the requirements of the Women's Professional Rodeo Association, a show jumping race is defined as a horse race, over obstacles made of artificial or natural material, which is shorter than a steeplechase course, and is run by horses for time with faults converted to time and which conforms to the requirements and rules of the American Horse Shows Association, and a steeplechase race is defined as horse racing over obstacles made of natural or artificial material and includes both hurdle and timber races which conform to rules of the National Steeplechase and Hunt Association.

This bill would make the compliance of these types of races with the requirements of those rules of those associations voluntary.

Existing law establishes the California Horse Racing Board with jurisdiction and supervision over meetings in the state where horse races with wagering on their results are held or conducted. Existing law permits a license to be granted to a horse racing association only for one type of racing, such as thoroughbred or quarter horse racing. Notwithstanding that prohibition, existing law authorizes an association licensed to conduct quarter horse racing, or a fair to conduct races that include paint horses racing with quarter horses or Appaloosa horses in the same race.

This bill would authorize a quarter horse association to write a race for paint horses only to replace an Appaloosa or Arabian race without increasing the average number of races run per race day with the consent of the organization representing the quarter horse men and women.

This bill also would require any quarter horse racing association or fair conducting barrel racing, paint horse racing, show jump racing, or steeplechase racing to pay to the quarter horsemen's organization from the portion deducted for purses, a specified amount for purposes of representing the horsemen and horsewomen conducting these races.

#### Ch. 235 (AB 1913) Lowenthal. Coastal development.

(1) Existing law requires any person wishing to perform or undertake any development in the coastal zone to obtain a coastal development permit from the California Coastal Commission or from a local government.

This bill would authorize the executive director of the commission to cause a notification of intention to record a notice of a violation of the California Coastal Act of 1976 to be mailed if the executive director has determined, based on substantial evidence, that real property has been developed in violation of the act. The bill would require a public hearing to be held at the next regularly scheduled commission meeting if the owner submits a timely objection to the proposed filing of the notice of violation. The bill would require the issuance of a

clearance letter if the commission finds that no violation has occurred. If the commission determines, based on substantial evidence, that a violation has occurred, the bill would require the executive director to record a notice of violation, as specified, in the office of each county recorder where all or part of the property is located, thereby imposing a state-mandated local program.

The bill would require the executive director, within 30 days after the final resolution of a violation that is the subject of a recorded notice of violation, to record a notice of rescission in the office of each county recorder in which the notice of violation was filed, indicating that the notice of violation is no longer valid. The bill would also authorize the commission at any time and for cause, on its own initiative or at the request of the property owner, to cause a notice of rescission to be recorded invalidating the notice of violation.

(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. 236 (AB 1950) Wright. State employment: probation.

Existing law provides that the State Personnel Board shall establish for each class of position in civil service the length of the probationary period. Existing law provides that the probationary period that shall be served by a state employee upon appointment shall be 6 months unless the board establishes a longer period of not more than one year. The board is authorized to provide by rule for increasing the length of an individual probationary period in the case of an employee's absence, as specified.

Existing law also provides that it is the policy of the state that qualified individuals with a disability shall be employed in the state service and that a department, agency, or commission shall make reasonable accommodation to the known physical or mental limitations of an otherwise qualified applicant or employee with a disability, as specified.

This bill would provide that, upon written agreement between an appointing power and an employee who alleges that he or she has a disability, as defined, and subject to approval of the agreement by the State Personnel Board, the employee's probationary period may be extended, for a period not to exceed 6 months, to allow the appointing power to provide a reasonable accommodation to the employee and the employee to demonstrate, before the probationary period ends, the ability to perform satisfactorily the essential functions of the position with reasonable accommodation.

Ch. 237 (AB 2082) Longville. Local government elections.

Existing law provides for the proponent of a county ballot measure or municipal ballot measure to seek a writ of mandate to change a ballot title or summary that is false, misleading, or inconsistent with the statutory standard.

This bill would allow any elector of the county or municipality, respectively, to seek such a writ of mandate.

Ch. 238 (AB 2133) Goldberg. Prisons: inmate visitation.

Existing law includes legislative findings and declarations indicating the importance of visitation to prisoners as an effective correctional technique that reduces recidivism, and provides for specified services for visitors to prisons. Existing law includes regulations governing the policy and practice of the Department of Corrections concerning prison visitation.

This bill would require that any amendments to existing regulations and any future regulations adopted by the Department of Corrections which may impact the visitation of inmates recognize and consider the value of inmate visitation as a means of increasing safety in prisons, maintaining family and community connections, and preparing inmates for successful release and rehabilitation.

Ch. 239 (AB 2148) Chu. State highways: contracts.

(1) Existing law authorizes the Department of Transportation to enter into contracts for the leasing or renting of tools or equipment for state highway purposes.

This bill would authorize the department to enter into major damage mitigation contracts for specific services regarding major damage repairs and operations on state highways.

(2) Existing law provides that certain contracts for the removal of structures and the leasing or renting of equipment for state highway purposes are exempt from the State Contract Act.

This bill would additionally exempt major damage mitigation contracts for the performance of specific services regarding major damage repairs and operations from the State Contract Act.

Ch. 240 (AB 2203) Florez. Penal institutions: confidentiality of personnel information.

Existing law provides for penal institutions and for the personnel employed by those penal institutions.

This bill would require the Director of Corrections to ensure that documents, computers, or computer accessible media containing personal information, as defined, relating to an employee of the Department of Corrections are not removed from any state prison without proper authorization. The bill would prohibit the knowing removal of employee personal information, without proper authorization, and would require notice to be given if removed personal information is lost or stolen, or can no longer be accounted for. The bill would state the intent of the Legislature that these provisions not interfere with various Whistleblower Protection provisions, the authority of the Office of the Inspector General, or the authority of the State Auditor.

Ch. 241 (AB 2276) Dutra. Vehicles: hazardous materials: emergency materials.

Existing California law requires any vehicle transporting hazardous materials to display placards in the manner prescribed by federal regulations applicable to commercial transportation.

This bill would exempt authorized emergency vehicles operated by peace officers from the state placarding requirement in certain circumstances.

The bill would declare that it is to take effect immediately, as an urgency statute.

Ch. 242 (AB 2472) Simitian. Pesticides.

Existing law generally regulates the use of pesticides. Existing law, the Healthy Schools Act of 2000, provides that it is the policy of the state that effective least toxic pest management practices should be the preferred method of managing pests at schoolsites. Existing law requires the Department of Pesticide Regulation to promote and facilitate the voluntary adoption of integrated pest management programs, as defined, for all school districts that choose to do so.

This bill would state various findings and declarations of the Legislature relating to pesticide use in state buildings and lands and would state the intent of the Legislature to enact legislation to protect public and environmental health through the use of Integrated Pest Management techniques. This bill would define Integrated Pest Management and would require, upon receipt of appropriate grant funds, that the Department of General Services implement a demonstration project to study the use of Integrated Pest Management techniques at the State Capitol Park and its associated grounds, as specified. This bill would also require the Department of General Services to present a report to the Legislature on this demonstration project within 6 months of its implementation.

Ch. 243 (AB 2522) Dutra. California Highway Patrol: transportation system.

Existing law creates the Office of Emergency Services within the Governor's office that, among other matters, coordinates the activities of state agencies in responding to an emergency.

This bill would make various findings relating to the effect of the terrorist attacks of September 11, 2001, on the United States. The bill would require the California Highway Patrol, in cooperation with the Office of Emergency Services and other specified federal, state, and local agencies, to perform a risk assessment of the state's transportation system and to submit a confidential report of its findings to the Governor and the Legislature's leadership prior to January 1, 2003.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 244 (AB 2524) Goldberg. Civil rights: appeals.

Existing law sets forth various civil rights and provides a cause of action for a violation of those rights, as specified.

This bill would provide that if a violation of any of these specified civil rights is alleged or the application or construction thereof is in issue in any proceeding in the Supreme Court of California, a state court of appeal, or the appellate division of a superior court, each party shall serve a copy of the party's brief or petition and brief, on the State Solicitor General at the Office of the Attorney General. Under the bill, no brief in these matters may be accepted for filing unless the proof of service shows service on the State Solicitor General. However, any party failing to comply with this requirement must be given a reasonable opportunity to cure the failure before the court imposes any sanction and, in that instance, the court must allow the Attorney General reasonable time to file a brief in the matter.

Ch. 245 (AB 2800) Chan. California Children and Families Commission: duties.

(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 establishes a state commission, the California Children and Families Commission, with specified powers and duties, including the authority to enter into any contracts as necessary or appropriate to carry out the provisions and purposes of the act.

This bill would authorize the state commission to expend money allocated to it under the act to ensure that children are ready to enter school. This bill would also authorize the state commission to allocate funds to county commissions established pursuant to the act as necessary or appropriate to carry out the provisions and purposes of the act.

(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.

Ch. 246 (AB 2801) Chavez. Alcoholic beverages: licenses: distilled spirits.

Existing law authorizes the Department of Alcoholic Beverage Control to issue temporary permits to transferees of licenses to operate premises during the pendency of the transfer process.

Existing law requires that purchases of beer and wine by the holder of a temporary permit be made before or at the time of delivery in currency or by check, but modifies this requirement to specify a certified check for purchases of distilled spirits.

This bill would allow purchases of distilled spirits by the holder of a temporary permit to be made in the same manner as purchases by that permit holder of beer and wine.

Existing law permits the Department of Alcoholic Beverage Control to issue a special on-sale beer and wine license to a nonprofit symphony association meeting specified criteria.

This bill would also permit the issuance of an on-sale distilled spirits license to a symphony association meeting the same criteria.

Ch. 247 (AB 2949) Wayne. Small claims court: jurisdiction.

Existing law sets forth the actions in which a small claims court has jurisdiction.

This bill would provide that an agreement entered into or renewed on or after January 1, 2003, establishing a forum outside of California for an action arising from an offer or provision of goods, services, property, or extensions of credit primarily for personal, family, or household purposes that is otherwise within the jurisdiction of a small claims court of this state is contrary to public policy and is void and unenforceable.

Ch. 248 (SB 246) Brulte. State highways: Route 66 relinquishment.

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.

This bill would authorize the commission to relinquish to the City of Rancho Cucamonga a specified portion of State Highway Route 66, upon terms and conditions the commission finds to be in the best interests of the state.

This bill would incorporate additional changes to Section 366 of the Streets and Highways Code made by SB 857 to be operative if this bill and SB 857 are both enacted and become effective on or before January 1, 2003, and this bill is enacted last.

Ch. 249 (SB 580) Figueroa. Crime prevention: reporting crimes.

Existing law requires any health practitioner employed in a health facility or clinic or physician's office who, in his or her professional capacity or within the scope of his or her employment, has knowledge of or observes a patient who he or she knows or reasonably suspects has suffered from any wound or injury inflicted by his or her own act or any wound or physical injury inflicted on the person as the result of assaultive or abusive conduct to report to a law enforcement agency, as specified.

This bill would require that, within one year from its enactment, a standard state form for reporting crimes pursuant to this provision be developed and adopted by the Office of Criminal Justice Planning, as specified. The bill would make a conforming change and would provide for the repeal of provisions governing the adoption of the form on January 1, 2004.

This bill would make a declaration of legislative intent.

The bill would furthermore provide, in order to better protect victims of child physical abuse or neglect and improve the investigation and prosecution of cases of child physical abuse or neglect, that, on or before January 1, 2004, the Office of Criminal Justice Planning, in cooperation with specified agencies, organizations, and other appropriate experts, shall establish medical forensic forms, instructions, and examination protocols for the victims of child physical abuse or neglect, as specified.

Ch. 250 (SB 803) Committee on Elections and Reapportionment. Recall elections: City of South Gate.

Existing law provides the procedure for the recall of local government officers pursuant to a petition that is circulated for signatures and submitted by the proponents of the recall. It requires that when the city or county elections official is the officer sought to be recalled, the elections official's duties in connection with the recall process be performed by some other person designated by the applicable governing board.

This bill would state legislative findings that there exists a need for an experienced, objective, impartial, and professional entity to conduct any recall or special election that is held in the City of South Gate in the County of Los Angeles during calendar years 2002 and

2003, and would state the intent of the Legislature in connection with this bill. It would require any recall or special election held in the City of South Gate during the 2002 and 2003 calendar years to be administered by the Los Angeles County Registrar-Recorder, subject to approval by the Los Angeles County Board of Supervisors.

This bill would require the City of South Gate, consistent with a specified provision of state law, to pay the County of Los Angeles from the city treasury for any expenses authorized and necessarily incurred in conducting any recall or special election held in the City of South Gate pursuant to this bill. It would provide a procedure under which the Controller would reallocate to the county amounts otherwise scheduled for distribution to the city from unrestricted funds or moneys, as specified.

The California Constitution provides that a local or special statute is invalid in any case if a general statute can be made applicable.

This bill would declare that, due to the unique circumstances pertaining to the City of South Gate that the bill is intended to remedy, a general statute within the meaning of specified provisions of the California Constitution cannot be made applicable and a special statute is necessary.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 251 (SB 857) Soto. State highways: Route 66 relinquishment.

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.

This bill would authorize the commission to relinquish to the City of Fontana a specified portion of State Highway Route 66, upon terms and conditions the commission finds to be in the best interests of the state.

This bill would incorporate additional changes to Section 366 of the Streets and Highways Code made by SB 246 to be operative if this bill and SB 246 are both enacted and become effective on or before January 1, 2003, and this bill is enacted last.

Ch. 252 (SB 1214) Romero. California State University: auxiliary organizations.

Existing law establishes the California State University and its various campuses under the administration of the Trustees of the California State University.

Existing law authorizes the California State University to establish auxiliary organizations, which are defined to include, among other entities, any entity in which any official of the California State University participates as a director as part of his or her official position; student body organizations; and any entity operating a commercial service for the benefit of a campus of the California State University on a campus or other property of the California State University. Existing law requires each auxiliary organization, other than a student body organization, to have a board of directors composed, both as to size and categories of membership, in accordance with regulations established by the trustees.

This bill would require that, if in any fiscal year, a majority of the funding of the auxiliary organization is received from student fees collected on a campus or systemwide, at least a majority of the board of directors of that auxiliary shall consist of California State University students with full voting privileges on that board. This provision would only be applicable to effectuate a change in the membership of a board of directors of an auxiliary organization if the trustees determine that there is no legal or contractual barrier to changing the governing structure of that organization.

Ch. 253 (SB 1253) Figueroa. Pupils: signaling devices.

Existing law prohibits a school from permitting the possession or use of any electronic signaling device that operates through the transmission or receipt of radio waves by pupils of the school while the pupils are on campus, attending school-sponsored activities, or while

under the supervision and control of school district employees, without the prior consent of the principal or his or her designee.

This bill would, instead, authorize school district governing boards to regulate the use of electronic signaling devices and would preclude prohibiting a pupil from using an electronic signaling device if it is determined to be essential for the health of the pupil, as prescribed.

Ch. 254 (SB 1254) Alpert. Identity theft.

Existing law provides that every person who willfully obtains personal identifying information about another person, as defined, 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, or a fine not to exceed \$1,000, or both, or by imprisonment in the state prison, or a fine not to exceed \$10,000, or both.

This bill would expand the definition of “personal identifying information” to include other identification numbers and other specified information.

By expanding the scope of an existing crime, this bill imposes a state-mandated local program.

This bill would also provide that every person who, with the intent to defraud, acquires, transfers, or retains possession of the personal identifying information, as defined, of another person, is guilty of a crime punishable by imprisonment in the county jail not exceeding a year, a fine not exceeding \$1,000, or by both that imprisonment and fine.

By creating a new crime, this bill would impose a state-mandated local program.

Existing law provides that if a person discovers that an unauthorized person has applied for certain services or opened certain accounts, the person is entitled to receive the identifying information that was used by the unauthorized person to apply for or open the account or service upon presentation of a copy of a police report and identifying information.

This bill would add applications and accounts regarding commercial mobile radio services, as defined, to the applications and accounts covered by these provisions. It would require that a request for identifying information be made in writing when made to a telephone or telegraph corporation, as specified.

The bill would require the person or entity with which the application was filed or the account opened to provide the information and copies of all forms, without charge, within 10 business days.

The bill would also require the person or entity with which the application was filed or the account opened to provide the information and copies to a law enforcement officer specified by the person in whose name the application was filed or the account opened. It would allow the person or entity to require a signed and dated statement, as specified, from the requesting person.

This bill would also make clarifying changes to these 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. 255 (SB 1311) Kuehl. Commercial mobile radio service: public safety agencies.

Existing law requires a provider of commercial mobile radio service, as defined, to provide access for end users of that service to the local emergency telephone systems described in the Warren-911-Emergency Assistance Act.

This bill would authorize a provider of commercial mobile radio service to enter into a contract with a public safety agency, as defined, to give the transmissions of public safety agency end users of that service priority over the transmissions of other persons or entities. The bill would require that the contract comply with applicable federal law.

Ch. 256 (SB 1324) Ortiz. Medical evidentiary examinations.

Existing law provides for the establishment of 2 hospital-based training centers to train medical personnel on how to perform medical evidentiary examinations of victims of child abuse and neglect, sexual assault, elder abuse, or domestic violence. Existing law also specifies the characteristics and responsibilities of the centers.

This bill would instead provide for the establishment of one hospital-based training center to train medical personnel, as defined, on how to perform medical evidentiary examinations for victims of child abuse or neglect, sexual assault, domestic violence, elder abuse, and abuse or assault perpetrated against persons with disabilities. The bill would also specify that the training provided by the training center shall be made available to medical personnel, law enforcement, and the courts throughout the state. The bill would make additional changes to the provisions specifying the responsibilities of the center. The bill would further provide that nothing in its provisions shall be construed to change the scope of practice for any health care provider, as defined, in other provisions of law.

Ch. 257 (SB 1436) Oller. Republican county central committees: Sacramento County; Santa Clara County.

(1) Existing law requires that candidates for Republican county central committee appear on the local ballot and specifies the manner of their election. It requires that in a county containing less than 5 Assembly districts, a committee be elected by supervisor districts, in accordance with a specified formula. It further requires that in a county containing more than 4 and less than 20 Assembly districts, a committee be elected from Assembly districts and consist of 6 members from each district.

This bill would impose a state-mandated local program by requiring that, notwithstanding the above, a committee of not less than 31 members be elected in Sacramento County and a committee of not less than 23 members be elected in Santa Clara County. The bill would require members to be elected by supervisor district, and would require that the number to be elected from any supervisor district be determined in accordance with a specified formula.

(2) Existing law requires removal of a Republican county central committee member who misses four regularly called meetings within one 12-month period, except where the absence is caused by illness or temporary absence from the county.

This bill would authorize a committee in its sole discretion and in accordance with its bylaws to remove a member who misses four or more regularly called meetings within one 12-month period, regardless of the reason for the absences.

(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. 258 (SB 1445) Alpert. Income and corporation taxes: settlements.

Existing income and corporation tax laws provide that the executive officer and chief counsel, jointly, of the Franchise Tax Board may approve a settlement of any civil tax matter in a dispute involving a reduction of tax and penalties that does not exceed \$5,000.

This bill would increase that amount each year in accordance with an inflation adjustment formula, provide that a settlement may include certain matters, provide that a settlement does not preclude certain assessments or refunds, and provide that a settlement approved by the board, itself, shall be final and conclusive, as provided.

Ch. 259 (SB 1508) Scott. Santa Monica Mountains Conservancy: ex officio members.

Existing law establishes the Santa Monica Mountains Conservancy and provides that the conservancy is composed of 9 voting members and 2 ex officio nonvoting members.

This bill would increase to 3 the number of ex officio nonvoting members of the conservancy, and would additionally include the Supervisor of the Angeles National Forest among those members.

Ch. 260 (SB 1512) Scott. Parental custody and control.

(1) Existing law requires, in a proceeding to terminate the parental rights of a father in order to place a child for adoption, that notice of the proceeding be given to every person identified as the natural father or a possible natural father, except as specified.

This bill would require that notice to be provided at least 10 days before the time stated in the notice for the appearance.

(2) Existing law provides that an order requiring or dispensing with a father's consent for the adoption of a child may be appealed from in the same manner as an order of the juvenile court declaring a person to be a ward of the juvenile court.

This bill would instead provide that an order requiring or dispensing with a father's consent for the adoption of a child is conclusive and binding upon the father. The bill would also provide that nothing in that provision limits the right to appeal from that order and judgment.

(3) Existing law provides that specified provisions relating to matters to be considered in awarding custody of a child do not apply in a proceeding to declare a minor free from parental custody and control.

This bill would additionally provide that specified provisions governing child custody, support orders, and the prevention of domestic violence shall be stayed pending final determination of proceedings to declare a minor free from parental custody and control.

(4) Existing law authorizes any interested person to file a petition for an order or judgment declaring a child free from the custody and control of either or both parents. Upon the filing of that petition, the clerk of the court is required to immediately notify one of the persons on a list of specified professionals. The person who is notified by the clerk is required to immediately conduct an investigation for the circumstances of the child, as specified. That person is required to submit a written report of the investigation and a recommendation to the court of the proper disposition to be made in the proceeding in the best interest of the child.

This bill would include licensed clinical social workers and licensed marriage and family therapists to the list of specified professionals who may be notified by the clerk and may be required to conduct the investigation and submit a report and recommendation to the court as described above.

(5) Existing law, the Interstate Compact on the Placement of Children, governs the conditions for placing children in facilities located outside this state. Existing law requires the sending agency to retain jurisdiction over the child who is being placed.

This bill would enact a separate provision defining the term "jurisdiction" for purposes of these provisions, as specified.

(6) Existing law governs proceedings for the adoption of an unmarried minor in this state.

This bill would enact provisions governing the jurisdiction of a court of this state in adoption proceedings in cases where another state may have jurisdiction in the matter. These provisions would also apply to interstate adoptions if the prospective adoptive parents reside outside the state and AB 746 of the 2001–02 Regular Session is enacted. The bill would also set forth guidelines for determining venue if a petition for adoption of a minor is filed.

Ch. 261 (SB 1518) Torlakson. Recycled water.

(1) Existing law requires a sanitary district that includes any part of a city, water district, or other local agency that provides water service to any territory in the district to obtain the consent of that city, water district, or other local agency prior to supplying water service to that territory.

This bill would provide that this requirement does not apply to the provision of recycled water by a sanitary district. The bill, except as otherwise provided, would prohibit a sanitary district from supplying water service using recycled water to the territory of any part of a city, water district, or other local public entity providing water service, or from commencing construction of facilities for that service, prior to offering to consult with that entity and providing notification of availability for consultation.

(2) Existing law requires every urban water supplier to prepare and periodically update an urban water management plan for submission to the Department of Water Resources. Existing law requires the supplier to describe in the plan the projected use of recycled water within the supplier's service area at the end of 5, 10, 15, and 20 years.

This bill would require the supplier to include in the plan a description of the actual use of recycled water in comparison to previously projected uses, and a description of the quantity of treated wastewater that meets recycled water standards, is being discharged, and is otherwise available for use in a recycled water project.

Ch. 262 (SB 1529) Johnson. Conflicts of interest: special commissions.

Existing law establishes various programs to provide health care services to persons with limited incomes and meeting various eligibility requirements. These programs include the Healthy Families Program administered by the Managed Risk Medical Insurance Board and the Medi-Cal program administered by the State Department of Health Services.

Existing law authorizes counties, pursuant to ordinance, to establish a special commission in order to meet the problems of the delivery of publicly assisted medical care and to negotiate a contract to provide or arrange for the provision of health care services, as specified.

Existing law contains prohibitions against public officers being financially interested in any contract made by them in their official capacity or by any body or board of which they are members.

Existing law specifies that a member of a commission or advisory committee to the commission established pursuant to the authority described above shall not be deemed to be interested in a contract entered into by the commission if specified conditions apply, one of which conditions is that the contract contain substantially the same terms and conditions as contracts entered into with other individuals or organizations that the member was appointed to represent.

This bill would add an additional condition under which a member of a commission or advisory committee described above shall not be deemed to be interested in a contract entered into by the commission, to provide that if the contract does not contain substantially the same terms and conditions as contracts entered into with other individuals or organizations that the member was appointed to represent, the member shall recuse himself or herself from making, participating in making, or in any way attempting to use his or her official position to influence the making of, a decision on the contract.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 263 (SB 1558) Figueroa. Dangerous drug or dangerous device samples.

Existing law, the Pharmacy Law, prohibits a manufacturer's sales representative from distributing a complimentary dangerous drug or dangerous device sample without the written request of a physician and surgeon or other specified healing arts practitioner. Under existing law, a certified nurse-midwife, a nurse practitioner, or a physician assistant may sign for the delivery or receipt of a sample requested by the supervising physician and surgeon.

This bill would additionally authorize a certified nurse-midwife, a nurse practitioner, and a physician assistant to sign for the request and receipt of complimentary samples that have

been identified in the standardized procedure, protocol, or practice agreement that has been approved by a physician.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 264 (SB 1620) Knight. Conflict of interest.

Existing provisions of the Political Reform Act of 1974 require a member of any of specified state commissions to file, within 30 days of assuming office, a statement disclosing his or her investments, interests in real property held on the date of assuming office, and income received during the 12 months before assuming office. A person who is subject to confirmation by the Commission on Judicial Appointments or the State Senate is required to file that statement within 10 days after appointment or nomination, and thereafter annually, and upon leaving office, as specified.

This bill would additionally require a member of a board or commission of a newly created agency to file statements of economic interests according to these requirements until the agency adopts an approved conflict-of-interest code.

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.

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 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.

Ch. 265 (SB 1627) Kuehl. Protective orders.

Existing law requires the clerk of a court to notify the Department of Justice, by electronic transmission, of the service of a protective order immediately upon receipt of proof of service. Existing law requires the Department of Justice to maintain a Domestic Violence Restraining Order System and to make available to court clerks and law enforcement personnel all information regarding the protective and restraining orders and injunctions.

This bill would revise those provisions to require a law enforcement officer who serves a protective order to submit the proof of service directly into the Domestic Violence Restraining Order System within one business day, as specified. If the person who served the protective order is not a law enforcement officer, and the court is unable to submit the proof of service directly into the Domestic Violence Restraining Order System, the bill would further require the court to transmit a copy of the proof of service to a local law enforcement agency within one business day of receipt, as specified. The bill would require the local law enforcement agency to submit the proof of service directly into the Domestic Violence Restraining Order System and would make related changes.

By imposing additional duties on local law enforcement agencies, the bill would create a state-mandated local program.

Existing law requires the Judicial Council to assist local courts charged with issuing protective orders by developing informational packets describing the general procedures for obtaining a domestic violence restraining order.

This bill also would require the Judicial Council to include in those packets information on how to return proofs of service, including mailing addresses and fax numbers.

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. 266 (SB 1632) Perata. Pupils: sun protection.

Existing law authorizes any school district to adopt or rescind a reasonable dress code policy, as specified. Existing law requires every schoolsite to allow for outdoor use during the schoolday, articles of sun-protective clothing that pupils would be allowed to wear outdoors, including, but not limited to, hats, and authorizes schoolsites to set a policy related to that clothing.

This bill would, in addition, require every schoolsite to allow pupils to use sunscreen during the schoolday without a physician's note or prescription and authorize schoolsites to set a policy related to the use of sunscreen.

Ch. 267 (SB 1711) Costa. Land use: water and electrical energy facilities.

(1) Existing law prohibits the application of the building ordinances and zoning ordinances of a county or city to the location or construction of specified water and electrical energy facilities.

This bill would make technical changes to these provisions.

(2) Existing law authorizes the governing board of a local agency to render a city or county zoning ordinance inapplicable to a proposed use of property if the local agency at a noticed public hearing determines by resolution that there is no feasible alternative to its proposal, except when the proposed use of the property by the local agency is for facilities not related to storage or transmission of water or electrical energy.

This bill would make technical changes to these provisions.

Ch. 268 (SB 2035) Karnette. Horse racing.

Under existing law, the California Horse Racing Board is authorized to permit a harness or quarter horse association conducting a race meeting to accept wagers on the results of out-of-state, out-of-country, and sometimes other harness or quarter horse races, if specified conditions are met. One of these conditions is that the association imports no more than 6 races on live racing days. Another is that, subject to specified conditions and limitations, if only one breed is being raced on a given live racing day, the live racing association may import additional races that would otherwise be simulcast by the association which is not racing.

This bill would allow an association permitted to import up to 6 races pursuant to the applicable provision above, if it imports fewer than the 6 races authorized for a given night, to later import races equal in number to those foregone, provided that no more than 2 races could be reserved or added on a single night of racing. This bill would provide that the total number of races imported under these provisions by an association in a calendar year may not exceed the total number of imported races authorized by the formulas in existing law.

Ch. 269 (SB 2085) Committee on Revenue and Taxation. Property taxation.

Existing property tax law provides that a delinquent penalty does not attach to taxes as a result of a public agency acquisition, unless the delinquent penalty was on the property at the time of acquisition.

This bill would remove this condition on the attachment of a delinquent penalty.

Existing property tax law generally authorizes a county tax collector to sell tax-defaulted property 5 years or more after that property has become tax defaulted, and also authorizes a public agency, as provided, or a nonprofit organization, making certain written statements regarding the rehabilitation and use of property for low-income persons, to file a written

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objection to a proposed sale of tax-defaulted property. Existing law imposes various conditions on a nonprofit organization that objects to the sale of the tax-defaulted property, one of which is that the nonprofit organization obtain a certificate of consistency with a consolidated plan approved by the Department of Housing and Community Development.

This bill would remove that condition.

Ch. 270 (AB 1937) Dutra. Transportation.

Existing law authorizes specified transportation entities to enter into agreements for the joint use or joint development of property or rights.

This bill would authorize any transit operator, as defined, to enter into agreements with a public agency, public utility, or person or entity, to be performed within the district or a transportation corridor or land that will be acquired by the transit operator, for the joint use or joint development of property or rights. The bill would provide that its provisions shall not supersede any existing authority of a transit operator for joint development.

Ch. 271 (AB 1979) Steinberg. Independent Living Program.

Existing federal law establishes the Independent Living Program for foster youth to be administered by counties with federal and state funds.

Existing law requires, on or before July 1, 2000, the State Department of Social Services, in consultation with county and state representatives, foster youth, and advocates, to develop statewide guidelines for the implementation of the federal Independent Living Program, and define the outcomes for the program and the characteristics of foster youth enrolled in the program for data collection purposes.

This bill would require the department to develop and adopt emergency regulations, in consultation with specified stakeholders, that counties shall be required to meet when administering the Independent Living Program and that are achievable within existing funding resources.

Ch. 272 (AB 1989) Liu. Care facilities: change in health status: violations: notice.

Existing law provides for the licensure and regulation by the State Department of Health Services of health facilities, including skilled nursing facilities, intermediate care facilities, and congregate living health facilities. Existing law also provides for the licensure and regulation of residential care facilities for the elderly by the State Department of Social Services.

This bill would require a skilled nursing facility, intermediate care facility, congregate living health facility, or residential care facility for the elderly to make reasonable efforts to contact the person named in the resident's admission agreement as the resident's contact person, or the resident's responsible person, within 24 hours after a significant change in the resident's health or mental status.

Ch. 273 (AB 2064) Cedillo. Human immunodeficiency virus tests: counselors: training.

Existing law makes provisions for various programs relating to treatment of persons with the human immunodeficiency virus (HIV) and the acquired immune deficiency syndrome (AIDS).

This bill would require the State Department of Health Services to authorize the establishment of training programs for counselors for publicly funded HIV testing programs, by specified community-based, nonprofit organizations. The bill would require the participating community-based organizations to follow curriculum content and design for these training programs that is approved by the department. This bill would provide that costs associated with training programs administered pursuant to the bill shall be absorbed by participating community-based organizations, and that the bill shall not be construed to require or prohibit the funding of any training program administered pursuant to the bill by

the department, or by any local government currently administering a training program for HIV counselors.

Ch. 274 (AB 2143) Matthews. Health: cancer programs.

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 specifies various requirements applicable to fiscal intermediary services utilized by the department to process Medi-Cal claims received from providers and billing agents.

Existing law provides for various cancer screening and detection programs that are administered by the department, including the Breast and Cervical Cancer Treatment Program. In implementing this program, the department is authorized to contract with public and private entities, or utilize existing health care service provider enrollment and payment mechanisms, including the Medi-Cal program's fiscal intermediary. However, existing law requires that the Medi-Cal program's fiscal intermediary only be utilized if services provided under the program are specifically identified and reimbursed in a manner that does not claim federal financial reimbursement.

This bill would grant similar authority to contract to the department in implementing other designated cancer screening and detection programs.

Ch. 275 (AB 2195) Corbett. Workplace protections.

Existing law provides protections to victims of domestic violence and prohibits employers from taking adverse employment action against victims of domestic violence who take time off from work to attend to issues arising as result of the domestic violence, as long as the employee complies with certain conditions. Existing law provides that employers who violate these provisions are guilty of a misdemeanor.

This bill, by extending those provisions to victims of sexual assault, as defined, would impose a state-mandated local program.

This bill would also make technical, nonsubstantive 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. 276 (AB 2551) 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, 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. Existing law requires 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. A willful violation of provisions governing health care service plans is a crime.

This bill would provide that for purposes of continuing treatment of the transferring enrollee, the health care service plan may require the nonparticipating mental health provider to enter into a standard mental health provider contract. The bill would make conforming changes.

Existing law provides for the regulation of policies of disability insurance administered by the Insurance Commissioner. Existing law requires, 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. Existing law provides 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.

This bill would provide that for purposes of continuing treatment of a transferring enrollee, the disability insurer may require the nonparticipating mental health provider to enter into a standard mental health provider contract. 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, 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. 277 (AB 2582) Chu. Paratransit vehicles: high-occupancy vehicle lanes.

Existing law authorizes local authorities and the Department of Transportation to establish exclusive and preferential use of highway lanes for high-occupancy vehicles.

This bill would authorize the operation of a paratransit vehicle upon those highway lanes unless specifically prohibited by a traffic control device, as specified.

Ch. 278 (SB 222) Torlakson. State employees.

(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 may not become effective unless approved by the Legislature in the annual Budget Act. Existing law also provides that if a memorandum of understanding has expired, a new memorandum has not been agreed to, and the parties have not reached an impasse, the expired memorandum of understanding shall continue in effect.

This bill would approve provisions that require the expenditure of funds of specified tentative agreements entered into between the state employer and State Bargaining Unit 9.

(2) Existing law prescribes contribution rates for state employees who are state miscellaneous and state safety members of the Public Employees' Retirement System.

This bill would reduce the contribution rates, as specified, for state miscellaneous and state safety members in State Bargaining Unit 9 until June 30, 2003.

(3) Existing provisions of the Budget Act of 2001 appropriate specified amounts from the General Fund, unallocated special funds, and unallocated nongovernmental cost funds for the augmentation of state employee compensation.

This bill would appropriate an additional \$4,643,000, as scheduled, from those funds in augmentation of specified items of the Budget Act of 2001, for state employee compensation.

(4) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 279 (SB 500) Torlakson. Retail merchandise, utilities, and cable television: delivery, service, and repair: times.

(1) Existing law requires a retailer with 25 or more employees selling merchandise to consumers, where that merchandise will be delivered to the consumer at a later date, to specify either at the time of the sale or at a later date prior to the delivery date, a 4-hour period

within which delivery will be made if the consumer's presence is required. Existing law sets forth similar requirements for these retailers, with regard to the service and repair of merchandise. Existing law provides a cause of action in small claims court, for actual damages not to exceed \$500, against a retailer for failure to comply with these requirements, except for delays caused by unforeseen or unavoidable occurrences beyond the control of the retailer, when the retailer made a diligent attempt to notify the consumer of its inability to deliver, service, or repair the merchandise, or when the consumer was not present during the specified time period.

This bill would require retailers and consumers to agree to the 4-hour period within which the delivery, service, or repair will take place. The bill would increase the total amount of damages that a small claims court can award to an amount not to exceed \$600. The bill would prohibit an action when the retailer makes a diligent attempt to notify the consumer of its inability to deliver, service, or repair, either in person or by telephone, but would require that if notification is by telephone, the retailer or its agent leave a telephone number for a return telephone call, to enable the consumer to arrange a new 2-hour period for delivery, service, or repair with the retailer or the retailer's agent.

(2) Existing law requires that utilities and cable television companies inform subscribers of their right to service connection or repair within a 4-hour period, as specified, by offering the 4-hour period when the subscriber calls for service connection or repair, or by notifying their subscribers by mail three times a year of this service. Existing law further requires that when a subscriber contracts with utilities and cable television companies for a service connection or repair at a later date, and the parties agree that the presence of the subscriber is required, the utilities and cable television companies shall specify, prior to the date of service connection or repair, the time the 4-hour period for the service connection or repair begins, if the subscriber so requests. Existing law provides a cause of action in small claims court, for actual damages not to exceed \$500, against a cable television company or utility for failure to comply with these requirements, except for delays caused by unforeseen or unavoidable occurrences beyond the control of the cable television company or utility, when a diligent attempt was made to notify the subscriber of the inability of the cable television company or utility to deliver service connection or repair within the 4-hour period, or when the consumer was not present during the specified time period.

This bill would delete the option of cable television companies and utilities to notify subscribers by mail of their right to service connection or repair service within a 4-hour period. The bill would require cable television companies to agree with subscribers on the time for the commencement of the 4-hour period for the service connection or repair, where the parties have agreed that the presence of the subscriber is required, regardless of whether the subscriber makes a request. The bill would require utilities to agree with subscribers on the time for commencement of the 4-hour period for service connection or repair when the subscriber requests the appointment. The bill would provide that if a service connection by a utility is not commenced within the 4-hour period described above or as otherwise agreed to by the utility and the subscriber, then the utility may be liable, as specified. The bill would prohibit an action when the cable television company or utility makes a diligent attempt to notify the subscriber of its inability to make the service connection or repair within the 4-hour period agreed upon, either in person or by telephone, but would require that if notification is by telephone, the cable television company or utility leave a telephone number for a return telephone call, to enable the subscriber to arrange a new 2-hour period for the service connection or repair with the cable television company or utility. The bill would increase the total amount of damages that a small claims court can award to an amount not to exceed \$600.

Ch. 280 (SB 873) Torlakson. Transportation: San Francisco Bay area.

Existing law establishes the Metropolitan Transportation Commission as the local area transportation planning agency for the region comprised of the City and County of San

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Francisco and the Counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano, and Sonoma.

This bill would set forth the Regional Transit Expansion Program for the San Francisco Bay area as established by the commission.

Ch. 281 (SB 1267) Battin. Terrorist threats.

Existing law provides that it is a crime to maliciously send or place a facsimile bomb, or to make a false report of a bomb. AB 1838 and SB 1287 would make it a crime to send or place a false or facsimile of a weapon of mass destruction with the intent to cause another person to fear for his or her own safety.

This bill would provide that a person receiving a felony conviction for maliciously sending or placing a facsimile bomb, or making a false report of a bomb, or, if AB 1838 or SB 1287 is enacted and becomes effective on or before January 1, 2003, of sending or placing a false or facsimile of a weapon of mass destruction with the intent to cause another person to fear for his or her own safety, under circumstances in which the person knows the underlying report was false, is liable to specified entities for property damage and for the reasonable costs in personnel, equipment, and materials incurred to respond to and clean up after the threat, as provided.

Ch. 282 (SB 1340) Vincent. Horse racing.

Existing law defines "California-bred" horses based on the type of horse and whether the foal was conceived or born in this state.

This bill would provide that a "California-bred paint horse" is a registered paint horse foal conceived in California by a stallion standing in California at the time of conception, or by a registered paint horse stallion.

The Horse Racing Law provides that any association conducting a race meeting that includes quarter horse racing shall deposit specified percentages of the amount handled on that racing for distributions to the breeder fund, owner fund, stallion fund, and the official registering agency for the payment of breeder premiums, owners' awards, and stallion awards, as specified.

This bill would duplicate the deposit and distribution requirements of quarter horse racing awards for paint horse racing.

Existing law provides that any association conducting a fair racing meeting other than a harness meeting or conducting a mixed breed meeting shall deduct an additional 0.34 of 1% of the total amount handled in its daily conventional and exotic parimutuel pools for all races for payment of breeder and stallion awards, to be distributed following the close of the meeting according to specified statutory distribution requirements.

This bill would provide that with respect to paint horse races, the amounts deducted pursuant to these provisions shall be paid as breeder and owners' premiums, and stallion awards, as specified.

Ch. 283 (SB 1352) Chesbro. Napa County Flood Control and Water Conservation District.

(1) The Napa County Flood Control and Water Conservation District Act creates the Napa County Flood Control and Water Conservation District and grants to the district specified powers relating to flood control and water conservation. The act requires the board of the district to consist of 11 directors, of which 5 are members of the Napa County Board of Supervisors, 5 are mayors from certain cities, and one is a member of the Napa City Council, with prescribed voting powers. The act requires the board directors to serve without compensation.

This bill would provide for alternate directors to serve in the absence of a director. By requiring certain members of city councils to serve as alternate directors for the district, the bill would impose a state-mandated local program. The bill would provide that the approval

of an action of the board is determined by reference to the number of votes and not the number of directors voting. The bill would authorize the directors to be reimbursed for actual expenses incurred in the performance of duties undertaken to carry out the act.

(2) The act requires all ordinances and resolutions of the district, except as otherwise required by the act, to be adopted by the board in the same manner as ordinances and resolutions of Napa County. The act requires the budget of the district, except as otherwise provided, to be prepared and approved in the same manner as the county budget. The act requires certain county officers and employees to be ex officio officers and employees of the district. The act authorizes the board to appoint and employ agents, superintendents, engineers, attorneys, and other employees to carry out the act. The act authorizes the board to appoint certain officers, employees, and agents necessary for the governance of the board and provides that officers, agents, and employees so appointed or employed hold their positions at the pleasure of the board.

This bill would require all ordinances and resolutions of the district, except as otherwise required by the act or by resolution of the board, to be adopted by the board in the same manner as the ordinances and resolutions of the county. The bill would require the budget of the district, except as otherwise provided by resolution of the board, to be prepared and approved in the same manner as the county budget, except that at least 14 votes are required to approve or modify the district budget. The bill would include the county administrator or county executive officer and the clerk of the board of supervisors among those persons required to be ex officio officers or employees of the district, thereby imposing a state-mandated local program. The bill would authorize the board to employ property and purchasing agents and other agents and independent contractors determined by the board to be necessary to carry out the act. The bill would authorize the board to grant certain authority to any purchasing agent employed by the district. The bill would authorize the board, in accordance with the bylaws of the board, to appoint officers, employees, and agents determined to be necessary for its governance, and would provide that those persons hold their positions at the pleasure of the board, except when a specific term of office is prescribed in the bylaws of the board.

(3) The act authorizes the board to impose taxes, fees, and assessments for the purposes of carrying out the act. Article XIII A, Article XIII C, and Article XIII D of the California Constitution impose various restrictions of the authority of a special district to impose special taxes, fees, and assessments.

This bill would provide that the authority of the board to impose special taxes, fees, and assessments is subject to those constitutional provisions, as applicable, and would make various other changes with regard to that authority.

(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. 284 (SB 1556) Dunn. Vehicles: ordinances: mobilehome parks.

Existing law applies the provisions of the Vehicle Code to streets and highways that are publicly maintained and open to the use of the public for purposes of vehicular travel, and to privately owned and maintained roads when requested by the owners and when authorized by an ordinance or resolution of a city or county, or city and county.

This bill would allow the provisions of the code to be applied to mobilehome parks and manufactured housing communities when requested by the owners and when authorized by an ordinance or resolution of a city or county, or city and county. It would require that a public hearing be held before enactment of the ordinance or resolution, and that notices of the hearing, as specified, be provided.

The bill would specify that the Department of the California Highway Patrol would not be required to provide patrol or enforce any provision of the code within a mobilehome park or manufactured housing community.

Ch. 285 (SB 1576) Bowen. Landlords: disclosure of demolitions.

Existing law requires that a landlord of a residential dwelling unit who has actual knowledge of a former ordinance location in a neighborhood area to provide written notice of that knowledge to a prospective tenant, prior to the execution of the rental agreement, as specified.

This bill would require the owner of a residential dwelling unit or the owner's agent who applies to any public agency for a permit to demolish that residential dwelling unit to give written notice of that fact to a prospective tenant prior to entering into or initiating a rental agreement, as specified, and to a current tenant prior to applying for the permit. The bill would define "residential dwelling unit" and "public agency" for these purposes. The bill would require the notice to include the earliest possible approximate date the owner expects the demolition to occur and the approximate date the owner will terminate the tenancy. The bill would provide that a court may award a plaintiff a civil penalty not to exceed \$2,500, actual damages, and moving expenses, as specified, if a landlord fails to provide the required notice. The bill would provide that in an action brought pursuant to its provisions, the prevailing party is entitled to reasonable attorney's fees.

Ch. 286 (SB 1903) O'Connell. Commercial mobile radio service providers: subscriber protection.

Existing law requires any person, corporation, or billing agent that charges subscribers for products or services on a telephone bill to, among other things, include in the telephone bill the amount being charged for each product or service, including any taxes or surcharges, and a clear and concise description of the service or product.

This bill would require a provider of commercial mobile radio service, as defined, to provide subscribers by no later than January 1, 2004, with a means by which a subscriber can obtain reasonably current and available information, as determined by the provider, on the subscriber's calling plan or plans and service usage. The bill would require providers to inform subscribers of the availability of this information and how it may be obtained, at the time service is established.

Ch. 287 (SB 433) Machado. Air resources: civil and administrative penalties.

(1) 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 repeal that law.

(2) Existing law, which is to be repealed on January 1, 2003, provides for civil or administrative penalties up to a prescribed maximum, depending on the nature of the violation, for a violation of prescribed statutes or any rule, regulation, permit, variance, or order of the State Air Resources Board pertaining to fuel requirements and standards. The recovery of those penalties precludes criminal prosecution, or the filing of a criminal complaint requires dismissal of any action or administrative proceeding seeking those civil penalties.

This bill would repeal that repeal date, thereby extending the operation of those provisions indefinitely.

Ch. 288 (SB 1561) Soto. San Bernardino County Flood Control District: limited obligation notes.

Existing law authorizes the San Bernardino County Flood Control District to borrow money and incur indebtedness to meet short-term needs of any district zone by action of the county board of supervisors.

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This bill would authorize the district to issue limited obligation notes after the adoption, by a <sup>4</sup>/<sub>5</sub> vote of all members of the board of the district, of a resolution. The bill would subject the issuance of the notes to certain requirements, including a requirement that the notes may not mature later than 10 years after the date of the issuance of the notes and a requirement that the amount of the notes outstanding at any one time may not exceed the sum of \$12,000,000.

Ch. 289 (SB 1746) Polanco. Public retirement boards: nominees.

Under existing law, the retirement board of a public pension or retirement system has plenary, sole, and exclusive fiduciary responsibility for the assets of the pension or retirement system.

This bill would make a statement of legislative intent regarding the eligibility of individuals to serve as members of those retirement boards.

Ch. 290 (SB 2063) Brulte. California Indian Cultural Center and Museum.

Existing law requires the Department of Parks and Recreation to implement and administer various programs designed to preserve, protect, and promote historical resources in the state.

This bill would establish the California Indian Cultural Center and Museum Task Force within the department for the purpose of assisting the department in developing a California Indian Cultural Center and Museum, and would require the task force to be convened on or before February 1, 2003.

This bill would require the task force to advise and make recommendations to the department regarding development of the cultural center, including its location, design, content, and governance structure. The bill would also require the task force to submit an annual report to the Legislature detailing its activities and progress.

This bill would specify that the task force's responsibilities shall be complete and its duties discharged when the cultural center is completed and the department adopts a governing structure for the completed cultural center, but would authorize the director to terminate the task force prior to that time if the director obtains approval from <sup>2</sup>/<sub>3</sub> of the task force members.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 291 (SB 2088) Committee on Natural Resources and Wildlife. Resource conservation.

(1) The Wildlife, Coastal, and Park Land Conservation Bond Act of 1988 provides funding for the acquisition, development, rehabilitation, protection, or restoration of park, wildlife, coastal, and natural lands in California.

This bill would authorize the City of Goleta to convert to a different use up to 36 acres of the Santa Barbara Shores Park, which was partially acquired with those bond funds, in exchange for specified property, provided the exchange complies with the Public Park Preservation Act, the acquired property is adequately remediated, and the city submits to the Department of Parks and Recreation specified records relating to the acquisition.

(2) Existing law requires the State Lands Commission, by September 1, 2002, in consultation with the State Water Resources Control Board, the Department of Fish and Game, and the United States Coast Guard, to submit to the Legislature, and make available to the public, a report that includes a summary of the information provided in the ballast water discharge report forms submitted to the commission, monitoring and inspection information collected by the commission on ballast water in the state and an analysis of that information, an evaluation of the effectiveness of the measures taken to reduce or eliminate the discharge of nonindigenous species from vessels, and a summary of the research completed during the 2-year period that precedes the release of the report, and ongoing research, on the release of nonindigenous species by vessels in ballast water.

This bill would instead require that report to be submitted to the Legislature on or before January 31, 2003.

(3) Under existing law, the Department of Forestry and Fire Protection provides fire prevention and suppression for timber, brush, grass, or range lands classified as state responsibility areas by the State Board of Forestry and Fire Protection.

Existing law further requires the department to conduct a research study on chaparral dieback on brushlands in southern California, to cooperate with other entities on the chaparral dieback problem, and to submit annual progress reports on the research study to the Joint Committee on Fire, Police, Emergency, and Disaster Services, and a final report to specified legislative committees by June 30, 1994.

This bill would repeal the provisions described in the above paragraph.

(4) Existing law requires the California Coastal Commission and the Los Angeles Regional Water Quality Control Board to jointly establish and participate in the multiagency Los Angeles Basin Contaminated Sediments Task Force. Existing law further requires the commission to develop, on or before January 1, 2003, a long-term management plan for the dredging and disposal of contaminated sediments in the coastal waters adjacent to the County of Los Angeles, as prescribed.

This bill would instead require the commission to develop the long-term management plan on or before January 1, 2005.

Ch. 292 (AB 2094) Aroner. Parks and Recreation: California SNO-PARKS: permits.

Existing law establishes the California SNO-PARK permit program, whereby winter recreationists purchase a windshield sticker issued by the Department of Parks and Recreation that permits them to park in any of the roadside parking areas to be established and plowed for that purpose. Existing law requires the department to print the permits and to supervise the sale of the permits throughout the state. The department is required to either distribute and sell the permits directly or to contract with vendors to sell the permits.

This bill would prescribe the procedural details of permit distribution and vendor reimbursement in situations where the department elects to contract with a vendor to sell the permits.

Ch. 293 (AB 2362) Canciamilla. Vessels: sanitation devices.

Existing law requires every peace officer of the state and of any city, county, or other public agency, all state and local public health officers, and all boating law enforcement officers to enforce certain provisions relating to vessel sanitation and any regulations adopted pursuant to those provisions. Existing law prohibits any person from disconnecting, bypassing, or operating a marine sanitation device so as to discharge sewage into the waters of the state, unless the particular discharge is expressly authorized or permitted pursuant to state or federal law or regulations. A violation of this prohibition is a misdemeanor. State and local peace officers are authorized to enforce state laws relating to marine sanitation devices and to inspect vessels if there is reasonable cause to suspect noncompliance with those laws.

This bill would authorize a state or local peace officer who reasonably suspects that a vessel is discharging sewage in an area where the discharge is prohibited to board the vessel for the purpose of inspecting the marine sanitation device for proper operation and placing dye tablets into the holding tank.

Ch. 294 (AB 1146) Chan. Fair Employment and Housing Act.

Existing provisions of the Fair Employment and Housing Act require that an individual wishing to pursue a civil action file suit within one year of a right-to-sue notice from the Department of Fair Employment and Housing.

This bill, as specified, would toll the limitations period within which the civil action must be filed, in cases where the Department of Fair Employment and Housing has deferred its

investigation of the individual's complaint to the United States Equal Employment Opportunity Commission or where after an investigation by the Department of Fair Employment and Housing, the Equal Employment Opportunity Commission agrees to perform a substantial weight review of the determination of the department or conducts its own investigation.

Ch. 295 (AB 1770) Papan. Eminent domain proceedings.

Existing law provides that in determining the litigation expenses to be awarded to the defendant as costs in an eminent domain proceeding, the court shall consider the amount of an offer made by the plaintiff to acquire the property, as specified.

This bill would also require the court to consider any deposit made by the plaintiff with the State Treasury to cover the probable compensation to be awarded to the defendant.

Existing law provides that in the trial of the issue of compensation in an eminent domain proceeding, a witness may not be impeached by reference to any appraisal report, written statement and summary of an appraisal, or other statements made in connection with a deposit or withdrawal of a deposit of probable compensation, nor may the report or statement and summary be considered an admission of any party.

This bill would instead provide that in the trial of the issue of compensation, an appraisal report, written statement and summary of an appraisal, or other statement made in connection with a deposit or withdrawal of a deposit may not be considered to be an admission of any party. However, the bill would also provide that if the person who prepared the report, statement and summary, or other statement is called at trial to give an opinion as to compensation, the report, statement and summary, or other statement may be used for impeachment of the witness.

Ch. 296 (AB 2008) Correa. Workers' compensation: death benefits.

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 the age of 18 years. Existing law also provides for the payment of those death benefits in the case of a totally dependent minor 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.

This bill would extend those death benefits to the totally dependent minor child of a specified safety member or a safety member subject to any public retirement system 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 payment of death benefits would apply retroactively.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 297 (AB 2158) Lowenthal. Coastal development permits: affordable housing requirements.

The California Coastal Act of 1976 provides for the planning and regulation of development, under a coastal development permit procedure, within the coastal zone, as defined, based on various coastal resources planning and management policies set forth in the act. The act requires any person wishing to perform or undertake any development in the coastal zone to obtain a coastal development permit from the California Coastal Commission or from a local government and requires compliance with various low- and moderate-income housing requirements.

This bill would require the commission to take appropriate steps to ensure that all coastal development permit conditions existing on January 1, 2002, relating to affordable housing are enforced and exist for the term of the permit. The bill would additionally provide that the above provision is not intended to retroactively authorize the release of any housing unit from coastal development permit requirements relating to affordable housing.

Ch. 298 (AB 2509) Goldberg. Labor standards: local jurisdiction.

Existing law provides that provisions of state law regulating wages, hours, and working conditions for employees do not restrict the exercise of local police powers over those matters in a more stringent manner.

This bill would define a local jurisdiction as a city, county, district, or agency, or any subdivision or combination thereof. It would provide that where a local jurisdiction expends funds provided to it by a state agency, as defined, or operates a program or engages in an activity that has received assistance from a state agency and the local jurisdiction has established, under its police powers, its own labor standards, as defined, those standards apply with regard to the expenditure, program, or activity, so long as the local standards do not conflict with and are not preempted by state law.

This bill would prohibit state agencies from requiring that a local jurisdiction refrain from applying its own labor standards in order to receive state funds or assistance.

Ch. 299 (AB 2714) Aanestad. Property taxation: valuation.

Existing law requires that all property that is subject to property taxation be taxed at its full value. Existing law requires the State Board of Equalization to issue to county property tax assessors data that, in the judgment of the board, will promote uniformity in appraisal practices and assessed values throughout the state.

This bill would require county assessors, who depreciate the taxable value of tangible personal property or trade fixtures by the use of percent good factors that include a minimum percent good, to determine the minimum percent good factors in a supportable manner. The bill would also prohibit county assessors who depreciate this property using percent good factors published by the State Board of Equalization that provide separate factors for property that is first acquired new and property that is first acquired used, from averaging the published factors to apply these factors to both classes of new and used property, unless information reported by a taxpayer does not indicate whether the property was first acquired new or used.

Ch. 300 (AB 3035) Committee on Judiciary. Access to government programs.

(1) The Bagley-Keene Open Meeting Act generally requires that all meetings of a state body be open and public. Writings that are public records and are distributed to members of the state body prior to or during a public meeting, pertaining to any item to be considered during the public meeting, are required to be made available for public inspection, and any person may attend any public meeting of a state body. The act also requires that notice of public meetings and those held in closed session of a state body be given to any person who requests that notice in writing and that the agenda for those meetings be made available upon request without delay.

This bill would require that the notices and agendas of these public meetings and closed sessions and the public records distributed at these public meetings and closed sessions be made available in appropriate alternative formats upon request by any person with a disability consistent with the federal Americans with Disabilities Act of 1990. The bill would also require that the notice include information on the availability of disability-related aids or services to enable the person to participate in a public meeting consistent with the federal Americans with Disabilities Act of 1990.

(2) Existing law provides that no person in this state shall, on the basis of ethnic group identification, religion, age, sex, color, or disability, be unlawfully denied full and equal access to the benefits of, or be 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.

This bill would extend the prohibited basis of discrimination under this provision to include race and national origin.

(3) The Ralph M. Brown Act requires that all meetings of a legislative body of a local agency be open and public. All persons may attend these meetings except as otherwise provided by the act. The act also requires that the agenda be posted and include a general description of items to be discussed in closed session. All the documents constituting the agenda packet of a public meeting, including any other writings distributed to all or a majority of all of the members of a legislative body of a local agency by any person in connection with a matter to be discussed at the public meeting, are required to be made available to any person upon request.

This bill would require that these agendas, agenda packets, and other writings distributed to members of a legislative body be made available in appropriate alternative formats to persons with a disability and that the agendas include information on the availability of disability-related aids or services to enable the person to participate in the public meeting consistent with the federal Americans with Disabilities Act of 1990.

(4) This bill would incorporate changes in Section 11125.1 of the Government Code proposed by AB 1752 that would become operative if both bills are enacted and this bill is enacted last.

#### Ch. 301 (SB 1403) Kuehl. Landlord-tenant.

(1) Existing law provides for the renewal or termination of a hiring of real property for an unspecified term, as specified. Existing law, effective until January 1, 2005, also sets forth a separate provision governing the renewal and termination of a hiring of residential real property in the Cities of Los Angeles, Santa Monica, and West Hollywood.

This bill would modify the above provision to make it applicable on a statewide basis and effective until January 1, 2006, as specified. Among other things, the bill would require an owner of a residential dwelling giving notice to a tenant of his or her intent to terminate the dwelling to give at least 60 days' notice prior to termination or 30 days' notice prior to termination if the tenant has resided in the dwelling for less than one year or if other enumerated circumstances are satisfied.

(2) Existing law requires any city, county, or city and county, including a chartered city, that has a system of rent control that does not include a system of vacancy decontrol, as defined, to permit reasonable expenses, fees, and other costs for professional services incurred in the course of successfully pursuing specified rights, including a fair rate of return, to be included in any calculation of net operating income and operating expenses used to determine a fair return to the owner of the property.

This bill would provide that those provisions be inoperative until the Costa-Hawkins Rental Housing Act is repealed.

(3) Existing law permits a landlord to enter a dwelling unit under specified circumstances. Existing law also requires reasonable notice of an intent to enter, as defined, except in an emergency, when the tenant has abandoned or surrendered the premises, or when impracticable.

This bill would require that a landlord give written notice of an intent to enter and have the notice served on the tenant, as specified, except in an emergency or when the tenant has abandoned or surrendered the premises. The bill would provide that written notice mailed at least 6 days prior to entry is presumed reasonable. The bill would permit a landlord, if entry is for the purpose of exhibition to prospective or actual purchasers, to provide notice orally, as specified, 24 hours prior to entry.

(4) Existing law permits the court to relieve a tenant against the forfeiture of his or her lease and restore the tenant to his or her former estate, upon an application made within 30 days after a forfeiture of a lease is declared by the court.

This bill would permit the court to relieve a tenant against a forfeiture of a lease or rental agreement, as specified, upon its own motion or pursuant with an application made at any time prior to restoration of the premises to the landlord. The bill would permit oral

applications by persons appearing in court without an attorney, if the plaintiff is present and has an opportunity to contest that application or has been given ex parte notice.

(5) Under the Ellis Act, public entities generally are prohibited from adopting any statute, ordinance, or regulation, or taking any administrative action, to compel the owner of residential real property to offer or to continue to offer accommodations in the property for rent or lease. However, existing law authorizes any public entity that has in effect any system of rent control to regulate any accommodations withdrawn from rent or lease and that are again offered for rent or lease for residential purposes within 2 years of the date that the accommodations were withdrawn.

This bill would, instead, require that tenancies commenced either during a 5-year period after the notice of intent to withdraw is filed with the public entity or the 5-year period after the accommodations are withdrawn be offered at the rent in effect at the time the notice of intent to withdraw was filed. The bill would require that accommodations first offered again during a 10-year period after the notice of intent to withdraw is filed with the public entity for the first rerelease and subsequent rereleases during the following 2 years be offered at the rent in effect at the time the notice of intent to withdraw was filed. The bill would provide that those amendments apply to all new tenancies created after December 31, 2002, unless the tenancy was created prior to January 1, 2003, after a lawful withdrawal of the unit, as specified.

#### Ch. 302 (SB 1421) Romero. Crimes.

Under existing law, sexual battery, the touching for sexual purposes of an intimate part of a person against the will of the person touched, or of an intimate part of a person if the person is incapacitated, institutionalized, or in other specified circumstances, is a misdemeanor or felony.

This bill would make touching an intimate part of another person for the purpose of sexual arousal, sexual gratification, or sexual abuse, if the victim is at the time unconscious of the nature of the act because the perpetrator fraudulently represented that the touching served a professional purpose, a sexual battery. The bill would make related changes.

By expanding the scope of a crime, this bill would impose a state-mandated local program.

Under existing law, sexual intercourse, sodomy, oral copulation, and causing penetration of the genital or anal openings, if for sexual purposes on a person unconscious of the nature of the act by a person aware of that unconsciousness, is a felony. Existing law defines “unconscious of the nature of the act” to include, among other things, not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator’s fraud in fact.

This bill would add to the definition of “unconscious of the nature of the act” for purposes of these crimes a victim who was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator’s fraudulent representation that the sexual penetration served a professional purpose when it served no professional purpose.

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. 303 (SB 1458) Romero. Vehicle dealers: bonds.

(1) Existing law requires an applicant for a vehicle dealer’s license to procure and file with the Department of Motor Vehicles a bond executed by an admitted surety in the amount of \$10,000. An applicant for a remanufacturer’s license is required to file a bond in the amount of \$25,000.

This bill would increase the amount of the dealer’s bond and the remanufacturer’s bond to \$50,000, except the bond amount of a dealer who deals exclusively in motorcycles would remain at \$10,000.

(2) Existing law provides that any person or governmental agency that suffers loss or damage by reason of any fraud by a licensed vehicle dealer shall have a right of action against the dealer and the surety upon the dealer's bond, as specified. Existing law also provides that a financing agency shall not be entitled to protection under the bond for any monetary interest of the financing agency that has loaned money to a vehicle dealer, but shall be entitled to protection under the bond if the financing agency is defrauded by a vehicle dealer as to any conditional sales contract acquired by way of purchase or pledge. Existing law furthermore provides that the claims of nonlicensees for fraud shall be satisfied first and entitled to preference over all other claims for fraud.

This bill would revise these provisions to provide that claims against the surety, upon a dealer's bond, by a financing agency that has loaned money to a licensee or assignee thereof shall be allowed only to the extent that the claims of any other person or entity with respect to the bond shall be satisfied first and entitled to preference over the claims of the financing agency with respect to the bond. However, as to any conditional sales contract acquired by way of purchase or pledge, the bill would specify that a financing agency shall be entitled to protection under the bond with the same preference as any other person.

Ch. 304 (SB 1658) Soto. Support: laches.

Existing law provides that a judgment for child, family, or spousal support is enforceable until paid in full and is exempt from any requirement that judgments be renewed.

This bill would permit, in an action to enforce a judgment for child, family, or spousal support the defendant, to raise, and the court to consider, the defense of laches only with respect to any portion of the judgment owed to the state.

Ch. 305 (SB 1704) Ortiz. Child custody investigations.

Existing law provides that in any contested proceeding involving child custody or visitation rights, if the court has appointed a child custody evaluator and the court determines that there is a serious allegation of child sexual abuse, the court must require an evaluation. In addition, when an allegation of child abuse arises in any other circumstances in a proceeding involving child custody or visitation rights, the court may require an evaluator to conduct an evaluation. Existing law specifies the actions the evaluator must take in conducting an evaluation pursuant to these provisions, including filing a confidential written report containing specified information with the clerk of the court in which the custody hearing will be conducted.

This bill would instead provide that in any contested proceeding involving child custody or visitation rights, if the court has appointed a child custody evaluator, or has referred the case for a full or partial court-connected evaluation, investigation, or assessment, and the court determines there is a serious allegation of child sexual abuse, the court must require an evaluation, investigation, or assessment. The bill would require the court to consider only specified evaluations, investigations, or assessments in determining custody or visitation rights when the court has determined that there is a serious allegation of child sexual abuse, except as specified. The bill would also require that the confidential written report of an evaluator or investigator include information regarding domestic violence or substance abuse in the family, as specified. The bill would also make a conforming change.

The bill would incorporate amendments to Section 827 of the Welfare and Institutions Code proposed by this bill and AB 3028. These amendments would become operative if both bills are enacted and become effective on or before January 1, 2003, each bill amends these provisions, and this bill is enacted after AB 3028.

Ch. 306 (SB 1765) Bowen. Consumers.

The existing Song-Beverly Consumer Warranty Act provides consumer warranty protection to buyers of various products. Existing law requires that every manufacturer,

distributor, or retailer which makes express warranties with respect to consumer goods fully set forth those warranties in simple and readily understood language, as specified.

This bill would provide that if any manufacturer, distributor, or retailer provides a warranty or product registration card or form, or an electronic online warranty or product registration form, to be completed and returned by the buyer, the card or form is required to inform the buyer that the card or form is for product registration and failure to return the card or form does not diminish his or her warranty rights during the warranty period. The bill would provide that the requirements imposed on the distribution of any warranty or product registration card or form, or an electronic online warranty or product registration form, become effective on January 1, 2004.

Ch. 307 (SB 1792) Vasconcellos. California Economic Strategy Panel: appointments.

Existing law requires the Secretary of Technology, Trade, and Commerce to convene the California Economic Strategy Panel, that includes specified appointed members, to provide recommendations regarding an economic development strategic plan. Appointments to the panel are required to expire at the end of the 2-year planning horizon of the economic development strategy panel.

This bill instead would require that, beginning January 1, 2003, appointments to the panel be for 4-year terms as specified, except that certain appointments made by the Governor on January 1, 2003, would be for 2-year terms and upon the expiration of those 2-year terms, the appointments would be for 4-year terms and be made every 4 years thereafter.

Ch. 308 (SB 1863) Bowen. Telecommunications services.

Existing law declares the Legislature's policies for telecommunications in California.

This bill would include, in the Legislature's policies for telecommunications in California, providing educational institutions, health care institutions, community-based organizations, and governmental institutions with access to advanced telecommunications services in recognition of their economic and societal impact. The bill would state the intent of the Legislature that the Public Utilities Commission should provide a nonprofit community technology program, as defined, with discounts comparable to those that are provided to schools and libraries to address inequality of access to advanced telecommunications services.

This bill would incorporate additional changes to Section 709 of the Public Utilities Code made by SB 1563 to be operative if this bill and SB 1563 are enacted and become effective on or before January 1, 2003, and this bill is enacted last.

Ch. 309 (SB 1907) Murray. Healing arts: referrals.

Existing law provides that it is a misdemeanor for a healing arts licensee, including physicians and surgeons, psychologists, acupuncturists, optometrists, dentists, podiatrists, and chiropractic practitioners, to refer a person for certain health care services if the licensee has a financial interest, as defined, with the person or entity that receives the referral. Existing law provides specified exemptions from this prohibition.

This bill would exempt from the prohibition a personal services arrangement between a licensee or an immediate family member of a licensee and the recipient of the referral if the arrangement meets specified requirements and is set out in writing, the arrangement specifies all services to be provided by the licensee, the term of the arrangement is for at least one year, and the compensation to be paid over the term of the arrangement is set in advance, does not exceed fair market value, and is not determined in a manner that takes into account the volume or value of any referrals or other business generated between the parties.

Ch. 310 (SB 1936) Burton. Community property.

Existing law provides that a husband or wife is permitted to enter into any real property transaction with the other or any other person, and in transactions between themselves are

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**NOTE:** Superior numbers appear as a separate section at the end of the digests.

subject to the general rules governing fiduciary relationships, except as specified, which are the same rights and duties governing nonmarital business partners. Existing law requires that both spouses provide access to books regarding transactions, render upon request information regarding community property, and account to the spouse any benefit or profit from any transaction made by one spouse without the consent of the other regarding community property.

This bill would subject a husband or wife that enters into any real property transaction with the other to those general rules governing fiduciary relationships where the transaction involves the administering of a trust. The bill would also make certain conforming changes that correct erroneous references and a technical, nonsubstantive change. The bill would include a statement of legislative intent regarding the fiduciary relationship between spouses.

#### Ch. 311 (AB 264) Correa. Contractors.

The Contractors State License Law provides for the licensing and regulation of contractors by the Contractors' State License Board, including specialty contractors.

This bill would provide that a trade examination shall not be required for the limited specialty license classification.

Existing law requires the surety of a contractor to notify the Registrar of Contractors of any payment on any claim against the contractor's bond within 30 days of making the payment. Existing law, with specified exceptions, provides that any judgment or admitted claim against, or good faith payment from, a bond shall constitute grounds for disciplinary action against a contractor by the Contractors' State License Board.

This bill would provide that, prior to a settlement of a claim through a good faith payment by the surety, the contractor shall have not less than 15 days to file a written protest instructing the surety not to make the payment based on certain specific grounds. The bill would require the board to investigate the matter for disciplinary violations when a licensee files a written protest and a surety has suffered a loss regarding its good faith payment.

This bill, with respect to payments made by a surety that are reported to the Registrar of Contractors, would provide that the contractor's license shall be suspended by operation of law if proof of payment of the amount owed to the surety has not been made by the contractor within 90 days after the contractor is notified to that effect by the Contractors' State License Board. This bill would also provide that a contractor's license may not be renewed, reissued, or reinstated while any judgment or admitted claim in excess of the amount of the contractor's bond remains unsatisfied or while the surety remains unreimbursed for loss and expense sustained on the bond.

Existing law generally requires an applicant for a contractors' license or a licensee to have on file with the board a Certificate of Workers' Compensation Insurance or a Certification of Self-Insurance. Existing law provides that failure of a licensee to comply with this requirement shall result in the automatic suspension of the license by operation of law, and specifies various procedures in this regard.

This bill would revise and recast these provisions.

#### Ch. 312 (AB 728) Correa. Contractors: arbitration of disputes.

Existing law, the Contractors' State License Law, provides for arbitration of disputes arising out of cases filed with or by the Contractors' State License Board. The registrar is the executive officer who carries out the board's administrative duties and tasks delegated by the board and who is authorized to issue a citation for a violation of specified provisions that may result in the assessment of a civil penalty.

Existing law authorizes the registrar to refer specified complaints where the licensee is in good standing at the time of the referral to arbitration, with the concurrence of both the licensee and the complainant, if there is evidence that the complainant has suffered or is likely to suffer damages greater than \$5,000 and less than \$50,000. The registrar is required to refer these complaints to arbitration where the licensee is in good standing at the time of the referral

if the contract price is equal to or less than \$5,000 or if the demand for damages is equal to or less than \$5,000. Existing law also requires that an accusation or citation against a licensee be filed by the registrar within a specified time period.

This bill would change the amount in dispute requirement for mandatory arbitration to \$7,500 or less. The bill would require that referrals to the arbitration program be subject to the same statute of limitation as accusations or citations by the registrar. The bill would delete the requirement that a licensee be in good standing at the time of a referral in order to qualify for referral to arbitration. The bill would provide that the disassociation of any qualifying partner, responsible managing officer, or responsible managing employee from a license that has been referred to arbitration does not relieve the qualifying partner, responsible managing officer, or responsible managing employee from responsibility for complying with an award rendered as a result of an arbitration referral.

Ch. 313 (AB 1026) Oropeza. Healing arts: dentists.

Existing law provides that it is unlawful for healing arts licensees, as specified, to provide, publish, or advertise false, fraudulent, misleading, or deceptive statements, photographs, or other images, in order to induce the provision of services or the rendering of products relating to a professional practice or business for which he or she is licensed and makes the violation of these provisions punishable as a misdemeanor. Existing law provides that this includes the statement that the licensee is certified by a private or public board or agency or a statement that the licensee only practices in specific fields.

This bill would provide that a licensed dentist shall not advertise as or hold himself or herself out as a specialist or advertise membership in or specialty recognition by an accrediting organization unless the practitioner has completed a specialty education program approved by the American Dental Association and the Commission on Dental Accreditation, or is eligible for examination by, or is a diplomate of a national specialty board recognized by the American Dental Association. The bill would also prohibit a dentist from representing to the public or advertising accreditation either in a specialty area of practice or by a board not meeting the above requirements unless the dentist has attained membership in or been credentialed by an accrediting organization recognized by the board as a bona fide organization for that area of dental practice. The bill would set forth membership or credentialing requirements that an organization must have in order to be recognized as a bona fide organization. The bill would also require a dentist who lacks the above qualifications to state that he or she is a general dentist in any advertisement announcement, or solicitation that announces a practice emphasis.

Because the bill would specify additional provisions regarding the advertising practices of dentists, the violation of which is punishable as a misdemeanor, 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. 314 (AB 1296) Thomson. Transportation: commuter rail: study.

The Clean Air and Transportation Improvement Act of 1990 authorizes the California Transportation Commission to allocate certain bond funds in specified amounts to specified transportation projects, including not more than \$35,000,000 for commuter rail service between the Cities of Auburn and Davis.

This bill would authorize one or more local agencies, as described, to undertake a study or a joint study concerning the feasibility of extending commuter rail or intercity rail service beyond the City of Davis to the City of Dixon.

Ch. 315 (AB 2037) Diaz. Public contracts: claims.

Existing law authorizes a public entity to compromise or otherwise settle any third-party claim relating to a public works contract.

This bill would impose a state-mandated local program by requiring a public entity to include provisions in the contract for timely notification of the contractor of a third-party claim. This bill would also provide that a public entity is entitled to recover reasonable costs incurred by the public entity in providing the notice.

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. 316 (AB 2449) Correa. Barbering and cosmetology.

Existing law, the Barbering and Cosmetology Act, provides a comprehensive scheme of regulation and licensure for persons practicing barbering, cosmetology, skin care, nail care, or electrolysis.

This bill would require a person licensed under the act to report certain information with respect to his or her practice status to the bureau upon license renewal. The bill would require the bureau to report to the Senate Committee on Business and Professions and the Assembly Committee on Business and Professions within 5 years after the implementation of this bill on the information collected.

Existing law provides that a violation of the act is a misdemeanor unless another penalty is specified.

In enlarging the scope of activities subject to that penalty, 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. 317 (AB 2606) Harman. Recycled water.

Existing law prohibits any person from constructing, maintaining, or using any waste well that extends into a subterranean water-bearing stratum that is used or intended to be used as a source of water supply for domestic purposes prior to a finding by the State Department of Health Services, after a public hearing, that the proposed recharge by direct injection will not impair the quality of water in the receiving aquifer as a source of domestic water supply.

This bill would require the State Department of Health Services to determine that the proposed recharge by direct injection will not degrade, rather than impair, the quality of water in the receiving aquifer as a source of domestic water supply.

The bill would also require the department, when making the described findings, to consider a certain antidegradation policy adopted by the State Water Resources Control Board and current and potential future public health consequences of the controlled recharge.

#### Ch. 318 (AB 2955) Pescetti. North San Joaquin Water Conservation District: assessments.

(1) Under the Water Conservation District Law of 1931, a district may be organized and established by a county board of supervisors, with specified powers and purposes.

This bill would authorize the North San Joaquin Water Conservation District to impose a specified per-acre assessment, not to exceed \$5 per acre or portion of an acre, on land on which surface water or groundwater is applied, as defined, or delivered, to pay for the expenses relating to the delivery of surface water, for groundwater recharge, and for related expenses of the district. The bill would authorize the board of the district to provide a procedure for the fixing and collection of the assessments by way of the county tax bills,

thereby imposing a state-mandated local program by imposing additional duties on the affected county with regard to the collection of those assessments.

(2) Article XIII C of the California Constitution generally requires a majority vote of the electorate for a local government to impose, extend, or increase any general tax and a  $\frac{2}{3}$  vote of the electorate to impose, extend, or increase any special tax and permits the use of the initiative to affect local taxes, assessments, fees, and charges. Article XIII D of the California Constitution generally requires that assessments, fees, and charges be submitted to property owners for approval or rejection after the provision of written notice and the holding of a public hearing. The Proposition 218 Omnibus Implementation Act prescribes specific procedures and parameters for local jurisdictions in complying with Article XIII C and Article XIII D of the California Constitution.

This bill would require that any assessments be levied consistent with Article XIII C, Article XIII D, and the Proposition 218 Omnibus Implementation Act.

(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. 319 (SB 1240) Figueroa. Advertising.

(1) Existing law makes it unlawful for any person, firm, corporation, or association that is a nongovernmental entity to solicit funds or information by means of a mailing that contains a seal, insignia, trade or brand name, or any other term or symbol that reasonably could be interpreted or construed as implying any state or local government connection, approval, or endorsement, unless the nongovernmental entity has an expressed connection with a state or local entity or unless the solicitation contains a specified disclosure. A violation of these or other related provisions is a misdemeanor.

This bill would extend the application of these provisions to solicitations made by nongovernmental entities by electronic message or over an Internet Web site. Because this bill would revise the definition of a crime, it would thereby 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. 320 (SB 1339) Vasconcellos. Postsecondary education: admissions.

Existing law requires the Superintendent of Public Instruction to assist all school districts to ensure that all public high school pupils have access to a core curriculum that meets the admission requirements of the University of California and the California State University.

This bill would additionally require the Superintendent of Public Instruction to advise school districts that maintain high schools about the importance of making readily available to each high school pupil the list of courses offered by the school attended by that pupil that are certified by the University of California as meeting admission requirements.

This bill would also request the University of California to assist each school district that maintains a high school to ensure certain matters regarding admission requirements of the University of California and the California State University are understood, employed, and maintained by the school districts and to ensure that lists of courses currently offered by the high schools and certified by the University of California as meeting admission requirement criteria are made available to each high school pupil and a copy is provided annually to each high school pupil. This provision and other related provisions would, pursuant to existing provisions of law, only be applicable to the University of California if the Regents of the University of California adopt a resolution to make them applicable.

Ch. 321 (SB 1348) Brulte. Water: conservation.

The Urban Water Management Planning Act requires every public and private urban water supplier that directly or indirectly provides water for municipal purposes to more than 3,000 customers, or supplies more than 3,000 acre-feet of water annually, to prepare, adopt, and submit to the Department of Water Resources an urban water management plan. Existing law requires that the plan describe and evaluate sources of water supply, reasonable and practical efficient uses, reclamation, and demand management activities. Demand management activities are water conservation measures, programs, and incentives that prevent the waste of water and promote the reasonable and efficient use and reuse of available water supplies. Existing law requires that the plan be updated at least once every 5 years and requires the department, until January 1, 2006, to take into consideration whether the urban water supplier has submitted an updated plan, in determining eligibility for funds made available pursuant to any program administered by the department.

This bill would require the department to take into consideration whether the urban water supplier is implementing or planning the implementation of water demand management activities in evaluating applications for grants or loans made available from the Water Conservation Account for the purpose of funding urban water conservation projects.

Ch. 322 (SB 1385) Brulte. Parks and recreation: grants: water conservation measures.

Existing law requires the Department of Parks and Recreation to develop, operate, and maintain state parks and recreation areas. Existing law further requires the department to award grants for the acquisition and development of neighborhood, community, and regional parks and recreation lands and facilities in urban and rural areas.

This bill would require the criteria and procedures adopted by the department for evaluating applications for the grants described above, to include recommendations that the grant applicant consider water conservation measures in their proposed project. The bill would require the department to develop those recommendations in consultation with the Department of Water Resources.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 323 (SB 1572) Sher. Proposition 65: enforcement.

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. The act requires any person bringing an action in the public interest, or any private person filing an action in which a violation of the act is alleged, 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 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 additionally require any private person settling any violation of the act to submit to the Attorney General the reporting form that includes the results of that settlement and the final disposition of the case. The bill would also make technical nonsubstantive changes and correct erroneous references.

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. 324 (SB 1599) Poochigian. Water quality: enforcement.

Under existing law, point source discharges of pollutants to surface waters require a waste discharge permit under the national pollutant discharge elimination system (NPDES). Under existing law, the State Water Resources Control Board and the California regional water quality control boards prescribe waste discharge requirements in connection with the discharge of waste that could affect the quality of the waters of the state. A person aggrieved by any action or failure to act by a regional board relative to waste discharge requirements, compliance with the provisions of the Federal Water Pollution Control Act, the Storm Water Enforcement Act of 1998 or the Water Recycling Law, may petition the state board for review. If a petition for review of a regional board action on waste discharge requirements issued for a solid waste landfill includes a request for a stay of the waste discharge requirements, the state board must act on the requested stay within 60 days of accepting the petition. Existing law authorizes the filing of a petition with the superior court to review a decision of the state board, and authorizes the superior court to issue a stay.

This bill would authorize the state board, in ruling on a petition for review of a regional board action on any waste discharge requirements, to grant a stay to be in effect from the effective date of the waste discharge requirements. The bill would authorize the superior court, in granting a stay pursuant to a petition for review of a decision of the state board denying a request for a stay of waste discharge requirements, to make the stay effective as of the effective date of the waste discharge requirements.

#### Ch. 325 (SB 1642) Soto. Nutrition.

Existing law authorizes a registered dietitian and certain other nutritional professionals to provide specified services relating to medical nutrition therapy upon referral by a health care provider. The services include the ordering of laboratory tests related to nutritional therapeutic treatments and the accepting or transmitting of verbal or electronically transmitted orders from a health care provider to implement medical nutrition therapy. Existing law specifies that these services may be offered for individuals or groups of patients in licensed institutional facilities or in private office settings.

This bill would recast these provisions with respect to the ordering of medical laboratory tests and accepting and transmitting orders. The bill would also change the requirements with respect to the ordering of medical laboratory tests in a clinic where a registered nurse is on duty. The bill would also include a person licensed under the Chiropractic Initiative Act in the definition of health care provider for purposes of these provisions.

#### Ch. 326 (SB 1872) Bowen. Vendors: refund and return policies: consumer remedies.

Existing law generally requires a vendor conducting business through the Internet or any other electronic means of communication to, among other things, disclose to a buyer located in this state the vendor's return and refund policy. Certain activities are exempt from these and other related provisions. A violation of these provisions is a crime.

This bill would require a vendor that offers a return and refund policy allowing the return of goods or cancellation of services to process and send to the buyer any refund due within 30 days or to otherwise arrange to credit the buyer's account.

This bill would also extend the application of the vendor return and refund disclosure and refund requirements to certain activities currently exempt from the disclosure requirement.

Because this bill would revise 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. 327 (SB 1922) Romero. Hazardous waste transportation: remote sites.

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.

This bill would exempt a public utility, local publicly owned utility, or municipal utility that transports a single shipment of up to 5,000 gallons of mineral oil from those manifest and registration requirements, if the oil does not meet a toxicity test under specified regulations.

Ch. 328 (SB 1989) Knight. Small wind energy systems.

(1) Existing law authorizes a local agency to provide by ordinance, until July 1, 2005, for the installation of small wind energy systems, as specified, and to issue a conditional use permit for this purpose, except where otherwise prohibited by law. Existing law also authorizes a local agency to impose conditions on the installation of these systems, and requires a local agency to approve an application for a small wind energy system by right if specified conditions are met.

This bill would require a local agency that receives an application for a small wind energy system on a site within a specified restricted military airspace to forward a copy of the application to the governing authority of that airspace and to consider any written comments received from that governing authority. The bill would create a state-mandated local program by imposing new duties on local agencies.

(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. 329 (SB 2091) Committee on Natural Resources and Wildlife. State parks: concession contract: Crystal Cove Historic District.

Existing law authorizes the Department of Parks and Recreation to enter into a concession contract for the development, operation, and maintenance of the Crystal Cove Historic District as a public use facility for a period of up to 60 years, upon those terms and conditions that the department determines to be in the best interests of the state.

This bill would repeal that provision.

Ch. 330 (AB 7) Thomson. Transactions and use tax: City of Davis.

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 Davis, 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. 331 (AB 902) Strom-Martin. Transactions and use tax: qualified cities.

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.

**NOTE:** Superior numbers appear as a separate section at the end of the digests.

This bill would additionally authorize a qualified city, with the approval of  $\frac{2}{3}$  of voters voting on the issue at an election, to levy a transactions and use tax at a rate of 0.25%, or a multiple thereof not to exceed 1%, for the purpose of maintenance, repair, replacement, construction, or reconstruction of the road system in that qualified city.

This bill would make legislative findings and declarations as to the necessity of a special statute.

Ch. 332 (AB 1758) Nakano. Limitation of actions: Holocaust-era artwork.

Existing law authorizes actions for the taking, detaining, or injuring of any good or chattel, or for the specific recovery of personal property to be commenced within 3 years. Existing law authorizes actions for the theft of any article of historical, interpretive, scientific, or artistic significance to be commenced within 3 years of the discovery of the article by various entities, as defined.

This bill would authorize any owner, or heir or beneficiary of the owner, of Holocaust-era artwork, as defined, to bring an action in superior court to recover that artwork from any museum or gallery. This bill would provide that any action brought under these provisions may not be dismissed for failure to comply with the applicable statute of limitation, provided the action is commenced on or before December 31, 2010.

Ch. 333 (AB 1988) Diaz. Emergency Medical Services Authority: task force: emergency and trauma services.

Existing law provides the Emergency Medical Services Authority with administrative authority over the provision of emergency medical services in the state. Under existing law, the authority is required, among other things, to assess emergency medical services needs throughout the state and to provide technical assistance for the purpose of developing emergency medical services systems.

This bill would require the authority to convene a task force of specified members to study the delivery and provision of emergency medical services in California. The bill would require the task force to submit a report to the Legislature providing recommendations for improving the delivery of emergency medical services throughout California within 2 years from the date that funding and positions have been provided for the project. The bill would require these provisions to be implemented only to the extent that the authority obtains private funding needed to support and monitor the work of the task force.

Ch. 334 (AB 2009) Nakano. Swap meets, flea markets, and open-air markets.

Existing law regulates the operation of swap meets, defined to include flea markets, indoor swap meets, and outdoor swap meets or flea markets, where merchandise is offered for sale and exchange. Existing law requires a vendor to report all personal property offered or displayed for sale or exchange at a swap meet on a form approved by the California Department of Justice, unless the personal property is new. Existing law requires the completed report to be submitted to the chief of police or the sheriff depending on the location of the swap meet. Under existing law, a violation of the provisions regulating these events is punishable as a misdemeanor offense.

This bill would instead specify that all merchandise offered for sale or exchange by a vendor at a swap meet, flea market, or open-air market be reported unless the merchandise is new.

Because a violation of the provisions regulating swap meets is punishable as a misdemeanor offense, to the extent the bill would make additional events subject to this sanction, 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. 335 (AB 2015) Corbett. Crimes: breaking and entering tools.

Existing law makes it a misdemeanor for any person to have upon him or her in his or her possession any specified instrument or tool with the intent to break or enter into any building, railroad car, aircraft or vessel, trailer coach, or vehicle, as defined.

This bill would add to the list of instruments or tools ceramic or porcelain spark plug chips or pieces. The bill would state the Legislature's intent to add only ceramic or porcelain spark plug chips or pieces, not other common objects such as rocks or pieces of metal, to the list of burglary tools. Because this bill would create a new 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. 336 (AB 2052) Goldberg. Health care service plans and health insurance: group contract or policy rate changes.

Existing law provides that, with respect to group health care service plans and group health insurance, no change in premium rate or coverage is effective unless the plan or the insurer meets specified notification requirements. A violation of the provisions regulating health care service plans is a crime.

This bill would prohibit, except as specified, a health care service plan or a health insurer from changing its premium rates or applicable copayments or coinsurances or deductibles for group health care service plans or group health insurance after the group contractholder or group policyholder has delivered written acceptance of the contract or policy, after the start of the open enrollment period, or after receipt of the premium payment for the first month of coverage. The bill would provide for exemptions from the prohibition where the change is authorized or required in the group contract or policy, is agreed to under a preliminary agreement, or is mutually agreed to in writing, as specified.

Because a violation of this bill's prohibition against a group health care service plan changing premium rates or applicable copayments or coinsurances or deductibles would be a crime, the bill would impose a state-mandated local program.

This bill would declare the Legislature's intent to protect consumers from being charged a higher rate after enrolling in or renewing a contract with a health care service plan or a health insurer.

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. 337 (AB 2057) Steinberg. Mental health services.

Existing law, the Bronzan-McCorquodale Act, provides for the allocation of state funds to counties for mental health programs.

Existing law, the Adult and Older Adult Mental Health System of Care Act, requires the State Department of Mental Health to administer a program providing grants to counties to provide a mental health system of care for adults and older adults with severe and persistent mental illness.

Existing law further requires the department, in each year in which additional funding is provided by the State Budget, to establish programs that offer individual counties sufficient funds to comprehensively serve certain severely mentally ill adults, and to evaluate the effectiveness of the strategies in providing assistance to these persons in accordance with specified criteria.

This bill would include certain information relating to persons enrolled in the Medi-Cal program among the criteria used by the department for the above evaluation.

Ch. 338 (AB 2061) Salinas. Transactions and use tax: City of Salinas.

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.

This bill would additionally authorize the City of Salinas, with the approval of  $\frac{2}{3}$  of the voters voting on the issue at an election, to levy a transactions and use tax at a rate of 0.25% for the purpose of improving specified capital facilities in that city.

This bill would make legislative findings and declarations as to the necessity of a special statute.

Ch. 339 (AB 2193) Maddox. Fire protection: joint powers agencies.

The existing Joint Exercise of Powers Act authorizes 2 or more public agencies, by agreement, to jointly exercise common powers.

This bill would provide that when property tax revenues of Orange County are allocated by that county to an agency formed for the purpose of providing fire protection pursuant to the act, those funds may only be appropriated for expenditure by that agency for fire protection purposes, as defined.

Ch. 340 (AB 2219) Keeley. Retail food establishments.

The existing California Uniform Retail Food Facilities Law regulates sanitary standards in retail food establishments. It is a misdemeanor to violate any provision of, or regulation adopted pursuant to, these provisions.

Existing law requires each food establishment in a building for which construction commenced on or after July 1, 1984, with more than 20,000 square feet of floorspace, to provide at least one separate toilet facility for men and one separate toilet facility for women, in good repair, for patrons, guests, or invitees on property used in connection with, or in, that food establishment.

This bill would require any food establishment with more than 20,000 square feet of floorspace, and any food establishment with less than 20,000 square feet of floorspace that provides space for the consumption of food on the premises, that is in a building constructed on or after January 1, 2004, to provide clean toilet facilities, as specified. The bill would require any food establishment that provides space for the consumption of food on the premises in a building constructed on or before July 1, 1984, to provide clean toilet facilities, as specified, unless the establishment prominently posts a sign stating that toilet facilities are not provided.

This bill would specify that those requirements for restroom facilities that are accessible to patrons, guests, or invitees on the property may be satisfied by permitting access by those persons to the toilet and handwashing facilities that are subject to other requirements.

Because the bill would impose new requirements on food establishments, a violation of which constitutes a crime, the bill would create a new 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. 341 (AB 2224) Nation. Sonoma-Marín Area Rail Transit District.

Existing law establishes various local entities to carry out transportation functions within their respective areas of jurisdiction.

This bill would create the Sonoma-Marín Area Rail Transit District within the Counties of Sonoma and Marin. The bill would establish a 12-member board of directors to govern the district. The bill would require the district to work with specified authorities to achieve a safe, efficient, and compatible system of passenger and freight rail service. The bill would

authorize the district to own, operate, manage, and maintain a passenger rail system within the territory of the district. The bill would authorize the district to contract for goods and services, to employ labor, to grant, purchase, lease, condemn for use, or otherwise use real or personal property for transit purposes, to impose voter-approved taxes, to invest revenues, to issue bonds and execute equipment trust certificates, and to create improvement and special benefit districts. The bill would require the Public Employee Relations Board to perform specified duties relating to collective bargaining. The bill would also authorize the district to annex territory and to dissolve. The bill would make related changes.

Ch. 342 (AB 2423) Cardenas. Health: exposure to communicable diseases: first responders.

Existing law provides that the blood or other potentially infectious material of a person receiving health care services that has been the source of a significant exposure to an individual may be tested and the exposed individual may be informed of the HIV status of that patient if certain conditions are met. Existing law provides that if this source patient refuses to consent to an HIV test after a documented effort has been made to obtain consent, then any "available blood or patient sample," as defined, of the source patient may be tested. Existing law prohibits the disclosure of the source patient's identity.

Existing law exempts a health care provider from civil or criminal liability or professional disciplinary action for performing an HIV test on a source patient, or for disclosing the HIV status of the source patient to prescribed persons, if the health care provider believes in good faith that his or her action is consistent with these provisions.

Existing law provides that any health care provider or first responder, or any exposed individual, who willfully performs or permits the performance of an HIV test on a source patient, that results in harm, without adhering to the procedure established by the bill, is guilty of a misdemeanor.

This bill would provide that these provisions apply to a communicable disease.

This bill would change the definition of "available blood or patient sample" for purposes of these and related provisions to refer to blood or other material that was legally obtained from the source patient prior to the release of the patient from the health care facility.

This bill would define "communicable disease" to mean any disease that was transferable through the exposure incident, as determined by the certifying physician.

By expanding the scope of 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. 343 (AB 2593) Rod Pacheco. School safety plans.

Existing law provides that if a person who is not a student, officer, or employee of a public school enters a campus or school facility and appears to commit an act likely to interfere with the peaceful conduct of the campus or facility, he or she may be directed to leave by the chief administrative officer or his or her designee. Failure to leave, or reentry within either 7 or 30 days, as specified, is unlawful.

This bill would provide that it is unlawful for a person who is not a student, officer, or employee to return to the campus, after being directed to leave, without following the posted requirements to contact the administrative offices of the campus. This bill would specify that these provisions apply to areas of the campus or facility outside of the common areas where public business is conducted. Because this bill would change the elements 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. 344 (AB 2598) Committee on Elections, Reapportionment and Constitutional Amendments. Elections.

Existing law requires the city elections official, in the case of a municipal election to fill offices, to publish a specified notice in a newspaper in the city not later than one week before the election.

This bill would require the notice to be published in a newspaper of general circulation.

Existing law requires that, if held, an election by all-mail ballot to elect the members of the governing board of a special district be held on the first Tuesday following the first Monday in September of each odd-numbered year.

This bill would instead provide that the all-mail ballot election shall be held on the last Tuesday in August of each odd-numbered year.

This bill would make technical, nonsubstantive changes.

Existing law requires the city council of a general law city to meet on the 2nd Tuesday after the election to canvass the returns, declare the election results, pass a resolution stating the results of the election, and install the newly elected officers. Existing law further requires the city council to meet on the Tuesday after the general municipal election and choose one of its number as mayor, and one of its number as mayor pro tempore.

This bill would instead require the city council to meet at the regularly scheduled meeting next following the meeting at which the declaration of the election results was made and choose a mayor and a mayor pro tempore.

Ch. 345 (AB 2655) Matthews. Controlled substances.

Existing law provides for the electronic monitoring of the prescribing and dispensing of Schedule II controlled substances pursuant to the Controlled Substance Utilization Review and Evaluation System (CURES) program, as specified. The program is established contingent upon the availability of adequate funds, and is scheduled to become inoperative on July 1, 2003, and to be repealed on January 1, 2004.

This bill would delete a provision providing for an appropriation from the Pharmacy Board Contingent Fund to the Board of Pharmacy to fund CURES and would instead provide that the program shall be established, contingent upon the availability of adequate funds from the State Dentistry Fund and specified contingent funds of the Medical Board, Pharmacy Board, and Osteopathic Medical Board. This bill would further provide that the program instead shall become inoperative on July 1, 2008, and shall be repealed on January 1, 2009. The bill would also make a technical change.

The bill would provide, in addition, that a licensed health care practitioner or pharmacist may make a written request for, and the Department of Justice may release to that practitioner or pharmacist, the history of controlled substances dispensed to an individual under his or her care based on data contained in CURES, as specified ; in order to prevent the inappropriate, improper, or illegal use of Schedule II controlled substances, the Department of Justice may initiate the referral of the history of controlled substances dispensed to an individual based on data contained in CURES to licensed health care practitioners or pharmacists providing care or services to the individual; and the history of controlled substances dispensed to an individual based on data contained in CURES is medical information subject to the provisions of the Confidentiality of Medical Information Act. The bill would provide that these provisions shall become inoperative on July 1, 2008, and shall be repealed on January 1, 2009.

Ch. 346 (AB 2758) Briggs. Transactions and use taxes: City of Visalia.

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.

This bill would additionally authorize the City of Visalia, with the approval of  $\frac{2}{3}$  of the voters voting on the issue at an election, to levy a transactions and use tax at a rate 0.25% for the purpose of improving public safety, fire, and law enforcement services in that city.

This bill would make legislative findings and declarations as to the necessity of a special statute.

Ch. 347 (AB 2778) Calderon. Insurance.

(1) Existing law provides for the regulation of insurers by the Insurance Commissioner. Existing law requires licensed life agents and applicants for licensure as a life agent to meet certain education standards unless they are limited by the terms of a written agreement with an insurer to transact only specified life insurance policies or annuities having an initial face value of \$10,000 or less that are designated by the purchaser for the payment of funeral and burial expenses.

This bill would instead require that the face value of those life insurance policies and annuities be \$15,000 or less.

(2) Existing law prohibits the issuance by an insurer of contracts for variable life insurance benefits until a showing has been made to the commissioner indicating that the insurer's condition or method of operation in connection with the contracts is not hazardous to the public or the insurer's policyholders.

This bill would require an insurer to notify the commissioner at any time it implements a material change to mutual funds underlying the variable contract separate account in a policy or contract providing for variable life insurance benefits but would authorize an insurer to make those changes without the commissioner's prior approval or acknowledgment.

Ch. 348 (AB 2923) Pescetti. California Agriculture Day.

Existing law does not designate a particular day as California Agriculture Day.

This bill would designate the first day of spring in each year as California Agriculture Day.

This bill would also encourage a public school, on either the first day of spring or another day determined by the school, to provide education that instructs students on the history and importance of agriculture in California.

Ch. 349 (AB 2934) Wayne. Uniform Family Support Act.

Existing law sets forth the Uniform Family Support Act, as specified.

This bill would revise and recast various provisions of that act including, among others, provisions dealing with personal jurisdiction, simultaneous proceedings, jurisdiction to modify support orders, the computation of support obligations stated in a foreign currency, determination of paternity, determination of a controlling child support order, and an employer's compliance with 2 or more income withholding orders. The bill would transfer specified responsibilities for the enforcement of the act from the Attorney General to the Department of Child Support Enforcement. The bill would become operative upon either of 2 specified events, whichever occurs first, but in no event prior to July 1, 2004.

The bill would impose a state-mandated local program by imposing new duties on the superior court and local support enforcement agencies under an existing 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. 350 (AB 3047) Committee on Human Services. Human services.

Existing law requires that any person who desires issuance of a license for a day care center or a special permit for specialized services in a day care center shall submit an application that includes certain information, including evidence that the applicant has posted signs at the point of entry to the facility that includes a statement that children under the age of 4 years or weighing less than 40 pounds must be in an approved child passenger restraint system and that a person may be cited for a violation of the child passenger restraint system provisions and that the person's insurance rates may be adversely affected.

This bill would revise those requirements as to the contents of the posted sign.

Existing law defines "State Department of Health" and "Director of Health" for certain purposes.

This bill would delete these provisions.

Existing law establishes rights of persons committed to a community care facility, as defined.

This bill would make a technical correction to the reference in the definition of a community care facility.

Existing law authorizes the State Department of Social Services to grant state supplemental individual and family grants to meet disaster-related necessary expenses or serious needs of individuals or families adversely affected by any major disaster declared by the President of the United States in those cases where the individuals or families are unable to meet those expenses or needs through assistance under federal emergency provisions.

This bill would remove the requirement that grants may only be made in cases of major disasters and would make technical revisions.

Existing law establishes in the State Treasury, the California Individual and Family Supplemental Grant Fund, and specifies that money in the fund may be used to provide supplemental individual and family grant assistance to pay claims for individuals and families for losses or damages occurring during the incident period of a federal disaster declaration.

This bill would instead specify that the fund shall be used to provide supplemental individual and family grant assistance for unmet needs. This bill would also specify that the grants are for payment of claims for losses or damages occurring during the incident period of a presidential disaster declaration.

#### Ch. 351 (AB 3050) Committee on Health. Health facilities.

(1) Existing law, commencing January 1, 2002, requires each hospital and freestanding ambulatory surgery clinic to file, with the Office of Statewide Health Planning and Development, specified reports containing various patient and health data information.

This bill would extend the operative date of these provisions to January 1, 2004.

(2) Existing law, commencing January 1, 2002, requires freestanding ambulatory surgery clinics to be charged a fee established by the office consistent with specified statutory requirements.

This bill would impose this requirement commencing in calendar year 2004.

(3) The existing California Health Facility Construction Loan Insurance Law provides, without cost to the state, an insurance program for health facility construction, improvement, and expansion loans in order to stimulate the flow of private capital into health facilities construction, improvement, and expansion, and in order to meet the need for new, expanded, and modernized public and nonprofit health facilities. Existing law imposes various functions and duties on the Office of Statewide Health Planning and Development with respect to the administration of this program.

Existing law authorizes the office to take certain steps in the event of a borrower's default.

This bill would also authorize the office to require the lender or borrower's bond trustee to accelerate the borrower's debt and maturity dates of the bonds, if any. It would require the office to pay the lender or borrower's bond trustee the full amount of the remaining principal of the loan and other prescribed amounts.

(4) The bill would eliminate an obsolete provision of law and would also make various technical, nonsubstantive, and conforming changes to all of the above provisions.

Ch. 352 (SB 1404) Chesbro. State hospitals for the mentally disordered: patient funds: self-help groups.

Existing law imposes various functions and duties on the State Department of Mental Health with respect to the administration of state institutions for the mentally disordered. Existing law provides that the institutions over which the department has jurisdiction are Atascadero, Metropolitan, Napa, and Patton State Hospitals.

Existing law authorizes the Director of Mental Health to deposit funds of patients in trust, as specified. Existing law also authorizes the hospital administrator, with the consent of the patient, to deposit the interest or increment on the funds of the patient in the state hospital in a special fund for each state hospital, designated the "Benefit Fund," and requires the hospital administrator to be the trustee of the fund. Existing law authorizes the hospital administrator, with the approval of the Director of Mental Health, to expend moneys in the fund for the education or entertainment of the patients of the institution.

This bill would require that the hospital administrator take into consideration the recommendations of representatives from patient government before expending any moneys in the fund. This bill would also require the Director of Mental Health to provide to the Legislature, no later than August 15 of each year, a summary data sheet containing information on how the benefit fund at each state hospital was expended in the previous fiscal year.

Existing law requires that each patient in a state hospital for the mentally disordered who has resided in the state hospital for a period of at least 30 days be paid a specific amount of aid for his personal and incidental needs.

This bill would require that, in addition, each indigent patient, as defined, be allotted materials and postage, as specified, for letter writing at no cost to the patient, and that the hospital administrator ensure that additional postage and writing materials are available for purchase on hospital grounds.

Existing law requires the department to maintain a statewide mental health prevention program directed toward reducing the need for utilization of the treatment system and the development and strengthening of community support and self-help networks.

This bill would require the department to support the establishment of self-help groups at state hospitals.

Ch. 353 (SB 1499) Johnson. Child care: court records.

Existing law requires that the State Department of Social Services 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 a day care provider.

Existing law also requires the department to provide a copy of the court record to the child protective services agency in the county in which the incident occurred.

This bill would delete the requirement that the department provide a copy of the court record to the appropriate child protective services agency.

Ch. 354 (SB 1505) Kuehl. Child welfare worker training.

Existing law generally regulates services for the care of children, including vesting the State Department of Social Services with various responsibilities relating to the placement and care of children in the state foster care system. Existing law requires the department to select and award a grant to a private nonprofit or public entity to establish and implement statewide coordinated training programs for county child protective service social workers that address critical issues affecting the well-being of children. Existing law specifies the subjects to be included in that training.

This bill would require the department to include teen dating violence among the subjects covered by the training programs.

Ch. 355 (SB 1650) Alpert. Youth mentoring and development programs.

Existing law provides various services for youth in the state.

This bill would make legislative findings relative to various factors affecting youth in California, and the benefits of mentoring and other positive developmental relationships between youth and adults, to address these concerns. The bill would declare that it is a goal of the Legislature to give every young person in California access to a quality mentoring relationship, and would also declare legislative intent with respect to the conduct of youth mentoring programs in the state.

Ch. 356 (SB 1809) Machado. Clinical laboratories.

Existing law provides for the licensure and regulation of clinical laboratories and various clinical laboratory health care personnel by the State Department of Health Services.

This bill would create a new license category for a medical laboratory technician who would be authorized to perform waived and moderate complexity tests or examinations while working under the supervision of a physician and surgeon or certain other licensed persons, and to report the test results. The bill would require the department to issue a medical laboratory technician license to each person who pays the license fee and meets specified licensure requirements. The bill would also require the department to adopt emergency regulations to implement licensure of medical laboratory technicians as soon as possible, and would authorize the department to establish licensing and renewal fees that do not exceed the costs of the department for the program.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 357 (SB 1880) Machado. Insurance: multiple employer welfare arrangements.

Existing law governing the business of insurance provides for the certification by the Insurance Commissioner of self-funded or partially self-funded multiple employer welfare arrangements if certain requirements are met, including maintaining a specified cash surplus. In general, multiple employer welfare arrangements permit employer members of trade associations to create trust funds for the purpose of offering and providing health care benefits to their employees. Existing law provides for the repeal of these provisions relating to multiple employer welfare arrangements on January 1, 2004.

This bill would delete the January 1, 2004, repeal of the provisions relating to multiple employer welfare arrangements. The bill would increase the amount of the cash surplus employer welfare arrangements are required to maintain in order to be eligible for certification. The bill would require employer welfare arrangements to file annually with the commissioner an actuarial opinion that satisfies certain requirements.

Ch. 358 (SB 1974) Polanco. Insurance policies.

Existing law provides for the regulation of insurers by the Insurance Commissioner. Existing law requires an insurance policy to meet certain requirements, including specifying the parties to an insurance contract and the risks insured against.

This bill would authorize the commissioner to approve insurance policies and associated materials in languages other than English if certain conditions are satisfied.

Ch. 359 (AB 1482) Richman. Regional solid waste agencies.

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. Under existing law, the act 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. Those entities are required to divert, on and after January

1, 2000, 50% of the solid waste from disposal or transformation, through source reduction, recycling, and composting subject to the element, except as specified. Existing law authorizes the board to issue an order of compliance with a schedule for achieving compliance, if the board finds that the city, county, city and county, or regional agency has failed to implement its source reduction and recycling element or its household hazardous waste element. Existing law authorizes the board to impose various administrative penalties for failure to comply with the act.

Existing law authorizes a city or county to form a regional agency with another city or county for the purpose of complying with the integrated waste management program. Existing law allows the agreement that establishes a regional agency to apportion the civil penalties that may be imposed for a failure to submit an adequate plan or to implement the plan element if the total amount of the civil penalties imposed against the regional agency is equivalent to the sum of the penalties that may be imposed against each city or county that is a member of the regional agency.

This bill would authorize the agreement to provide that a city or county is subject to the portion of a penalty imposed on the regional agency that is in proportion to the city's or county's responsibility for the failure to implement a source reduction and recycling element or hazardous waste element. The bill would require the regional agency to provide written notice and the opportunity for a hearing before assessing the city or county a proportion of the penalty. The bill would specify that the bill would not affect the authority of the board to impose a penalty pursuant to other provisions of existing law.

Ch. 360 (AB 2681) Maldonado. School pupil activity buses: passenger restraint systems.

Existing law requires the State Board of Education to adopt regulations to require a passenger in a schoolbus equipped with passenger restraint systems, as specified, to use a passenger restraint system so that the passenger is properly restrained.

This bill would apply these provisions to type 2 school pupil activity buses.

Existing law requires that schoolbuses manufactured on or after January 1, 2002, and purchased or leased for use in California have a "passenger restraint system," as defined, at all designated seating positions, unless specifically prohibited by the National Highway Transportation Safety Administration.

This bill would apply these provisions to type 2 school pupil activity buses manufactured on or after July 1, 2004. Because a violation of this provision would be 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. 361 (SB 56) Escutia. Pupil health: nutrition.

Existing law requires the State Department of Education to establish a pilot program in which 10 high schools, middle schools or any combination thereof voluntarily adopt certain food sale requirements. Existing law requires, commencing January 1, 2004, the sale of all foods on school grounds at elementary and middle schools, as defined, and at middle and high schools participating in the pilot program, 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. Existing law authorizes a school district maintaining at least one middle school to convene a Child Nutrition and Physical Activity Advisory Committee that would develop and recommend a school district policy on nutrition and physical activity to the governing board of the school district for its adoption.

This bill would require schools that apply and are selected to participate in the pilot program to comply with those food sale requirements, and would make various technical and

clarifying changes in related provisions. The bill would subject operation of the existing law to funding being appropriated on or before January 1, 2004.

Ch. 362 (SB 844) Chesbro. Veterans' Home of California.

The Budget Act of 2000 appropriated specified amounts for capital outlay projects at the Veterans' Home of California, Yountville, including the renovation of and construction at the Lincoln Theater at the home.

This bill would appropriate \$5,790,000 to the Veterans' Home of California, Yountville for renovation and construction projects for the Lincoln Theater at the home.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 363 (SB 1697) O'Connell. Public contracts: purchase of recycled products.

Existing law requires the Legislature to meet certain goals for the procurement or purchase of recycled products, as defined.

This bill would include antifreeze within the definition of "recycled product" for these purposes.

Existing law requires contractors contracting with the Legislature or state agencies to certify in writing, under penalty of perjury, whether the materials, goods, or supplies offered contain the minimum percentage of recycled product required by law.

This bill would make contracts for the provision of antifreeze defined as recycled products subject to this requirement.

By creating a new crime of perjury, 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. 364 (AB 400) Simitian. Ballot designations.

Existing law allows a candidate for elective office, with the exception of specified judicial offices, to designate, in not more than 3 words, the principal professions, vocations, or occupations of the candidate currently or during the preceding calendar year.

This bill would provide that a candidate's ballot designation as "community volunteer" shall constitute a valid principal vocation or occupation for purposes of existing law, if not otherwise in violation of any of the restrictions set forth in that law, and subject to specified conditions. It would require the Secretary of State to adopt implementing regulations.

Ch. 365 (AB 1757) Leslie. Official state gold rush ghost town: Bodie.

Under existing law, there is no official state ghost town.

This bill would designate Bodie as the official state gold rush ghost town.

Ch. 366 (AB 1900) Nakano. Labor History Week.

Existing law requires all instructional materials adopted by any governing board for use in schools to be, to the satisfaction of the governing board, accurate, objective, current, and suited to the needs and comprehension of pupils at their respective grade levels.

This bill would deem the first week of April to be Labor History Week and would encourage school districts to commemorate that week with appropriate educational exercises that make pupils aware of the role that the labor movement has played in shaping California and the United States.

This bill would state that it is the intent of the Legislature that California labor history be considered in the next cycle in which the history/social science curriculum framework and its accompanying instructional materials are adopted.

Ch. 367 (AB 2022) Longville. Courthouse construction: filing fee surcharges.

Existing law authorizes San Bernardino County to impose a surcharge on certain filing fees, except in limited civil cases, for purposes of funding its Courthouse Construction Fund.

This bill would eliminate the exception applicable to limited civil cases and authorize specific uses of the county's Courthouse Construction Fund. The bill would also make technical, nonsubstantive changes.

Ch. 368 (AB 2118) Dickerson. Cal-OSHA: volunteer firefighters.

Existing law, effective January 1, 2002, provides that the California Occupational Safety and Health Act applies to volunteer firefighters.

This bill would delay the applicability of the act as to volunteer firefighters until January 1, 2004, except as to claims that arose between January 1, 2002, and the effective date of this bill.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 369 (AB 2140) Simitian. Elder abuse.

Under existing law, any willful and unlawful use of force or violence on the person of another is battery, a misdemeanor punishable by a fine of up to \$2,000, imprisonment in a county jail of up to 6 months, or by both that fine and imprisonment. Under existing law, battery on specified classifications of victims, or under specified circumstances, are subject to specified, increased penalties.

This bill would increase the maximum period of imprisonment in a county jail to one year for a battery committed against the person of an elder or a dependent adult, with knowledge that he or she is an elder or a dependent adult.

Under existing law, a person is guilty of a misdemeanor when, under circumstances or conditions other than those likely to produce great bodily harm or death, he or she willfully causes or permits any elder or a dependent adult, with knowledge that he or she is an elder or a dependent adult, to suffer unjustifiable physical pain or mental suffering. Under existing law, it is also a misdemeanor for a person, having the care or custody of any elder or dependent adult, to willfully cause or permit the person or health of the elder or dependent adult to be injured or to willfully cause or permit the elder or dependent adult to be placed in a situation in which his or her person or health may be endangered. Under existing law, the maximum punishment for either of these offenses is a fine of \$1,000, 6 months in a county jail, or both that fine and imprisonment.

This bill would increase the maximum punishment for a 2nd or subsequent commission of these offenses to a fine not to exceed \$2,000, imprisonment in a county jail not to exceed one year, or both that fine and imprisonment.

By expanding county jail punishment for the above criminal offenses, 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 2283) La Suer. Written reports: cost.

(1) Existing law requires that any document or written report prepared for or under the direction of a state or local agency that is prepared in whole or in part under a contract or a subcontract by nonemployees of the agency contain, where the work performed by the nonemployees exceeds \$5,000, the numbers and dollar amounts of all contracts and subcontracts relating to the preparation of the document or written report. Existing law also provides that when multiple documents or written reports are the subject or product of the contract, this disclosure section may also contain a statement that indicates that the total contract amount represents compensation for the multiple documents or written reports.

This bill would require, rather than permit, the disclosure of the total cost for multiple documents or written reports.

(2) Existing law requires various reports to be prepared by state and local agencies.

This bill would also require a state or local agency to consider cost reduction options in preparing any written report.

(3) Existing law authorizes and directs the Department of General Services to study the subject of administrative adjudication and to report its recommendations to the Governor and the Legislature at the commencement of each general session.

This bill would delete the requirement that the department make its report at the commencement of each general session.

Ch. 371 (AB 2368) Robert Pacheco. Conduct of elections.

(1) Existing law authorizes the legislative body of a city to submit to the voters, without a petition, a proposition for the repeal, amendment, or enactment of any ordinance, and authorizes the proposition to be submitted, or a special election to be called, for the purpose of voting on the proposition.

This bill would require the election to be held not less than 88 days after the date of the order of election.

(2) Existing law requires a city elections official to fix and determine a reasonable date prior to an election after which no arguments for or against any city measure may be submitted for printing and distribution to the voters.

This bill would require the city elections official to fix a date 14 days from the calling of the election as a deadline, thereby imposing a state-mandated local program. This bill would make this provision inapplicable to a consolidated municipal election.

(3) Existing law authorizes an act required under the Elections Code to be performed on the next business day with the same effect as if it had been performed on the day appointed, when the last day for the performance of that act is a holiday.

This bill would further authorize a required act to be performed on the next business day with the same effect as if it had been performed on the day appointed, when on the last day the elections official's office is closed pursuant to a resolution or ordinance. This bill would make this provision inapplicable to a consolidated municipal election.

(4) Existing law requires the city governing body to meet on the 2nd Tuesday after the election to canvass the returns, subject to specified procedures, and install the newly elected officers. It permits the governing body, by resolution, to order the elections official to canvass the returns, subject to specified procedures, prior to the 2nd Tuesday after the election.

This bill would revise these procedures by requiring the municipal elections official to conduct the canvass, subject to specified provisions of law, and to certify the results to the governing body. It would revise the timelines for certification of results by the elections official and for the declaration and installation of newly elected officers by the governing body in municipal and consolidated elections. This bill, by adding to the duties of municipal elections officials, 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, 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. 372 (AB 2544) Bill Campbell. Contractors: home improvement salespersons.

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.

Existing law requires the board to submit a report to the Governor and the Legislature regarding board transactions, including a complete statement of receipts and expenditures during the preceding biennium.

This bill would require the board to post specified information on its Web site each week regarding home improvement salesperson registration applications.

Ch. 373 (AB 2777) Nation. County employees' retirement: death benefits.

Under the County Employees Retirement Law of 1937, any death benefits, optional retirement allowances, or survivor's allowances accorded to a spouse, as specified, may be accorded to a domestic partner in San Mateo County, subject to approval by the county board of supervisors and certain limitations.

This bill would also make these provisions applicable to Los Angeles County, Santa Barbara County, and Marin County, subject to registration with the Secretary of State, and a current Affidavit of Domestic Partnership, if required by the county. The bill would also delete a redundant provision of law.

Ch. 374 (AB 2979) Committee on Revenue and Taxation. Franchise Tax Board: administration of taxes.

The Personal Income Tax Law provides a credit against the taxes imposed by that law to residents for specified taxes paid to another state on income derived from sources within that state.

This bill would provide that income derived from sources within that state shall be determined by applying specified nonresident sourcing rules.

The Personal Income Tax Law generally provides that whenever a joint income tax return is filed by a husband and wife the liability for the tax is joint and several. Existing law allows a court in a proceeding for dissolution of marriage, under specified conditions, to revise the income tax liabilities of the husband and wife. Under existing law, a court may not revise the income tax liabilities of a husband and wife if the gross income reported on the joint return exceeds \$50,000 or if the liability of the relieved spouse exceeds \$2,500.

This bill would preclude a court from revising the joint and several liabilities of a husband and wife if the gross income reported on the joint return exceeds \$150,000, or if the liability of the relieved spouse exceeds \$7,500.

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 residence, 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 also make technical, clarifying corrections to that law.

Existing law provides for the administration of income and bank and corporation tax laws.

This bill would make technical changes to those laws by deleting obsolete language, providing clarification, and correcting erroneous cross-references.

Ch. 375 (AB 2982) Committee on Public Employees, Retirement and Social Security. State teachers' retirement.

(1) Under existing law, "creditable service," for purposes of calculating retirement benefits under the Defined Benefit Program of the State Teachers' Retirement Plan, is defined to include, among other things, performance of certain school activities related to the instructional and guidance program of a school, if those activities are performed within normal work hours, as specified.

This bill would include those activities within the definition of creditable service, irrespective of when the activities are performed.

(2) The Teachers' Retirement Law defines "full time" as the days or hours of creditable service the employer requires to be performed by a specified class of employees in order to earn "earnable compensation," as specified. Existing law further defines "improvement factor" for the purposes of the Defined Benefit Supplement Program to mean an increase of 2% in monthly annuities, to be applied as specified.

This bill would require certain collective bargaining agreements or employment agreements to specify the number of hours of creditable service that equals "full time" and make reference to certain provisions. This bill would delete the definition of improvement factor with regard to the Defined Benefit Supplement Program.

(3) Existing law authorizes substitute teachers and other part-time employees who perform creditable service, as defined, to elect membership in the Defined Benefit Program of the State Teachers' Retirement Plan, which election is irrevocable and remains in effect until the member terminates employment and receives a refund of accumulated contributions.

This bill would provide that the membership election remains in effect only until the member terminates employment.

(4) Under existing law, specified provisions of the Teachers' Retirement Law relating to the Defined Benefit Program apply to a nonmember spouse, as defined, as if he or she were a member of the program.

This bill would additionally make specified provisions of that law relating to the Defined Benefit Supplement Program applicable to a nonmember spouse, as defined. This bill would also clarify that, upon service retirement, a nonmember spouse is entitled to receive a retirement benefit based on the balance of credits in the nonmember spouse's Defined Benefit Supplement account, as specified. The bill would also make explicit the amount and procedure for payment of annuities upon the death of a member, a nonmember spouse, or an annuity beneficiary under the Defined Benefit Supplement Program.

(5) Existing law authorizes school boards to establish regulations to allow an employee to reduce his or her workload to part time and still receive full-time service credit under the Defined Benefit Program of the State Teachers' Retirement Plan if, among other things, the employee has not had a break in service during the 5 years immediately preceding the reduction in workload.

This bill would require that an employee have a minimum of 10 years of credited service, and would provide that, with respect to an employee who reinstates from retirement, his or her period of retirement shall be considered a break in service.

(6) Existing law provides for a disability allowance and disability retirement allowance for specified members of the Defined Benefit Program of the State Teachers' Retirement Plan. Existing law allows the Teachers' Retirement Board to authorize payment of a disability allowance, and permits the member to apply for a disability retirement allowance, if, among other things, the application is made during specified periods. Existing law requires that specified disability allowances and disability retirement allowances be reduced in relation to specified benefits paid by other public systems.

This bill would clarify when application may be made for a disability allowance or a disability retirement allowance and would clarify the circumstances under which these payments may be reduced. The bill would also make technical changes regarding how supplemental earnings of a member retired for disability are calculated. The bill would also require that a member who is receiving a disability allowance or a disability retirement allowance also receive a disability benefit under the Defined Benefit Supplement Program, as specified. The bill would specify the circumstances under which certain forms of payment may be made when the member elects to receive a disability benefit as an annuity. The bill would clarify the calculation of the date upon which a member first became disabled when the member attempts to return to work and has a recurrence of the original disability.

(7) The Teachers' Retirement Law prescribes the requirements a member must satisfy, until January 1, 2003, for a service retirement and provides exemptions from the postretirement earning limitation for a member who is appointed to certain positions.

This bill would extend the operation of these provisions to January 1, 2008.

(8) Existing law requires that an annuity contract and custodial account be offered to specified employees who are members of the Defined Benefit Program of the State Teachers' Retirement Plan. Existing law permits the Teachers' Retirement Board to develop one or more deferred compensation plans, as specified.

This bill would clarify the circumstances under which a 3rd-party administrator may provide investment options and the employees to whom a deferred compensation plan may be offered.

(9) Existing law provides a Medicare Premium Payment Program for specified retired members of the Defined Benefit Program of the State Teachers' Retirement Plan.

This bill would authorize the reduction, as specified, of a member's benefit under the Defined Benefit Program to recover an overpayment under the Medicare Premium Payment Program and would make a technical change.

(10) Existing law prescribes service retirement and disability retirement benefits for members of the Defined Benefit and Defined Benefit Supplement Programs of the State Teachers' Retirement Plan who retire following reinstatement and for members of those programs who were formerly members of the San Francisco local system. Existing law also provides a Cash Balance Benefit Program for certain part-time employees.

This bill would make technical and clarifying changes to those provisions.

(11) Existing law establishes, until January 1, 2011, the Retirement Option Program within the Defined Benefit Program of the State Teachers' Retirement Plan. This program permits a member who retires for service on or after January 1, 2002, and who has reached normal retirement age to elect to receive a lump-sum payment and an actuarially reduced monthly allowance pursuant to its provisions.

This bill would revise and recast these provisions. The bill would prohibit the application of the lump-sum payment for the purpose of redepositing previously refunded retirement contributions, as specified, with a certain exception.

(12) This bill would provide that any other act enacted during the 2002 calendar year that amends, adds, renumbers, or repeals a provision that this bill also amends, adds, renumbers, or repeals shall supersede this bill.

Ch. 376 (AB 3044) Committee on Higher Education. University of California: rules and regulations: misdemeanor.

Existing law establishes the University of California as a public trust administered by the Regents of the University of California. Existing law authorizes the regents to adopt rules and regulations in order to exercise the regents' powers and duties.

This bill would provide that, to the extent the regents adopt or amend rules and regulations pertaining to the governance and maintenance of the buildings and grounds of the University of California, addressing the conduct of persons who are not students, officers, or employees of the University of California when that conduct is a threat to persons or property or constitutes interference with functions or activities of the university, violations of those rules or regulations would be misdemeanors. Because this bill would authorize the creation of new crimes, this bill would impose a state-mandated local program.

The bill would provide that its provisions may not be utilized to impinge upon the lawful exercise of constitutionally protected rights of freedom of speech or assembly, or the constitutionally protected right of personal privacy.

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 1265) Alpert. Domestic violence incident report.

Existing law requires state and local law enforcement agencies to provide one copy of all domestic violence incident reports, one copy of all domestic violence incident report face sheets, or both, to a victim of domestic violence, upon request. Existing law requires persons requesting these copies to present state or local law enforcement with identification at the time a request is made.

This bill would also require state and local law enforcement agencies to provide those documents to a representative of the victim, as defined, if the victim is deceased. The bill would require any person requesting those documents to present his or her identification, as specified, and, if that person is a representative of the victim, a certified copy of the death certificate or other satisfactory evidence of the death of the victim. By imposing additional duties on local officials, 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. 378 (SB 1349) Torlakson. 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. Under existing law, a segment of State Highway 4 between the intersection with the Cummings Skyway and the intersection with Route 80 is designated for participation in the project.

This bill would delete this particular segment of State Highway 4 from the project and would require the department to develop a pilot project for a designated segment of that same highway between the city limits of Brentwood and the Contra Costa-San Joaquin county line. The bill would also require the department to develop a pilot project for a designated segment of State Highway Route 101.

(2) Existing law also requires the County of Monterey to submit to the Department of Transportation before October 1, 2002, an evaluation of a pilot project that includes a segment of Carmel Valley Road.

This bill would extend the date required for the submission of that evaluation to January 1, 2004.

Ch. 379 (AB 425) Oropeza. 2002–03 Budget Act. <sup>1</sup>

This bill would make appropriations for support of state government for the 2002–03 fiscal year.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 380 (AB 797) Shelley. Public records: confidentiality.

(1) Existing law establishes a program until January 1, 2005, known as "Address Confidentiality for Victims of Domestic Violence and Stalking" that authorizes specified persons to complete an application containing specified information in person at a community-based victims' assistance program to be approved by the Secretary of State for the purpose of enabling state and local agencies to respond to requests for public records without disclosing a program participant's residence address contained in any public record,

including the program participant's voter registration, and requires the Secretary of State to act as that person's agent for service of process and to designate a substitute mailing address for program participants pursuant to specified procedures that state and local agencies are required to use at the request of a program participant. Under existing law, any person who makes a false statement in an application is guilty of a misdemeanor and any person who is granted confidentiality pursuant to these provisions may file a new affidavit of voter registration or reregistration and be considered an absent voter for subsequent elections until the county elections official is notified otherwise by the Secretary of State or the voter.

This bill would extend the operation of the absent voter provisions and the program described above to January 1, 2008, and would, until that date, create a similar program entitled the "Address Confidentiality for Reproductive Health Care Services Providers, Employees, Volunteers, and Patients" program to protect the confidentiality of home address information of reproductive health care services providers, employees, volunteers, and patients. The Secretary of State would be required to approve an application of a program participant for a substitute address to be designated by the secretary. The secretary would also be required to charge program participants a fee to defray the actual costs of maintaining the program and to reimburse the General Fund, as specified. The bill would establish the Address Confidentiality for Reproductive Health Care Services Fund and would provide that moneys in that fund, upon appropriation by the Legislature, are available for the administration of the program.

By imposing new duties on local public officials and creating new crimes and by extending the operation of an existing crime, 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, 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. 381 (AB 1400) Cogdill. Mixed solid waste composting facility.

(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 existing law, the act 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. On and after January 1, 2000, the element is required to divert 50% of the solid waste subject to the element, except as specified, through source reduction, recycling, and composting activities.

This bill would require the County of Mariposa, by July 1, 2003, to submit a report to the board concerning the county's progress in funding, constructing, and operating a mixed solid waste composting facility in cooperation with Yosemite National Park, thereby imposing a state-mandated local program by imposing a new duty upon the county.

(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 make these provisions inoperative on July 1, 2003, and would repeal them as of January 1, 2004.

Ch. 382 (AB 1860) Migden. Sexual assault victim: pregnancy counseling: emergency contraception.

Existing law sets forth minimum standards for the examination and treatment of victims of sexual assault, including the taking of a baseline gonorrhea culture, a syphilis serology, and specimens for a pregnancy test, if indicated by the history of contact.

This bill would provide, in addition, that where indicated by the history of contact, a female victim of sexual assault shall be provided with the option of postcoital contraception by a physician or other health care provider, and postcoital contraception shall be dispensed by a physician or other health care provider upon the request of the victim.

Ch. 383 (AB 2005) Nakano. Vessels: operation: violations.

(1) Existing law prohibits any person from operating a personal watercraft at any time between the hours from one-half hour after sunset to one-half hour before sunrise, except as specified. A violation of this provision is an infraction.

This bill, instead, would prohibit any person from operating a personal watercraft at any time between the hours from sunset to sunrise. The bill thereby would impose a state-mandated local program by expanding the definition of an existing infraction.

(2) Existing law, with certain exceptions, requires any person on board a personal watercraft or any person being towed behind a vessel on water skis, an aquaplane, or similar device to wear a type I, II, III, or V Coast Guard-approved personal flotation device. A person who violates this requirement is guilty of an infraction.

This bill would exempt from that requirement a person on an underwater maneuvering device, as defined, intended for use by a submerged swimmer.

(3) Existing law requires that a person convicted of violating certain provisions relating to the negligent or reckless operation of a vessel be ordered by the court to complete and pass a boating safety course approved by the Department of Boating and Waterways.

This bill would expand the list of prohibited activities that would require the successful completion of the boating safety course approved by the department.

(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. 384 (AB 2194) Jackson. Obstetrics and gynecology residency requirements.

Existing law, the Therapeutic Abortion Act, authorizes the performance of a therapeutic abortion by a physician and surgeon subject to specified procedures and requirements.

This bill would require all residency programs in obstetrics and gynecology to comply with the program requirements of the Accreditation Council for Graduate Medical Education.

Ch. 385 (SB 1301) Kuehl. Reproductive Privacy Act.

(1) Existing statutory law, the Therapeutic Abortion Act, contains various provisions regarding abortion, including a requirement that an abortion may only be performed by the holder of a physician's and surgeon's certificate, under specified conditions. The act also includes requirements that prior approval be obtained for each abortion by a committee of medical staff, with specified membership, who must determine either that continuation of the pregnancy would impair the physical or mental health of the mother, or that the pregnancy resulted from rape or incest. Existing law defines "mental health" for these purposes.

Certain provisions of the act, including, but not limited to, the above requirements relating to medical committee approval for abortions, and the statutory definition of mental health, have been held unconstitutional by the courts.

This bill would delete the above provisions of the Therapeutic Abortion Act, among others, including the name of the act. The bill would enact the Reproductive Privacy Act,

which would provide that every individual possesses a fundamental right of privacy with respect to reproductive decisions, including (A) the fundamental right to choose or refuse birth control, and (B) the fundamental right to choose to bear a child or obtain an abortion.

This bill would provide that the state shall not deny or interfere with a woman's fundamental right to choose to bear a child or obtain an abortion prior to viability of the fetus, as defined, or when necessary to protect her life or health. The bill would specify the circumstances under which the performance of an abortion is deemed unauthorized.

(2) Under existing law, the procuring or aiding, abetting, attempting, agreeing, or offering to procure an unauthorized abortion constitutes unprofessional conduct of a licensee under the Medical Practice Act, absent compliance with the Therapeutic Abortion Act.

This bill would instead deem it unprofessional conduct to fail to comply with the Reproductive Privacy Act in connection with the above activities.

(3) Under existing law, a person is criminally liable, and subject to possible imprisonment, if he or she performs or assists in performing a surgical abortion if he or she does not have a valid, unrevoked, and unsuspended license to practice as a physician and surgeon, or other certificate that authorizes him or her to perform or assist in performing a surgical abortion.

This bill would instead provide that a person is criminally liable, and subject to possible imprisonment, if he or she performs or assists in performing a surgical abortion if he or she does not have a valid, unrevoked, and unsuspended license to practice as a physician and surgeon, or if he or she assists in performing a surgical abortion without a valid, unrevoked, and unsuspended license or certificate obtained in accordance with some other provision of law that authorizes him or her to perform the functions necessary to assist in performing a surgical abortion. This bill would also create a state-mandated local program by extending criminal liability to a person who performs or assists in performing a nonsurgical abortion without the appropriate licensing or certification.

(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. 386 (SB 2098) Committee on Health and Human Services. Health.

(1) Existing law, the Toxic Mold Protection Act of 2001, imposes various disclosure requirements on landlords, sellers, renters, transferors, and tenants of commercial or industrial real property with respect to the existence of mold conditions. Existing law requires the State Department of Health Services to adopt standards and develop guidelines regarding exposure limits and remediation of toxic mold.

This bill would provide that these disclosure requirements shall not apply until the January 1 or July 1 that occurs at least 6 months after the department adopts the standards and develops the guidelines.

(2) Existing law, the State Department of Health Services Cooperative Agreement Act, provides for the establishment of cooperative agreements between the department and other public and private entities for the purposes of, among other things, simplifying the administration of public health programs by the department. The act requires cooperative agreements to be subject to review and approval by the Department of General Services with certain exceptions. These exceptions include, for allowable cost agreements, changes in line item budgets of up to 10% of the annual total, not to exceed \$50,000, so long as the contract does not increase or decrease.

This bill would increase the amount of changes permissible with respect to these line item budgets to 15% of the annual total, not to exceed \$100,000. It would also require that this maximum amount be assessed annually and automatically adjusted in accordance with cost-of-living indexes.

(3) This bill, in addition, would also make various technical, nonsubstantive changes.

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Ch. 387 (AB 1774) Canciamilla. Tide and submerged land: Straits of Carquinez: land restrictions.

Existing law grants to the City of Martinez, and to its successors, all right, title, and interest of the state held by virtue of its sovereignty in and to 3 specified parcels of land situated in the County of Contra Costa, and provides that one of those parcels, identified as Parcel "A", shall be held by the city and its successor in trust for specified uses, in which there is general, statewide interest, and upon express conditions. Those conditions include, among other things, a requirement that Parcel "A" be used only for marina spoils and spoil removal, parking, boat storage, chandlery, recreation, landscaping, and any other use permitted by the Martinez Waterfront Land Use Plan, and expressly prohibits the placement of any building or structure on Parcel "A" that exceeds 20 feet in height.

This bill would eliminate the 20 feet height limit on a building or structure placed on land in Parcel "A".

Ch. 388 (AB 1821) Lowenthal. Civil liability: donated fire protection equipment.

Existing law provides that no food facility that donates any food that is fit for human consumption at the time it was donated to a nonprofit charitable organization or a food bank is liable for any damage or injury resulting from the consumption of the donated food, with certain exceptions.

This bill would provide that, except for damage or injury proximately caused by a grossly negligent act or omission or willful or wanton misconduct of the donor, no public employee or public entity, including, but not limited to, a fire department, a fire protection district, or the Department of Forestry and Fire Protection, that donates fire protection apparatus or equipment to a volunteer fire department, volunteer fire protection district, or volunteer fire company is liable for any damage or injury that results from the use of that apparatus or equipment by the recipient fire department, fire protection district, or fire company.

The bill also would require the donor of the fire protection apparatus or equipment to disclose in writing to the recipient fire department, fire protection district, or fire company any known damage to, or deficiencies in, the apparatus and equipment.

Ch. 389 (AB 1857) Wayne. Administrative procedures.

(1) Existing law provides that the regulations adopted, amended, or repealed by the Fish and Game Commission are not subject to specified time periods prescribed in the Administrative Procedure Act relating to the adoption, amendment, or repeal of regulations.

This bill would further exempt the commission's regulations from the time period for adding specified documents to the rulemaking file after publication of the notice of the proposed regulatory action, where the state agency relies on the document in proposing the action.

(2) Existing law requires that every state agency subject to the act that maintains an Internet Web site or similar forum for the electronic publication or distribution of written material is required to publish on that Web site or other forum specified information regarding a proposed regulation or regulatory repeal or amendment.

This bill would require this information to include the text of a proposed emergency adoption, amendment, or repeal of a regulation and the date it was submitted to the Office of Administrative Law for review and filing with the Office of Administrative Law.

It would also require that a document that is required to be published electronically pursuant to these provisions be posted within a reasonable time after issuance of the document and remain posted for at least 15 days after the rulemaking action is filed with the Secretary of State or notice of a decision not to proceed with the proposed action is published by the agency.

(3) Existing law requires every state agency subject to the act to submit, with the notice of the proposed adoption, amendment, or repeal of a regulation, an initial statement of reasons for proposing the adoption, amendment, or repeal of a regulation. Existing law also

requires that the initial statement of reasons include, among other things, a description of any reasonable alternatives the agency has identified or that have otherwise been identified and brought to the attention of the agency that would lessen any adverse impact on small business.

This bill would also require this statement of reasons to include the state agency's reasons for rejecting those reasonable alternatives.

(4) Existing law requires that the notice of the proposed amendment, adoption, or repeal of a regulation include the name and telephone number of the agency representative and designated backup contact person to whom inquiries concerning the proposed administrative action may be directed, as well as the name and telephone number of an agency person or persons designated to respond to questions on the substance of the proposed adoption, amendment, or repeal of a regulation.

This bill would delete the requirement for inclusion of the name and telephone number of an agency person or persons designated to respond to questions on the substance of the proposed adoption, amendment, or repeal of a regulation, but would, instead, require that if the agency representative receives an inquiry regarding the proposed action that he or she cannot answer, the agency representative shall refer the inquiry to another person in the agency for a prompt response.

(5) The bill would also make various technical or clarifying changes.

Ch. 390 (AB 1875) Nakano. Corporations: articles of dissolution.

The General Corporations Law sets forth procedures for the creation and dissolution of a corporation.

This bill would authorize the filing of articles of dissolution with the Secretary of State relative to the dissolution of a corporation that has not issued shares and would revise certain related provisions.

Ch. 391 (AB 2040) Diaz. Custodial officers: personnel records.

Existing law requires agencies that employ peace officers to establish a procedure for the investigation of complaints by the public against peace officers, provides for confidentiality of peace officer personnel records, as specified, and provides discovery procedures for peace officer personnel records, and other records pertaining to peace officers, as specified.

This bill would authorize agencies and departments employing custodial officers, as defined, to establish a procedure for the investigation of complaints by the public against those custodial officers, consistent with these provisions and for those same purposes. This bill would make conforming changes to those provisions providing discovery proceedings for those personnel records.

Ch. 392 (AB 2535) Diaz. Transportation congestion data.

Existing law grants the Department of Transportation the full possession and control of all state highways and imposes on the department the duty to improve and maintain those highways. Existing law requires the department to provide specified reports to the California Transportation Commission.

This bill would require the department, within existing resources, to collect, analyze, and summarize highway congestion data and make it available to specified agencies.

Ch. 393 (SB 406) Ortiz. Bioterrorism preparedness and other public health threats: federal funding.

Existing law provides for the allocation of state aid to the administrative bodies of qualifying local health departments according to a specified formula. Among other things, the formula provides for a minimum basic allotment to each local health jurisdiction of \$100,000 or \$0.212426630 per capita, whichever is greater, with the balance allotted on a per capita basis. Existing law specifies the purposes for which the allocated funds may be used.

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This bill would establish procedures and requirements to govern the allocation to, and expenditure by, local health jurisdictions of federal funding received for the prevention of, and response to, bioterrorist attacks and other public health emergencies. The bill would provide that these procedures apply only when local health jurisdictions are designated by a federal or state agency to manage the funds for public health preparedness and response to bioterrorist attacks and other public health emergencies, pursuant to a specified federally approved plan. The bill would require a local health jurisdiction receiving funds under these provisions to deposit the money in a special Local Public Health Preparedness Trust Fund.

This bill would provide that federal funding received by the State Department of Health Services for bioterrorism preparedness and emergency response is subject to appropriation in the annual Budget Act commencing with the 2003–04 fiscal year.

This bill would appropriate \$50,800,000 from the Federal Trust Fund to the department, half of which would be used for purposes of implementing these provisions and the other half of which would be used for purposes of allocating federal bioterrorism and public health preparedness funds to local health jurisdictions and overseeing that process, implementing state-level provisions of the federally approved collaborative state-local plan, and for hospital bioterrorism preparedness activities.

This bill would declare that it is to take effect immediately as an urgency statute.

#### Ch. 394 (SB 1459) Romero. Practice of law.

Existing law provides that a person who practices law or holds himself or herself out as practicing or entitled to practice law is guilty of a misdemeanor if he or she is not an active member of the State Bar.

This bill would exempt from this provision a person who was authorized, pursuant to statute or court rule, to practice law in the state at the time he or she performed the act. The bill would also provide that the misdemeanor is punishable by up to one year in a county jail, or a fine of \$1,000, or both that fine and imprisonment. For a subsequent conviction, the bill would require confinement in a county jail for at least 90 days, except under specified circumstances, and would require that the court state the reasons for any lesser sentencing on the record.

Existing law provides that a person who holds himself or herself out as practicing or entitled to practice law is guilty of a crime punishable by imprisonment in the state prison or county jail if he or she has been (1) involuntarily enrolled as an inactive member of the State Bar, (2) suspended from membership from the State Bar, (3) disbarred, or (4) has resigned from the State Bar with charges pending.

This bill would provide that the penalties also apply if a person meeting that criteria practices or attempts to practice law.

Existing law provides that the willful failure of a member of the State Bar, or one who has resigned or been disbarred, to comply with an order of the Supreme Court, as specified, constitutes a crime punishable by imprisonment in the state prison or county jail.

This bill would make all of the above penalties cumulative to each other and to any other remedies or penalties provided by law.

Because this bill would expand certain crimes to include practicing or attempting to practice law, 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. 395 (SB 1588) Committee on Local Government. Mosquito abatement: pest abatement: vector control districts.

Existing law contains provisions relating to the establishment of mosquito abatement and vector control districts, including the formation of a district, the selection of a district

governing board, and the powers and duties of the board. Existing law requires the State Department of Health Services to certify government agency employees who handle, apply, or supervise the use of pesticides for public health purposes as vector control technicians and to establish continuing education requirements for those employees.

This bill would repeal these provisions and would enact the Mosquito Abatement and Vector Control District Law which would specify the procedures for district formation, procedures for the selection of the district board of trustees and officers, and the powers and duties of the board. The bill would also make other conforming changes.

The bill would require the State Department of Health Services to charge and collect nonrefundable examination fees for providing examinations to certify government agency employees as vector control technicians.

This bill would incorporate additional changes in Section 53750 of the Government Code proposed by SB 1961, to be operative if SB 1961 and this bill are both enacted and become effective on or before January 1, 2003, and this bill is enacted last.

Ch. 396 (SB 1628) Sher. Resources: litigation.

(1) Existing law requires the Attorney General to represent the California Integrated Waste Management Board and the state in litigation concerning affairs of the board, unless the Attorney General chooses to represent another state agency that is a party to the action. In that case, the legal counsel of the board is required to represent the board.

This bill, instead, would authorize the board to (a) request the Attorney General to represent the board in addition to the other state agency, (b) contract for the services of private counsel, or (c) authorize the legal counsel of the board to represent the board. The bill would authorize the Attorney General to represent both the board and the other state agency upon receiving the written consent of both the board and the other state agency to that representation.

(2) Existing law requires the Attorney General to represent the State Water Resources Control Board and the state in litigation concerning affairs of the board, unless another state agency that is represented by the Attorney General is a party to the action. In that case, the legal counsel of the board is required to represent the board.

This bill, instead, would authorize the board to (a) request the Attorney General to represent the board, a regional water quality control board, or both, in addition to the other state agency, (b) contract for the services of private counsel for those purposes, or (c) authorize the legal counsel of the board to represent the board, or the regional board, or both. The bill would authorize the Attorney General to represent the board, regional board, or both, and the other state agency upon receiving the written consent of both the board and the other state agency to that representation.

(3) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 397 (SB 1685) Morrow. Schoolbus: warning light systems.

Existing law provides that a schoolbus driver shall operate an approved flashing amber light warning system, flashing red signal lights, and stop signal arm system, as specified. The schoolbus driver is required to do specified things when a schoolbus is stopped for the purpose of loading or unloading pupils in specified locations; and may not activate the amber light warning system, flashing red signal lights, and stop signal arm system in specified locations. A violation of these provisions is a crime, punishable as specified.

This bill would provide that the schoolbus driver shall deactivate the amber light warning system after reaching a schoolbus stop; would revise the locations and circumstances with respect to which the flashing amber light warning system, flashing red signal lights, and stop signal arm system may or may not be operated; and would make clarifying changes to the provisions. By creating new crimes or changing existing crimes, 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.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 398 (SB 1687) Margett. Public contracts: bids: Internet.

Existing California public contract law encourages competition for public contracts and aids public officials in the efficient administration of public contracting. That law also provides for contracting and payment by electronic transmission.

This bill would authorize public entities to adopt methods and procedures to receive bids on public works or other contracts over the Internet, as provided.

Ch. 399 (SB 1875) Karnette. Senior citizens property tax assistance.

Under existing law, qualified persons 62 years of age or older who own or rent their homes may claim state funds to reimburse them for a portion of the property taxes paid on their homes. Existing law specifies requirements for filing a claim for this assistance.

This bill would revise that provision to authorize the Franchise Tax Board to prescribe, by regulation, the information necessary to constitute a valid claim.

Ch. 400 (SB 2036) Morrow. Los Alisos Water District.

(1) Existing law, the California Water District Law, provides for the formation of California water districts and grants to those districts the authority to provide water and sewage services. That district law generally requires the members of the board of a California water district, and the voters of that district, to be landowners. Existing law provides specific exceptions to the district law, including the method of elections for the Los Alisos Water District. That exception, among other things, requires the voters of the Los Alisos Water District and the directors to be residents and registered voters of the district.

This bill would repeal the specific election provisions applicable only to the Los Alisos Water District, thereby, among other things, requiring voters and directors of that district to be landowners, rather than residents, and making that district otherwise subject to the election provision applicable to districts governed by the district law. The bill would create additional duties on local officials regarding the conduct of that district election, 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, 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. 401 (AB 1590) Simitian. Criminal procedure: search or seizure hearing.

Existing law provides with respect to a preliminary examination in a criminal case that the magistrate shall, upon motion of either party, exclude all potential and actual witnesses who have not been examined.

Existing law also authorizes either party to challenge the exclusion of any person under this provision and requires the magistrate, upon motion of either party, to hold a hearing, on the record, to determine if the person sought to be excluded is, in fact, a person excludable under this provision.

This bill would apply these provisions to a hearing held pursuant to a motion to return property or suppress evidence obtained as the result of a search or seizure. The bill would also make various technical changes.

Ch. 402 (AB 1883) Kelley. Recovery of property.

(1) Existing law, the Collateral Recovery Act, establishes the Bureau of Security and Investigative Services that is under the supervision and control of the Director of the Department of Consumer Affairs. Existing law authorizes the licensure and regulation of persons engaged in the business of repossessing personal property. Existing law provides that a violation of the act, including certain specific provisions, is a crime.

This bill would provide that a person who declares as true any material matter relative to the submission of an application for licensure, a qualification certificate, or application for registration that he or she knows to be false is guilty of a misdemeanor. The bill would require an applicant to sign his or her application for licensure and qualification certificate.

(2) Existing law requires that every office licensed as a repossession agency be under the direction of a qualified certificate holder and requires the certificate holder in charge of the office to spend over 51% of his or her time conducting business at that office during normal business hours.

This bill would instead require that a qualified certificate holder be in charge of only one office location.

(3) Existing law authorizes the director to suspend or revoke a repossession agency license, a qualification certificate, or registration if the director determines that a licensee or others specified, among other things, made any false statement or gave any false information concerning an application for license or a renewal or reinstatement of a license.

This bill would additionally authorize the director to suspend or revoke a repossession agency license, a qualification certificate, or registration if the director determines that a licensee or others specified, gave any false information concerning a qualification certificate or registration. The bill would require the application forms to contain a statement informing the applicant that a false or dishonest answer to a question may be grounds for denial or subsequent suspension or revocation of the license, qualification statement, or registration.

(4) Existing law provides that certain collateral is considered to be repossessed when a repossessor gains entry to the collateral or when the collateral becomes connected to a tow truck.

This bill would provide that a repossession of the collateral also occurs when the collateral becomes connected to the repossessor's tow vehicle, as defined.

Because this bill would place additional requirements on a person licensed under the Collateral Recovery Act, the violation of which is a crime, the bill would impose a state-mandated local program.

Existing law provides that a peace officer or magistrate may cause the removal and seizure of a vehicle, as specified. Existing law provides that a vehicle so seized may be impounded for 30 days. Existing law provides that the vehicle shall be released by the impounding agency to the legal owner or the legal owner's agent if certain conditions are met, including the presentation of certain documents which may be originals, photocopies, facsimiles, or electronic transmissions.

This bill would specify that the impounding agency shall not require that any of these documents be notarized.

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. 403 (AB 1932) Horton. Unemployment insurance: disability benefit claims.

Existing unemployment insurance law allows the Employment Development Department for good cause to reconsider any determination with respect to a disability benefit claim prior to filing an appeal therefrom.

This bill would also allow the reconsideration within 30 days after an appeal to an administrative law judge is filed.

**Ch. 404 (AB 2344) Correa. Pawnbrokers.**

Existing law regulates the sale and redemption of pledged property by pawnbrokers. Existing law requires a loan to which an original loan debit is applied to be processed as a new loan and deemed a new loan subject to loan origination fees, storage fees, and minimum fees when applicable.

This bill would allow a pledgor to pay all charges and interest due on the original loan in a form acceptable to the pawnbroker. The bill would also subject the new loan to allowable fees rather than minimum fees.

The bill would require that, following a request for redemption of the loan, if the property is stored off the business premises of a pawnbroker, the property be returned the next calendar day when the pawnbroker's store and the off business premise storage facility are open, not to exceed 2 business days. The bill would require a pawnbroker who stores property at a location other than the pawnshop to meet certain customer notification requirements regarding off-premises storage and redemption of property stored off-premises.

**Ch. 405 (AB 2973) Committee on Business and Professions. Regulation of businesses.**

(1) Existing law allows, under specified circumstances, the violation of certain provisions requiring a license or other authorization to engage in a business or profession to be charged as an infraction. Under existing law, these provisions will be repealed on January 1, 2003.

This bill would extend the operation of these provisions to January 1, 2008.

(2) Existing law requires the Director of Consumer Affairs to report to the Governor and Legislature on specified matters and to disseminate certain information to the public.

This bill would recast provisions pertaining to these reporting responsibilities and would delete the director's duty to disseminate particular information to the public.

(3) Existing law requires the Dental Board of California, the Acupuncture Board, the Contractors' State License Board, and the State Board of Guide Dogs to report specified information to the Governor and Legislature. Existing law also requires entities contracting on behalf of the state to report to the Governor and the Legislature certain information concerning the level of participation of minority, women, and disabled veteran business enterprises in those contracts.

This bill would delete these particular reporting requirements.

(4) Existing law provides for the regulation and licensure by the Structural Pest Control Board of persons engaged in the pest control business. Under existing law, a licensee reinspecting items noted in an original inspection report is required to identify the original report by both date and stamp numbers. Existing law also authorizes the board to levy a fine of \$500 for specified violations committed by a licensee, deposited into the Education and Enforcement Account in the Structural Pest Control Education and Enforcement Fund, a continuously appropriated fund.

This bill would increase the amount of this fine to \$1,000 and would delete the requirement of including in the reinspection the stamp numbers of the original report. Because the bill would increase the fine revenue deposited into a continuously appropriated fund, it would make an appropriation.

(5) Existing law, the Electronic and Appliance Repair Dealers Registration Law, provides for the regulation by the Director of Consumer Affairs of persons engaged in the business of repairing, servicing, or maintaining electronic and other types of household appliances and for their registration with the Bureau of Electronic and Appliance Repair, which is within the Department of Consumer Affairs. Under existing law, certain provisions pertaining to the regulation of this business will be repealed on January 1, 2003. The law additionally provides for the regulation by the director and registration with the bureau of service contractors, as defined. Under existing law, a violation of the law's provisions is punishable as a misdemeanor offense, and a violation of specified provisions of the law pertaining to service contractors is additionally subject to the imposition of an administrative fine that, upon

collection, is deposited into the Electronic and Appliance Repair Fund, which is continuously appropriated. Under existing law, the provisions of the law regulating service contractors will be repealed on January 1, 2003.

This bill would extend the operation of these provisions to January 1, 2008. Because the bill would extend the operation of criminal penalty provisions pertaining to service contractors, it would impose a state-mandated local program. Because the bill would also extend, with respect to those persons, the operation of administrative fines which are paid into a continuously appropriated fund, it would also make an appropriation.

(6) Existing law, the Home Furnishing and Thermal Insulation Act, regulates and provides for the licensure of persons engaged in various businesses associated with home furnishings, including sanitizing.

This bill would exempt persons holding specified licenses issued under this law from additional licensure as a sanitizer and would make nonsubstantive changes to various other provisions of this law.

(7) Existing law, the Private Postsecondary and Vocational Education Reform Act of 1989, creates within the Department of Consumer Affairs, the Bureau for Private Postsecondary and Vocational Education, which succeeded to the rights and functions of the former Council for Private Postsecondary and Vocational Education. Under existing law, the Director of Consumer Affairs is vested with the responsibility of administering and enforcing the act and is authorized to assign those duties to a program administrator.

This bill would delete obsolete references to the Council for Private Postsecondary and Vocational Education. The bill would authorize the director to assign his or her duties under the act to a bureau chief.

(8) Existing law requires specified state agencies to adopt regulations regarding their procedures for considering and issuing permits to engage in a particular activity or act and specifies that these regulations be proposed during certain timeframes occurring in 1983 and 1984.

This bill would delete these obsolete timeframe provisions.

(9) Existing law establishes the Motor Vehicle Inspection program, enforced by the Bureau of Automotive Repair in the Department of Consumer Affairs. Under existing law, this program includes the establishment and operation of smog check stations, and the department is required to establish training requirements for smog check technicians. Existing law requires an institution administering these training or retraining courses to issue a certificate that is valid for one year to each person who successfully completes the course.

This bill would extend the term during which the certificate is valid to 2 years.

(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. 406 (AB 3045) Committee on Higher Education. Student financial aid: Golden State Scholarshare Trust: California Memorial Scholarship Program.

(1) Existing law establishes the Golden State Scholarshare Trust Act, pursuant to which, under regulations adopted by the Student Aid Commission, participants invest money in the Golden State Scholarshare Trust for the benefit of a specific beneficiary for the advance savings for the beneficiary's higher education expenses, as defined, at certain postsecondary educational institutions. Existing provisions of the act define "beneficiary," "institution of higher education," and "qualified higher education expenses" for the purposes of the act by conforming these definitions to those included in the federal Internal Revenue Code, as amended by a prescribed federal statute in 1997.

This bill would instead require that these definitions conform to that federal statute, as it is amended from time to time, if, as determined by the Scholarshare Investment Board, the amendment is consistent with the purposes of this act.

(2) An existing provision of the act limits the overall maximum investment level for a designated beneficiary, as defined, to the maximum estimated qualified higher education expenses, as defined, that can be incurred by a beneficiary to obtain a baccalaureate degree at an institution of higher education, as defined, in California for 5 years commencing in the year the majority of beneficiaries of that age are expected to be eligible to enroll in a higher education program for 4 years. An existing provision of the act requires that the maximum investment level be published by the trust as a monetary amount by year group.

This bill would delete this 5-year deadline. The bill would require that the maximum investment level be published by the trust as a monetary amount.

(3) Existing provisions of the act require the payment of a penalty upon the cancellation of a participation agreement.

This bill would delete these requirements.

(4) An existing provision of the act requires the Golden State Scholarshare Trust to report prescribed information, including the amount of any missed contributions that the participant is eligible to make up and the names of the State Senator and Assembly Member who represent the district in which the participant or beneficiary resides, to each participant or beneficiary annually by March 1.

This bill would delete the requirement of the reporting of the amount of any missed contributions that the participant is eligible to make up, and would delete the requirement that the annual report be made by March 1, and, as to the names of the State Senators and Assembly Members, would require only the reporting of an Internet Web site and a toll-free telephone number where these names may be accessed.

(5) Existing law establishes the California Memorial Scholarship Program under the administration of the Scholarshare Investment Board. This program provides scholarships at institutions of higher education, as defined, for surviving dependents, as defined and as identified by the Treasurer, of California residents killed as a result of injuries sustained during the terrorist attacks of September 11, 2001.

This bill would require the California Victim Compensation and Government Claims Board, rather than the Treasurer, to identify the surviving dependents who are eligible for the program. The bill would conform the program's definition of "institution of higher education" to the definition of "eligible educational institution" contained in a specified provision of federal law. The bill would authorize distributions to be made from the program's scholarship fund to eligible surviving dependents on or after July 1, 2005.

(6) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 407 (SB 91) Figueroa. Vehicles: dealers: prohibited activities.

(1) Existing law regulates various activities of motor vehicle dealers, and a violation of those provisions is a misdemeanor under other provisions of existing law.

This bill would prohibit any person from aiding or abetting a person in the performance of any act in violation of vehicle dealer, remanufacturer, manufacturer, transporter, distributor, or related branch licensing laws. Because a violation of this prohibition would be a misdemeanor under other provisions of existing law, the bill would impose a state-mandated local program by creating a new crime.

The bill would provide that any person acting as a dealer or a lessor-retailer, who is not duly licensed as a dealer or a lessor-retailer pursuant to law, may not enforce any security interest or bring or maintain any action in law or equity to recover any money or property or obtain other relief from the purchaser or lessee of a vehicle in connection with a transaction in which the person was required to be licensed as a dealer or a lessor-retailer at the time of the transaction.

The bill would provide that remedies and penalties provided in the Vehicle Code for a violation of the vehicle occupational licensing laws are cumulative to the remedies and penalties provided by other laws.

(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. 408 (SB 648) Committee on Environmental Quality. Public contracts: preferences: recycled products.

Existing law requires every procuring agency, as defined, to revise, on or before July 1, 1992, its procedures and specifications for the purchase of lubricating oil and industrial oil to eliminate, from these procedures and specifications, any exclusion of recycled oils and any requirement that oils be manufactured from virgin materials.

This bill would require procuring agencies to continuously review and revise its procedures and specifications for the purchase of lubricating oil and industrial oil to eliminate, from these procedures and specifications, any exclusion of recycled oils and any requirement that oils be manufactured from virgin materials.

Existing law requires, cost and quality being equal, that local and state agencies purchase recycled products instead of nonrecycled products, and also allows local agencies to give preference to suppliers of recycled products.

This bill would make technical and clarifying changes to this requirement.

Existing law requires the Department of General Services to report annually to the Legislature on the amount of recycled products that are utilized by state agencies and state contractors. Existing law requires that this annual report include, among other items, the cost and number of recycled items purchased by various state agencies.

This bill would require the Department of General Services to revise its list of available recycled products as needed and to include the revised list in its annual report.

Ch. 409 (SB 994) Morrow. Liability: public skateboard parks.

Existing law, in effect until January 1, 2003, provides that skateboarding at a public skateboard park that is constructed after January 1, 1998, is a hazardous recreational activity if the person skateboarding is 14 years of age or older, the skateboarding activity is stunt, trick, or luge skateboarding, and the skateboard park is on public property, as specified. That law, also in effect until January 1, 2003, requires local public agencies to maintain a record of all known or reported injuries incurred by skateboarders in a public skateboard park or facility, and other information regarding these incidents, as specified, and requires that copies of those records be filed annually with the Judicial Council which is required to submit a report to the Legislature by March 31, 2000, on these incidents, including claims arising therefrom.

This bill would extend, until January 1, 2008, the operation of these provisions and would require the Judicial Council to submit a report to the Legislature on or before March 31, 2007, on the incidents reported by local agencies. By extending the date for recordkeeping duties on local public agencies, 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. 410 (SB 1399) Romero. Spousal support.

Existing law provides that in a judgment of dissolution of marriage the court may order a party to pay for the support of the other party an amount, for a period of time, that the court determines is just and reasonable.

This bill would provide that a person who has notice of a temporary or permanent order awarding spousal support who leaves the state with the intent to willfully omit, without lawful excuse, to furnish the spousal support is punishable by imprisonment in a county jail for a period not exceeding one year, a fine not exceeding \$2,000, or by both that imprisonment and fine. 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. 411 (SB 1489) Perata. Vehicles: speed contests and reckless driving.

Existing law allows a peace officer to arrest and take into custody any person that a peace officer determines was engaged in a motor vehicle speed contest and permits the peace officer to cause the removal and seizure of the motor vehicle used in the contest in accordance with specified statutory procedures. A vehicle impounded under these provisions is required to be impounded for 30 days, with specified exceptions. Existing law permits the release of the motor vehicle prior to the end of the impoundment period in specified circumstances. Existing law makes the registered owner or his or her agent responsible for, among other things, all towing and storage charges related to the impoundment and any authorized administrative charges.

This bill, the U'Kendra K. Johnson Memorial Act, would extend these provisions to those persons engaged in reckless driving on a highway, reckless driving in an offstreet parking facility, or an exhibition of speed on a highway. It would require the impounding agency to release the vehicle to the registered owner prior to the conclusion of the impoundment period if the registered owner was neither the driver nor a passenger in the vehicle at the time of the alleged violation, or was unaware that the vehicle was being used to engage in the prohibited activities. The bill would specify that these changes are effective until January 1, 2007.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 412 (SB 1575) Sher. Wills and trusts: prohibited transferees: exceptions.

Existing law, with specified exceptions, invalidates a donative transfer to the person who drafted the instrument, or to a person who is related by blood or marriage to, is a cohabitant with, or an employee of, the drafter, among others. Existing law excepts from these provisions a transfer where the transferor is related by blood or marriage to, or is a cohabitant with, the transferee or the person who drafted the instrument. Existing law also excepts transfers where the instrument is reviewed by an independent attorney, as specified, and provides a form of certificate for this purpose, and excepts a transfer that is approved by a court, as specified, among others.

This bill would include within the above-described exceptions domestic partners, as specified, and would define cohabitant for these purposes. The bill would require an independent attorney making a review of an instrument to be excepted from the provisions described above to attempt to determine if the intended transfer is the result of fraud, menace, duress, or undue influence, and would revise the certificate the attorney is required to deliver to the transferor, with a copy delivered to the drafter, in order to document his or her review. The bill would delete the exclusion of evidence of certain interested parties, as specified, from a court determination of whether a transfer was a product of fraud, menace, duress, or undue influence. The bill would revise the definition of related by blood or marriage for the purpose of the above-described exceptions. The bill would create new exceptions for any transfer that does not exceed \$3,000, except as specified, and for any transfer made by an

instrument executed by a nonresident of California who was not a resident at the time the instrument was executed, and that was not signed in California.

Ch. 413 (SB 1774) Chesbro. Alcoholic beverages: licenses: separate locations.

Existing law requires separate alcoholic beverage licenses to be issued by the Department of Alcoholic Beverage Control for each of the premises of any business establishment having more than one location, except as otherwise specified.

This bill would permit any manufacturer, importer, or wholesaler to receive, store, and deliver wine as specified in its license, at and from a public warehouse licensed by the department, without holding an additional license at the warehouse. However, an out-of-state business whose alcoholic beverages come to rest, are stored, and shipped from a public warehouse in California would be required by this bill to hold a license at a public warehouse.

Ch. 414 (SB 1831) Peace. Tobacco assets: sales.

(1) Under existing law, states' attorneys general and various tobacco product manufacturers have entered into a Master Settlement Agreement, in settlement of various lawsuits, that provides for the allocation of money to the states and certain territories. The state has entered into a memorandum of understanding providing for the allocation of the state's share of moneys to be received under the Master Settlement Agreement between the state and counties and certain cities in the state.

Existing law sets forth the duties of the Infrastructure and Economic Development Bank and its board of directors generally in performing various financing transactions, including the issuance of bonds or the authorizing of the issuance of bonds by a trust, partnership, limited partnership, association, corporation, nonprofit corporation, or other entity, known as a special purpose trust.

This bill would authorize the bank to sell for, and on behalf of, the state all or any portion of the state's tobacco assets to a special purpose trust, which would be established as a not-for-profit corporation by the bill, except that the sale or sales would be limited to an amount necessary to provide the state with up to \$4.5 billion exclusive of capitalized interest on the bonds and any costs incurred by the bank or the special purpose trust in implementing the bill. "Tobacco assets" would be defined for these purposes as all moneys required to be paid to the state under the Master Settlement Agreement, as further provided in the memorandum of understanding and the California escrow agreement, and all of the state's rights to receive those payments.

This bill would provide that the 5 voting members of the State Public Works Board shall serve ex officio as the directors of the special purpose trust, and would authorize the special purpose trust to issue bonds on the terms it determines. It would also authorize the special purpose trust to enter into agreements with any public or private entity and to pledge the tobacco assets that it purchased as collateral and security for the financing. It would specify that the bonds issued pursuant to these provisions shall not be deemed to constitute a debt of the state or a pledge of the faith or credit of the state.

(2) Existing law establishes the Tobacco Settlement Fund and requires the state's share of moneys received pursuant to the Master Settlement Agreement to be deposited into the fund to be available, upon appropriation by the Legislature, for specified purposes.

This bill would except the sale of tobacco assets as provided for in the bill from these provisions.

Ch. 415 (SB 1897) Kuehl. State Bar of California.

The State Bar Act provides for licensing of attorneys by the State Bar of California, sets forth the disciplinary authority of the Board of Governors of the State Bar, and provides for a State Bar Court to hear and decide disciplinary proceedings. Existing law requires the

Board of Governors to appoint a chief trial counsel who reports to and serves under the direction of the Discipline Committee of the Board of Governors.

This bill would instead refer to the Regulation, Admission, and Discipline Oversight Committee or its successor committee on attorney discipline.

Existing law requires that the president, vice presidents, and treasurer be elected by the board for the ensuing year within the period of 180 days next preceding the annual meeting of the State Bar.

This bill would change the required period to the period of 270 days next preceding the annual meeting.

Existing law requires that an election of the members of the board of governors of the State Bar be by ballot, except where only one member seeks an election to an office, in which event the member is deemed elected. Existing law requires the ballots to be mailed to those entitled to vote within a specified time period and to be returned by mail to the principal office of the State Bar.

This bill would instead require that the ballots be distributed within the specified time period, and that they be returned to a site or sites designated by the State Bar.

Existing law provides that the Conference of Delegates of the State Bar and State Bar sections shall not be funded with mandatory fees and authorizes the State Bar to provide the Conference of Delegates and State Bar sections with administrative and support services, subject to full reimbursement, as specified. Existing law requires the Board of Governors of the State Bar to contract with a nationally recognized independent public accounting firm to conduct an audit of the State Bar's financial statement for each fiscal year. The financial audit is required to examine the receipts and expenditures of the State Bar to ensure that the State Bar has been paid or reimbursed for the full cost of any services provided and that no mandatory dues are being used to fund the activities of the Conference of Delegates or the State Bar sections.

This bill would provide that if a nonprofit successor entity to the Conference of Delegates is incorporated for certain purposes, the State Bar is authorized to collect, in conjunction with the collection of annual membership dues, voluntary fees or donations on behalf of the entity, and to convey previously unexpended voluntary fees or donations to the Conference of Delegates to the successor entity. The bill would require the entity to pay for the cost of collection, and would authorize the entity and the State Bar to contract for other services. The bill would require that, with respect to a successor entity, the State Bar audit include examination of the receipts and expenditures of the State Bar to ensure that the funds collected on behalf of the successor entity are conveyed to that entity, that the State Bar has been paid or reimbursed in full for the cost of any services, and that no mandatory dues are being used to fund the entity.

Existing law gives an unsuccessful applicant for admission to the State Bar of California the right to inspect the applicant's examination documents within 4 months after the results of the examination have been declared.

This bill, until January 1, 2004, would provide that an unsuccessful applicant may inspect within 4 months after the results of the examination have been declared, those examination papers that are in the actual, physical possession of the examining committee.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 416 (SB 1956) Polanco. Dependency proceedings: notice.

Existing law provides for the notification of various parties regarding juvenile court proceedings to determine, review, revise, or terminate the status of a child as a dependent child of the court.

This bill would revise and recast those notice provisions, as specified. By creating new duties for local court officers, probation officers, and social workers under an existing program, the bill would impose a state-mandated local program.

This bill would declare that it is the intent of the Legislature that this bill will reduce local court costs by clarifying and consolidating existing requirements so as to reduce the number of continuances that need to be granted.

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. 417 (AB 1850) Nakano. Military service: health care benefits.

Existing law specifies certain pay and allowances for members of the National Guard.

This bill would provide that officers, warrant officers, and enlisted men and women on active duty in the service of the state shall be eligible for health care benefits 30 days after being called to active duty.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 418 (AB 2273) Dutra. Vehicles.

Existing law provides for the issuance of a class C driver's license upon passage of written and road tests. Drivers' licenses held by persons at least 16 years of age, but less than 18 years of age, are distinctive and are issued pursuant to a provisional license program requiring that the individual complete driver education, training, and instruction, restricting his or her driving privilege, and providing for restriction or suspension, as specified.

Existing law provides that prospective employers and employers of certain drivers, as specified, must obtain reports showing the driver's current Department of Motor Vehicles record. Existing law provides for a pull-notice system by which employers are notified of subsequent actions taken against a driver. Under existing law, employment of a driver against whom a disqualifying action has been taken by the Department of Motor Vehicles is a public offense.

Existing law provides that the department may issue instruction permits to certain individuals, as specified, that allow the permitholder to operate a motor vehicle subject to certain restrictions including that he or she be supervised by a California licensed driver who is at least 25 years of age unless the licensed driver is the parent, spouse, or guardian of the permitholder, as specified.

This bill would provide that instruction permitholders, other than those issued a permit in connection with the provisional licensing program for persons under 18 years of age, may be supervised by a California licensed driver who is at least 18 years of age, as specified, and would remove the exception for individuals who are the parent, spouse, or guardian of the permitholder.

This bill would provide that the Department of Motor Vehicles may first issue an instruction permit to operate government owned vehicles while taking driver training instruction administered by the California National Guard, and then a class C license to individuals upon successful completion of examination and driving tests and presentation of an executed enlistment contract with the California National Guard, restricted to operation of United States Army and California National Guard vehicles during the course and scope of employment with the California National Guard. This bill would provide that an applicant who is at least 16 years of age, but less than 18 years of age, would be issued a restricted class C license, however, this bill would provide that the licensee would be subject to certain provisions governing restriction or suspension of the license.

This bill would provide that the status of the license issued pursuant to these provisions shall become part of the pull-notice and report program that provides information to employers of commercial drivers.

The bill would authorize the Department of Motor Vehicles to enter into an interagency agreement with the Military Department for reimbursement for the costs of implementing specified provisions of the bill.

Ch. 419 (AB 2428) Correa. Veterans: benefits.

Existing law defines “veteran” for the purposes of the various programs bestowing benefits upon veterans.

This bill would also include within this definition of veteran any member of the reserves or National Guard who is called to active duty during any period when a presidential executive order specifies that the United States is engaged in homeland defense. The bill would also revise that definition with regard to “active duty” or “active service.”

Existing law relating to veterans benefits generally, including, but not limited to, educational assistance and farm and home purchase, includes within the definition of “veteran” any person who qualifies under federal laws for revenue bond or unrestricted funds, served in the active military, naval, or air service of the United States for a period not to exceed 90 consecutive days, and received an honorable discharge or was released from active duty under honorable conditions.

This bill would include within the definition of “veteran” for these purposes any person who qualifies for funds made available from a qualified mortgage revenue bond issued pursuant to a specified federal law and is, at the time of application for Cal-Vet benefits, a member of the California National Guard or a reserve component of any branch of the United States armed forces who meets specified conditions.

Ch. 420 (AB 1393) Thomson. Water quality.

(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 with regulatory authority over water quality. Existing law prohibits a member of the state board or a regional board from participating in certain board actions in which the board member has a direct personal financial interest, as defined by a provision in the Government Code that has been repealed.

This bill, instead, would prohibit those board members from participating in those specified board actions in which those members have a financial interest within the meaning of the Political Reform Act of 1974.

(2) The act authorizes, or in certain cases requires, a panel of a regional board to conduct proceedings.

This bill would delete those provisions and would authorize a regional board to conduct certain hearings or investigations by means of a panel of 3 or more members of the regional board. The bill would require any final action in the matter to be taken by the regional board and would authorize that board to take additional evidence and to adopt, with or without revision, or reject, the proposed decision of the panel. The bill would authorize the members of a regional board, or their designees, to carry out prehearing conferences for the purposes of addressing matters, including but not limited to, exploration of settlement possibilities, clarification of issues, and objections to evidence. The bill would provide that no party who appears before a panel or at a prehearing conference is precluded from appearing before the regional board at any subsequent hearing relating to the matter.

(3) The act authorizes any executive officer of a regional board to issue a complaint to any person on whom administrative civil liability may be imposed for a violation of a waste discharge requirement. The act authorizes the complaint to be served by personal notice or certified mail and requires that a hearing be conducted before at least a 3 member panel of the regional board not later than 60 days from the date the party is served. The act requires that orders imposing administrative civil liability be served by personal service or registered mail. The act also authorizes the state board to issue administrative civil liability for a violation of a waste discharge requirement.

This bill would instead require that the hearing before the regional board be conducted not later than 90 days from the date the party is served and would delete the requirement that the hearing be conducted before a 3 member panel of the regional board. The bill would instead authorize a complaint and an order to be served by certified mail or in any manner in which a summons may be served. The bill would require, in a proceeding before the state board to impose administrative civil liability for a violation of a waste discharge requirement, that the executive director of the state board issue the complaint and hold a hearing within 90 days of the date the party has been served.

Ch. 421 (AB 1561) Kelley. Energy efficiency standards: clothes washers.

Existing law requires the State Energy Resources Conservation and Development Commission, after one or more public hearings, to prescribe, by regulation, among other things, certain energy efficiency standards, cost effective measures, and consumer education programs, to promote the use of energy efficient appliances whose use, as determined by the commission, requires a significant amount of energy on a statewide basis.

This bill would require the commission, not later than January 1, 2004, to amend existing regulations pertaining to energy efficiency standards for residential clothes washers to require these clothes washers manufactured on or after January 1, 2007 to be at least as efficient as commercial washers. The bill would also require the commission, not later than April 1, 2004, to petition the federal Department of Energy for an exemption from any federal regulations governing energy efficiency standards that are applicable to residential clothes washers, and to report to the Legislature on its progress with respect to the above requirements not later than January 1, 2005.

Ch. 422 (AB 2971) Strom-Martin. Wastewater treatment plants: definition.

(1) Under the Porter-Cologne Water Quality Control Act, the State Water Resources Control Board is required to classify types of wastewater treatment plants, as defined, for purposes of determining the levels of competence necessary to operate the plants. Under that definition, facilities owned by governmental agencies and used in the treatment or reclamation of sewage and industrial waste and certain privately owned facilities performing the same usage purposes and regulated by the Public Utilities Commission are considered wastewater treatment plants.

This bill would revise the definition of wastewater treatment plants for these purposes by including within that definition private and governmental facilities used in the treatment or reclamation of sewage or industrial waste, rather than sewage and industrial waste, and any privately owned facility, without requiring that it is regulated by the Public Utilities Commission, used primarily in the treatment or reclamation of sewage for which the state board or a regional water quality control board has issued waste discharge requirements.

The bill would authorize the state board, subject to renewal and imposed conditions, to exempt for 4 years from the certificate requirements any facility that is classified, by regulation, as a Class 1 plant by the state board and the facility could not, due to operator error, violate water quality objectives.

The bill would authorize the state board to charge a reasonable administrative fee for processing a facility's original or renewal application for exemption.

(2) Existing law requires supervisors and operators of wastewater treatment plants to possess certificates of the appropriate grade.

This bill would, subject to the approval of regulations by the state board, impose this requirement on supervisors and operators of those privately owned facilities that are not regulated by the Public Utilities Commission and are included in the revised definition of "wastewater treatment plants" as provided under (1).

The bill would require operators employed at the private wastewater treatment plants described above to pass any written examination that may be administered by the state board.

(3) Because the failure of a person who operates a wastewater treatment plant to obtain and hold a valid certificate issued by the state board of the appropriate grade is a crime, this bill would impose a state-mandated local program by expanding the scope of that 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. 423 (SB 812) Sher. Air pollution: California Climate Action Registry.

(1) Existing law requires the Secretary of the Resources Agency to establish the California Climate Action Registry as a nonprofit public benefit corporation, governed by a prescribed board of directors, that is required to record and register voluntary greenhouse gas emissions reductions made by California entities after 1990. Existing law requires the registry to provide referrals to approved providers for advice on designing programs to establish emissions baselines and to monitor and track greenhouse gas emissions, establishing emissions reduction goals, and designing and implementing organization-specific plans that improve energy efficiency or utilize renewable energy, or both, and that are capable of achieving emission reduction targets.

This bill would require the registry to also provide referrals to approved providers for advice on incorporating conservation and best management practices of native forest reservoirs as a mechanism to assist participants in the attainment of emissions reduction goals and the reporting of emissions results.

(2) Existing law 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 emission reductions, establishing emissions reduction targets, designing and implementing efficiency improvement plans, maintaining a record of all emission baselines and reductions, and recognizing, publicizing, and promoting entities that participate in the registry.

This bill would require the registry to adopt procedures and protocols for the reporting and certification of greenhouse gas emission reductions resulting from a project or an action of a participant. The bill would require the registry, in coordination with the Resources Agency, to adopt procedures and protocols, including specified criteria, for the monitoring, estimating, calculating, reporting, and certifying of carbon stores and carbon dioxide emissions resulting from the conservation and conservation-based management of native forest reservoirs in California in order for registry participants to include the results of those conservation activities as a participant's registered emissions results, or as a part thereof. The bill would additionally require the registry, in consultation with the State Air Resources Board, to adopt procedures and protocols for the reporting and certification of specified reductions in emissions of greenhouse gases.

Ch. 424 (SB 1808) McPherson. State Environmental Goals and Policy Report.

Existing law requires the Governor to prepare and cause to be maintained, regularly reviewed, and revised a comprehensive State Environmental Goals and Policy Report and to transmit the report to the Legislature every 4 years. In the preparation of the report, priority is to be given to the development of statewide land use policy. Existing law also requires the Office of Planning and Research within the office of the Governor to constitute the comprehensive state planning agency and to develop a land use policy for the state.

This bill would require the Office of Planning and Research to report to the Governor and the Legislature annually on or before January 1 regarding the implementation of that report.

Ch. 425 (SB 1822) Sher. Public water systems: public health goals: perchlorate.

(1) Existing law, the Calderon-Sher Safe Drinking Water Act of 1996, requires the State Department of Health Services to submit to the Legislature a Safe Drinking Water Plan for

California once every 5 years, and to take all reasonable measures necessary to reduce the risk to the public health from waterborne illnesses in drinking water caused by cryptosporidium and giardia.

Existing law requires the department to adopt primary drinking water standards for contaminants in drinking water that are to be set at levels as close as possible to the corresponding public health goal. Existing law requires the Office of Environmental Health Hazard Assessment to perform a risk assessment and, based upon that risk assessment, to adopt a public health goal for contaminants in drinking water based exclusively on public health considerations.

This bill would define “public health goal” for these purposes to mean specified public health goals established by the office.

(2) Existing law defines a “public water system” to mean a system that provides water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days of the year, except as specified.

This bill would require the office, on January 1, 2003, to perform a risk assessment and, based upon that risk assessment, to adopt a public health goal based exclusively on public health consideration for perchlorate using specified criteria. It would also require the department, on or before January 1, 2004, to adopt a primary drinking water standard for perchlorate found in public water systems.

Ch. 426 (AB 776) Thomson. Fairfield-Suisun Sewer District.

(1) The Fairfield-Suisun Sewer District Act creates the Fairfield-Suisun Sewer District and grants to the district various powers relating to the treatment and disposal of sewage. The act, with certain exceptions, prohibits the district from contracting for the disposal of any sewage emanating from outside the district.

This bill, subject to certain exceptions provided for under existing law, would prohibit the district from accepting or contracting for the disposal of sewage emanating from outside the district. The bill, in addition, would authorize the district to accept and contract for the disposal of sewage emanating from buildings outside the district that are connected to the district’s sewage treatment system on March 1, 2002. The bill also would authorize the district to contract with Solano County or another public entity for the disposal of sewage emanating from buildings outside the district if the board of the district makes a certain determination.

The bill would, provide that every user that is connected to the district’s sewage treatment system is subject to the district’s ordinances. Because a violation of the district’s wastewater discharge ordinance is a crime, this bill would impose a state-mandated local program to the extent that it expands the scope of an existing 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. 427 (AB 890) Cedillo. Health facilities: sale of assets.

Existing law requires any nonprofit corporation that is subject to the Nonprofit Public Benefit Corporation Law and that operates or controls a health facility or operates or controls a health facility that provides similar health care, to provide written notice to, and obtain the written consent of, the Attorney General prior to selling or otherwise disposing of a material amount of its assets to a for-profit corporation or entity or to a mutual benefit corporation or entity.

This bill would instead make these requirements applicable to any nonprofit corporation that operates or controls a health facility or operates or controls a facility that provides similar health care. The bill would also authorize the Attorney General to consider, before

consenting to an agreement to sell or dispose of assets to a for-profit corporation, whether the terms and conditions of the agreement or transaction are fair and reasonable to the nonprofit corporation, and whether the agreement or transaction is at a fair market value, as specified.

Ch. 428 (AB 1425) Thomson. Persons with disabilities: community living support services.

Existing law, the California Community Care Facilities Act, provides for the licensure and regulation of community care and residential facilities by the State Department of Social Services.

Existing law prohibits a community care facility that is unlicensed, is not exempt from licensure, and satisfies any one of several listed conditions from operating in the state. Among the listed conditions is if the facility is providing care or supervision, as defined by the act or rules and regulations adopted pursuant to the act.

This bill would exempt any supportive housing, as described, or independent living arrangement, for individuals with disabilities who are receiving community living support services, as described, from the application of the act. The bill would provide that community living support services do not constitute care or supervision.

This bill would permit counties to contract with agencies or individuals to assist persons with disabilities in securing their own homes, including supportive housing, and to provide persons with disabilities with the supports needed to live in their own homes.

Ch. 429 (AB 1486) Dutra. Mortgage guaranty insurance.

The Mortgage Guaranty Insurance Act provides for the regulation of mortgage guaranty insurance, as defined. Under these provisions, mortgage guaranty insurance may be written only to insure loans secured by first or junior liens on authorized real estate securities in an amount not to exceed 100% of the fair market value of the securities.

This bill would increase the allowable total indebtedness on which this insurance may be written in this circumstance to 103% of the fair market value of the real estate securities.

Ch. 430 (AB 1833) Nakano. Local emergency medical services funds.

Existing law authorizes each county to establish an emergency medical services fund, and provides that the fund shall be utilized to reimburse physicians and surgeons and hospitals for a portion of the cost of services provided to patients who do not make payment for emergency medical services and for other emergency medical services purposes as determined by each county.

This bill would revise procedures for payment of claims against the fund and would require each administering agency of a fund to make all reasonable efforts to notify physicians and surgeons who provide or are likely to provide emergency services in the county as to the availability of the fund and the process by which to submit a claim against the fund.

By requiring counties to notify physicians and surgeons of the availability of the fund, 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. 431 (AB 2007) Calderon. California Insurance Guarantee Association.

Existing law provides for creation of the California Insurance Guarantee Association in order to provide insolvency insurance for its member insurers. Existing law requires the association to be managed by a board of governors composed of specified members. 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 2% of the net direct premium written in the category in this state by that member until September 12, 2002, and after that date establishes the premium limit at 1%.

This bill would revise the membership of the board of governors to include 4 additional members. The bill would revise the provisions establishing the premium charged to member insurers at a limit of 1% after September 12, 2002, and would instead establish the premium limit at 2% per year until December 31, 2007. The bill would establish the premium limit at 1% per year after December 31, 2007.

This bill would make the operation of its provisions contingent upon the enactment of SB 2093.

Ch. 432 (AB 2092) Kelley. State Lands Commission: land exchange agreements: Arizona.

(1) Existing law establishes the State Lands Commission within the Resources Agency, with specified duties governing state-owned lands. Existing law authorizes the commission to exchange lands of equal value with any state agency, political subdivision, person, or the United States when the exchange appears to be in the best interests of California and is to improve navigation, aid in reclamation or flood control protection, or to enhance the configuration of the shoreline.

This bill would authorize the commission to enter into land exchange agreements with Arizona to transfer California's sovereign interest in land located in Arizona and to acquire Arizona's sovereign interest in land located in California. Upon completion of all possible land exchanges, if there is a difference in the total fair market value of the land transferred to Arizona and that acquired by California, this bill would require the difference be paid into or out of the Land Bank Fund. The Land Bank Fund is a continuously appropriated fund. By authorizing moneys in that fund to be expended for a new purpose, this bill would make an appropriation.

(2) The Kapiloff Land Bank Act creates the Land Bank Fund, and continuously appropriates moneys in the fund subject to a statutory trust to the commission, acting as the Land Bank Trustee, to acquire real property or any interest in real property for the purposes of public trust title settlements and for mitigation, as defined. Existing law authorizes a project applicant other than a public agency to deposit mitigation donations to the fund.

This bill would permit a public agency to deposit mitigation donations to the fund. This bill would also make a conforming change to the definition of "title settlements" under the act.

Ch. 433 (AB 2126) Robert Pacheco. Trust companies: investments.

Existing law authorizes a trust company to invest or reinvest in the securities or other interests of any mutual fund for which the trust company or its affiliate is providing services. Existing law requires trust companies that invest or reinvest in those securities or interests to, within 30 days before or after the investment or reinvestment, provide a copy of the prospectus relating to the securities to certain persons unless specifically waived in writing.

This bill would instead require a trust company that invests or reinvests in those securities or interests to provide a copy of the prospectus before the investment or reinvestment or within 30 days after the investment or reinvestment.

Ch. 434 (AB 2155) Committee on Agriculture. Equine drugs.

Existing law prohibits the showing of a horse at a public horse show, competition, or sale if the horse has been administered a prohibited substance. Included in the definition of prohibited substances are nonsteroidal anti-inflammatory drugs. Existing law exempts certain medications from the list of prohibited substances and annually requires the secretary to update the exempt medications list. Existing law exempts the administration of a single nonsteroidal anti-inflammatory substance from the list of prohibited substances, as specified. Existing law excludes these provisions from any individual horse show, competition, or sale that is certified by the Secretary of Food and Agriculture, with the concurrence of the advisory committee, after holding a public hearing, if the secretary determines that specified criteria are satisfied.

This bill would declare that it is the intent of the Legislature to ensure the integrity of public horse shows, horse competitions, and horse sales through the control of performance and disposition enhancing medications while limiting permitted therapeutic usage, as defined, at horse shows and competitions. This bill would remove nonsteroidal anti-inflammatory drugs (NSAIDs) from the list of prohibited substances and, consequently, would also remove the administration of them from the list of exempted medications. The bill would permit the secretary to certify any individual horse show, competition, or sale, with a 30-day written notice of a public hearing to the advisory committee and would include among the criteria that must be satisfied that the drug and medication rules of the sponsoring equine organization or association comply with the above-stated intent of these provisions. This bill would permit the therapeutic administration of NSAIDs, as specified. The bill would establish guidelines for the appropriate therapeutic usage of NSAIDs and would make a violation of those guidelines punishable by, among other things, a civil penalty of not less than \$100 nor more than \$10,000 for each violation. This bill would make other technical changes.

Ch. 435 (AB 2311) Chu. Child care and development services.

(1) Existing law establishes the Child Care and Development Services Act for the purpose of, among other things, providing a comprehensive, coordinated, and cost-effective system of child care and development services for children to age 14 and their parents. Existing law contains, for purposes of the act, definitions of the phrases “children with exceptional needs,” “children with special needs,” and “severely handicapped children.”

This bill would revise those definitions and make conforming changes.

(2) Existing law authorizes center-based programs previously funded under the Alternative Child Care Act and new programs funded under the Child Care and Development Services Act to operate pursuant to the regulations for child day care facilities under the California Community Care Facilities Act. Existing law also exempted those programs from regulations promulgated by the State Department of Education.

This bill would eliminate those provisions.

(3) Under existing law, in order to be eligible for federal and state subsidized child development services, a family is required to meet specified eligibility requirements, which may be satisfied, along with meeting other criteria, if the child is identified as having a medical or psychiatric special need that cannot be met without provision of child day care.

This bill would eliminate that eligibility option.

(4) Existing law requires the Superintendent of Public Instruction, in order to assure geographic equity in the distribution of funds appropriated for child care and development services, to disburse funds for extended day care programs in accordance with specified procedures.

This bill would repeal those provisions.

(5) Existing law requires the county board of supervisors and the county superintendent of schools to select members of the local child care and development planning council to provide a forum for the identification of local priorities for child care and the development

of policies to meet the needs identified within those priorities. Existing law requires a local planning council to conduct an assessment of child care needs in the county no less than once every 5 years, and prescribes factors that the needs assessment shall take into consideration.

This bill would revise the needs assessment factors and would require the department to define and prescribe data elements to be included in the needs assessment. The bill would make other changes to the provisions governing the local planning councils.

Ch. 436 (AB 2313) Chu. Economic development.

(1) Existing law, the Small Business Financial Development Corporation Law, creates the California Small Business Expansion Fund, which is continuously appropriated. Under existing law, this fund may be used to prevent business insolvencies and loss of employment in an area affected by a disaster declared by the President of the United States or the Administrator of the United States Small Business Administration, or a state of emergency declared by the Governor of California. Within the California Small Business Expansion Fund is the Small Business Disaster Recovery Loan Loss Reserve Account that may be used for these same purposes in an area affected by a specified state of emergency that began in the Los Angeles area on April 29, 1992, and related incidents throughout the state that have been declared a disaster by any of these officials.

This bill would expand the circumstances under which funds in this account may be used by deleting its current restrictions and allowing its use in an area affected by a disaster declared by the President of the United States, the Administrator of the United States Small Business Administration, or the United States Secretary of Agriculture or to be in a state of emergency declared by the Governor. The bill would also correspondingly revise the circumstances under which moneys in the fund may be used in response to emergency situations, including those declared a disaster by the United States Secretary of Agriculture. Because the bill would authorize the expenditure of revenue in a continuously appropriated fund for a new purpose, it would thereby make an appropriation.

(2) Existing law, the California Defense Retention and Conversion Act of 1999, requires the Technology, Trade, and Commerce Agency to establish a Defense Retention Grant Program to provide funds to communities with military bases for the development of a strategy to retain these facilities.

This bill would delete provisions declaring the Legislature's intent regarding the amount of starting capital for the grant program and limiting the amount of the grant made by the agency under this program.

Ch. 437 (AB 2856) Chavez. Communications equipment insurance agent license.

Existing law governing insurance provides for the licensure and regulation by the Insurance Commissioner of production agencies, including, among others, insurance agents, life agents, insurance brokers, travel insurance agents, cargo shipper's agents, and variable contract agents. Existing law makes it a crime to act or assume to act in a capacity for which a production agency license is required without having that license.

This bill would provide for the commissioner to issue a communications equipment insurance agent license to a communications equipment vendor, as defined, authorizing the vendor to sell or offer to its customers insurance covering communications equipment. The bill would authorize employees and franchisees of the vendor to be listed as endorsees on the license for the purpose of selling or offering communications equipment insurance under the authority of the agent's license. The bill would impose certain requirements on the licensees and endorsees with respect to training and other related matters. The bill would become operative only upon a determination by the commissioner that the personnel positions needed to carry out its provisions are in existence or have been authorized in the Budget Act of 2002 or a subsequent budget act. The bill would also become operative immediately upon the commissioner receiving a maximum of 50 applications for licensure from communications equipment vendors before April 30, 2003.

By creating a new category of production agency license, the bill would expand the scope of activities for which a license is required. Thus, the 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. 438 (AB 3026) Committee on Transportation. Transportation.

(1) Existing law authorizes the Department of Transportation to enter into contracts with the National Railroad Passenger Corporation.

This bill would make nonsubstantive changes to those provisions, deleting references to obsolete federal law.

(2) 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, including toll bridge seismic retrofit projects, projects approved for funding under the Traffic Congestion Relief Act of 2000, and projects programmed under the current adopted State Transportation Improvement Program (STIP) or the current State Highway Operation and Protection Program.

Existing law requires that all federal and state funds to be allocated by the commission or expended by the Department of Transportation for transportation improvements under the STIP, except as specified, be programmed 40 percent in County Group No. 1, as defined, and 60 percent in County Group No. 2, as defined, and allocated among the counties in each county group in accordance with certain county share formulas.

Existing law requires that all funds allocated to a project under the provisions of existing law described above relating to federal highway grant anticipation notes be counted against the STIP county share for the county in which the project is located.

This bill would instead provide that the projects included in the STIP would be counted against the STIP interregional improvement program share for a project in the interregional improvement program and the county share for the county in which a project is located for a project in a regional improvement program.

(3) Existing law requires a political subdivision to adopt a comprehensive land use plan to provide for the orderly growth of a public airport within its jurisdiction.

This bill would change the term to “airport land use compatibility plan” in those provisions.

(4) Existing law designates certain state highways and segments of those highways as part of the interregional road system.

This bill would include within this designation the segment of Route 246 between Routes 1 and 101. The bill would also make nonsubstantive changes to provisions pertaining to the state highway system.

(5) Under existing law, any peace officer, as defined, may remove a vehicle from the right-of-way of a railroad, street railway, or light rail line located within the territorial limits in which the officer is empowered to act if the vehicle is parked or abandoned upon any track or within 7<sup>1</sup>/<sub>2</sub> feet of the nearest rail.

This bill would also authorize the officer to remove a vehicle that is parked beyond 7<sup>1</sup>/<sub>2</sub> feet of the nearest rail but within the right-of-way of a railroad, street railway, or light rail if signs are posted giving notice that vehicles may be removed.

(6) Existing law describes the parameters of State Highway Route 91 that constitute the Willard Murray Freeway.

This bill would require the Department of Transportation to revise the description of this freeway.

(7) Under existing law, in the absence of an express provision to the contrary, the last enacted statute prevails over a statute enacted earlier during the same year of a session.

This bill would specify that irrespective of the sequence of enactment, the provisions of another statute enacted during the 2002 calendar year that takes effect on or before January 1, 2003, and that affects a provision amended, added, or repealed by this act would prevail over this act.

Ch. 439 (SB 1264) Alpert. Aid for dependent children.

Existing law provides for the California Work Opportunity and Responsibility to Kids (CalWORKs) program, under which each county provides cash assistance and other benefits to qualified low-income families. Each county is required to pay a share of the cost of both aid grant and administrative costs for the CalWORKs program.

Under existing law, certain types of payments received by recipients of aid under the CalWORKs program are prohibited from being treated as income or resources of the family and from being deducted from the amount of aid to which the family would otherwise be entitled.

This bill would add to those payments that may not be treated as income or resources of the family for purposes of determining eligibility under the CalWORKs program, any award or scholarship provided by a public or private entity to, or on behalf of, a dependent child based on the child's academic or extracurricular achievement or participation in a scholastic, educational, or extracurricular competition.

Because each county is required to pay for a share of CalWORKs aid grant costs, the bill would impose a state-mandated local program.

Under existing law, unless otherwise exempt, every individual, as a condition of eligibility for aid under this chapter, is required to participate in welfare-to-work activities as a condition of eligibility for benefits under the CalWORKs program.

This bill would expand the scope of exemptions from the welfare-to-work requirements upon which eligibility for aid under the CalWORKs program is conditioned to include a person who is 16 or 17 years of age who has obtained a high school diploma or its equivalent and is enrolled or is planning to enroll in a postsecondary education, vocational, or technical school training program.

By expanding the scope of eligibility for benefits under the CalWORKs program, this bill would result in a state-mandated local program.

State funds are continuously appropriated to pay for a share of aid grant costs under the CalWORKs program.

This bill would provide that no appropriation shall be made pursuant to this provision for the purpose of funding the changes proposed by this 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. 440 (SB 1448) Chesbro. Deceased residents of state hospitals and developmental centers.

Existing law provides for various types of cemeteries, including public cemeteries, private cemeteries, and cemetery authorities. Existing law establishes recordkeeping requirements as to each type of cemetery.

Existing law provides for state hospitals under the jurisdiction of the State Department of Mental Health and developmental centers under the jurisdiction of the State Department of Developmental Services.

This bill would require the State Department of Mental Health, in coordination with other state entities and a task force composed as prescribed, to conduct and complete an inventory of all materials and records necessary to create the most complete record of persons who have died while residing at state hospitals and developmental centers and, within existing resources, to identify the locations of gravesites, as specified, and the names of patients whose remains were donated for medical research. This bill would also require these entities to assist the California Memorial Project in conducting research regarding the records of deaths and burials at state hospitals and developmental centers, in developing a plan for the restoration of gravesites and cemeteries at state hospitals and developmental centers and gravesites not located on state lands but designated by the state for burial of state hospital or developmental center residents, and to develop a protocol for the future interment of any patient who dies while residing at a state hospital or developmental center and whose remains are unclaimed by a family member.

This bill would require the department to submit a status update, as prescribed, as to the implementation of this bill to the Legislature no later than January 31, 2004.

Ch. 441 (SB 1740) Murray. Service authorities for freeway emergencies.

Existing law authorizes a county and a city within the county to create a service authority for freeway emergencies, including establishing emergency call boxes along highways.

This bill would permit a service authority for freeway emergencies to develop policies relating to retention of the authority's records, including records relating to the authority's operations, contracts, and programs, and the length of time that the authority will retain the records.

Ch. 442 (AB 2051) Dickerson. Vehicles: truck lengths: combinations transporting agricultural biomass.

Existing law regulates the length of certain combinations of vehicles, including lengths attributable to certain extension devices used in connection with vehicles. Violation of these provisions is an infraction pursuant to other provisions of existing law.

This bill would provide that, notwithstanding those provisions, a combination of vehicles designed and used to transport agricultural biomass, and that may consist of a truck tractor, a semitrailer, and a semitrailer or trailer, may extend to a total combined length of 75 feet, if the length of the front trailer does not exceed 32 feet, and the length of the rear trailer does not exceed 28 feet 6 inches. The bill would provide that the distance between the axles of the front trailer would have to be the same as that of a trailer that is 28.5 feet in length. The bill would also provide that no extension would be allowed for the front trailer. The bill would provide that the rear trailer could include an extension not to exceed 18 inches, or it could have  $\frac{1}{3}$  of a bale that extends off of the back of the trailer, or it could have both. This bill would authorize operation of these vehicles within the Counties of Butte, Colusa, Glenn, Placer, Sutter, Tehama, Yolo, and Yuba, but would not apply to highways designated as national network routes, as specified. Violation of these provisions would be an infraction, pursuant to other existing provisions of law.

By establishing provisions, the violation of which would be a crime, this bill would impose a state-mandated local program.

This bill would require the Department of the California Highway Patrol in consultation with the Department of Transportation to conduct a study on the effect of this act on public safety, and to report the findings to the Legislature on or before July 1, 2005.

This bill would provide that the provisions of this act would become inoperative on July 1, 2006, and would be repealed on January 1, 2007.

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. 443 (AB 2589) Cardoza. Controlled substances: destruction of hazardous chemicals.

(1) Existing law provides that at any time after seizure by a law enforcement agency of a suspected hazardous chemical believed to have been used or intended to have been used in the unlawful manufacture of controlled substances, that amount in excess of one fluid ounce if liquid, or one avoirdupois ounce if solid, of each different type of suspected hazardous chemical and its container may be disposed of without a court order by the seizing agency.

This bill would make the above provision expressly applicable to chemical containers and items contaminated with a hazardous substance, as specified.

(2) Existing law provides that the destruction of suspected hazardous chemicals shall not take place until specified requirements are met.

This bill would add to the requirements that must be met before destruction may take place a requirement to take photographs of the chemical containers and items contaminated with a hazardous substance that reasonably demonstrate their size. By increasing the duties of a local law enforcement agency, this bill would impose a state-mandated local program upon local governments.

(3) Existing law provides that subsequent to any disposal of a suspected hazardous chemical and its container, the law enforcement agency involved shall maintain records, as specified, and shall specify the date and time of the disposal. Existing law provides that subsequent to any destruction of a suspected controlled substance in combination with a hazardous chemical, an affidavit shall be filed within 30 days in the court that has jurisdiction over any pending criminal proceedings pertaining to that suspected controlled substance, reciting specified information.

This bill would, with respect to the destruction of a suspected controlled substance in combination with a hazardous chemical, provide that, if a search warrant was issued, an affidavit containing specified information shall be filed in the court that issued the search warrant.

(4) The bill would make conforming changes to related provisions.

(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. 444 (AB 2785) Oropeza. Education finance.

Existing law appropriates \$503,433,000 from the Proposition 98 Reversion Account for transfer to Section A of the State School Fund, for allocation by the Superintendent of Public Instruction to school districts, county offices of education, and other agencies for the purposes of adult education, as specified, for costs incurred in the 2001–02 fiscal year.

This bill would specify that the appropriation is instead from the balance of the Proposition 98 Reversion Account, other specified amounts appropriated pursuant to the Budget Acts of 2001, 2000, and 1999, and the Child Care Facilities Revolving Fund.

The bill would declare that it makes appropriations for the usual and current expenses of the state, thereby taking effect immediately.

Ch. 445 (SB 1834) Committee on Budget and Fiscal Review. Transportation: funding.

(1) Existing law, the Traffic Congestion Relief Act of 2000, creates the Traffic Congestion Relief Fund (TCRF). The purpose of the act is to relieve traffic congestion, provide additional funding for local street and road deferred maintenance, and provide additional transportation capacity in high growth areas of the state. Under the act, the Legislature may authorize loans to the TCRF from the State Highway Account, not to exceed a cumulative total of \$180,000,000, for projects that are eligible for grants from the TCRF.

This bill would increase the cumulative total of the loan that the Legislature may authorize from the State Highway Account to the TCRF to \$654,000,000. The bill would require interest to be paid from the General Fund to the TCRF, for transfer to the State Highway Account, on any loan made under these provisions in excess of \$180,000,000. The bill would additionally allow the Director of Finance to authorize short-term loans from the General Fund to the State Highway Account. The bill would also authorize the Department of Finance to establish the accounting and reporting system used to determine the expenditures, cash needs, and balance in the TCRF, the Public Transportation account, the State Highway Account, and the Toll Bridge Seismic Retrofit Account. The bill would make other related changes.

(2) Existing law creates the State Highway Account in the State Transportation Fund in which are deposited various transportation revenues subject to Article XIX of the Constitution, including fuel tax revenues. The Constitution authorizes loans of these and other related revenues to the General Fund under certain circumstances.

This bill would authorize a \$173 million loan from the State Highway Account to the General Fund, to be repaid with interest no later than June 30, 2005.

(3) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 446 (SB 1901) Machado. Sales and use tax: resale certificates.

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 the sale or use of diesel fuel used in farming activities and food processing. That law requires the tax to be prepaid when purchasing the diesel fuel from the seller, unless the purchaser presents a resale certificate.

This bill would authorize a qualified person, as defined, to issue a resale certificate with respect to diesel fuel that qualifies for that exemption, as provided. By creating a new crime in connection with this authority, 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.

This bill would declare that it is to take effect immediately as an urgency statute, but would become operative 30 days after its effective date.

Ch. 447 (AB 2216) Keeley. Intestate succession: domestic partners.

Under the existing law of intestate succession, the surviving spouse is entitled to a specified share of the decedent's separate property that is not effectively disposed of by will.

Effective July 1, 2003, this bill would extend this entitlement to a decedent's domestic partner, as specified. This bill would also make conforming and technical changes. The bill would further require the Secretary of State to send to each registered domestic partner who registered prior to January 1, 2003, a letter describing changes in the law of intestate succession proposed by this bill and the implication of those changes for domestic partners. The bill would require the Secretary of State to provide a similar notice with all requests for

a Declaration of Domestic Partnership form on and after January 1, 2003, and to make that notice available on the Internet.

Ch. 448 (SB 688) Burton. Civil actions: limitation of actions: summary judgment.

(1) Existing law specifies a one-year statute of limitations for actions for assault, battery, or injury to, or for the death of, a person caused by the wrongful act or neglect of another.

This bill would extend that statute of limitations to 2 years. The bill would also specify the same time limit for a civil action for injury or death to a terrorist victim of September 11, 2001.

(2) Existing law prescribes the service deadlines, continuance procedures, and appellate review of motions for summary judgment.

This bill would revise those provisions to extend the service deadlines from 28 to 75 days, to allow additional discovery after continuance, as specified, to require a reviewing court to allow supplemental briefing on grounds granting summary adjudication not relied upon by the trial court, and to make technical changes.

Ch. 449 (SB 1873) Escutia. Victims of crime: terrorist attacks.

Existing law provides for the indemnification of victims and eligible family members of victims, as defined, of specified types of crimes, for certain expenses for which the victim or family member has not been and will not be reimbursed from any other source. 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. The board may, until January 1, 2004, expand the scope of assistance to include victims' California resident family members who incur a pecuniary loss as a direct result of any of the 4 terrorist attacks that occurred at the World Trade Center and the Pentagon, and in Pennsylvania, on September 11, 2001.

This bill additionally would, until January 1, 2004, permit the board to authorize payment to specified family members, and other family members as determined by the board, of a victim of the terrorist attacks, equal to the loss of wages up to \$2,000 per eligible recipient who is unable to work due to traveling to or from, or attending, or all of these, memorial services or government-initiated events in honor of those victims, not to exceed a collective total of \$200,000. By providing for a new use 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. 450 (AB 1746) Liu. Postsecondary education: tuition and fees.

(1) 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, and, until January 1, 2004, 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 provision is applicable to the Regents of the University of California only if the regents, by resolution, make it applicable.

This bill would require any determination of eligibility under those provisions to be consistent with any findings of the Workers' Compensation Appeals Board, using the same procedures as in worker's compensation hearings, as to whether the death of the described person was industrial.

(2) Existing law requires the Regents of the University of California, the Board of Directors of the Hastings College of the Law, the Trustees of the California State University, and the governing board of each community college district to collect fees from students attending those postsecondary education institutions. This provision is applicable to the Regents of the University of California only if the regents, by resolution, make it applicable.

This bill would prohibit the regents, the trustees, and the governing board of each community college district from collecting any fees or tuition of any kind from any student in an undergraduate program who is the surviving dependent, as defined, of any individual killed in the September 11, 2001, terrorist attacks on the World Trade Center in New York City, the Pentagon building in Washington, DC, or the crash of United Airlines Flight 93 in southwestern Pennsylvania, if the dependent meets the financial need requirements of the Cal Grant A Program and the dependent was a resident of California on September 11, 2001, or if the individual killed in the attacks was a resident of California on that date. The bill would require the California Victim Compensation and Government Claims Board to identify all persons who are eligible for tuition and fee waivers pursuant to the bill, to notify these persons or their parents or guardians of their eligibility, and if requested by the public segments of postsecondary education in the state, on a case-by-case basis, to confirm the eligibility of persons requesting the waiver of tuition and fees. This prohibition would apply to the University of California only if the regents, by resolution, make it applicable.

(3) Existing law also prohibits 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 from requiring or collecting any statewide fees or tuition from any surviving spouse or child, natural or adopted, of any deceased person who was killed in the performance of active law enforcement or active fire suppression and prevention duties or who died as a result of an accident or injury incurred in the performance of those duties, if that deceased person was a resident of the state, had the principal duty of law enforcement service or fire suppression or prevention, and was employed by a public agency, as defined. This provision is applicable to the Regents of the University of California only if the regents, by resolution, make it applicable.

This bill would expand that prohibition by requiring the governing board of each community college district to waive fee requirements for any surviving dependent, as defined, of any person meeting those requirements. The bill would add similar waiver requirements for any student in an undergraduate program who is a dependent as described in (2).

#### Ch. 451 (AB 2355) Bill Campbell. Limited liability companies.

Limited liability companies are regulated pursuant to the Beverly-Killea Limited Liability Company Act. Existing law authorizes a court of competent jurisdiction, upon application by a judgment creditor of a member of a limited liability company, to charge the membership interest of the member with payment of an unsatisfied judgment. Existing law provides that, to the extent charged, the judgment debtor has only the rights of an assignee of the membership interest.

This bill would extend these provisions to an application by a judgment creditor against an assignee of the membership interest, and would provide that service of a notice of motion for a charging order on a judgment debtor and on all members or the limited liability company creates a lien on the judgment debtor's assignable membership interest in the limited liability company. The bill would provide that the lien continue under the terms of the charging order, if granted, and would authorize the court to order a foreclosure on the membership interest at any time, subject to the charging order. The bill would delete the provision that, to the extent charged, a judgment creditor has only the rights of an assignee of the membership interest. The bill would provide that the purchaser at the foreclosure sale has the rights of an assignee.

This bill would also provide that, at any time before foreclosure, a membership interest charged may be redeemed by the judgment debtor, by other members with property other than property of the limited liability company, or by other members with property of the limited liability company with the consent of the members whose membership interests are not so charged.

This bill would authorize a court that has issued a charging order to appoint a receiver of the share of the distributions of the limited liability company and to make other orders, directions, accounts, and inquiries that the judgment debtor might have made or that the circumstances may require.

This bill would also make conforming changes.

Ch. 452 (AB 2364) Negrete McLeod. Medi-Cal: study.

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 Legislature to commission a study on how the administration of the Medi-Cal program might be simplified, with a focus on creating efficiency in the system, and reducing costs to the program, health care service plans, and health care providers. This bill would require that the study be conducted without the use of state funds and that the results be given to the office of the Legislative Analyst and to the appropriate health policy committees of the Legislature on or before January 1, 2004.

Ch. 453 (AB 3055) Committee on Water, Parks and Wildlife. Fish and game.

(1) Under existing law, it is unlawful to import, transport, possess, or release alive into this state, except under a revocable, nontransferable permit, any wild animal of certain enumerated species.

This bill would authorize a veterinarian, a registered veterinary technician, or an unregistered assistant working under the supervision of a veterinarian, to provide veterinary care and treatment for any animal enumerated in the provisions summarized above for the period of time that veterinary care and treatment are necessary.

(2) Existing law provides that the Department of Fish and Game may authorize any person, with specified exceptions, to be a license agent to issue any license, permit, reservation, tag, or other entitlement upon the department's approval of the application. Existing law requires the license agent to retain those funds in a separate bank account, separate from the license agent's other funds.

This bill would delete the requirement that the fees be kept in a separate bank account and would instead require the license agent to account for those fees separately from other funds belonging to the license agent.

(3) Under existing law, no hunting license may be issued to a person unless he or she presents to the person authorized to issue the license evidence of a current or prior license or completion of a hunter safety course. Evidence of a current hunting license issued by another state or province is acceptable for issuance of a hunting license.

This bill would permit issuing a hunting license upon evidence that the applicant either holds a current hunting license, or a hunting license issued in either of the 2 previous hunting years by another state or province.

(4) Existing law generally provides that no person may break, train, hold field trials with, or practice dogs on any wild game bird or domesticated game bird during the closed season for the particular bird, with certain exceptions.

This bill would delete those exceptions and instead provide that no person may take those actions, except as authorized by the Fish and Game Commission. To the extent that the bill would expand the scope of an existing crime, the bill would impose a state-mandated local program.

(5) Existing law continuously appropriates money in the Fish and Game Fund to the department and the commission to carry out the Fish and Game Code.

By imposing new duties on the department, the bill would make an appropriation.

(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. 454 (SB 1326) Committee on Local Government. Local Government Omnibus Act of 2002.

(1) Existing law requires the secretary of the governing body of a special district to deliver a notice to the county election official that, among other things, specifies the elective offices of the special district to be filled at the next general election.

This bill would require the secretary to specify which offices are for the balance of an unexpired term.

(2) Existing law specifies the declaration of candidacy form for a special district office. This bill would make technical corrections to the form.

(3) Existing law creates the California Debt and Investment Advisory Commission with various duties relative to the issuance of municipal bonds.

This bill would revise and recast certain of those provisions to, among other things, delete a requirement to select a vice chair and secretary, and require, by May 1, 2006, a specified report to the Legislature. The bill would make related and conforming changes in provisions relating to municipal investments.

(4) Existing law authorizes the lease of a portion of the Ione Youth Facility to the County of Amador on behalf of the Mother Lode Juvenile Facility Authority.

This bill would delete the reference to the Mother Lode Juvenile Facility Authority.

(5) Existing law sets forth the boundaries of Kern and Los Angeles Counties and authorizes counties to change, alter, or reform their boundaries by initiating a petition or by a resolution adopted by the legislative bodies.

This bill would revise the statutory descriptions of the boundaries of Kern and Los Angeles Counties, as specified.

(6) Existing law authorizes the board of supervisors to divide the county into election, school, road, supervisorial, sanitary, and other districts.

This bill would delete the references to school, sanitary, and other districts.

(7) Existing law authorizes a county board of supervisors to sell, exchange, quitclaim, or convey surplus real property without publishing and posting formal notices if the value of the property does not exceed \$10,000.

This bill would increase the maximum amount to which the provision applies to \$25,000.

(8) Existing law requires the county auditor or auditor-controller to exercise general supervision over the accounts of the county.

This bill would specify that those duties include the ability to review internal controls.

(9) Existing law authorizes the board of supervisors to apportion the compensation of county officers who perform municipal duties.

This bill would delete an obsolete reference from that provision.

(10) Existing law prescribes the duties of the county board of supervisors, district attorney, and auditor regarding counting money in the county treasury.

This bill would recast those provisions to generally require the county auditor to review the treasurer's statement of assets, as specified, thereby creating a state-mandated local program by imposing new duties on the county auditor and treasurer.

(11) Existing law requires the county auditor to report weekly to the board of supervisors regarding rejected claims.

This bill would delete that provision.

(12) Existing law requires a vote of at least 3 city council members for passage of specified resolutions, orders, and ordinances.

This bill instead would require a majority vote of the membership of the council.

(13) Existing law authorizes a city or its departments to lease or sublease land to the Department of Natural Resources for housing men, women, and equipment.

This bill instead would authorize a city or its departments to lease or sublease land to the state for housing personnel and equipment.

(14) Existing law authorizes local agencies to fund health and welfare benefits for spouses and children.

This bill would authorize those benefits to be funded for spouses and dependent children of retired officers and employees.

(15) Existing law authorizes specified persons to commence an action for a judicial determination that actions of a local agency violated specified public meeting laws.

This bill would include provisions relative to emergency meetings within those specified laws.

(16) Existing law authorizes a community services district to exercise powers, including, among other things, the constructing, opening, widening, extending, straightening, surfacing, and maintaining, in whole or in part, of any street in the district, subject to the consent of the governing body of the county or city in which the improvement is to be made.

This bill would authorize the Nipomo Community Services District to adopt by resolution the power to install or plant and maintain landscaping within public street rights-of-way or easements within the district.

(17) Existing law authorizes park and recreation districts to provide, among other things, community recreation programs, recreation facilities, parks, and open space.

This bill would authorize the Parker Dam Recreation and Park District, the Coachella Valley Recreation and Park District, and the Hesperia Recreation and Park District to provide street lighting facilities and services.

(18) Existing law contains provisions relative to establishing a system of coordinates for mapping and surveying purposes.

This bill would revise those provisions, as specified.

(19) Existing law provides for the election of trustees to the board of a reclamation district at a time and place designated by the county board of supervisors and requires the secretary of the board to publish a notice at least 7 days prior to the final date for receiving petitions for nominations for the office of trustee.

This bill would require that the notice state that the petition must indicate whether the nomination is for an unexpired term and would make technical corrections to the official filing petition.

(20) This bill would incorporate additional changes in Section 53635 of the Government Code proposed by AB 2122, to be operative only if AB 2122 and this bill are both enacted and become effective on or before January 1, 2003, and this bill is enacted last.

(21) 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. 455 (AB 138) Nation. Bidding procedures: alternative bids.

Existing law affecting state contracts prescribes procedures for determining the lowest bidder if additions or deletions from the base bid are considered, authorizes local agencies and the Trustees of the California State University to include alternatives that may be added

to, or deleted from, the final bid award for a project, and specifies how those alternatives shall be considered in determining who is the lowest responsible bidder. Existing law requires the lowest bid to be determined in a manner that prevents any information that would identify any of the bidders from being revealed to the public entity before the ranking of all bidders from lowest to highest has been determined.

This bill would also require the determination of the lowest bid to be made in a manner that prevents any information that would identify any of the proposed subcontractors or suppliers from being revealed to the public entity before the ranking of all bidders from lowest to highest has been determined.

Ch. 456 (AB 736) Oropeza. 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 or legislative action, of a memorandum of understanding entered into between the state employer and State Bargaining Unit 13, International Union of Operating Engineers, Stationary Engineers, 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, as specified, for those members in State Bargaining Unit 13 until June 30, 2003.

The bill would also declare that it is to take effect immediately as an urgency statute.

Ch. 457 (AB 947) Jackson. Pesticides: schoolsites.

(1) Existing law authorizes the levy of civil penalties of not more than \$1,000 for each violation of any provision of a specified body of law relating to pesticides.

This bill would increase this penalty to not more than \$5,000 for each violation determined to be a serious violation. This bill would also require a county agricultural commissioner to charge a fee for monitoring subsequent pesticide applications made within  $\frac{1}{4}$  mile of a school by a person who has received a civil penalty for a specified violation of law relating to pesticides.

(2) Under existing law, the agricultural commissioner of any county may adopt regulations applicable in his or her county that are supplemental to those of the Secretary of Food and Agriculture that govern the conduct of pest control operations and records and reports of those operations.

This bill would authorize the commissioner of any county to apply these regulations to the agricultural use of any pesticide within  $\frac{1}{4}$  mile of a school, as specified, and would allow the Director of Pesticide Regulation to disapprove the conditions within 30 days of their submission.

(3) 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.

This bill would provide that the school safety plan may include, at local discretion of the governing board of the school district, procedures for responding to the release of a pesticide or other toxic substance from properties within  $\frac{1}{4}$  mile of a school. This bill would provide that no funds received from the state may be used for this purpose.

Ch. 458 (AB 1342) Alquist. Postsecondary education: international education.

Existing law, known as the Donahoe Higher Education Act, sets forth, among other things, the missions and functions of California's public and independent segments of higher education and their respective institutions of higher education. Provisions of the act apply to the University of California only to the extent that the Regents of the University of California, by appropriate resolution, act to make a provision applicable.

This bill would encourage all public and private institutions of higher education in the state to develop, as their resources permit, programs that support learning about other cultures, global issues, and the exchange of Californians and international students and scholars. The bill would, among other things, encourage institutions to develop courses and programs in international studies, to promote the presence of international students, and to facilitate international exchange programs, as their resources permit.

Ch. 459 (AB 1936) Horton. Taxation: State Board of Equalization: returns.

The State Board of Equalization administers various tax laws, including the Sales and Use Tax Law, under which the board is authorized to accept sales and use tax returns by electronic media. That law also requires that returns filed with the board be authenticated in a manner prescribed by the board.

This bill would provide a similar authorization and authentication requirement under the Motor Vehicle Fuel Tax Law, the Use Fuel Tax Law, the Cigarette and Tobacco Products Tax Law, the Alcoholic Beverage Tax Law, the Energy Resources Surcharge Law, the Emergency Telephone Users Surcharge Law, the Hazardous Substances Tax Law, the Integrated Waste Management Fee Law, the Oil Spill Response, Prevention, and Administration Fees Law, the Underground Storage Tank Maintenance Fee Law, the Fee Collection Procedures Law, and the Diesel Fuel Tax Law.

Ch. 460 (AB 2002) Alquist. Urban search and rescue emergency response advisory committee.

Existing law generally sets forth the duties of the Seismic Safety Commission, in overseeing various emergency response activities in the state relating to earthquake hazard reduction and prediction.

This bill would require the Seismic Safety Commission, in consultation with the Director of Emergency Services, to establish an urban search and rescue emergency response advisory committee to prepare and submit to the commission chairperson a strategy, plan, and recommendations for addressing the resource needs of emergency urban search and rescue units.

Ch. 461 (AB 2406) Committee on Governmental Organization. Disaster assistance.

The Natural Disaster Assistance Act requires that the Director of the Office of Emergency Services provide financial assistance to local agencies for public real property that is damaged or destroyed by a natural disaster. The Natural Disaster Assistance Fund is continuously appropriated, without regard to fiscal years, for purposes of the act.

This bill would rename this act the Disaster Assistance Act, would delete from these provisions the requirement that the disaster qualifying for the assistance be from natural causes, and would include a terrorist act or epidemic as a disaster for this purpose.

This bill would rename the special fund described above the Disaster Assistance Fund and would, by expanding the purposes for which moneys in that continuously appropriated fund are available, thereby constitute an appropriation.

The bill would make technical, conforming changes.

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**NOTE:** Superior numbers appear as a separate section at the end of the digests.

Ch. 462 (AB 2425) Richman. The Los Angeles Unified School District: Inspector General.

Existing law, until January 1, 2005, authorizes the Los Angeles Unified School District's Office of Inspector General to subpoena witnesses, administer oaths or affirmations, take testimony, and compel the production of all information, documents, reports, answers, records, accounts, papers, and other data and documentary evidence deemed material, relevant, and reasonably related to any inquiry or investigation undertaken by the inspector general when he or she has a reasonable suspicion that a law, regulation, rule, or district policy has been or is being materially violated. Existing law makes it a crime to knowingly provide the inspector general false information under oath.

This bill would extend that date to January 1, 2015, thereby imposing a state-mandated local program by extending the criminal sanctions for providing false information. The bill would, in addition, authorize the inspector general to perform audits that are reasonably related to any inquiry or investigation undertaken by the inspector general when he or she has a reasonable suspicion that a law, regulation, rule, or district policy has been or is being materially violated.

This bill would make certain findings and declarations regarding the inapplicability of a general statute within the meaning of Section 16 of Article IV of the California Constitution.

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. 463 (AB 2950) Strom-Martin. Instructional strategies: subject matter projects.

(1) Existing law provides for the establishment and maintenance of 6 subject matter projects by the Regents of the University of California with the approval of the Concurrence Committee. Existing law provides that these subject matter projects are to create opportunities for researchers, higher education faculty, and elementary and secondary school faculty to work together to identify exemplary teaching practices, examine and develop research on learning, knowledge, and educational materials and to provide support to teachers to develop and enhance content knowledge and pedagogical skills.

Existing law also 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. Existing law provides that the provisions concerning the subject matter projects and the professional development institutes will become inoperative on June 30, 2002, and will be repealed as of January 1, 2003.

This bill would extend the inoperative date to June 30, 2007, and the repeal date to January 1, 2008, and would make these provisions applicable only to the subject matter projects, thereby eliminating the inoperative date and repeal date for the California Professional Development Institutes.

(2) Existing law requires a 4-year independent evaluation of the effectiveness of the subject matter projects to be reported to the State Board of Education, the Governor, and the Legislature by July 1, 2002, and requires annual reports of the preliminary results of this evaluation beginning July 1, 2000.

This bill would require the independent evaluation to be reported by February 1, 2006, and would require annual reports of the preliminary results of the evaluation beginning February 1, 2004.

Ch. 464 (AB 2964) Shelley. Hunters Point Shipyard Conversion Act of 2002.

(1) Existing law contains provisions governing military base closures.

This bill would grant to, and vest in, the San Francisco Redevelopment Agency, all of the state's right, title, and interest in the Hunters Point trust lands, and, upon conveyance by the federal government to the agency, in appurtenances located on Hunters Point submerged lands, subject to the public trust and the terms and conditions of this bill. The bill would authorize the agency to use, conduct, operate, maintain, manage, administer, regulate, improve, lease, and control the Hunters Point trust lands in conformance with this bill and the public trust. The bill would authorize the agency to grant franchises, permits, privileges, licenses, easements, or leasehold interests in connection with the Hunters Point trust lands, or any part thereof, for a term not exceeding 66 years.

The bill would require the agency to deposit all moneys collected by the agency arising out of the use or operation of any of the Hunters Point trust lands into a special fund maintained by the agency. The bill would require the agency to prepare an annual statement of financial conditions and operations and to submit the statement to the State Lands Commission each year on or before October 1, 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. 465 (SB 1251) Johannessen. Military and Veterans Code: veterans' farm and home purchase program: obsolete references.

The existing Military and Veterans Code contains various references that have been rendered obsolete by subsequent changes in the law.

This bill would correct some of these obsolete references.

Existing law provides for farm and home purchase benefits for qualifying veterans under the Veterans' Farm and Home Purchase Act of 1943, and subsequent acts.

Existing law authorizes the Department of Veterans Affairs to advance to any purchaser sums for certain purposes, including, but not limited to, paying taxes and assessments, or making certain improvements, and permits any of the money so advanced to be added to the deferred principal of the purchaser's account bearing interest at the same rate.

This bill would define purchaser for those purposes. The bill would instead permit any of the money so advanced to be added to the deferred principal of the purchaser's account bearing interest at the rate prescribed by the department.

This bill would authorize the department, out of any money available in the Veterans' Farm and Home Building Fund of 1943, to advance to a purchaser sums for the purpose of making alterations, repairs, or improvements on or in connection with the principal residence of the purchaser.

The bill also would require that all loans granted under these provisions be funded in accordance with federal laws governing the use of tax-exempt bonds.

The Veterans' Farm and Home Purchase Act of 1943 provides that the Department of Veterans Affairs shall not acquire a home in which the veteran has an interest of record, except in specified instances.

This bill would provide an additional exception where the veteran had a prior interest of record in the property as a result of property left in trust at the time of filing his or her application for a loan. The bill would also provide that the loan may only be used to pay the amount of any existing encumbrance.

The Veterans' Farm and Home Purchase Act of 1974 authorizes the Department of Veterans Affairs to prescribe and determine the qualifications for all veterans and requires that certain veterans be given preference over other veterans based upon the nature of their service.

This bill would revise the preference categories and provide that the preference categories shall be used whenever the department determines that a shortage of funds exists in any of the funding sources available.

Existing law provides that whenever applications for loans under the program exceed the amount of funds available, the department may establish, only once in each calendar year, a date so as to provide funding to veterans whose applications were filed on or before that date.

This bill would instead provide that whenever applications exceed the amount of funds available in any one or more of the available funding categories, the department may establish an eligibility date for each funding category.

Ch. 466 (SB 1281) Haynes. Veterans homes: accounting for charges.

Under existing law, a member of a veterans home is required to pay fees and charges as determined by the Department of Veterans Affairs.

This bill would require the administrator of the home to provide each member of the home upon admission, with a written notice, as specified, of the costs of care that may be incurred in excess of the member contribution fee, and with a quarterly statement or accounting of all charges for the costs of care rendered to the member in excess of the member fee, as defined.

Ch. 467 (SB 1416) Polanco. Charter schools: community day schools.

Existing law provides that a charter school that serves at-risk pupils and operates under a charter approved before June 1, 1997, by the Los Angeles County Board of Education may continue to operate until June 30, 2003.

This bill would extend the date until June 30, 2008, provided that the authority to continue operation is approved by the county board of education.

Existing law requires the county board of education to establish specific accountability criteria, to annually measure the performance of the charter school, and requires the performance criteria to include specified requirements.

This bill would delete the specified performance criteria requirements and instead require the county board of education to establish accountability criteria that are in compliance with the alternative accountability system developed by the Superintendent of Public Instruction for schools with fewer than 100 test scores contributing to the school's Academic Performance Index. The bill would require the county board of education to annually report the measurement to the State Department of Education, the Department of Finance, the Assembly Committee on Education, the Assembly Committee on Appropriations, the Senate Committee on Education, and the Senate Committee on Appropriations.

This bill would make certain findings and declarations regarding the inapplicability of a general statute within the meaning of Section 16 of Article IV of the California Constitution.

Ch. 468 (SB 1460) Ortiz. Capitol Area Plan: R Street Area.

Existing law establishes the capitol area and the project area boundaries of the Capitol Area Plan within the City of Sacramento. Existing law also grants the Capitol Area Development Authority (CADA) the powers of a redevelopment agency to direct the development of the project area within the capitol area of the Capitol Area Plan and authorizes CADA to adopt documents necessary or convenient to, among other things, the allocation of property taxes for the financing of redevelopment in the project area.

This bill would enlarge the capitol area and project area of the Capitol Area Plan to include an area referred to as the R Street Area, as defined. The bill would require CADA to prepare a redevelopment plan for the R Street Area that furthers the purposes and objectives of the Capitol Area Plan and would require that the plan be approved after published notice and at least one public hearing.

The bill would also require the rehabilitation, development, or construction of very low, low-, and moderate-income replacement housing, as specified, within 4 years of its

destruction or removal in the R Street Area. It would establish specified time limits for the activity of CADA in the R Street Area.

The bill would also authorize CADA to allocate and use rents from state-owned and leased property and property taxes for the R Street Area and to separately account for their use and allocation.

Ch. 469 (SB 1470) Johannessen. California State Military Museum.

Existing law authorizes the Adjutant General, the commander of all state military forces, to establish a California National Guard Military Museum and Resource Center as a repository for military artifacts, memorabilia, equipment, documents, and other items relating to the history of the California National Guard.

This bill would instead require the Adjutant General to establish a California State Military Museum and Resource Center and enter into an operating agreement with the California Military Museum Foundation to conduct the day-to-day operations of the museum, as specified. The bill would appropriate \$100,000 for each fiscal year from the General Fund to the California State Military Museum.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 470 (SB 1492) Perata. Transportation: Metropolitan Transportation Commission.

Existing law requires the Metropolitan Transportation Commission to provide comprehensive regional transportation planning for the region comprised of the City and County of San Francisco and the Counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano, and Sonoma.

This bill would impose a state-mandated local program by requiring the commission, to the extent funds are available, to establish certain goals and measurable objectives for planning corridors and subcorridors for, and to establish performance measurement criteria to evaluate certain new transportation projects and programs in, the regional transportation plan.

This bill would specify that all costs incurred by the commission in discharging these functions shall be paid solely from funds allocated to it for the conduct of the transportation planning and programming process.

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. 471 (SB 1656) Scott. Teacher credentialing: registered sex offenders.

(1) Existing law requires the Commission on Teacher Credentialing to deny an application for the issuance or renewal of a credential made by an applicant who has been determined to be a sexual psychopath, as defined, who has been convicted of a sex offense, as defined, or a controlled substance offense, as defined, or who has been found to be insane through a criminal proceeding, as prescribed.

This bill would additionally require the commission to deny the application of any applicant who is required to register as a sex offender, as prescribed.

(2) Existing law requires the commission to suspend the credential of any credential holder who is convicted of a sex offense, as defined, or a controlled substance offense, as defined, and to revoke that credential when the conviction becomes final or when the imposition of sentence is suspended. Existing law also sets forth a procedure that is

applicable when a credential holder makes a plea of nolo contendere that does not constitute a conviction, as defined, of a sex offense, as defined.

This bill would additionally require the commission to suspend the credential of any credential holder who is required to register as a sex offender, as prescribed. The bill would provide for reinstatement or revocation of the certificate upon final disposition of the underlying conviction, as provided.

(3) Existing law provides that, upon being charged, as specified, with certain sex or controlled substance offenses, a certificated employee of a school district be placed on compulsory leave of absence.

This bill would require a school district to forward a copy of the charge to the commission no later than 10 days after receipt, thus imposing a state-mandated local program. The bill would require the commission, upon receiving a copy of the complaint, information, or indictment containing the charge to automatically suspend the employee's credential. The bill would provide for the duration of the suspension to be not more than 10 days after the date of entry of the judgment in the proceedings.

(4) This bill would declare that it is to take effect immediately as an urgency statute.

(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. 472 (SB 1768) Murray. Regional transportation improvement program.

Existing law requires that funds made available for transportation capital improvement projects be programmed and expended for specified program categories, including regional improvements. Under existing law, a regional transportation planning agency and a county transportation commission are required to submit to the Department of Transportation and the California Transportation Commission a 5-year regional transportation improvement program, including projects to be funded with regional improvement funds.

This bill would authorize the department to nominate or recommend projects to be included in the regional transportation program to improve state highways using regional transportation improvement funds. The bill would specify that the regional transportation planning agency or county transportation commission has the sole authority to determine whether the projects are included in the regional transportation improvement program.

#### Ch. 473 (SB 1893) Johannessen. Veterans' farm and home purchase program.

Existing law provides for farm and home purchase benefits for qualifying veterans under the Veterans' Farm and Home Purchase Act of 1974, and subsequent acts. For these purposes, existing law requires the purchase price of a home to the Department of Veterans Affairs, or a sum to be expended by the department pursuant to a contract for the construction of a dwelling house and other improvements, or the purchase price of a mobilehome, under specified conditions, not to exceed \$250,000.

This bill would instead require that the maximum amount be changed to the then current Fannie Mae maximum loan limit for a single-family home set annually by Fannie Mae.

Existing law establishes the maximum purchase price of a home and the maximum costs of construction of a home, and establishes requirements relating to the purchaser's payment responsibilities, including, but not limited to, the requirement that the purchaser pay interest at a rate determined by the Department of Veterans Affairs pursuant to a prescribed procedure.

This bill would authorize the department to establish separate rates of interest, as prescribed, payable on the amounts remaining unpaid under veterans' purchase contracts for any contractholder, called to active duty in the military service of the United States, who qualifies for relief under certain provisions of federal law.

Ch. 474 (SB 1900) McPherson. California Tourism Marketing Act.

The California Tourism Marketing Act authorizes the California Travel and Tourism Commission to levy assessments on certain businesses in the travel and tourism industry in the state according to referendum of the assessed businesses, to reach a level of \$25,000,000 per fiscal year. The act states the intent of the Legislature that the state shall be responsible for appropriating a minimum of \$7,300,000 each fiscal year for travel and tourism, and authorizes the industry to terminate the commission by referendum if the state fails to appropriate that amount in any fiscal year, while the state may decide not to appropriate funding in the event that the commission fails in any fiscal year to target its annual assessment level at or above a specified level.

The act provides that the commission may be terminated after the initial 4 years of operation by referendum of the assessed businesses held every 2 years. The act also requires, among other things, commencing with the 3rd referendum, the commission by adopted resolution to determine the individuals who will run for commissioner and the termination of the commission.

This bill would, instead, require that, commencing with the referendum held in 2007, and every 6 years thereafter, the resolution to also cover the continuation of the commission. It would also permit the commission to be terminated at any time by a referendum called by a minimum of 10% of the assessed businesses.

The bill would also delete obsolete provisions and make other conforming changes.

Ch. 475 (SB 1924) O'Connell. Vehicles.

Existing law requires a person under 18 years of age to wear a properly fitted and fastened bicycle helmet while operating a bicycle or riding upon a bicycle as a passenger upon the streets or any other public bicycle path.

This bill would also require that persons under 18 years of age wear a helmet while operating a nonmotorized scooter or skateboard, while wearing in-line or roller skates, or while riding upon a nonmotorized scooter or skateboard as a passenger. Because this bill would expand the scope of an existing 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. 476 (AB 1748) Dickerson. Department of Forestry and Fire Protection: contract pilots: death benefits.

Under existing law, the Department of Forestry and Fire Protection is required, among other things, to provide fire prevention and firefighting equipment, organize crews and patrols, and employ necessary personnel.

This bill would require that all contracts entered into by the department to retain the services of pilots to fly firefighting aircraft contain an express provision that if the pilot dies while performing his or her duties under the contract, eligible survivors, if any, of the pilot shall receive a one-time lump-sum death benefit.

The bill would specify that it would not relieve the pilot's employer from the obligation to secure coverage for workers' compensation; eliminate or reduce any workers' compensation benefits otherwise available; or affect, alter, or eliminate any other remedy otherwise available at law.

Ch. 477 (AB 2328) Wayne. Medical experiments.

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 would authorize certain persons to give surrogate informed consent for a person to be subjected to a medical experiment when conducted within an institution that holds an assurance with the United States Department of Health and Human Services in accordance with specified regulations, if that person is unable to give that consent. This bill would provide that these provisions apply only to medical experiments that relate to the cognitive impairment, lack of capacity, or serious or life threatening diseases and conditions of research participants.

Ch. 478 (AB 2352) Cedillo. Health facility financing.

Under existing law, the California Health Facilities Financing Authority Act, there is a California Health Facilities Authority, which is empowered to make loans under certain conditions from the continuously appropriated California Health Facilities Financing Authority Fund to nonprofit corporations or associations for financing or refinancing the acquisition, construction, or remodeling of health facilities. Existing law requires that no loan to finance a project exceed the cost of the project, as determined by the participating health institution and approved by the authority.

Existing law authorizes the authority to award grants to any eligible participating primary care clinic for purposes of financing capital outlay projects and requires the authority to develop selection criteria and a process for awarding these grants.

This bill would authorize the authority to award grants to any eligible health facility for purposes of financing projects. The bill would require the authority to develop selection criteria and a process for awarding these grants.

The bill would require that grants awarded under the bill be financed by funds from the California Health Facilities Authority Fund. Because the bill would expand the purposes for which a continuously appropriated fund may be used, it would result in an appropriation.

This bill, for purposes of the California Health Facilities Financing Authority Act, would revise the definition of "health facility" to, among other things, include a "nonprofit speech and hearing center" and a "blood bank," as defined, and would revise the definition of "cost" and "project."

Existing law provides for the selection of the officers of the authority and requires the authority to establish financial eligibility standards, as prescribed.

This bill would revise the method for the selection of officers of the authority and the criteria for establishing financial eligibility standards.

Ch. 479 (AB 2462) Bates. Victims of crime: domestic violence: children.

Existing law provides for the indemnification by the California Victim Compensation and Government Claims Board of victims of specified types of crimes, for certain expenses for which the victim has not been and will not be reimbursed from any other source. "Victim" is defined for these purposes to mean a person who sustains injury or death as a direct result of a crime. "Injury" is defined for these purposes to include physical and emotional injury, or both, subject to certain conditions, and until January 1, 2004, a child who has been the witness of a crime or crimes of domestic violence may be presumed by the board to have sustained physical injury for these purposes. Indemnification is made under these provisions from the Restitution Fund, which is continuously appropriated to the board for these purposes.

This bill would additionally provide, on a permanent basis, that a child who resides in a home where a crime or crimes of domestic violence have occurred may be presumed by the board to have sustained physical injury, regardless of whether the child has witnessed the

crime. By expanding the pool of persons eligible for payments from a continuously appropriated fund, this bill would make an appropriation.

Ch. 480 (SB 399) Ackerman. Business organizations: conversions.

Existing law provides for the creation of various forms of business organizations, including various forms of partnerships, corporations, and limited liability companies, and provides for conversion of certain of these forms of business organizations, other than corporations, into other forms of business organizations. Under existing law, a business organization is required to file specified documents with the Secretary of State. The Secretary of State is authorized to charge a fee in connection with the filing that is paid into the Secretary of State's Business Fees Fund.

This bill would establish procedures for the conversion of California corporations into domestic limited liability companies, limited partnerships, or general partnerships. The bill would also establish procedures for the formation of a California corporation upon the conversion of a foreign or domestic limited liability company, limited partnership, or general partnership or upon the conversion of a foreign corporation. The bill would impose a fee of \$250 for the conversion of an entity under these provisions, which would be decreased to \$150 on January 1, 2005.

This bill would incorporate additional changes to Section 25005.1 of the Corporations Code made by SB 1926 if it is enacted prior to this bill.

Ch. 481 (SB 564) Speier. Healing arts: training in spousal or partner abuse treatment.

Existing law provides for the licensing and regulation of psychologists; marriage, family, and child counselors; and social workers. Under existing law, an applicant for licensure in these professions is required to complete certain coursework or training in order to be eligible to sit for the licensing examination, including coursework in spousal or partner abuse assessment, detection, and intervention. Existing law also requires these professionals to participate in continuing education as a prerequisite for renewing their license. A violation of the laws regulating these professionals is a crime.

This bill would require an applicant for licensure as a psychologist; marriage, family, and child counselor; or social worker who began graduate study on or after January 1, 2004, to complete a minimum of 15 contact hours of coursework or training in spousal or partner abuse assessment, detection, and intervention strategies. The bill would also require a person licensed in these professions who began graduate study prior to January 1, 2004, to take a continuing education course in spousal or partner abuse assessment, detection, and intervention strategies. The bill would specify that this continuing education provision becomes operative on January 1, 2004.

Because a violation of the bill's requirements would be 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. 482 (SB 423) Torlakson. Workforce Housing Reward Program.

Existing law establishes, among other housing programs, the Jobs-Housing Balance Improvement Program administered by the Department of Housing and Community Development.

This bill would establish the Workforce Housing Reward Program to be administered by the department to provide local assistance for the construction or acquisition of capital assets to cities, counties, and cities and counties that provide land use approval to affordable housing developments, as specified.

This bill would become operative only upon approval by the voters of the Housing and Emergency Shelter Trust Fund Act of 2002 as enacted by Chapter 26 of the Statutes of 2002, and would prescribe the use of certain funds that would be transferred to the Jobs-Housing Balance Improvement Account pursuant to that act.

Ch. 483 (SB 1315) Sher. Pharmaceuticals: purchasing.

Existing law authorizes certain state entities to purchase drugs for health purposes.

This bill would authorize the Department of General Services to enter into contracts on a bid or negotiated basis with manufacturers and suppliers of single source or multisource drugs, and would authorize the department to obtain from them discounts, rebates, or refunds as permissible under federal law.

This bill would require the State Department of Mental Health, the Department of Corrections, the Department of the Youth Authority, and the State Department of Developmental Services to participate in the program authorized by this bill. This bill would also authorize other state, local, and public agency governmental entities to elect to participate in the program.

This bill would authorize the Department of General Services to contract with a pharmaceutical benefits manager or other entity to negotiate price discounts, rebates, or other options for, and to purchase, prescription drugs and to act as a consultant to the department.

This bill would authorize the Department of General Services to explore additional strategies for managing drug costs. It would also require the department, on or before February 1, 2005, to submit a report containing specified information to certain committees of the Legislature regarding the program.

Ch. 484 (SB 1365) Speier. Personal income taxes: contributions: California Breast Cancer Research Fund.

The Personal Income Tax Law allows taxpayers, until January 1, 2003, to designate on their tax returns that a specified amount in excess of their tax liability be contributed to the California Breast Cancer Research Fund. Existing law requires money in that fund, upon appropriation by the Legislature, to be allocated to the University of California for the support of the Breast Cancer Research Program for the purposes of that program that are related solely to breast cancer research.

This bill would extend the operation of those provisions until January 1, 2008. The bill would also authorize the University of California to use up to 5% of the money allocated to it for administering and promoting the program.

Ch. 485 (SB 1379) O'Connell. Speech-language pathologists: endoscopies.

(1) Existing law, the Speech-Language Pathologists and Audiologists Licensure Act, authorizes the licensure, regulation and discipline of speech-language pathologists and audiologists by the Speech-Language Pathology and Audiology Board. Existing law defines the practice of speech-language pathology.

This bill would expand the definition of speech-language pathology by authorizing a speech-language pathologist who meets specified criteria, including having performed 25 flexible fiberoptic nasendoscopic procedures, to use a rigid or flexible endoscope in an acute care setting, as defined, to observe the pharynx and larynx areas of the throat in order to observe, collect data, and measure the parameters of communication and swallowing and to guide communication and swallowing assessment and therapy. The bill would require a speech-language pathologist who passes a flexible fiberoptic nasendoscopic instrument to be under the direct authorization of a certified otolaryngologist and the supervision of a physician and surgeon.

(2) Existing law provides that a person who has a valid certificate of clinical competence in speech-language pathology or audiology meets the educational and experience requirements for licensure.

This bill would require an applicant for licensure who has obtained any qualifications in violation of the act or who does not meet the licensing qualifications to correct the deficiency in order to qualify for licensure. The bill would additionally provide that a deficient application is deemed abandoned if the deficiency is not corrected within one year from the date of the deficiency notice.

(3) Existing law requires the board to adopt regulations that set forth the standards for approval of Associate Degree Speech-Language Pathology Assistant training programs based on established standards and curriculum guidelines.

This bill would authorize the board to establish a site review committee to conduct onsite evaluations, inspections, and investigations of speech-language pathology assistant training programs and to assess the training program's compliance with the board's practice act. The bill would prohibit the review committee members from receiving compensation but would require the members to be reimbursed for travel and per diem expenses by the institution that is the subject of the evaluation, inspection, or investigation. The bill would revise other provisions of the act.

Ch. 486 (SB 1493) Alpert. Medi-Cal: reimbursement procedures.

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.

Existing law establishes procedures for the reimbursement of providers under the Medi-Cal program.

This bill would authorize the department to negotiate or renegotiate settlements with any acute care hospital in San Diego County that has a distinct part pediatric convalescent facility, and that has violated any Medi-Cal reimbursement policy or procedure governing the operation of acute care hospitals. It would authorize the department, in a settlement negotiated or renegotiated pursuant to the bill, to waive all or part of any Medi-Cal overpayment that would otherwise be reimbursable to the department by an acute care hospital.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 487 (SB 1660) Scott. Income tax and bank and corporation taxes.

The Personal Income Tax Law and the Bank and Corporation Tax Law authorize various credits against the taxes imposed by those laws, including a credit, calculated on the basis of either years of service or a specified formula, to a credentialed teacher for each taxable year beginning on or after January 1, 2000.

This bill would, for purposes of calculating this credit on the basis of years of service, make clarifying, technical changes to the definition of a qualified educational institution.

Existing law also authorizes a credit against certain taxes for each taxable year beginning on or after January 1, 2001, and before January 1, 2006, in an amount equal to 10% of the qualified cost, as provided, of property for use in the manufacture of a product for ultimate use in a Joint Strike Fighter, as specified, that is placed in service in this state. Existing law also allows a credit against the taxes for taxable years beginning on and after January 1, 2002, and before January 1, 2004, for certain amounts relating to the use of solar energy systems, as defined.

This bill would make a clarifying change to the definition of qualified cost for purposes of the Joint Strike Fighter credit, and to the definition of solar energy system for purposes of the solar energy system credit.

The Bank and Corporation Tax Law provides, for taxable years beginning on or after January 1, 1987, that gross income includes a debt obligation that is sold, exchanged, or matured, as provided.

This bill would repeal this provision.

Existing law requires the Department of Justice, in consultation with the Franchise Tax Board, to examine how to better collect various court-imposed payment obligations. Existing law repeals this requirement on January 1, 2003.

This bill would delete this repeal date to allow this examination to continue in perpetuity.

Ch. 488 (AB 2065) Oropeza. Sales and use taxes: income and bank and corporation taxes.

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. Any unpaid taxes due and payable under that law are subject to penalties, interest, and any expenses and fees associated with the collection of the taxes owed.

This bill, for the period beginning on October 1, 2002, and ending on June 30, 2003, would authorize the State Board of Equalization to forgive any penalties and interest on unpaid taxes owed by eligible taxpayers, as defined, to the extent that the underlying tax liability is reduced by an eligible amount, as defined.

The Personal Income Tax Law imposes a tax measured by the income of residents and part-year residents. Any unpaid taxes due and payable under that law are subject to penalties, interest, and any expenses and fees associated with the collection of the taxes owed.

This bill, for the period beginning on October 1, 2002, and ending on June 30, 2003, would authorize the Franchise Tax Board to forgive any penalties, interest, and fees on unpaid taxes owed by eligible taxpayers, as defined, to the extent that the underlying tax liability is reduced by an eligible amount, as defined.

The Personal Income Tax Law authorizes various credits against the tax imposed by that law, including a credit for credentialed teachers in an amount equal to the lesser of (1) the applicable of specified amounts based upon years of service as a teacher, or (2) 50% of the amount of tax imposed upon the taxpayer's income that is attributable to service as a teacher at a qualifying educational institution.

This bill would suspend the credit for taxable years beginning on or after January 1, 2002, and before January 1, 2003.

Existing law allows individual and corporate taxpayers to utilize net operating loss carryovers for purposes of offsetting their individual and corporate tax liabilities.

This bill would disallow the deduction for specified net operating loss carryovers in the 2002 and 2003 taxable years. The bill would extend the carryover period for the net operating losses, thus allowing the taxpayers to have the same number of years to utilize the deduction as they would have if the change had not been enacted. For net operating losses incurred in taxable years beginning on and after January 1, 2004, this bill would allow a net operating loss carryforward deduction in an amount equal to 90% of the net operating loss incurred.

Existing law requires the transferee of real property to withhold  $3\frac{1}{3}\%$  of the purchase price of the property if the property was either acquired from a person, who is not a resident, or who after the transfer of the real property, will no longer be a resident of this state or from a corporation, if after the transfer that corporation has no permanent place of business in this state.

This bill, for taxable years beginning on or after January 1, 2003, would extend this  $3\frac{1}{3}\%$  withholding requirement to specified transfers of real property acquired from an individual.

Existing law requires the Franchise Tax Board to prepare wage withholding tables to be used by employers for purposes of withholding taxes on wages paid, but allows withholding at a rate of 6% with respect to supplemental wages in lieu of the withholding tables.

This bill would allow withholding at a rate of 9.3% with respect to stock options and bonus payments, in lieu of the withholding tables or the specified withholding rate with respect to supplemental wages, and would also make related conforming changes.

Existing law, with respect to the administration of income and corporate taxes, imposes penalties with respect to the underpayment of taxes.

This bill would provide for the waiver of certain penalties imposed for the underpayment of tax with respect to any law enacted during the 2002 calendar year.

The Bank and Corporation Tax Law, in specified conformity to federal income tax laws allows a deduction for bad debts, except that, among other things, the deduction of a savings and loan association, or bank or financial corporation is determined in accordance with special rules that allow a deduction for a reasonable addition to a reserve for bad debts.

This bill would, with respect to banks, modify that special rule to provide additional conformity to federal income tax laws relating to reserves for losses on loans of banks, except as otherwise provided. This bill would also make related changes with respect to the alternative minimum tax.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 489 (SB 1914) Committee on Insurance. Health.

Existing federal law, the Health Insurance Portability and Accountability Act of 1996 (HIPAA), establishes requirements to safeguard the privacy of medical information. The HIPAA specifies that its provisions supersede any contrary provision of state law, subject to specified exceptions. Existing state law, the Health Insurance Portability and Accountability Implementation Act of 2001, provides for the implementation of the HIPAA's requirements in this state, including requiring the Office of HIPAA Implementation to perform specified activities required for compliance with the act.

This bill would require the office to assume statewide leadership, coordination, direction, and oversight responsibilities for determining which provisions of state law concerning personal medical information are preempted by HIPAA. The bill would require state entities impacted by HIPAA, at the direction of the office, to assist in, and conform to, these determinations. The bill would also provide that any provision of state law concerning personal medical information is not applicable to the extent that it is superseded by HIPAA.

Ch. 490 (SB 1945) Kuehl. Discrimination.

(1) Under existing provisions of the California Fair Employment and Housing Act, a person filing a complaint for an unlawful practice with the Department of Fair Employment and Housing is required to file the complaint within one year, except that the period for filing may be extended as prescribed, under specified circumstances. Existing law provides that all persons within the jurisdiction of this state have the right to be free from any violence or intimidation by threat of violence, committed 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 those characteristics. A complaint for a violation of this provision may be filed with the Department of Fair Employment and Housing.

This bill would extend the time for filing a complaint with the department for an alleged violation of this prohibition for a period of time, not to exceed one year from the date the person aggrieved by the alleged violation becomes aware of a liable person, but in no case for a period of time that exceeds 3 years from the date of the alleged violation if during that period the person allegedly aggrieved by an alleged violation is unaware of the identity of any person liable for the alleged violation.

(2) The bill would also make other technical, conforming changes to existing law.

Ch. 491 (SB 2009) Morrow. Court documents: signature.

Existing law requires, until January 1, 2003, that all pleadings filed with a court be signed, except as specified, and that the filing of any paper with a court certifies specified conditions have been met. This provision also specifies the sanctions for violation of its requirements, but authorizes the withdrawal or correction of a pleading without sanction within 30 days, as specified.

This bill would shorten from 30 days to 21 days the period during which the challenged paper may be withdrawn or appropriately corrected, and extend the January 1, 2003, termination date of these provisions to January 1, 2006.

Ch. 492 (AB 1859) Papan. Special education: pupil suspension and expulsion.

Existing law requires school districts, county offices of education, and special education local plan areas to comply with state laws that conform to the federal Individuals with Disabilities Education Act (IDEA), in order that the state may qualify for federal funds available for the education of individuals with exceptional needs.

This bill would revise and recast those provisions relating to the education of a pupil with exceptional needs to conform those provisions with the IDEA.

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. 493 (AB 1948) Kelley. Local agency formation commissions.

Existing law prescribes the apportionment for the net operating expenses of the local agency formation commission among the county and the cities and special districts within the county.

This bill would revise the method of calculating independent special district revenues in order to determine independent special districts' apportionments of the net operating expenses of a commission, and would provide that no independent special district shall be apportioned a share of more than 50% of the total independent special districts' share of the commission's operational costs. The bill would provide, with respect to a district formed under the Local Health Care District Law that operates a hospital, that the district may not be apportioned any share until the fiscal year following positive net revenue, as defined, or, if the district has filed for and is operating under federal bankruptcy, until the fiscal year after its discharge from bankruptcy.

Ch. 494 (AB 2043) 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, for specified purposes, and authorizes grants and loans to be made from the fund for other purposes. One of the purposes for which grants and loans may be made is to directly rent or lease housing for short-term occupancy by migrant farmworker households.

This bill would limit the authorization for the making of grants and loans for this purpose only to instances where the department determines that there are extraordinary or emergency circumstances.

Ch. 495 (AB 2324) Diaz. Before and After School Learning and Safe Neighborhoods Partnerships Program.

Existing law, the Before and After School Learning and Safe Neighborhoods Partnerships Program requires every after school component of a program to operate a minimum of 3 hours a day and at least until 6 p.m. on every regular schoolday. Under the program, every after school component of the program is required to establish a policy regarding reasonable early daily release of pupils.

This bill would authorize an exception to the early daily release policy, as provided.

Ch. 496 (AB 2776) Simitian. Aviation: noise.

(1) 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, the location of all existing airports, and of all proposed airports shown on the general plan of any city or county, located within 2 statute miles of the subdivision. Existing law requires that a copy of the public report of the Real Estate Commissioner, when issued, be given to the prospective purchaser by the owner, subdivider, or agent prior to the execution of a binding contract or agreement for the sale or lease of any lot or parcel in a subdivision or upon request by any member of the public.

This bill would require the notice of intention filed with the application for a public report, to include a statement regarding whether the property is encompassed within an airport influence area, as defined.

(2) The Davis-Stirling Common Interest Development Act regulates common interest developments and defines the declarations and other governing documents that govern the operation of common interest developments and the associations that manage common interest developments. A declaration is required to contain specified information. Existing law provides that an owner of a separate interest in a common interest development must provide certain items to a prospective purchaser prior to transfer of title, including, among other things, a copy of the governing documents of the common interest development.

This bill would require that any declaration, recorded after January 1, 2004, contain a statement regarding whether the property is encompassed within an airport influence area.

(3) 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 in a Real Estate Transfer Disclosure Statement and a Natural Hazard Disclosure Statement. Existing law requires certain sellers of residential real property who have actual knowledge that the property is affected by or zoned to permit certain manufacturing, commercial, or airport uses to give written notice of that knowledge, as soon as practicable before transfer of title. Existing law requires the disclosure statement to advise a purchaser that other reports and disclosures, such as an inspection report, have or will be made in connection with the transfer.

This bill would revise the Real Estate Transfer Disclosure Statement to require that statement to advise the prospective purchaser of other disclosures required by law, including the Natural Hazard Disclosure Report/Statement that may include airport annoyances, earthquake, fire, flood, or special assessment information, that have or will be made in connection with the transfer.

(4) Existing law limits the liability of a transferor for failing to disclose natural hazards if the transferor obtains a report or opinion prepared by a licensed engineer, land surveyor, geologist, or expert in natural hazard discovery dealing with matters within the scope of the professional's license or expertise.

The bill would condition this limitation upon the expert in natural hazard discovery determining whether the property is within an airport influence area and if so, providing notice with the report or opinion.

This bill would provide that its provisions will become operative on January 1, 2004.

#### Ch. 497 (AB 2807) Firebaugh. Arts education.

Existing law, until January 1, 2003, provides for the Local Arts Education Partnership Program, a program that develops a locally based approach to arts education improvement by using existing community arts resources in a planned and coordinated way to strengthen basic arts skills in the state's public schools.

This bill would extend the date of repeal to January 1, 2008. The bill would, in addition, make a technical, nonsubstantive change to these provisions.

#### Ch. 498 (SB 284) Polanco. School facilities.

Existing law declares the policy of the state to use available resources at state facilities that can substitute for traditional energy and water supplies or produce electricity or water at its facilities when use or production will reduce long-term energy or water expenditures. Existing law, the State Building Construction Act of 1955, authorizes the State Public Works

Board, in furtherance of this policy, to develop energy and water conservation and cogeneration and alternative energy and water supply sources at state facilities, including, but not limited to, publicly funded schools that maintain kindergarten or any of grades 1 to 12, inclusive.

Existing law establishes certain siting and construction requirements for school facilities.

This bill would require the Energy Resources Conservation and Development Commission, in consultation with the State Department of Education and the Division of the State Architect and the Office of Public School Construction within the Department of General Services, to recommend best design practices that include energy efficiency measures for all new public schools, and to report the recommendations to the Governor and the Legislature by October 1, 2003.

Ch. 499 (SB 879) Brulte. Bipartisan California Commission on Internet Political Practices.

Existing law creates the Bipartisan California Commission on Internet Political Practices to study the issues presented by political activity on the Internet, including the issue of political cyberfraud, in relation to the goals and purposes of the Political Reform Act of 1974, and to report thereon to the Legislature by September 30, 2002. Existing law authorizes the chairperson of the commission to hire a director, a secretary, and a legal adviser to provide assistance to the committee.

This bill would extend the deadline for submittal of the report to December 31, 2003, and would extend the existence of the commission to January 1, 2004. The bill would also authorize the chairperson of the commission to hire staff, or retain independent contractors on a contractual basis, to provide assistance to the committee.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 500 (SB 1329) Chesbro. County funds.

(1) Existing law requires deposits of specified surcharges into certain funds for courthouse and criminal justice facilities construction established in Merced County for 30 years.

This bill would similarly require deposit of those surcharges in Sonoma County.

(2) The Community Redevelopment Law authorizes the establishment of redevelopment agencies in communities in order to address the effects of blight, as defined, in those communities. Existing law also authorizes a redevelopment plan adopted pursuant to that law to provide for an allocation to the relevant redevelopment agency of a portion of those ad valorem property tax revenues derived with respect to a redevelopment project. Existing property tax law also establishes certain parameters with respect to the subtraction of a redevelopment agency's share of ad valorem property tax revenues from those revenues otherwise allocated to other local jurisdictions within a redevelopment project area.

This bill would clarify the process by which incremental property tax revenues to be allocated to a redevelopment agency are withdrawn from those revenue shares allocated to other local jurisdictions in a redevelopment project area in the County of Stanislaus. This bill also would deem to be correct any apportionment of property tax revenues made for any fiscal year prior to the effective date of the bill that is inconsistent with the clarifications made by this bill.

(3) Existing law allows a county to establish a service authority for the abatement of abandoned vehicles. Existing law requires the Department of Motor Vehicles to establish guidelines for abandoned vehicle abatement programs that include, among other guidelines, a requirement that each service authority that receives moneys from the Abandoned Vehicle Trust Fund, a continuously appropriated fund, report annually to the Controller.

This bill would authorize the Controller, notwithstanding these reporting requirements, to allocate to the County of Humboldt abandoned vehicle abatement funds for calendar years

2000 and 2001. By liberalizing the conditions under which the Controller may allocate funds from the Abandoned Vehicle Trust Fund, this bill would make an appropriation.

Ch. 501 (SB 1374) Kuehl. Solid waste: construction and demolition waste materials: diversion requirements: model ordinance.

(1) Existing law, the California Integrated Waste Management Act of 1989, which is administered by the California Integrated Waste Management Board, establishes an integrated waste management program. 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. The report is required to include, among other things, specified information relevant to compliance with the solid waste diversion requirements.

This bill would additionally require that the report include a summary of progress made in diversion of construction and demolition waste materials, including information on programs and ordinances implemented by the local government and quantitative data, where available. By imposing new requirements on local agencies with respect to reporting requirements under the act, the bill would impose a state-mandated local program.

(2) Existing law requires the board to adopt a model ordinance for adoption by any local agency relating to adequate areas for collecting and loading recyclable materials in development projects. The board is required to develop the model ordinance in consultation with the League of California Cities, the County Supervisors Association of California, and certain other interested parties and to distribute the draft model ordinance to all local agencies and other interested parties for review. Local agencies are required to adopt an ordinance, not later than a specified date, relating to adequate areas for collecting and loading recyclable materials in development projects. If a local agency has not adopted that ordinance by the specified date, the model ordinance adopted by the board is required to take effect on that date and be enforced by the local agency and have the same force and effect as if adopted by the local agency as an ordinance.

This bill would require the board, not later than March 1, 2004, after holding a public hearing, to adopt one or more model ordinances suitable for modification by any local agency, that the agency may adopt that will require a range of diversion rates of construction and demolition waste materials from landfills from 50 to 75%, as determined by the board. The bill would also require the board on or before that date to consult with representatives of the League of California Cities, the California State Association of Counties, private and public waste services, and building construction and management personnel throughout the development of the model ordinances, and to fulfill various other requirements relating to reporting and posting information on the board's Internet Web site.

(3) Existing law requires the board, in determining whether or not to impose any penalties on a city, county, or city and county for violations of specified solid waste reduction and recycling requirements imposed by the act, to consider whether the jurisdiction has made a good faith effort to implement its source reduction and recycling element or its household hazardous waste element.

This bill would also require the board, in determining those penalties, to consider whether a local jurisdiction has provided information to the board concerning whether construction and demolition waste material is at least a moderately significant portion of the waste stream, and, if so, whether the local jurisdiction has adopted an ordinance for diversion of construction and demolition waste materials from solid waste disposal facilities, has adopted a model ordinance for diversion of construction and demolition waste materials from solid waste disposal facilities, or has implemented another program to encourage or require diversion of construction and demolition waste materials from solid waste disposal facilities.

(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.

Ch. 502 (SB 1455) Johannessen. Northern California Veterans Cemetery.

Existing law requires the department to apply to the State Cemetery Grant Program of the federal Department of Veterans Affairs for a grant of not more than \$6,000,000, which amount is designated to represent 100% of the estimated cost for designing, developing, constructing, and equipping the Northern California Veterans Cemetery.

The bill would increase that amount to \$7,000,000.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 503 (SB 1495) Torlakson. Balancing jobs and growth.

The Jobs-Housing Balance Improvement Program requires the Department of Housing and Community Development to award incentive grants to cities, counties, and cities 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 from 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. To be eligible for a grant, a local government is required to have a demonstrable and significant increase in the issuance of residential building permits issued between January 1 and December 31 of a prescribed allocation reporting year over the average number of building permits issued annually for the most recent 36-month period that can be calculated prior to the allocation reporting year.

This bill would require the calculation for the 36-month period prior to the allocation reporting year to be adjusted for incorporations and annexations.

Ch. 504 (SB 1514) Torlakson. California Beverage Container Recycling and Litter Reduction Act: reporting requirements.

The California Beverage Container Recycling and Litter Reduction Act, which is administered by the Department of Conservation, requires a distributor of specified beverage containers to pay a redemption payment to the Department of Conservation for each beverage container, as defined, sold or transferred, for deposit in the California Beverage Container Recycling Fund.

This bill would require the department, on or before January 1, 2004, to submit a report to the Legislature regarding beverage container recycling in California's public elementary, middle, and high schools. The bill would authorize the department to include in the report any recommended policies or programs that may increase beverage container recycling efforts in schools. The bill would require the department to complete the report using existing resources.

Ch. 505 (SB 1636) Figueroa. Congestion management: transportation: congestion management programs.

Existing law requires the development, adoption, and updating of a congestion management program for each county that includes an urbanized area, as defined. The plan is required to contain specified elements and to be submitted to regional agencies, as defined, for determination of whether the program is consistent with regional transportation plans. The regional agency is then directed to monitor the implementation of all elements of each congestion management program. The required elements include traffic level of service standards for a system of designated highways and roadways.

This bill would define an infill opportunity zone for purposes of the above-described provisions to mean a specific area designated by a city or county zoned for new compact residential or mixed use development, except as specified, within  $\frac{1}{3}$  mile of specified

transportation sites in counties with a population of over 400,000. It would exempt streets and highways in an infill opportunity zone from the level of service standards specified in the above-described provisions and instead require alternate level of service standards to be applied. It would provide that a city or county may not designate an infill opportunity zone after December 31, 2009.

Ch. 506 (SB 1667) Vasconcellos. School violence.

Existing law establishes the School Safety and Violence Prevention Strategy Program, administered by the Superintendent of Public Instruction for the purpose of promoting school safety and violence prevention programs in the public schools.

Existing law makes each school district and county office of education responsible for the overall development of comprehensive school safety plans that include specified components, including, among others, the development of a safe and orderly environment conducive to learning at the school and a discrimination and harassment policy consistent with existing law regarding educational equity. Existing law requires a schoolsite council or school safety planning committee to hold a public meeting before adopting its comprehensive school safety plan and requires each school to forward its comprehensive school safety plan to the school district or county office of education for approval. Existing law establishes the School/Law Enforcement Partnership to develop programs and policies necessary to implement the provisions regarding school safety plans.

Existing law establishes the School Safety and Violence Prevention Act to provide funds to school districts serving pupils in grades 8 to 12, inclusive, for the purpose of promoting school safety and reducing schoolsite violence.

Existing law establishes the Machado School Violence Prevention and Response Task Force to analyze and evaluate existing law and programs on school-based crisis prevention and response and to make appropriate policy recommendations on how to enhance state and local programs and training to adequately prepare school districts and county offices of education to meet the challenges stemming from disruptive and violent acts.

This bill would require the schoolsite council or school safety planning committee to provide written notification to specified persons of the public meeting that is required to be held before adopting a comprehensive school safety plan, thereby imposing a state-mandated local program. The bill would encourage the schoolsite council or school safety planning committee to provide written notification of the meeting to other specified persons.

This bill would establish the California Double Your Cash program to lead and encourage the development of a school's plan for preventing school violence. The bill would provide that, when a schoolsite council next reviews and updates its school safety plan, and to the extent it implements its plan, the schoolsite council is encouraged to recognize that assuring each pupil a safe physical environment and a safe, respectful, accepting and emotionally nurturing environment and that providing each child resiliency skills are essential components of a comprehensive strategic program for preventing school violence and to consider incorporating these components in its plan. The bill would encourage a schoolsite council to consider including specified elements in its school safety plan to assure a safe physical environment and to consider incorporating strategies to assure a safe, respectful, accepting, and emotionally nurturing environment and to provide each child resiliency skills.

The bill would require a school safety plan, before it is approved by the school district or county office of education, to be presented at a regularly scheduled public meeting of the governing board of the school district or county office of education, would require the governing board to discuss specified matters relating to the school safety plan at the meeting, and would encourage the governing board to provide written notification of the meeting to specified persons, thus imposing a state-mandated local program.

The bill would state the intent of the Legislature that any funds appropriated to implement existing school safety laws shall be available for expenditure to develop, implement, review, and update school safety plans. The bill would require state and federal funds appropriated in support of school safety and violence prevention programs to be considered additional revenues, as specified, and are to be used to offset any state-mandated costs incurred by school districts when complying with the bill.

The bill would make these provisions inoperative on June 1, 2007, and repeal them as of January 1, 2008.

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 (SB 1717) Machado. City annexations.

(1) Existing law authorizes a city, county, or city and county to lease property owned, held, or controlled by it for not to exceed 99 years for stadium, park, recreational, fair, exposition, or exhibition purposes.

This bill would provide that the authority of a city, county, or city and county to lease property includes leasing property for general sports purposes but that a lease executed on or after April 24, 2002, for any authorized purpose shall not include a shopping center, hotel, motel, or lodging house.

(2) Under existing law, upon approval of the local agency formation commission, a city may annex noncontiguous territory not exceeding 300 acres, located in the same county, that the city owns and uses for municipal purposes. If, after the annexation, the city sells all or part of that territory, the territory no longer owned by the city ceases to be part of the city.

This bill would permit a city to lease this annexed territory for designated purposes but would provide that if the city enters into a lease on or after April 24, 2002, that would authorize the development of a shopping center, hotel, motel, or lodging house on that territory, the affected territory shall cease to be part of the city.

Ch. 508 (SB 1770) Burton. School districts: cursive handwriting: State Board of Education standards.

There is in existing law, the State Board of Education with prescribed powers and duties regarding the public school system.

This bill would state that the Legislature encourages school districts to comply with the State Board of Education's English Language and Arts Writing Arts Strategies on cursive handwriting standards whereby pupils are expected to write fluidly and legibly and would encourage school districts to teach methods of penmanship that may include, but are not limited to, the D'Nealian Method and the Palmer Method of penmanship.

Ch. 509 (SB 1832) Committee on Budget and Fiscal Review. Budget Act of 2001: contingencies or emergencies.

The Budget Act of 2001 appropriated specified amounts 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 2001 also appropriated specified amounts for loans to state agencies for contingencies or emergencies.

This bill would appropriate \$305,411,000, 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, in addition, would appropriate \$52,500,000 in augmentation of contingencies and emergencies for allocation to the Department of Corrections.

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. 510 (SB 1895) Escutia. Domestic violence.

Existing law provides that there is in the Office of Criminal Justice Planning a Comprehensive Statewide Domestic Violence Program which provides financial and technical assistance to local domestic violence centers.

This bill would provide that in implementing this program, the Office of Criminal Justice Planning shall, until January 1, 2010, collaborate closely with an expert advisory council the membership of which shall consist of domestic violence victims' advocates, battered women service providers, and representatives of women's organizations, law enforcement, and other groups involved with domestic violence, as specified.

Ch. 511 (SB 2095) Johnson. Independent expenditures.

Existing provisions of the Political Reform Act of 1974 require a committee that makes an independent expenditure of \$1,000 or more during an election cycle in connection with a candidate for elective state office or a state ballot measure to file, within 24 hours of the independent expenditure, electronically or online a report with the Secretary of State disclosing that independent expenditure.

This bill would require the Secretary of State to include this information on the Internet Web site of the Secretary of State's office, as part of the campaign finance activity that is publicly disclosed, and would require that this information be linked to the part of the Web site that the Secretary of State maintains concerning the candidate or ballot measure that is the subject of the independent expenditure.

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 Political Reform Act of 1974, would therefore require a  $2/3$  vote.

Ch. 512 (AB 2083) Jackson. Public resources: oil spill prevention and response.

Existing law establishes oil spill prevention, inspection, response, containment, and cleanup programs.

This bill would require the State Lands Commission to develop a form that is to be completed by the responsible party, as defined, engaged in the internal shipment of oil. The form would be designed to enable the commission to obtain and track the amount and type of oil transported, as well as the name of the vessel, the vessel's route, and air emissions relating to the internal shipment of that oil.

The bill would require the commission, on or before April 1 of each year, for the calendar years 2004 to 2009, inclusive, to file a report with the Legislature summarizing certain information and transmit a copy of the report to any interested agency or member of the public, upon request.

The bill would require the commission to consult with the administrator for oil spill response, other state agencies, and agencies of the federal government, including the United States Coast Guard and the federal Department of Transportation, to the maximum extent feasible, before undertaking actions under these provisions.

The bill would require the administrator to reimburse the commission for the costs of administering these provisions from the Oil Spill Prevention and Administration Fund.

These provisions would be repealed on January 1, 2010.

The bill would incorporate additional changes to Section 8670.40 of the Government Code proposed by SB 849, to be operative only if SB 849 and this bill are both chaptered and become effective on or before January 1, 2003, and this bill is chaptered last.

Ch. 513 (AB 2214) Keeley. Low-level radioactive waste disposal facility.

**NOTE:** Superior numbers appear as a separate section at the end of the digests.

(1) The existing Radiation Control Law requires the State Department of Health Services, among other things, to issue licenses, and prohibits the department from issuing a license to receive radioactive material for disposal unless specified requirements are satisfied, including that the land on which the radioactive wastes are to be buried is owned by the federal or state government.

Under existing law, the Southwestern Low-Level Radioactive Waste Disposal Compact specifies that California is to serve as the state required to host the regional low-level radioactive waste disposal facility for the permanent isolation of low-level radioactive waste pursuant to specified federal requirements and the requirements of the host state. A violation of the provisions regulating radioactive waste is a crime.

This bill would define terms and would prohibit the department from issuing a license for the disposal of low-level radioactive waste, or renewing a license, unless the department determines that the siting, design, operation, and closure of the facility complies with specified federal regulations. The bill would prohibit the department from issuing or renewing a license unless the design and construction of the facility meets specified requirements. The bill would allow the department to issue a license to dispose of low-level radioactive waste only if the department makes a specified determination that there is not a hydrologic pathway whereby the Colorado River or any other agricultural or drinking water source could be contaminated with radioactive waste and harm public health or the environment. The bill would require a facility for the disposal of low-level radioactive waste to meet specified design objectives and would prohibit a facility from disposing of low-level radioactive waste using shallow land burial. The bill would prohibit the proposed Ward Valley radioactive waste disposal site from serving as the state's facility for purposes of the compact and would prohibit the state from accepting ownership or other property rights to the site of that facility.

Since a violation of the bill would be a crime, the bill would impose a state-mandated local program.

(2) Existing law requires the department to adopt emergency regulations for the licensing of persons engaged in the disposal of low-level radioactive waste by a specified date, and authorizes the department to establish and collect, by emergency regulation, a fee for the issuance or renewal of a license to receive radioactive material for disposal on land.

This bill would require the department to establish and collect a fee for the issuance or renewal of a license to dispose of low-level radioactive waste and would require that any fee collected be sufficient to cover the costs incurred by the state in reviewing an application, issuing or renewing the license, and inspecting and conducting oversight of the licensee.

The bill would require the department, when implementing the Radiation Control Law, to promote the reduction of low-level radioactive waste generated, by encouraging specified waste reduction practices.

(3) Existing law authorizes the State Director of Health Services, with the approval of the Director of General Services, to lease specified property to construct, operate, and close a low-level radioactive waste disposal facility.

This bill would repeal that authority.

(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. 514 (SB 849) Torlakson. Oil spills: fees.

(1) Existing law, the Lempert-Keene-Seastrand Oil Spill Prevention and Response Act, establishes in state government the office of administrator for oil spill response and requires the administrator to adopt and implement regulations and guidelines governing the adequacy of oil spill contingency plans. A knowing violation of the act is a misdemeanor.

Existing law prohibits a nontank vessel, as defined, that is required to have a contingency plan, from entering the marine waters of the state unless the nontank vessel owner or operator provides to the administrator evidence of financial responsibility that demonstrates, to the administrator's satisfaction, the ability to pay at least \$300,000,000 to cover damages caused by a spill, and the owner or operator of the nontank vessel has obtained a certificate of financial responsibility from the administrator for the nontank vessel. The administrator is authorized to charge the owner or operator a reasonable fee to reimburse specified costs for processing that application. However, until January 1, 2003, the administrator is authorized to establish a lower standard of financial responsibility for a nontank vessel that has a carrying capacity of 6,500 barrels of oil or less, or a nontank vessel that is owned and operated by California or a federal agency and has a carrying capacity of 7,500 barrels of oil or less.

This bill would extend, until January 1, 2006, the expiration date on the authority of the administrator to establish a lower standard of financial responsibility for the specified nontank vessels.

The bill would require the administrator to charge a nontank vessel owner or operator a reasonable fee, to be collected with each application to obtain a certificate of financial responsibility, in an amount that is based upon the administrator's costs in implementing certain provisions relating to nontank vessels. The bill would authorize the administrator to charge a reduced fee for nontank vessels determined by the administrator to pose a reduced risk of pollution, including vessels used for research or training and vessels that are moored permanently or rarely move.

The bill would require the fees to be \$2,500 or less, before January 1, 2005.

The bill would require the administrator to deposit all revenue derived from the fees in the Oil Spill Prevention and Administration Fund. The bill would authorize revenue derived from the fees to be spent for certain, listed purposes relating to oil spill prevention, response, and preparedness, but not for responding to an oil spill.

(2) Existing law requires the administrator for oil spill response to adopt and implement regulations and guidelines governing the adequacy of oil spill contingency plans. Existing law requires the State Board of Equalization to collect an oil spill prevention and administration fee which is imposed upon every person owning crude oil at the time that the crude oil is received at a marine terminal, in an amount determined by the administrator for oil spill response, not to exceed 4¢ per barrel of crude oil or petroleum products. Under existing law, the revenues from the oil spill prevention and administration fee are deposited in the Oil Spill Prevention and Administration Fund in the State Treasury. Existing law provides that the money in the fund is available for appropriation by the Legislature and may only be used for the purposes of the act and the provisions governing oil spill prevention and response.

Existing law requires the administrator, on or before January 15, to prepare a plan annually that projects revenues and expenses over 3 fiscal years, including the current year. Existing law requires the administrator to set the fee based on the plan.

This bill would prohibit the annual assessment from exceeding 5¢ per barrel of crude oil or petroleum products.

The bill would change the date by which the administrator is required to prepare the plan to January 20.

Since a failure to pay the fees imposed by the bill would be a crime, the bill would impose a state-mandated local program.

(3) Existing law establishes the Oil Spill Technical Advisory Committee to provide public input and independent judgment of the actions of the administrator and the State Interagency Oil Spill Committee. The committee is required to consist of 9 members, of whom 5 are required to be appointed by the Governor, 2 by the Speaker of the Assembly, and 2 by the Senate Committee on Rules, as specified. The committee is required to report annually to the Governor and the Legislature on its evaluation of oil spill response and preparedness programs within the state.

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This bill would increase the membership of the committee by 1 member, who would be appointed by the Governor and would be required to have a demonstrable knowledge of the dry cargo vessel industry.

The bill would require the Department of Fish and Game to contract with the Department of Finance to prepare and submit to the Governor and the Legislature, on or before January 1, 2005, a detailed report on the financial basis and programmatic effectiveness of the state's oil spill prevention, response, and preparedness program.

The bill would require the committee to review, on or before August 1, 2005, the Department of Finances report and to prepare and submit to the Governor and the Legislature comments on the report, including recommendations for improving the state's oil spill prevention, response, and preparedness program.

(4) This bill would incorporate additional changes to Section 8670.40 of the Government Code proposed by AB 2083, to be operative only if AB 2083 and this bill are both chaptered and become effective on or before January 1, 2003, and this bill is chaptered last.

(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. 515 (SB 1038) Sher. Renewable energy.

(1) Under the Public Utilities Act, the Public Utilities Commission (commission) requires electrical corporations to identify a separate rate component to fund cost-effective energy efficiency and conservation activities, public interest research and development, and development of renewable resources technology. This rate component is a nonbypassable element of local distribution and collected on the basis of usage. Existing law requires specified electrical corporations to collect specific amounts to support each of these programs. Existing law also requires the State Energy Resources Conservation and Development Commission (Energy Commission) to transfer funds collected for these programs to specified funds. Existing law requires the Energy Commission to develop, implement, and administer the Public Interest Research, Development, and Demonstration Program. Existing law requires the program to consist of a balanced portfolio that addresses California's energy and environmental needs, technology opportunities, and system reliability. Existing law, until January 1, 2000, required the Energy Commission to adopt regulations to ensure the success of electricity industry restructuring in the transition to a new market structure and to implement the program. Existing law authorizes the Energy Commission to solicit applications for awards, using a sealed competitive bid, competitive negotiation process, multiparty agreement, single source, or sole source method.

This bill would restate the goal of the program. The bill would require the Energy Commission to use a portfolio approach to achieve the goal.

This bill would require the Energy Commission to convene an advisory board on a regular basis, composed of representatives from the commission, consumer organizations, environmental organizations, and electrical corporations, to make recommendations to guide the Energy Commission's selection of programs and projects to be funded.

This bill would require the Energy Commission, not later than 3 months after the enactment of this bill to designate a panel of independent experts with special expertise in public interest research, development, and demonstration programs to conduct an evaluation of the program and to submit a preliminary report to the Governor and the Legislature not later than 15 months after the enactment of this bill, and a final report not later than 30 months after the enactment of this bill.

Existing law authorizes the Energy Commission to solicit applications for awards and specifies criteria for funding projects under the program.

This bill would require the Energy Commission to adopt regulations governing the administration of the program, in accordance with specified procedures, until January 1, 2007.

The bill would make technical and conforming changes.

(2) Existing law requires the Energy Commission to prepare and submit to the Legislature by March 31 of each year, an annual report on awards of grants made by the commission for public interest energy research and development projects.

This bill would require the report to set forth the actual costs and results of programs or projects funded by the Energy Commission, compared to their expected costs and benefits.

(3) Existing law requires the commission to order electrical corporations to spend a portion of the separate rate component discussed above, to fund cost-effective energy efficiency and conservation activities, public interest research and development, and development of renewable resources technology.

This bill would require the funding of in-state operation and development of existing and new and emerging renewable resources technologies to be made available pursuant to a specified provision of existing law. The bill would make additional technical, nonsubstantive changes.

The bill would require the Energy Commission to award electrical corporations up to 10% of the funds transferred to the Public Interest Research, Development, and Demonstration Fund, for public interest research, development and demonstration projects for transmission and distribution functions, in lieu of the commission ordering electrical corporations to collect and spend funds for investments in public interest research, development, and demonstration projects for transmission and distribution functions.

(4) Existing law defines "in-state renewable electricity generation technology" for the purposes of these provisions. Existing law defines, for the purposes of these provisions, "report" as the Policy Report on AB 1890 Renewables Funding (March 1997, Publication Number P500-97-002) submitted to the Legislature by the Energy Commission.

This bill would modify the definition of "in-state renewable electricity generation technology" to no longer only include facilities that were placed in operation after September 26, 1996. The bill would include within the definition of "in-state renewable electricity generation technology" a facility using fuel cells using renewable fuels, ocean thermal, tidal current, and wave energy generation technologies. The bill would exclude from the definition waste tire technologies. The bill would provide that on and after January 1, 2002, "report," for the purposes of these provisions, means the report entitled "Investing in Renewable Electricity Generation in California" (June 2001, Publication Number P500-00-022) submitted to the Governor and the Legislature by the Energy Commission.

(5) Existing law requires 45% of the money collected for in-state operation and development of existing and new and emerging renewable resources technologies, up to \$243,000,000, to be used for programs that are designed to improve the competitiveness of existing in-state renewable electricity generation technology facilities. Existing law requires 30% of the money collected for in-state operation and development of existing and new and emerging renewable resources technologies, up to \$162,000,000, to be used for programs that are designed to foster the development of new in-state renewable electricity generation technology facilities. Existing law requires 10% of the money collected for in-state operation and development of existing and new and emerging renewable resources technologies, up to \$54,000,000, to be used for a multiyear, consumer-based program to foster the development of emerging renewable technologies in distributed generation applications. Existing law requires 15% of the money collected for in-state operation and development of existing and new and emerging renewable resources technologies, up to \$81,000,000, to be used for programs designed to provide customer credits for purchases of renewable energy produced by certified energy providers, to disseminate information regarding renewable energy technologies, to promote purchases of renewable energy, to help develop a consumer

market for renewable energy, and to help develop a consumer market for renewable energy technologies.

This bill would instead require 20% of the funds collected to accomplish the funding of in-state operation and development of existing and new and emerging renewable resources technologies, to be spent by the San Diego Gas and Electric Company, the Southern California Edison Company, and the Pacific Gas and Electric Company, to be used for programs that are designed to improve the competitiveness of specified eligible existing in-state renewable electricity generation technology facilities. The bill would instead require 51.5% of the funds collected to accomplish the funding of in-state operation and development of existing and new and emerging renewable resources technologies, to be spent by the San Diego Gas and Electric Company, the Southern California Edison Company, and the Pacific Gas and Electric Company, to be used for programs that are designed to foster the development of new in-state renewable electricity generation technology facilities, including supplemental energy payments under the California Renewables Portfolio Standard Program, and would authorize the Energy Commission, in awarding funding, to provide preference to projects that provide tangible demonstrable benefits to communities with a plurality of minority or low-income populations. The bill would instead require 17.5% of the funds collected to accomplish the funding of in-state operation and development of existing and new and emerging renewable resources technologies, to be spent by the San Diego Gas and Electric Company, the Southern California Edison Company, and the Pacific Gas and Electric Company, to be used for a multiyear, consumer-based program to foster the development of emerging renewable technologies in distributed generation applications and would authorize the Energy Commission, in awarding funding, to provide preference to systems that provide tangible demonstrable benefits to communities with a plurality of minority or low-income populations. The bill would instead require 10% of the funds collected to accomplish the funding of in-state operation and development of existing and new and emerging renewable resources technologies, to be spent by the San Diego Gas and Electric Company, the Southern California Edison Company, and the Pacific Gas and Electric Company, to be used to provide customer credits to customers that entered into direct transactions on or before September 20, 2001, for purchases of electricity produced by in-state renewable electricity generation technology facilities. The bill would require 1% of the funds collected to accomplish the funding of in-state operation and development of existing and new and emerging renewable resources technologies, to be spent by the San Diego Gas and Electric Company and the Pacific Gas and Electric Company, to be used to promote renewable energy and to disseminate information on renewable energy technologies, and to help develop a consumer market for renewable energy and for small-scale emerging renewable energy technologies.

This bill would require the Energy Commission, in consultation with the commission, electrical corporations, publicly owned electric utilities, and the Independent System Operator, to prepare and submit to the Governor and the Legislature by December 1, 2003, a comprehensive renewable sources of electricity development plan that describes the renewable resources available in California, the costs of developing and connecting these resources into the transmission and distribution system, and recommendations for a plan for development to achieve the target of increasing the amount of electricity generated from renewable sources per year, so that it equals 17% of the total electricity generated for consumption in California. The bill would further require the Energy Commission to participate in commission proceedings that relate to or affect efforts to stimulate the development of electricity generated from renewable sources.

These changes would only become operative if SB 1078 or SB 1524 is enacted and becomes effective on or before January 1, 2003, and add the California Renewables Portfolio Standard Program.

(6) Existing law provides for the Renewable Resource Trust Fund in the State Treasury and establishes certain accounts in the Renewable Resource Trust Fund, including the Customer-Side Renewable Resource Purchases Account. Existing law provides that the money in the fund and the accounts are continuously appropriated to the Energy Commission. Existing law provides that unallocated funds in any account shall remain in the respective account until December 31, 2001.

This bill would instead establish the Customer-Credit Renewable Resources Account and the Renewable Resources Consumer Education Account. The bill would require that unallocated funds in any account remain in the respective account until the Energy Commission submits a specified report.

This bill would require the commission, by December 1, 2003, to prepare and submit to the Legislature, a comprehensive transmission plan for renewable electricity generation facilities, to provide for the rational, orderly, cost-effective expansion of transmission facilities that may be necessary to facilitate the development of renewable electricity generation facilities identified in the renewable electricity generation resource plan.

(7) Under existing law, the commission is vested with regulatory authority over public utilities and is required to establish requirements for the administration of power purchase contracts between electrical corporations and private energy producers.

This bill would authorize the City of Davis to receive a bill credit, as defined, to a benefiting account, as defined, for electricity supplied to the electrical grid by a photovoltaic facility located within and partially owned by the city (PVUSA). The bill would require the commission to adopt a rate tariff for the benefiting account. The bill would also, until January 1, 2008, authorize California State University, Fresno to receive a bill credit, as defined, to a benefiting account, as defined, for electricity supplied to the electrical grid by a biomass facility located in Reedley and owned by California State University, Fresno (the Dinuba Facility), and the bill would require the commission to adopt a rate tariff for the benefiting account. Because a violation of the Public Utilities Act, a filed tariff, or an order of the commission is a crime under existing law, the bill would impose a state-mandated local program by creating a new crime. The bill would declare that, due to the special circumstances applicable only to the PVUSA and the City of Davis, and to the Dinuba Facility and California State University, Fresno, 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.

(8) The Public Utilities Act authorizes the commission to establish rates and fees for public utilities subject to its jurisdiction.

This bill would authorize the commission to consider energy efficiency and emissions performance to encourage early compliance with the air quality standards established by the State Air Resources Board for ultra-clean and low-emission distributed generation, as defined, in establishing those rates and fees.

(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. 516 (SB 1078) Sher. Renewable energy: California Renewables Portfolio Standard Program.

(1) Under the Public Utilities Act, the Public Utilities Commission (PUC) has regulatory authority over public utilities, including electrical corporations, and authorizes the commission to establish just and reasonable rates and charges. The act requires retail suppliers of electric services to disclose sources of electrical generation and requires that those retail suppliers report information to the State Energy Resources Conservation and Development Commission (Energy Commission).

This bill would establish the California Renewables Portfolio Standard Program. The program would require that a retail seller of electricity, including electrical corporations, community choice aggregators, and electric service providers, purchase a specified minimum percentage of electricity generated by eligible renewable energy resources, as defined, in any given year as a specified percentage of total kilowatthours sold to retail end-use customers each calendar year (renewables portfolio standard).

The bill would require the PUC to implement the renewables portfolio standard for electrical corporations, if funds are made available as described. Each electrical corporation would be required to increase its total procurement of eligible renewable energy resources by at least 1% per year so that 20% of its retail sales are procured from eligible renewable energy resources. If an electrical corporation fails to procure sufficient eligible renewable energy resources in a given year to meet an annual target, the electrical corporation would be required to procure additional eligible renewable resources in subsequent years to compensate for the shortfall, if funds are made available as described. An electrical corporation with at least 20% of retail sales procured from eligible renewable energy resources in any year would not be required to increase its procurement in the following year.

This bill would require the PUC to direct electrical corporations to prepare within 90 days of being deemed creditworthy, and to review and update as necessary, renewable energy procurement plans that are sufficient to satisfy its obligations under the renewables portfolio standard. The PUC would be required to adopt rules, within 6 months of the effective date of these provisions, for electrical corporations establishing a process for determining market prices of electricity from renewable generators pursuant to specified criteria, a process for rank ordering and selection of least-cost and best-fit renewable resources to fulfill program obligations, flexible rules for compliance that permit electrical corporations to apply excess procurement in one year to subsequent years, or inadequate procurement in one year to the following 3 years, and standard terms and conditions to be used by electrical corporations in contracting with renewable electricity generators. The PUC would be required to review and accept, modify, or reject each electrical corporation's renewable procurement plan 90 days prior to the commencement of renewable procurement by the electrical corporation. The PUC would be required to review and accept, modify, or reject renewable solicitations by electrical corporations and proposed contracts by electrical corporations with renewable electricity generators. The PUC would be required to allow an electrical corporation to recover, in rates, electricity procurement and administrative costs associated with long-term contracts reasonably incurred consistent with a renewable energy procurement plan approved by the PUC.

Because a violation of the Public Utilities Act or an order of the PUC is a crime under existing law, the bill would impose a state-mandated local program by creating a new crime.

The bill would require the Energy Commission to certify eligible renewable energy resources, to design and implement an accounting system to verify compliance with the renewables portfolio standard by retail sellers, and to allocate and award supplemental energy payments to cover above-market costs of renewable energy.

(2) Existing law, the Warren-Alquist State Energy Resources Conservation and Development Act, requires the Energy Commission to certify sufficient sites and related facilities that are required to provide a supply of electricity sufficient to accommodate projected demand for power statewide. Under existing law, the PUC must grant a certificate of public convenience and necessity, upon application by a public utility, for the construction of a new transmission facility or electric transmission line within the state. As a basis for granting a certificate of public convenience and necessity, the PUC is required to give consideration to community values, recreational and park areas, historical and aesthetic values, and influence on the environment. No certificate of public convenience and necessity may be granted for an electrical transmission line without certification by the Energy Commission, and the decision by the Energy Commission is conclusive as to all matters determined thereby and take the place of consideration by the PUC.

This bill would provide that an application of an electrical corporation for a certificate for the construction of new transmission facilities, that are necessary to facilitate achievement of the renewable power goals, shall be deemed to be necessary by the PUC in determining to issue a certificate of public necessity and convenience. The bill would require the PUC to take all feasible actions to ensure that the transmission rates established by the Federal Energy Regulatory Commission are fully reflected in any retail rates established by the commission.

(3) Existing law requires each local publicly owned utility to establish a nonbypassable usage based charge to fund investments in specified public purpose programs, including cost-effective demand-side management services to promote energy efficiency and energy conservation, investment in renewable energy resources and technologies, and services for low-income electricity consumers. The charge is required to be not less than the lowest expenditure of the 3 largest electrical corporations in California based on a percentage of revenue.

This bill would require the governing board of a local publicly owned electric utility to be responsible for implementing and enforcing a renewables portfolio standard, as described, and to annually report to its customers upon expenditures of public goods funds on public purpose programs, thereby imposing a state-mandated local program. Because a violation of this provision would be a crime, this bill would also impose a state-mandated local program by creating a new crime.

(4) Existing law provides that subject to applicable contractual terms, energy prices paid to nonutility power generators by a public utility electrical corporation based on the commission's "short run avoided cost energy methodology" are required to be determined by specified law.

This bill would authorize any nonutility power generator using renewable fuels that entered into a contract with an electrical corporation specifying fixed energy prices for output prior to December 31, 2001, to elect an additional 5 years of fixed energy payments at a level to be determined by the PUC.

(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 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. 517 (AB 415) Runner. Emergency services: Emergency Alert System.

Existing law authorizes use of the Emergency Alert System to inform the public of local, state, and national emergencies.

This bill would require law enforcement agencies that are informed of the abduction of a child 17 years of age or younger, or an individual with a proven mental or physical disability, and that determine the victim is in imminent danger of serious bodily injury or death and that there is information available that, if disseminated to the general public, could assist with the safe recovery of the victim, to request, absent extenuating investigative needs, activation of the Emergency Alert System within the appropriate local area. By imposing new duties on local law enforcement agencies, the bill would create a state-mandated local program.

This bill would require the California Highway Patrol, in consultation with the Department of Justice and representatives from other organizations, to develop policies and procedures providing instruction specifying how law enforcement agencies, broadcasters participating in the Emergency Alert System, and any other intermediate emergency services agencies that may institute activation of the Emergency Alert System and, where appropriate,

other supplemental warning systems shall proceed after a qualifying abduction has been reported to a law enforcement agency.

The bill would require the California Highway Patrol, in conjunction with the Department of Justice, to develop a comprehensive child abduction education 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.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 518 (SB 1962) Polanco. State coastal conservation: coastal access.

(1) Existing law requires the State Coastal Conservancy to implement and administer various coastal protection programs and projects, including a system of public accessways to and along the state's coastline. Existing law authorizes the conservancy to acquire, develop, and maintain areas for public access to significant coast resources and generally authorizes the conservancy to award grants to public agencies and nonprofit organizations for the purpose of acquiring land for public accessway purposes along the coast.

This bill would require the conservancy to accept any outstanding offer to dedicate a public accessway that has not been accepted by another public agency or nonprofit organization within 90 days of its expiration date. The bill would additionally require the conservancy to open at least 3 public accessways each year either directly or by awarding grants to public agencies or nonprofit agencies for that purpose. The bill would prohibit the use of moneys appropriated from the General Fund for those purposes.

This bill would additionally authorize the conservancy to transfer public access easements or other less-than-fee interests in property to a public agency or nonprofit organization for development, management, or public use, and would authorize the conservancy to enter into agreements with those entities for those same purposes.

(2) With certain exceptions, existing law generally requires the approval of the Director of Finance before the state may accept a gift or dedication of personal or real property. Existing law further requires that all contracts related to acquisition of real property by the state be reviewed and approved by the Director of General Services.

This bill would exclude from the above requirement offers to dedicate public accessways made to the conservancy pursuant to the California Coastal Act.

(3) Existing law requires that all real property and interests in real property to be acquired by or for any state agency, with specified exceptions, be acquired by the State Public Works Board.

This bill would exclude from the above requirement offers to dedicate public accessways made to the conservancy pursuant to the California Coastal Act.

(4) The bill would require the Executive Director of the California Coastal Commission to determine that specified requirements are met before an offer to dedicate an interest in real property may be transferred to a nonprofit organization. The bill would additionally provide that the conservancy shall retain a power of entry with the option to reclaim or assign the interest under specified circumstances.

Ch. 519 (AB 47) Simitian. School finance: juvenile court schools and county community schools.

Existing law sets forth a method for making computations to determine the revenue limits for juvenile court school programs operated by county superintendents of schools. Certain community schools are eligible to receive funding at that same rate. Existing law sets forth

a method for equalizing the revenue limits for juvenile court school programs and certain community school programs, over the 1996–97, 1997–98, 1998–99, 1999–2000, and 2000–01 fiscal years.

This bill commencing with the 2002–03 fiscal year would require a cost-of-living adjustment to be made to the revenue limits for these schools. The bill would make the provisions requiring equalization of the revenue limits for these schools inoperative in fiscal years in which the cost-of-living adjustment is made.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 520 (AB 2354) Dutra. Incorporated insurers: derivative transactions.

Existing law authorizes a domestic incorporated insurer that satisfies specified investment or financial stability requirements to make certain investments in bona fide hedging transactions and positions in, or options on, interest rate future contracts that are traded on a regulated exchange or board of trade.

This bill would repeal those provisions authorizing a domestic incorporated insurer to make those investments. The bill would enact new provisions authorizing a domestic incorporated insurer to engage in derivative transactions, as defined, subject to specified conditions.

Ch. 521 (SB 2057) O’Connell. Crime.

Existing law provides that any individual who reports to specified agencies that an emergency exists knowing that the report is false is punishable by imprisonment in a county jail for a period not exceeding one year, a fine not exceeding \$1,000, or by both that imprisonment and fine. An emergency includes any condition which results in, or could result in, the response of a public official in an authorized emergency vehicle.

This bill would expand this provision to include any condition that results in, or could result in, the response of a public official in an authorized emergency vehicle, aircraft, or vessel. By expanding the scope of a crime, the bill would impose a state-mandated local program.

Existing law provides that any individual who reports to specified agencies that an emergency exists knowing that the report is false, where great bodily injury or death is sustained by any person as a result of the report, is guilty of a felony.

This bill would also require that the individual knew or should have known that the response to the report is likely to cause death or great bodily injury.

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. 522 (AB 275) Aroner. Medi-Cal: developmentally disabled: dental care.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Services, pursuant to which medical benefits, including dental care, are provided to public assistance recipients and certain other low-income persons.

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.

This bill would require the State Department of Health Services, in cooperation with the State Department of Developmental Services, and in consultation with the California Dental Association, to provide existing data regarding dental services received by Medi-Cal beneficiaries who are eligible to receive dental services under the act, to specified committees of the Legislature by April 1, 2003.

Ch. 523 (AB 1344) Cox. Etching cream.

Existing law provides that it is unlawful for anyone to sell, give away, or furnish a minor with an aerosol container of paint capable of defacing property except as specified. Existing law also requires retailers selling aerosol containers of paint to post a sign, as specified, stating that defacement of real or personal property with paint is unlawful. It is also unlawful for a minor to possess an aerosol container of paint for the purpose of defacing property while in any public place.

This bill would extend these provisions to include etching cream, as defined. By creating a new 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. 524 (AB 1408) Hollingsworth. Agriculture.

Existing law provides that the Secretary of the Department of Food and Agriculture shall establish regulations and provide plans and specifications at cost for the construction of sanitary milk barns and milk houses.

This bill would remove the requirement that the secretary provide plans and specifications for the construction of milk barns and houses and make a technical, nonsubstantive change to this provision.

Existing law provides for a net operating loss carryover for a taxpayer who conducts a farming business that is affected by Pierce's disease and its vectors, as specified. Existing law also authorizes the Department of Agriculture to adopt regulations to implement these provisions.

This bill would delete the provisions authorizing the implementing regulations and instead require the Franchise Tax Board to develop a management agreement with the cooperation of the Department of Food and Agriculture to establish procedures by which the Franchise Tax Board may confirm the fact that the taxpayer's farming business was affected by Pierce's disease and its vectors during the year for which the qualified taxpayer seeks a deduction.

Existing law establishes the Milk Producers Security Trust Fund, and authorizes collection and expenditure of moneys in connection therewith.

This bill would authorize the expenditure of these funds for additional expenses in connection with the use of certain financial instruments, as specified.

By authorizing additional items for expenditure of funds in a continuously appropriated fund, this bill would make an appropriation. This amendment would only become operative if SB 1769 is enacted.

#### Ch. 525 (AB 1599) Negrete McLeod. Age discrimination in employment.

Existing provisions of the California Fair Employment and Housing Act make it an unlawful employment practice for any employer to refuse to hire or employ, or to discharge, dismiss, reduce, suspend, or demote any individual over the age of 40 on the ground of age, except where the law compels or provides for that action. Existing law specifies that these provisions do not preclude bona fide employment requirements or physical or medical examinations of applicants and employees to determine fitness for the employment.

This bill would delete this existing law and would instead make it an unlawful employment practice, subject to certain exceptions, for an employer on the basis of a person's age to refuse to hire or employ the person, to refuse to select the person for a training program leading to employment, to bar or discharge the person from employment or from a training program leading to employment, or to discriminate against the person in compensation or in the terms, conditions, or privileges of employment. In addition to exceptions, among other things, for age restrictions in other laws and bona fide occupational qualifications, the bill would specify that the bill does not preclude promotions within existing staff, hiring or promotion on the

basis of experience and training, or hiring under specified established recruiting programs. The bill would make technical conforming changes.

Existing provisions of the act make it an unlawful employment practice for a labor union to exclude, expel, or restrict membership, to provide second class or segregated membership, to discriminate in the election of officers, selection of staff, or to discriminate against its members, any employer, or any person employed by an employer on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, or sexual orientation. Existing provisions of the act make it an unlawful employment practice for any person to discriminate on any of these bases in the selection or training or persons in any apprenticeship training program or other training program leading to employment. Existing provisions of the act make it an unlawful employment practice for any employer or employment agency to have printed or circulated any publication, or to make specified non-job-related inquiries, that express any limitation, specification, or discrimination on any of these bases of discrimination.

This bill would add age to the bases of discrimination constituting these unlawful employment practices. The bill would, however, specify that the act does not prohibit employers or employment agencies from inquiring into the age of an applicant or specifying age limitations where compelled or provided by law.

Existing provisions of the act make it an unlawful employment practice for an employer or employment agency to print or circulate or to cause to be printed or circulated any publication, or to make a non-job-related inquiry, that expresses directly or indirectly any limitation, specification, or discrimination as to race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, or sexual orientation.

The bill would amend these provisions to add age as a prohibited basis. The bill would specify that, where compelled or provided by law, the act does not prohibit an employer or employment agency either from making age inquiries of employment applicants or specifying age limitations for employment. The bill would provide that it is the intent of the Legislature to clarify existing law and reject the interpretation given to the law in *Esberg v. Union Oil Company of California*.

Ch. 526 (AB 1835) Bates. Peace officers: refusal to receive or arrest charged person: criminal or civil liability.

(1) Existing statutory law makes it a felony for any peace officer who has the authority to receive or arrest a person charged with a criminal offense to willfully refuse to receive or arrest that person, including a person arrested by a private person under a citizen's arrest.

This bill would provide that the above provision shall not apply to arrests made pursuant to the provisions authorizing a private person to make a citizen's arrest.

(2) Existing law provides that there shall be no civil liability on the part of, and no cause of action shall arise against, any peace officer acting within the scope of his or her authority, for false arrest or false imprisonment arising out of any arrest under specified circumstances, including that the arrest was made pursuant to the requirements of specified provisions.

This bill would provide that the above provision limiting the civil liability of a peace officer with respect to specified arrests shall apply to arrests made pursuant to the provisions authorizing a private person to make a citizen's arrest.

Ch. 527 (AB 1867) Vargas. Smoking: playgrounds.

Existing law prohibits any person from smoking a cigarette, cigar, or other tobacco-related product, or from disposing of cigarette butts, cigar butts, or any other tobacco-related waste, within a playground or a tot lot sandbox area. Violation of these provisions is an infraction punishable by a \$100 fine.

This bill would increase the fine from \$100 to \$250, and would expand the prohibited smoking and disposal area to within 25 feet of a playground or a tot lot sandbox area. By changing the definition of 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.

Ch. 528 (AB 1906) Longville. Vehicle license fees.

Existing law provides that a license fee be assessed on every vehicle subject to registration for the privilege of operating on public roads. For most vehicles, the fee is a function of the cost to the purchaser and the number of years the purchaser has possessed the vehicle. However, a fixed vehicle license fee of \$2 applies to vehicles described in the law providing for special identification plates for vehicles of historic value.

This bill would provide that the special \$2 license fee applies to those vehicles that have been assigned an identification plate or plates pursuant to that law.

Ch. 529 (AB 2339) Steinberg. Rewards.

Existing law authorizes the Governor to pay rewards of varying amounts from the General Fund for information leading to the arrest and conviction of various persons under specified circumstances.

This bill would, for payment of a reward, require the recommendation of a United States Attorney, or the California Attorney General or the district attorney and chief law enforcement officer, or his or her designee, in the jurisdiction where the crime occurred.

This bill would provide that the reward may also be paid to the person giving the information if the arrest or conviction of the person for the pertinent offense is rendered impossible by an intervening event, including, but not limited to, the death of the person during a pursuit by law enforcement, or while in custody, and if the appropriate law enforcement officials, after reviewing the evidence related to the crime or crimes, determine that the person is the individual responsible for the crime or crimes for which the reward was offered, and that the information would have reasonably led to the arrest and conviction of that person. This bill would also provide that if more than one claimant is eligible for any reward issued pursuant to this section, the Governor may apportion the reward money in a manner the Governor deems appropriate.

This bill would declare these changes are declarative of existing law.

This bill would make an appropriation of General Fund money by authorizing the Governor to pay a reward of General Fund moneys in additional circumstances.

Ch. 530 (AB 2440) Keeley. All-American Roads.

Existing law provides that the Department of Transportation is responsible for the maintenance and operation of the state highway system.

This bill would require a state highway that has been designated by the federal government as an All-American Road on or before April 30, 2002, to be maintained and operated by the department consistent with the recommendations for context-sensitive design standards relative to aesthetics and safety that are contained in the road's corridor management plan.

Ch. 531 (AB 2459) Diaz. Physicians and surgeons: prostate cancer.

Existing law requires the State Department of Health Services to develop a standardized written summary with regard to alternative methods of treatment of prostate cancer, to be printed and made available by the Medical Board of California to physicians and surgeons.

This bill would require the department to approve and send an updated copy of the summary to the board every time the summary is modified and would require the board to make the updated summary available to its physicians and surgeons. The bill would authorize the department to use an existing publication from a recognized cancer authority

as the summary and would require the department, if it uses an existing publication as the summary, to review this summary every 3 years to ensure that it contains timely, new, and revised information regarding prostate cancer treatment options. The bill would require both the department and the board to update their Web sites every time the summary is modified.

Existing law requires that every person or entity who owns or operates a health facility or clinic or who is licensed as a physician and surgeon and rents or owns the premises where their practice is located to post specified signs or notices if prostate cancer screening or treatment is performed.

This bill would require these signs or notices to include the Web site addresses for the department and the board as well as a notice regarding the availability of an updated prostate cancer summary on these Web sites.

Ch. 532 (AB 2798) Aroner. Retail food facilities: transportation of food.

Existing law, the California Uniform Retail Food Facilities Law (CURFFL), provides for the regulation of health and sanitation standards for retail food facilities by the State Department of Health Services. A violation of any of these provisions is punishable as a misdemeanor.

Existing law defines an approved source for purposes of CURFFL as a producer, manufacturer, distributor, or food establishment that is acceptable to the enforcement agency based on a determination of conformity with applicable laws.

This bill would expand the definition of an approved source to include a transporter that meets the above criteria.

Existing law requires all potentially hazardous food, as defined, to be held at a specified temperature.

This bill would specify that this requirement applies to potentially hazardous food that is held at a retail food facility or is being transported to or from a retail food facility for longer than 30 minutes.

Existing law makes it unlawful to hold or display any potentially hazardous refrigerated food above a specified temperature.

This bill would additionally make it unlawful to transport a potentially hazardous refrigerated food above the specified temperature. This bill would also allow retail food facilities to accept potentially hazardous food that has been cooled to a specified temperature within 4 hours of receipt.

Existing law authorizes enforcement officers to undertake certain activities pursuant to the enforcement of CURFFL, including removing evidence from any food facility or any facility suspected of being a food facility.

This bill would extend the authority of the enforcement officers to remove evidence from a vehicle transporting food to or from a retail food facility under specified conditions, and would make related statements of legislative intent.

Because violation of the provisions relating to retail food facilities is a misdemeanor, 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. 533 (AB 2823) Strom-Martin. Organic products.

Existing law, a violation of which is a misdemeanor, provides that no food shall be sold as organic unless it meets certain criteria, as specified, and accurate and specific records are kept detailing its production, handling, and sale.

This bill would broaden the application of these provisions to all organic products whether 100% organic or made with organic ingredients, including food, pet food, nonfood plants, and cosmetics and provide that no product may be sold as organic unless it is produced in

accordance with the regulations of the National Organic Program. The bill would set forth other requirements relating to products containing organically produced ingredients and multi-ingredient cosmetic products sold as organic. By creating new crimes or expanding the scope of application of existing crimes, this bill would impose a state-mandated local program.

Existing law specifies substances that are prohibited from being used in organic products.

This bill would provide that prohibited products are any material prohibited under the federal Organic Foods Production Act of 1990. This bill would permit the Secretary of the Department of Food and Agriculture to adopt regulations allowing or prohibiting the use of substances in the processing of products that are exempt under the National Organic Program, cosmetics, and animal food sold as organic.

Existing law provides that persons engaged in the production or handling of raw agricultural products sold as organic or the processing or handling of processed food sold as organic shall register with the Secretary of the Department of Food and Agriculture.

This bill would expand this requirement to cover persons engaged in processing or handling dietary supplements, alcoholic beverages, animal food, and cosmetics sold as organic. This bill would also provide that it is unlawful to alter or falsify any organic registration form. By creating a new crime, and by imposing new duties on county agricultural commissioners 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, 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. 534 (AB 2826) Daucher. Domestic violence and familial elder adult abuse.

Under existing law, domestic violence is defined as abuse committed against an adult or a fully emancipated minor who is involved in a specified relationship or who previously had a specified relationship with the suspect.

This bill would expand that definition of domestic violence to include abuse against any minor who is involved in one of those relationships or who previously had one of those relationships with the suspect.

Existing law provides that a peace officer may arrest a person without a warrant if he or she has probable cause to believe that the suspect has committed an assault or battery against a person with whom he or she has or has had a specified relationship and the arrest is made as soon as that probable cause arises.

This bill would expand these provisions to include an assault or battery against a person who is 65 years of age or older and who is related to the suspect by blood or legal guardianship.

By increasing the scope of domestic violence and elder parent abuse duties on local agencies, this bill would impose a state-mandated local program.

This bill would provide that it is the intent of the Legislature that any increased costs resulting from this act are offset by savings to local agencies with respect to domestic violence and elder parent abuse.

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 (AB 2981) Committee on Agriculture. Agriculture.

(1) Existing law generally provides that it is a misdemeanor for any person to sell any nursery stock unless the person holds a valid license issued upon payment of the prescribed license fee. Existing law also provides that a person is not required to pay any license fee if the person's sales of plants amount to less than \$500 within any one fiscal year, the person has reported to the county agricultural commissioner his or her intention to make those sales, and all plants sold by the person are of his or her own production, and are sold for planting within the county in which the plants were grown.

This bill would enlarge the exemption from payment of license fees described above by including all persons who otherwise meet the criteria for exemption but whose sales of plants amount to less than \$1,000 within any one fiscal year.

(2) Existing law defines "rendering" and "transporter of inedible kitchen grease" for the purpose of regulating these activities.

This bill would expand these definitions to include other similar activities and make other clarifying changes. By expanding the scope of persons to whom existing crimes are applicable, this bill would impose a state-mandated local program.

(3) Existing law sets forth specified provisions relating to plant sanitation, poultry meat inspection for wholesomeness, and poultry classification, any violation of which is a misdemeanor. Existing law also provides an exemption from these provisions to a poultry plant where poultry which was produced on the premises is slaughtered, or to the poultry meat itself, if the poultry meat derived from the poultry is sold by the producer on or off the premises where it was produced to retail stores or public eating houses.

This bill would delete these exemptions. By expanding the scope of persons to whom existing crimes are applicable, this bill would impose a state-mandated local program.

(4) Existing law requires the Secretary of Food and Agriculture to appoint a Shell Egg Advisory Committee that is authorized to advise the secretary with respect to various issues related to eggs.

This bill would allow the committee to advise the secretary with respect to components of the Egg Quality Assurance Plan, a voluntary food safety program developed by the egg industry in cooperation with various public agencies that are consistent with and promote the purposes of California law regarding eggs and egg products.

(5) Existing law makes it unlawful for an egg handler to sell, offer for sale, or expose for sale eggs that are packed or graded for human consumption unless certain requirements are met, including that the consumer container is labeled with a warning to keep the eggs refrigerated. An existing federal regulation, effective September 4, 2001, requires that, except as specified, the label of a package of eggs bear the statement "SAFE HANDLING INSTRUCTIONS: To prevent illness from bacteria: keep eggs refrigerated, cook eggs until yolks are firm, and cook foods containing eggs thoroughly."

This bill would provide that a consumer egg container is adequately marked with a warning to keep the eggs refrigerated if its labeling complies with the safe-handling instructions required by the aforementioned federal regulation.

(6) Existing law provides that a California-grown seal shall be used in the labeling or advertising of agricultural products, as specified, and authorizes the creation, for marketing, advertising, or promotional purposes, of a California-grown seal for agricultural products only under the direction of the Secretary of Food and Agriculture and only to identify agricultural products that have been produced in the state. Existing law authorizes the secretary, upon petition of a grower or processor of California agricultural products, to adopt rules and regulations to provide methods of identifying and labeling agricultural products with the California-grown seal to prevent any misleading use of the seal. Existing law also provides that fraudulent use of the term "California-grown seal" or of the identifying label of the California-grown seal, or a deliberately misleading or unwarranted use of the term or identifying mark, is a misdemeanor, punishable as specified.

This bill would instead provide that the terms “California grown,” “California-grown,” and similar terms with identical connotations shall be used in the labeling or advertising of agricultural products, and authorizes the use of those terms for marketing, advertising, or promotional purposes, only to identify food or agricultural products that have been produced in the state or harvested in its surface or coastal waters. This bill would authorize the secretary to adopt guidelines, rules, and regulations to further define acceptable uses of those terms and to prevent any misleading use of those terms. This bill would also provide that fraudulent use of those terms, or of any seals or other identities officially adopted by the Department of Food and Agriculture in connection with those terms, or a deliberately misleading or unwarranted use of those items or terms is a misdemeanor, punishable as specified. By changing the definition of a crime, this bill would impose a state-mandated local program.

(7) Existing law provides, with specified exceptions, that every person who is engaged in the manufacture, packing, or holding of processed food in this state shall pay a food safety fee of \$100 to the State Department of Health Services to be deposited in the Food Safety Fund, a special fund, and upon appropriation by the Legislature, to be used by the department to assist in developing and implementing education and training programs related to food safety. Existing law provides that this provision shall remain in effect only until January 1, 2003, and as of that date is repealed.

This bill would provide that the food safety fee provision shall instead remain in effect until January 1, 2006, at which time it would be repealed.

(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. 536 (AB 3049) Committee on Health. Public health.

(1) Existing law requires child day care facilities that are licensed by the State Department of Social Services to require proof of each child’s immunizations, including tuberculosis testing, and to maintain files of this proof on the premises.

This bill would exempt from these requirements any child day care center that exclusively offers a program of services for which there is no contract or agreement between the parent and the center for the regular care of the child, and there is no prearranged schedule of care for any child. It would require parents to sign a form acknowledging that they understand the center is not required to verify immunizations and tuberculosis testing for any children accepted for care.

(2) Existing law, the California Uniform Controlled Substances Act, sets forth the requirements with respect to the form and content of prescriptions for controlled substances, and for filling, compounding, and dispensing those prescriptions.

This bill would make a technical, conforming change to the act’s requirements for the form of prescriptions for controlled substances.

(3) Existing law establishes the American Indian Health Policy Panel, to advise the State Department of Health Services on the level of resources, priorities, criteria, and guidelines necessary to implement provisions for a program of various health services under the American Indian Health Service Program.

Existing law specifies the composition of the panel, and requires that, in addition to other members, 4 members be appointed by the Director of Health Services from a list of persons submitted by the California Urban Indian Health Council.

This bill would instead, require that 4 members be appointed from a list of persons submitted by the Western Indian Network.

(4) Existing law, the Alfred E. Alquist Hospital Facilities Seismic Safety Act of 1983, requires for fiscal years 1994–95 through 1997–98, that an appropriation in the sum of \$318,000 be made from the Hospital Building Fund to the Office of Statewide Health Planning and Development, for the purpose of developing specified regulations.

This bill would delete the above appropriation.

(5) Existing law establishes the California Children's Services (CCS) program in order to provide services to qualified children with disabilities.

Existing law also 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 provides for the department to enter into contracts with managed care systems, hospitals, and prepaid health plans for the provision of various Medi-Cal benefits.

Existing law prohibits the CCS covered services from being incorporated into a Medi-Cal managed care contract entered into after August 1, 1994, until August 1, 2005, except with respect to contracts entered into for county organized health systems in specified counties.

This bill would add the Counties of Yolo and Marin to those counties excepted from the prohibition against incorporating CCS covered services into Medi-Cal managed care contracts.

Ch. 537 (AB 3054) Committee on Aging and Long-Term Care. Long-term care integration pilot projects.

Existing law requires the State Department of Health Services to administer a pilot program, for the establishment of not more than 5 sites around the state, to integrate the financing and administration of long-term care services. Each pilot program is required to develop an administrative action plan and local project sites are required to have a long-term care services agency to be responsible for implementing the plan.

This bill would require the department to develop at least, but not limited to, one alternative model to the pilot program referenced above. The bill would require the department to consult with an established waiver technical advisory committee to assist in the development of an alternative model, and would require the department to report the recommendations of the committee to the Legislature on or before December 1, 2003.

Ch. 538 (SB 18) Alarcon. Transportation.

Existing law provides for the funding of various transportation agencies, including the Los Angeles County Metropolitan Transportation Authority.

This bill would request that a study be completed by the University of California, in consultation with the authority, cities within the County of Los Angeles, and users of services and facilities operated or provided by the authority, on the membership and governance structure of the authority. The bill would specify that if the University of California agrees to conduct the study, it may not use any state funds for that or any related purpose. The bill would require a report to be submitted to the Legislature by July 1, 2003, on the study. This bill would also declare legislative intent regarding the creation of the California Transit Riders Bill of Rights.

Ch. 539 (SB 97) Kuehl. Support orders.

Existing law provides that, unless the judgment provides otherwise, if a money judgment is payable in installments, interest commences to accrue as to each installment on the date the installment becomes due.

The California Court of Appeal, in *Dupont v. Dupont* (2001) 88 Cal.App.4th 192, held that a money judgment for child support arrearages that is payable in installments and does not otherwise provide for a different computation of interest is subject to the provision described above.

This bill would provide that, for the purposes of the provision of existing law described above, only the initial support order, whether temporary or final and whether contained in a judgment or not, shall be considered an installment judgment. The bill would also provide that a support order or other order or notice issued, which sets forth the amount of support owed for prior periods of time or establishes a periodic payment to liquidate the support owed

for prior periods, may not be considered a money judgment for purposes of that provision. The bill would include a statement of legislative findings and declarations.

Existing law requires the Director of Child Support Services to conduct an analytic evaluation of the current amount of uncollected child support and to consider factors that may influence collections.

The bill would require the Department of Child Support Services to submit to the Legislature the analysis described above, on or before March 31, 2003, and to include in the analysis its recommendations for improving efficiency in the collection of child support.

Ch. 540 (SB 492) Scott. Clinics: licensure exemptions.

Existing law relating to health facilities regulates the licensure of clinics, as defined, by the State Department of Health Services. Under existing law, specified types of clinics are exempted from these licensing provisions, including, until January 1, 2003, clinics that are nonprofit corporations, as described, and satisfy prescribed requirements regarding medical research and the receipt of charitable contributions and bequests.

This bill would extend the exemption from licensure requirements for the nonprofit clinics described above to January 1, 2008.

Ch. 541 (SB 953) Vasconcellos. Aging.

Existing law prescribes various programs relating to the health and welfare of senior citizens.

Existing law provides for the California Health and Human Services Agency that consists of, among other departments, the California Department of Aging.

Existing law requires the California Department of Aging, among other things, to administer the Mello-Granlund Older Californians Act, which establishes various programs that serve older individuals, including aging information and education programs.

This bill would also request that the Governor's Office on Service and Volunteerism, in coordination with various other entities, pursue resources to develop an Elder Corps master plan to expand opportunities for engaging California's seniors, and set standards for the effective training and supervision of volunteers. This bill would also request that the Governor's Office on Service and Volunteerism work with a specified entity to ensure that California's portion of federal funds from the USA Freedom Corps be used to enhance senior volunteer opportunities.

This bill would provide that the master plan is to be completed only if and when private funding is received for that purpose.

Existing law establishes, until January 1, 2007, a Long-Term Care Council within the California Health and Human Services Agency as an interdepartmental, interagency council to, among other things, coordinate long-term care policy development and program operations and develop a strategic plan for long-term care policy.

This bill would require the Long-Term Care Council, pursuant to specified federal requirements, to assess the current availability of home- and community-based services, identify gaps in service availability, and evaluate changes that could be made to enable consumers to be served in the most integrated setting possible.

This bill would also require the agency, by January 1, 2005, and with recommendations from the Long-Term Care Council, to set standards for CalCareNet, which is a statewide Internet-based application, with the goal of creating an Internet site that links counties and planning service areas, and provides information on the long-term care services available to the consumer. This bill would provide that state funds shall not be appropriated for this purpose, and that the agency is not required to undertake these tasks unless it receives federal or private funds.

This bill would also require the agency to link the CalCareNet Web site to local Internet information systems by January 1, 2004. This bill would also require the agency to permit

counties and planning service areas to design local information systems, contingent on the availability of funding and resources.

This bill would also require the agency, based on recommendations from the Long-Term Care Council, to recommend to the Legislature, by January 1, 2004, standards for care navigation, as defined, including suggestions for connecting consumers from acute care systems, to and through the long-term care system. This bill would provide that state funds shall not be appropriated for this purpose, and that the agency is not required to undertake this task unless it receives federal or private funds for that purpose, and that implementation of a care navigation program shall be subject to the enactment of legislation requiring its implementation.

Existing law establishes the StayWell Program within the California Department of Aging, and establishes various functions for that program relating to seniors and wellness.

This bill would add specified functions relating to aging to the StayWell Program, but would provide that state funds shall not be appropriated for the purpose of implementing those functions, and that the department is not required to undertake implementation of these functions unless it receives federal or private funds for that purpose.

This bill would request that the department work with specified stakeholders and the entertainment industry to change certain attitudes toward, and perceptions of, aging, in order to make the workplace more receptive to older workers. This bill would provide that state funding shall not be appropriated for these purposes of the bill, and that the department would not be required to undertake these activities, unless it receives federal or private funds for that purpose.

Existing law provides for the licensure and regulation of various healing arts practitioners, including those who provide counseling-related services, such as psychologists, social workers, and marriage and family therapists.

This bill would require any applicant for licensure as a psychologist, social worker, or marriage and family therapist, or for renewal of a license for any of these professionals, to complete specified educational requirements regarding aging and long-term care.

Existing law establishes a system of public schools in California, administered by the Superintendent of Public Instruction and sets forth the required course of study for grades 7 to 12, inclusive.

This bill would require the Superintendent of Public Instruction to make available to teachers a curriculum, as specified, on human growth, human development, and financial preparedness. This bill would also require the State Board of Education to integrate with specified academic areas components on human growth, human development, and contribution to society, across the life course, and financial preparedness.

Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges, the California State University under the administration of the Trustees of the California State University, and the University of California under the administration of the Regents of the University of California.

This bill would request that these systems, in consultation with specified entities, develop standards and guidelines, as specified, for the biological, social, and psychological aspects of aging, for specified professional degree programs, at the associate, bachelor, and graduate levels, that relate to aging.

Existing law establishes the Employment Development Department to administer various programs relating to employment.

This bill would request that the Senior Worker Advocate Office of the Employment Development Department work with specified entities to conduct outreach to the business community directed at educating employers regarding matters relating to aging. This bill would provide that state funds may not be appropriated for these purposes, and that the department is not required to undertake these tasks unless the department receives federal or private funds for that purpose.

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**NOTE:** Superior numbers appear as a separate section at the end of the digests.

Ch. 542 (SB 1278) Speier. Pharmacies: prescription benefits: Medicare beneficiaries.

(1) 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 the Medi-Cal drug formulary. Existing law, the Pharmacy Law, separately regulates the operation of pharmacies and makes the violation of its provisions a crime.

The Pharmacy Law requires until January 1, 2003, as a condition of Medi-Cal eligibility, that pharmacies charge Medicare beneficiaries a price not to exceed the Medi-Cal reimbursement rate for prescription medicines, and an amount to cover electronic transmission charges by Medicare beneficiaries, upon showing their Medicare card and prescription.

This bill would indefinitely extend these provisions and would specify that they do not apply to a prescription covered by insurance. The bill would require the department to conduct an outreach program to inform Medicare beneficiaries of this program and require participating pharmacists to prominently display a sign pertaining to its provisions. By imposing this requirement on a pharmacist and by extending the provisions of this program, the violation of which is punishable as a criminal offense, the bill would impose a state-mandated local program.

(2) Existing law, the Golden Bear State Pharmacy Assistance Program (the program), provides that in addition to receiving a discounted rate for prescription medicines under the Pharmacy Law, a Medicare beneficiary may participate in the program as well. Under the program, the State Department of Health Services is required to negotiate rebate amounts with drug manufacturers for prescription drugs purchased by Medicare beneficiaries. Under the program, a drug manufacturer is required to pay the department the negotiated rebate amount for a prescription drug provided to a Medicare beneficiary participating in the program. Existing law requires the department to deposit the rebates into the Golden Bear State Pharmacy Assistance Program Rebate Fund (the fund), which is continuously appropriated.

This bill would authorize the department to establish a system that allows a Medicare beneficiary access to programs operated by drug manufacturers providing a larger discount amount on prescription drugs. The bill would also authorize the department to collect prospective rebates from drug manufacturers, which would be deposited into the fund. Because the bill would increase the amount of revenue in a continuously appropriated fund, it would make an appropriation. The bill would require the department to negotiate a separate fee in an amount required to administer each pharmacy claim reimbursement submitted to the department under the 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. 543 (SB 1447) Chesbro. Treatment of addicts: drug treatment programs.

Existing law provides that it is a misdemeanor or a felony for a physician treating a person for addiction to prescribe for, or furnish to, the person more than 180 milligrams of methadone or 200 milligrams of levoalphacetylmethadol (LAAM) during each day of the treatment.

This bill would repeal the limits on the amount of methadone and LAAM that a physician treating a person for addiction may lawfully prescribe for or furnish to that person during each day of the treatment.

Existing law provides for the Medi-Cal Drug Treatment Program, under which each county enters into contracts with the State Department of Alcohol and Drug Programs for

the provision of various drug treatment services to Medi-Cal recipients, or the department directly arranges for the provision of these services if a county elects not to do so.

Under existing law, the department is responsible for licensing narcotic treatment programs to use replacement narcotic therapy in the treatment of addicted persons whose addiction was acquired or supported by the use of a narcotic drug or drugs, not in compliance with a physician and surgeon's legal prescription.

Existing law provides for reimbursement for narcotic replacement therapy dosing and ancillary services provided by narcotic treatment programs, and limits reimbursement for narcotic treatment program services to those services specified in state law and state and federal regulations governing the licensing and administration of narcotic treatment programs.

Existing law defines the services reimbursable under this program, and establishes contracting, billing, and reimbursement procedures governing this program.

This bill would establish criteria, as specified, for determining the uniform statewide monthly reimbursement rate for narcotic replacement therapy dosing and ancillary services.

Existing law, added by initiative statute (Proposition 36), provides that effective July 1, 2001, except as specified, a person convicted of a nonviolent drug possession offense is required to 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 the 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 provides that reimbursement to narcotic treatment program providers shall be limited to the lower of either the uniform statewide monthly reimbursement rate, or the provider's usual and customary charge to the general public for the same or similar service.

This bill would provide that reimbursement paid to a narcotic treatment program provider by a county for services provided to clients pursuant to Proposition 36, and for which the client is not liable for paying, does not constitute a usual and customary charge to the general public.

Existing law requires certified narcotic treatment program providers that are exclusively billing the state or county for services under these provisions to submit accurate and complete performance reports, as specified.

This bill would impose the same requirements on certified narcotic treatment program providers that are exclusively billing the state or county for services to persons pursuant to Proposition 36.

Ch. 544 (SB 1566) Polanco. California Community Colleges Economic and Workforce Development Program.

Existing law provides for the California Community Colleges Economic Development Program. Existing law provides for the awarding of grants for this program. Existing law provides that this program only be implemented during those fiscal years for which funds are appropriated for these purposes in the annual Budget Act. Existing law establishes the California Community Colleges Business Resource Assistance and Innovation Network Trust Fund in the State Treasury as a special fund administered by the Board of Governors of the California Community Colleges, and authorizes the board of governors to solicit direct contributions for deposit in the fund from various nonstate public and private sources for the purpose of funding the program for allocation upon appropriation by the Legislature. Existing law provides for the repeal of the program on January 1, 2003.

This bill would state the intent of the Legislature to reauthorize the program as the California Community Colleges Economic and Workforce Development Program, and would make related changes to the program. The bill would provide that funds be awarded on a competitive basis. The bill would provide that this program only be implemented during

those fiscal years for which funds are appropriated for these purposes in the annual Budget Act. The bill would require that the special funds in the California Community Colleges Business Resource Assistance and Innovation Network Trust Fund be placed in a surplus money investment account to earn interest for program purposes. The bill would require that an annual report about the program required by existing law to be provided on or about each January 1 by the Chancellor of the California Community Colleges instead be provided on or about March 1 of each year. The bill would extend the date on which the program is to be repealed to January 1, 2008.

Ch. 545 (SB 1852) Committee on Public Safety. Public safety.

(1) Existing law contains numerous provisions pertaining to crime and the implementation of the criminal laws of this state.

This bill would make various nonsubstantive changes to clarify and update these provisions.

(2) Existing law provides that individuals convicted of certain drug offenses must pay a drug program fee which is deposited into a drug program fund allocated to drug abuse programs in the county's schools and in the community. Existing law provides that a certain percentage of the money in the fund shall be used for an annual evaluation conducted by the county superintendent of schools in the counties where the program is operating containing certain information, as specified.

This bill would remove provisions requiring that an annual evaluation be conducted.

(3) Existing law provides that entry of judgment against certain defendants may be deferred with respect to defendants who are charged with certain enumerated crimes and meet certain criteria including that he or she has no prior convictions for any offense involving controlled substances and has had no prior felony convictions within the 5 years prior, as specified.

This bill would add possession of marijuana while driving a motor vehicle to the list of violations to which these provisions apply.

(4) Existing law provides that all records of the Department of Motor Vehicles relating to the registration of vehicles, other information contained on an application for a driver's license, abstracts of convictions, and other information, are open to public inspection during Department of Motor Vehicles office hours. Existing law requires the Department of Motor Vehicles to disclose to courts and law enforcement agencies certain types of felony convictions for a period of 10 years prior for the purpose of imposing penalties for offenses involving driving under the influence of an alcoholic beverage or drug.

This bill would require the department to disclose to courts and law enforcement agencies all convictions for felony gross vehicular manslaughter while intoxicated for the purpose of imposing penalties.

(5) Existing law provides that the Department of Motor Vehicles may suspend a person's privilege to operate a motor vehicle, as specified.

This bill would specify that for the purposes of determining the length of a license suspension, a conviction of any offense in any other state that would have been, if committed in this state, vehicular manslaughter, is to be considered a conviction of California law.

(6) Existing law provides that, with respect to any criminal proceeding against a person who has been issued a license to engage in a business or profession by a state agency, as specified, the state agency which issued the license may voluntarily appear, or may be ordered by the court to furnish pertinent information, make recommendations regarding specific conditions of probation, or provide any other assistance necessary if the crime charged is substantially related to the qualifications, functions, or duties of a licensee.

This bill would provide that a state agency issuing licenses pursuant to the Chiropractic Initiative Act is also subject to these provisions.

(7) Existing law provides various punishments for persons convicted of driving under the influence of drugs or alcohol including suspension or restriction of the driving privilege,

imprisonment, payment of fines, and attendance at driving-under-the-influence programs of various durations, as specified.

This bill would make numerous technical, nonsubstantive, and clarifying changes to these provisions. Because this bill would require proof of completion of a driving-under-the-influence program to be evidenced under penalty of perjury, it would impose a state-mandated local program by expanding the crime of perjury.

(8) 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, and requires the Attorney General to appoint an advisory committee, with members from specified organizations, to assist with management of the system.

This bill would require that the advisory committee include a representative from the California Police Chiefs Association.

(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. 546 (SB 2094) Committee on Public Employment and Retirement. Public employees' retirement: public service.

Under the Public Employees' Retirement Law, service retirement allowances are calculated, in part, based on years of credited service. Members may, under existing law, elect to receive service credit for public service as a volunteer in the Peace Corps or the AmeriCorps VISTA (Volunteers In Service To America) program. Member contributions to the Public Employees' Retirement System are deposited in the Public Employees' Retirement Fund, a continuously appropriated fund.

This bill would provide that members of the Public Employees' Retirement System may elect to receive service credit for public service as a volunteer in any other AmeriCorps program. By increasing the amount of employee contributions to the Public Employees' Retirement Fund, the bill would make an appropriation.

Ch. 547 (SB 1586) Haynes. District annexations.

Under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, when any district to which annexation of territory is proposed has adopted and transmitted to the local agency formation commission a resolution requesting termination of proceedings within a prescribed time period, the commission is required to terminate the proceedings.

This bill instead would require the commission to terminate the proceedings after consideration of the district's resolution, which shall be based upon written findings supported by substantial evidence in the record that the request is justified by financial or service concerns, as defined. The bill would make the district's resolution subject to judicial review. The bill would make these provisions inapplicable if all districts to which annexation of territory is proposed have adopted and transmitted to the commission resolutions supporting the proposed change of organization or reorganization. The bill would make other conforming changes.

Ch. 548 (AB 2227) Harman. Local agency formation.

(1) The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 governs the procedures for the formation and change of organization of cities and special districts. For purposes of the act, the terms "landowners" and "owner of land" are defined as any person shown as the owner of land on the most recent assessment roll being prepared by the county at the time the conducting authority adopts a resolution of application, except where that person is no longer the owner.

This bill would change these definitions to any person shown as the owner of land on the most recent assessment roll being prepared by the county at the time the proponent adopts a resolution of application or files a notice of intention to circulate a petition with the executive officer of a local agency formation commission, except where that person is no longer the owner, and would make related changes.

(2) For purposes of the act, the term "proponent" is defined as the person or persons who file a notice of intention to circulate a petition with the executive officer.

This bill would change that definition to the person or persons who file a notice of intention to circulate a petition with the executive officer or the local agency that adopts a resolution of application.

(3) Existing law requires that any action brought to determine the validity of any change of organization or reorganization be brought pursuant to specified procedures.

This bill would include within this requirement actions brought to determine the validity of sphere of influence determinations.

(4) Existing law specifies how required notice shall be mailed with respect to the proceedings of a local agency formation commission. With regard to mailed notice to landowners, existing law requires that notice be addressed to each person to whom land is assessed, as shown upon the most recent assessment roll being prepared by the county at the time the commission adopts a resolution of application. With regard to mailed notice to registered voters, existing law requires that notice be given to all registered voters within the property that is subject to the hearing and all registered voters within 300 feet of the exterior boundary of that property.

This bill would provide that required notice to landowners be addressed to each person to whom land is assessed as shown on the most recent assessment roll being prepared by the county at the time the proponent adopts a resolution of application or files a notice of intention to circulate a petition with the executive officer, and to all landowners within 300 feet of the exterior boundary of the property that is the subject of the hearing. This bill would also provide that required notice to registered voters be addressed to all registered voters within the affected territory at the address as shown on the most recent index of affidavits prepared by the county elections official at the time the proponent adopts a resolution of application or files a notice of intention to circulate a petition with the executive officer and to all registered voters within 300 feet of the exterior boundary of the property that is the subject of the hearing.

(5) Existing law permits a city or district to provide extended services, as defined, outside its jurisdictional boundaries only if it first requests and receives written approval from the local agency formation commission in the affected county. Approval is not required for an extended service that a city or district was providing on January 1, 1994.

This bill would extend that exemption from commission approval to an extended service that a city or district was providing on or before January 1, 2001.

(6) Existing law sets forth the various powers and duties of a local agency formation commission in reviewing and approving or disapproving proposals for changes of organization or reorganization. Among other things, a commission shall require, as a condition to annexation to a city, that the city prezone the territory to be annexed and require that approval of the annexation be consistent with the planned and probable use of the property based upon the review of the general plan and rezoning designations.

This bill would permit the commission not to require a city to prezone the territory to be annexed if satisfactory evidence is presented to the commission that the existing future development entitlements on territory to be annexed are vested or are already at buildout, and are consistent with the city's general plan land use element.

(7) Existing law allows a commission to approve an annexation to a city of island territory without an election or waive a protest hearing, as specified.

This bill would, subject to specified conditions, require the commission to approve the annexation and waive protest proceedings as to annexations initiated on or after January 1,

2000, and before January 1, 2007, and approve these annexations initiated on or after January 1, 2007.

(8) Existing law requires the local agency formation commission to mail notice of a public hearing regarding the adoption, amendment, or revision of spheres of influence, at least 15 days prior to the date of the hearing and to publish that notice in a newspaper at least 15 days prior to the hearing.

This bill would require instead that the mailed and published notice be made at least 21 days prior to the date of the hearing and specify publication in a newspaper of general circulation within the affected territory.

(9) Existing law requires a local agency formation commission to terminate any change of organization or reorganization, except a special reorganization, that includes the detachment of territory from any city if any city from which the detachment of territory is requested adopts and transmits a resolution requesting termination of the proceedings no later than 60 days after the date that the proposal is on the commission's meeting agenda.

This bill would make this requirement inapplicable if the commission receives a resolution in support of the proposed change of organization or reorganization from all cities from which the detachment of territory is proposed.

(10) Existing law requires a local agency formation commission to terminate any change of organization or reorganization that includes the annexation of territory to any district if any district to which the annexation of territory is requested adopts and transmits a resolution requesting termination of the proceedings no later than 60 days after the date that the proposal is on the commission's meeting agenda.

This bill would make this requirement inapplicable if the commission receives a resolution in support of the proposed change of organization or reorganization from all districts to which the annexation of territory is proposed.

(11) Existing law permits a local agency formation commission to make its approval of a change of organization or reorganization of local government entities subject to any of specified conditions.

This bill would require that any of the specified conditions imposed on a change of organization or reorganization constitute the exclusive conditions for the change of organization or reorganization, notwithstanding the general provisions of the act, and would make conforming changes.

(12) Existing law provides that protest proceedings with respect to a district formation that is not part of a reorganization shall be conducted pursuant to the principal act of the district to be formed, and that commission protest procedures shall not apply except as specified.

This bill would provide that protest proceedings of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 shall prevail in the event of a conflict with the principal act of the district to be formed.

(13) Existing law requires the executive officer of the commission to give mailed notice of the protest hearing on a proposed annexation to a city of 75 acres or less to each landowner within the affected territory.

This bill would delete that requirement.

(14) Existing law authorizes a petition to be filed with the executive officer of the commission prior to the conclusion of the protest hearing by the commission on the issue of merging a district with a city or establishing a subsidiary district of a city, if the petition requests that any election on that question be called, held, and conducted only within the district.

This bill would require the commission to forward the proposal to the affected city and would require the affected city to call, hold, or conduct any election if the executive officer certifies the petition. The bill would also require the commission to forward the proposal to the principal county and would require the principal county to call, hold, and conduct any election upon the question of a merger or the establishment of a subsidiary district only

within the district to be merged or within the district to be established as a subsidiary district if the petition requesting the election is certified.

(15) Existing law requires the commission, in any resolution ordering a special organization, to call an election in both the territory to be detached from the city and the entire territory of the city from which the detachment is ordered to occur.

This bill would require that any resolution ordering a special reorganization require the principal county to call the election.

(16) This bill would make various related conforming changes.

(17) By imposing various duties described above on local agency formation commissions and local government 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.

This bill would provide that no reimbursement is required by this act for a specified reason.

#### Ch. 549 (AB 1282) Cardoza. Health care service plans.

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the regulation of health care service plans by the Department of Managed Health Care and makes a willful violation of the act's provisions a crime.

This bill would require the department to adopt regulations that establish an extended geographic accessibility standard for access to health care providers served by a health care service plan in counties with a population of 500,000 or less that have 2 or fewer health care service plans providing coverage to the entire county in the commercial market. The bill would also require a health care service plan to hold a public meeting in a county with a population of 500,000 or less if the plan intends to withdraw coverage from that county or a portion thereof.

Because a willful violation of these provisions by a health care service plan 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. 550 (AB 1946) Corbett. Written materials for patients.

(1) Existing law requires every contract of admission for a skilled nursing or intermediate care facility to contain a complete copy of specified patients' rights provisions, in legible print of no less than 10-point type.

This bill would instead require these provisions to be in legible print of no less than 12-point type.

(2) Existing law contains various provisions relating to personal health care and patient rights.

This bill would require specified printed materials that are provided to a patient by a general acute care hospital, skilled nursing, intermediate care, or nursing facility, or residential care facility for the elderly, to be printed in at least a 12-point font that is clear and legible. The bill would further require that, upon admission of a patient to a skilled nursing, intermediate care, or nursing facility, or to a general acute care hospital, the facility shall ask if the patient wishes specified patients' rights information to be provided to the patient's next of kin or agent under a durable power of attorney for health care, and to provide that information if the patient so directs. The bill would authorize the facility or hospital to provide materials regarding its expectations of patients and patients' responsibilities, as specified. This bill would also require a representative of the facility or hospital to explain these materials to the next of kin or agent under the durable power of attorney for health care, upon request.

Ch. 551 (AB 2202) Alquist. Gerontology: service delivery personnel: training.

Existing law provides generally for the prevention of disease and the promotion of health for all Californians, including older adults. Existing law declares the intent of the Legislature that the University of California provide, in a specified manner, academic courses and training in the field of geriatrics for medical students and existing internists and family physicians.

This bill would declare the intent of the Legislature that California State University (CSU) students who are receiving training to provide services to the senior population complete a curriculum in the field of gerontology. The bill would require the CSU system to provide academic courses and training in the field of gerontology for specified professional service delivery personnel. The bill would impose requirements on each CSU campus that educates professional service delivery personnel, relating to curriculum guidelines and recruitment. The bill would require the trustees to submit a progress report to the Legislature on or before a specified date, on the status of the establishment and implementation of the gerontology curricula required by the bill.

Ch. 552 (AB 2735) Chan. Elder and dependent adult abuse.

Existing law provides that all information and records obtained in the course of providing services, as specified, to persons with developmental disabilities and to either voluntary or involuntary recipients of certain mental health services, are confidential, except as specified.

This bill would add to the exceptions to the provisions restricting disclosure, a disclosure between persons who are trained and qualified to serve on defined multidisciplinary personnel teams that are involved in the prevention, identification, and treatment of abuse of elderly or dependent persons. The bill would require that the information and records sought to be disclosed shall be relevant to the prevention, identification, management, or treatment of an abused elder or dependent adult.

Existing law provides for the reporting of known or suspected physical or other abuse, as defined, of an elder or dependent adult by specified persons and entities. Existing law requires that the identity of any person who reports known or suspected abuse and information relevant to the actual or suspected abuse shall be kept confidential and disclosed only to specified persons or entities.

This bill would expand the category of persons and entities who may receive and disclose information relevant to the known or suspected abuse of an elder or dependent adult and the identity of any person reporting it to include the office of the district attorney, the office of the public guardian, and the probate court.

Existing law, implemented only to the extent funds are provided in the annual Budget Act, requires a county to establish an emergency response adult protective services program to respond in person immediately to reports of imminent danger to an elder or dependent adult or within 10 calendar days or as soon as practicably possible to all other reports of danger, except under specified circumstances.

This bill would exempt from these response and reporting requirements reports to the county that involve danger to an elder or dependent adult residing in specified facilities for the incarceration of prisoners when the abuse reportedly has occurred in one of those facilities. It would also make various other changes to these emergency response and reporting provisions.

This bill would incorporate additional changes to Section 15763 of the Welfare and Institutions Code, proposed by AB 444 and SB 1845, to be operative only if this bill and either or both AB 444 and SB 1845 are enacted and become operative on or before January 1, 2003, and this bill is enacted last.

Ch. 553 (SB 309) Ortiz. Continuing care retirement communities.

Under existing law, the State Department of Social Services is responsible for regulating activities relating to continuing care contracts that govern care provided to an elderly resident

in a continuing care retirement community for the duration of the residents' life or a term in excess of one year. Existing law contains provisions relating to supervision of life care contracts, also known as continuing care contracts, including requirements governing continuing care communities and contracts.

Existing law specifies rights of which no resident of a continuing care retirement community may be deprived.

This bill would also declare that residents of a continuing care community have the right to organize and participate freely in the operation of resident associations.

Existing law requires continuing care providers to permit the formation of a resident association by interested residents and to establish policies and procedures that promote the sharing of information, dialogue between residents and management, and access to the provider's governing body. Existing law requires that those policies and procedures shall be evaluated at a minimum of every 2 years.

This bill would, instead, require the provider to conduct a biannual resident satisfaction survey, that would be made available to the resident association or its governing body or to a committee of residents of continuing care communities at least 14 days prior to the next semiannual meeting of residents and the governing body of the provider. It would also require that a copy of the survey be posted in a conspicuous location at each facility.

Existing law requires that, at least 30 days prior to the implementation of any increase in the monthly care fee, the designated representative of a continuing care retirement community provider shall convene a meeting, to which all residents shall be invited, for the purpose of discussing the reasons for the increase, the basis for determining the amount of the increase, and the data used for calculating the increase.

This bill would require the provider to make certain data available at least 14 days prior to a meeting to discuss a monthly care fee increase, and would require that a copy of that information be posted in a conspicuous location at each facility. This bill would impose on a continuing care provider responsibilities to prepare and provide certain reports to residents, and to allow residents to make presentations at specified meetings.

Existing law provides that in a multifacility organization having more than one continuing care retirement community in the state, the governing body of the multifacility organization shall elect either to have at least one nonvoting resident representative to the provider's governing body for each California-based continuing care retirement community the provider operates or to have a resident-elected committee composed of representatives of the residents of each California-based continuing care retirement community that the provider operates select or nominate at least one nonvoting resident representative to the provider's governing body for every three California-based continuing care retirement communities or fraction thereof that the provider operates.

This bill would provide that, if a multifacility organization elects to have one representative for every 3 communities that the provider operates, the provider shall provide to the president of the residents association of each of the communities that do not have a resident representative, the same notice of board meetings, board packets, minutes, and other materials as the resident representative. It would, however, permit specified information to be withheld. It would also permit, except as prescribed, resident representatives to share information from board meetings with other residents.

This bill would also require the department, by April 1, 2003, and with input from the committee, to make recommendations to the Legislature as to whether any changes in current law regarding resident representation to the board is needed, and to provide written guidelines, available to residents and providers, that address specified issues.

Existing law requires the Continuing Care Contracts Branch of the department to perform various duties in the oversight of continuing care retirement community facilities.

Existing law requires the branch to respond to continuing care facility residents' rights, service-related, and financially related complaints by residents.

This bill would require the branch to provide the continuing care contracts advisory committee with a summary of all residents' rights, service-related, and financially related complaints by residents. This bill would also require the provider to disclose any citation issued by the department in its disclosure statement to residents.

Existing law provides that the Continuing Care Advisory Committee of the department, comprised of specified membership, shall act in an advisory capacity to the department on matters relating to continuing care contracts.

This bill would revise the membership of the committee.

Existing law provides that in the event of liquidation, all claims made against a continuing care provider based on the provider's continuing care contracts shall be preferred claims against all assets owned by the provider.

This bill would include claims against a continuing provider in the event of receivership within the scope of that requirement.

Ch. 554 (SB 339) Ortiz. Long-term health care facilities: status changes and patient transfers.

Existing law requires the State Department of Health Services to administer provisions relating to the licensing of health facilities, including long-term health care facilities. Existing law imposes various requirements upon long-term health care facilities when the facility transfers patients due to a change in the status of the license or operation of the facility, including a requirement for written notification to the affected patients or their guardians. Under existing law, these requirements include taking reasonable steps to medically assess the patient prior to the transfer, and, when 10 or more patients are likely to be transferred, the preparation and submission of a proposed relocation plan to the department for comment, if any.

Existing law also authorizes the department to provide or arrange for the provision of patient relocation and related services, under specified circumstances.

Under existing law, the willful or repeated violation by any person of the provisions regulating long-term health care facilities is a misdemeanor.

This bill would revise the above provisions relating to the transfer of long-term health care facility patients, by, among other things, replacing references to a "patient" in these facilities with the term "resident." The bill would also require the facility to obtain a social and physical functioning assessment, as well as a medical assessment, of each patient prior to giving the patient notice of the transfer. This bill would give a resident the right to remain in the facility for up to 60 days after notification of the intent to transfer, if an appropriate placement has not been made, and would impose staffing requirements upon facilities under these conditions. This bill would revise the procedures for submission by a facility, and review and approval by the department, of relocation plans for 10 or more residents. By changing the definition of an existing crime, this bill would create a state-mandated local program.

This bill would require the department to request that the Attorney General seek injunctive relief and damages against a facility that fails to provide the specified relocation services, under specified conditions.

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. 555 (SB 1531) Speier. Health care coverage.

Existing law provides for the regulation of health care service plans by the Department of Managed Health Care and for the regulation of health insurers by the Department of Insurance. Under existing law, a violation of the provisions governing health care service plans is punishable as a crime.

Existing law requires a plan and a health insurer to issue a Medicare supplement policy on a guaranteed basis to specified individuals, including those enrolled in a Medicare+Choice plan, who satisfy designated criteria. Under existing federal law provisions regulating those plans, a Medicare+Choice organization may apply to the United States Department of Health and Human Services Centers for Medicare and Medicaid Services for a modification of a service area of a Medicare+Choice plan that it offers. Existing law additionally provides that a plan and a health insurer may not deny, condition the offering or effectiveness of, or discriminate in the pricing of a Medicare supplement policy or contract because of, among other things, the health status, claims experience, or a preexisting condition, of an applicant if the applicant satisfies designated criteria. Existing law provides an applicant for a Medicare supplement policy or contract with an open enrollment period in specified situations if the applicant, among other things, is at least 65 years old and was previously enrolled in Medicare.

This bill would expand eligibility for the guaranteed issuance of a Medicare supplement policy to include an individual enrolled in a Medicare+Choice plan if the plan reduces its benefits, increases the cost-sharing amount, or discontinues for other than good cause relating to the quality of care, a provider currently furnishing services to the individual. The bill would expand the ability of a qualified applicant to obtain a Medicare supplement policy or contract by, among other things, deleting the age requirement and expanding the open enrollment timeframe, as specified.

Because the bill would specify additional requirements with respect to the operation of a health care service plan, the violation of which would be punishable as 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. 556 (SB 1633) Soto. Medi-Cal: transfer of property interest: notice.

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 requires the department and any nursing facility, at the time of either application for Medi-Cal benefits or of the assessment of the resources of a married couple when one spouse is institutionalized, prior to admitting any person, to provide a clear and simple statement, in writing, to the applicant or recipient, to his or her spouse, and to his or her legal representative, if any, explaining how Medi-Cal eligibility requirements affect certain exempt resources, certain protections against spousal impoverishment, and certain circumstances under which an interest in a home may be transferred without affecting Medi-Cal eligibility.

This bill would similarly require the department, at the time of application by an aged, blind, or disabled Medi-Cal applicant who is not receiving aid under other programs, as specified, to provide a clear and simple statement, in writing, to the applicant, and to the applicant's spouse, legal representative, or agent, if any, explaining how Medi-Cal eligibility requirements affect certain circumstances under which an interest in a home may be transferred for less than fair market value without affecting Medi-Cal eligibility.

Ch. 557 (SB 1898) Soto. Residential care facilities for the elderly: fees and charges.

Existing law provides for the regulation and licensure of residential care facilities for the elderly by the State Department of Social Services. A violation of these provisions is a misdemeanor.

This bill would provide that if a licensee of a residential care facility for the elderly charges a preadmission fee, the licensee is required to provide the applicant with a written statement of specified costs relating to the preadmission fee and other matters.

This bill would prohibit the collection of any preadmission fee from a recipient of benefits under the State Supplementary Program for the Aged, Blind and Disabled who applies for admission to the facility. The bill would only authorize the collection of a rate increase from a recipient under this program under specified circumstances.

The bill would require a licensee to provide residents written notice of rate increases, as specified, and would prohibit the charge of nonrecurring lump-sum assessments, as defined, by a licensee except for charges for specific goods or services provided to an individual resident.

By 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. 558 (AB 410) Salinas. Rural programs.

Existing law establishes the California Rural Policy Task Force within the Office of Planning and Research in the Governor's office, specifies its composition, prescribes its duties, and requires each agency or department represented on the task force to develop a designated plan. Existing law also establishes the Rural California Technical Assistance Program in the Trade and Commerce Agency. Existing law repeals these provisions as of January 1, 2003.

This bill would extend the repeal date of these provisions to January 1, 2007.

The bill would revise the composition and duties of the California Rural Policy Task Force, and would require the task force to develop, on or before June 1, 2004, a strategic plan as prescribed.

#### Ch. 559 (AB 892) Keeley. Fisheries.

(1) Existing law, the Marine Life Management Act, generally establishes a comprehensive plan for the management of marine life resources, and utilizes fishery management plans as the primary basis for managing the state's sport and commercial marine fisheries. Existing law requires the Department of Fish and Game to submit fishery management plans to the Fish and Game Commission for adoption or rejection and also requires the Director of Fish and Game to report annually in writing to the commission on the status of sport and commercial marine fisheries managed by the state and identify those fisheries that do not meet the sustainability policies set forth in the act. Existing law authorizes the department, upon the recommendation of the commission, to adopt regulations that limit the taking of fish in a fishery, and permits those regulations to remain in effect until a fishery management plan is adopted, or for 12 months, whichever is shorter.

This bill would, instead, provide that those regulations shall remain in effect until a fishery management plan is adopted. The bill would delete obsolete references and would make other clarifying and technical changes to the act.

(2) Existing law requires the department to submit to the commission a draft of a master plan prepared pursuant to 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 on or before December 1, 2003.

This bill would instead require the department to submit to the commission a draft of the master plan on or before January 1, 2005, a proposed final master plan on or before April 1, 2005, and a final master plan on or before December 1, 2005.

(3) Existing law authorizes the director to adopt regulations to conform state law or regulations of the commission to the fishery management plan prepared pursuant to the federal Magnuson-Stevens Fishery Conservation and Management Act.

This bill would revise the definitions applicable to those provisions to conform with the existing act and with the federal Magnuson-Stevens Fishery Conservation and Management Act.

(4) Existing law prohibits the taking or landing of krill of the genus *Thysanoessa* or the genus *Euphausia* for commercial purposes until January 1, 2011, and prohibits that commercial taking or landing after January 1, 2011, unless permitted under regulations adopted by the commission.

This bill would expand those provisions to apply to the taking or landing of all species of krill.

By changing the definition of a crime, this bill 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.

(6) Existing law continuously appropriates money in the Fish and Game Preservation Fund to the department and the commission to carry out the Fish and Game Code.

By revising the duties of the department and the commission, this bill would make an appropriation.

Ch. 560 (AB 1742) Maldonado. Vehicles: combination lengths: agricultural product haulers.

Existing law prohibits any combination of vehicles coupled together, including any attachments, from exceeding a total length of 65 feet, with certain, specified exceptions.

This bill would exempt a combination of vehicles from the specified length limitation, and would authorize the combination to have a total length of not more than 75 feet, if the combination (1) consists of a motortruck and 2 trailers; (2) no trailer in the combination exceeds 28 feet 6 inches in length; (3) the combination is used exclusively to transport agricultural products from the field to the first point of handling and return, and each direction of transport does not exceed 80 miles; and (4) the combination is not operated on a highway that is designated as a national network route.

The bill would provide that these provisions would become inoperative on January 1, 2006. This bill would require the Department of the California Highway Patrol to study the effect of the provisions on public safety and to report the results of the study to the Legislature and the Governor no later than April 1, 2005.

Ch. 561 (AB 1881) Pescetti. Solar energy systems.

Existing law requires the Department of General Services, in consultation with the State Energy Resources Conservation and Development Commission (Energy Commission), to ensure that solar energy equipment, for which the primary purpose is using solar energy for electricity generation is installed, no later than January 1, 2007, on all state buildings and state parking facilities where feasible, as defined. Existing law also requires 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 establish a program to require the Department of General Services in consultation with the Energy Commission to ensure that solar energy equipment for which the primary purpose is using solar energy for heat production be installed where feasible, as defined, no later than January 1, 2007. The bill requires such solar energy equipment to be installed where feasible as part of the construction of all state buildings and state parking facilities for which construction commences on or after January 1, 2003.

The bill would require any solar energy equipment installed pursuant to the new program to meet specified standards and requirements imposed by state and local permitting authorities, including certification by the Solar Rating Certification Corporation and other applicable safety and performance standards.

This bill would subject any solar energy equipment that is installed pursuant to the program to the California Solar Rights Act of 1978.

Ch. 562 (AB 2045) Matthews. Pharmacists: disciplinary actions.

Existing law, the Pharmacy Law, requires each pharmacy to designate a pharmacist-in-charge who is responsible for the pharmacy's compliance with all state and federal laws and regulations pertaining to the practice of pharmacy. The law makes a pharmacist subject to disciplinary action by the California State Board of Pharmacy for the commission of unprofessional conduct, which may include an act or omission that arises in the course of the pharmacist's practice or in his or her ownership, management, administration, or operation of a pharmacy or other entity licensed by the board.

This bill would require the board in a disciplinary action against a pharmacist-in-charge for the violation by another person of a state or federal law or regulation pertaining to the practice of pharmacy, to use a report made by the pharmacist-in-charge of the violation or suspected violation as a mitigating factor, if specified conditions are met.

Ch. 563 (AB 2274) Keeley. Off-highway vehicle recreation.

The existing Off-Highway Motor Vehicle Recreation Act of 1988 requires the Division of Off-Highway Motor Vehicle Recreation in the Department of Parks and Recreation to implement and administer the Off-Highway Motor Vehicle Recreation Program, which provides for opportunities for off-highway motor vehicle recreation at specified areas throughout the state.

The act requires the Secretary of the Resources Agency to prepare and submit an environmental review on the implementation of the act to the Assembly Committee on Natural Resources, the Senate Committee on Natural Resources and Wildlife, and the Committee on Appropriations of each house every 5 years, and requires the Legislature to appropriate from the Off-Highway Vehicle Trust Fund an amount equal to the cost of preparing that review.

This bill would delete those provisions, and would require that the Division of Off-Highway Motor Vehicle Recreation in the department, not later than January 1, 2005, prepare and submit to the Legislature a report that identifies the extent to which nonmotorized recreationists contribute fuel tax revenues to the Off-Highway Motor Vehicle Recreation Program.

The bill would prescribe changes in the groups and organizations from which nominees to the Off-Highway Motor Vehicle Recreation Commission may be appointed, and would revise some of the functions and duties of the division with respect to the implementation and administration of the act, as specified. The bill would require the division to comply with various new reporting requirements, and to assist in the designation of corridors for a California Statewide Motorized Trail.

The existing act authorizes the issuance of grants to cities, counties, and appropriate districts for the planning, acquisition, development, construction, maintenance, administration, operation, and conservation of trails, trailheads, areas, and other facilities for the use of off-highway motor vehicles, as provided.

This bill would make various changes with respect to the procedures for grant application and funding, and would also authorize the issuance of grants to educational institutions and nonprofit organizations for certain projects that are designed to sustain a managed off-highway motor vehicle recreation program.

The existing act requires that specified funds allocated to the Off-Highway Motor Vehicle Trust Fund from fuel tax revenues and required to be used by the division, or by cities,

counties, or appropriate districts, or by agencies of the United States, solely for activities on lands in the off-highway motor vehicle recreation system.

This bill would revise that requirement to, instead, require that 30% of those revenues be used for restoration, as defined, and 70% of those revenues be used for specified conservation and enforcement activities, and for the construction of physical barriers and other means of traffic control regulating the use of off-highway motor vehicles.

Existing law requires the Department of the California Highway Patrol to prepare a course of instruction in off-highway motor vehicle safety and operation and principles of environmental preservation, as provided.

This bill would require the division to adopt those courses by January 1, 2005, and to consult with the Department of the California Highway Patrol and other public and private agencies or organizations in connection with the preparation of those courses.

Existing law authorizes the use of specified funds collected from off-highway motor vehicle license fees for reconstructing and repairing damage caused by the use of off-highway motor vehicles on property where the operation of those vehicles is prohibited by federal, state, or local law.

This bill would repeal those provisions. The bill would also impose various new requirements relating to noise emissions from off-highway motor vehicles, as provided.

Existing law requires that 50% of the revenues from fines and forfeitures collected for violations of specified vehicle laws be deposited in the fund for expenditure for the purposes of the act.

This bill would, instead, require that all of those revenues from fines and forfeitures be deposited in the appropriate fund in the county where the violation occurred, and be used for enforcing laws related to the operation of off-highway motor vehicles.

#### Ch. 564 (AB 2320) Strickland. Ventura County Flood Control District.

Existing law, the Ventura County Flood Control Act, creates the Ventura County Flood Control District and describes its boundaries and territory.

This bill would change the name of the district to the Ventura County Watershed Protection District, and the name of that law to the Ventura County Watershed Protection Act.

#### Ch. 565 (AB 2401) Thomson. Public resources: state park land acquisition.

Existing law requires the Department of Parks and Recreation to hold a public hearing within the county in which a proposed state park project is located, prior to submitting any proposal for an appropriation for an acquisition of real property for the project, if the real property is more than \$500,000 in value. The department is required to submit a summary of the public comments at the public hearing and a summary of the comments by the city or county in which the real property is located to the Legislature at the time the appropriation of funds for the acquisition is proposed. Existing law imposes similar requirements for property that is not proposed to be acquired through a purchase agreement.

This bill would increase the threshold amount specified above to \$5,000,000. The bill would delete the reporting requirements specified above. The bill would require the department to provide written notice of its intent to acquire the real property to the city or county, or both, having jurisdiction over the property, as early as possible in the acquisition process, but not less than 90 days from the date of acquisition. The bill would authorize a member of the city council or board of supervisors, to request the department to hold a public hearing regarding the acquisition of the property, if the acquisition is between \$500,000 and \$5,000,000.

The bill would impose similar requirements for property that is not proposed to be acquired through a purchase agreement.

#### Ch. 566 (AB 2461) Keeley. Taxation: vehicle license fees: low-emission vehicles.

The Vehicle License Fee Law provides that the annual amount of the license fee for any vehicle is 2% of the market value of the vehicle, as specified. It provides for the determination of the market value of any vehicle, for reclassification to increase the market value of a vehicle, and for the exemption of certain vehicles from the imposition of the license fee.

Existing law, until January 1, 2003, for purposes of determining the vehicle license fee, exempts from the determination of market value the incremental costs, as defined, that are incurred with respect to a new light-duty motor vehicle propelled by an alternative fuel that is certified by the State Air Resources Board as producing emissions that meet, or are lower than, the emission standards and other specifications for ultra-low-emission vehicles, as defined by the board.

This bill would extend these provisions until January 1, 2009, and would make certain legislative findings and declarations regarding vehicle emissions.

This bill would take effect immediately as a tax levy.

#### Ch. 567 (SB 1269) Peace. Powerplant site and facility certification.

The existing Warren-Alquist State Energy Resources Conservation and Development Act requires the State Energy Resources Conservation and Development 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. Existing law authorizes the commission, after hearings, to amend the conditions of, or revoke the certification for, any facility for specified reasons and to administratively impose a civil penalty for specified violations of a certification of up to \$50,000 per violation, as prescribed.

Existing law establishes in state government the California Consumer Power and Conservation Financing Authority, with powers and responsibilities as prescribed, including the power to issue revenue bonds for the purpose 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.

This bill would authorize the commission to administratively impose a civil penalty for specified violations of up to \$75,000, as prescribed.

This bill would require a project owner to commence construction of a project within 12 months after the project has been certified by the commission and all accompanying project permits are final and administrative and judicial appeals have been completed. The bill would require a project owner to submit construction and commercial operation milestones within 30 days after project certification. If that 30-day deadline is not met, the bill would require the commission to establish construction milestones for the project. The bill would specify that the failure of the project owner to meet construction or commercial operation milestones, without a finding of good cause, is cause for revocation of certification or the imposition of other penalties. The bill would require the commission to extend the start of construction by 24 months under certain circumstances.

This bill would require the commission to provide immediate notice to the authority if the project owner fails to commence construction, without good cause, within 12 months after the project has been certified and the project owner has not received an extension. The bill would require the authority to evaluate whether to pursue the project independently or in conjunction with any other public or private entity, including the original certificate holder. If the authority demonstrates to the commission that it is willing and able to construct the project, the bill would authorize the commission to revoke the original certification and issue a new certification for the project to the authority, unless the authority's statutory authorization to finance or approve new programs, enterprises, or projects has expired. The bill would require the commission, if it issues a new certification, to adopt new deadlines and

milestones for the project that allow the authority up to 24 months to start construction or to start to meet the applicable deadlines and milestones. The bill would specify that those provisions do not apply to specified qualifying small power production facilities or qualifying cogeneration facilities, as provided, any other generation units installed, operated, and maintained at a customer site exclusively to serve that facility's load, or specified licenses issued to local publicly owned electric utilities that make a specified certification.

The bill would authorize the commission and authority, in consultation with each other, to adopt emergency regulations for the purposes of the bill.

Ch. 568 (SB 1389) Bowen. Energy: planning and forecasting.

The planning and forecasting provisions of the existing Warren-Alquist State Energy Resources Conservation and Development Act require the State Energy Resources Conservation and Development Commission to prepare various reports. These reports include a draft and final electricity report based on reporting and forecasting required to be submitted by electric utilities, a report regarding emerging trends in energy availability and use, a report related to energy conservation, and a report regarding emerging trends in use, availability, and price of transportation fuels, among other things.

This bill would repeal the provisions of law requiring various reports, and instead require the commission to prepare an integrated energy policy report on or before November 1, 2003, and every 2 years thereafter, as specified. The bill would require the commission to conduct assessments and forecasts as often as necessary, but no less frequently than every 2 years. The bill would require the commission to conduct workshops and hearings for purposes of the report. The bill would additionally require the commission to include in the report a description of the international energy market prospects and an evaluation of its export promotion activities, along with other related items.

The bill would also require the commission to manage a data collection system for obtaining the information necessary to develop specified energy policy reports and analyses, and energy shortage contingency planning efforts, and to support other duties of the commission, as prescribed. The bill would authorize the commission to impose a civil penalty to ensure timely and accurate compliance with the data collection system. The bill would include certain requirements relating to the confidentiality of the data.

Ch. 569 (SB 1420) Johannessen. Vehicles: noise citations.

Existing law generally restricts the noise levels of vehicular exhaust systems on motor vehicles subject to registration. Existing law requires the Commissioner of the California Highway Patrol to adopt regulations providing that exhaust systems comply with statutory noise restrictions if they are installed on motor vehicles, other than motorcycles and new motor vehicles, with a gross vehicular weight of less than 6,000 pounds and emit no more than 95 dbA.

Existing law also requires the commissioner to adopt regulations providing for the licensing of stations to implement noise level standards.

This bill would require licensed smog check stations that offer referee functions to consumers to provide for the testing of vehicular exhaust systems only for those vehicles that have been issued a citation for the violation of specified exhaust system requirements. It would require these stations to issue certificates of compliance for vehicles when tests of their exhaust systems demonstrate that the systems emit no more than 95 dbA. It would eliminate the requirement that the commissioner adopt regulations on that subject.

The bill would further require a station to charge a fee, as specified, to be deposited in the Vehicle Inspection and Repair Fund, for issuing a certificate of compliance.

Existing law gives a court discretion to dismiss a prosecution for violating vehicular noise level restrictions if it finds that both of the following conditions existed: (1) the vehicle was equipped with an exhaust system meeting regulations adopted by the commissioner and (2) the defendant had reasonable grounds to believe that the exhaust system was in good

working order and that the vehicle was not operated in violation of applicable noise restrictions.

This bill would allow a court to dismiss a prosecution for violating vehicular noise level restrictions if it finds either that a certificate of compliance has been issued regarding the exhaust system, as specified, or if the defendant had reasonable grounds to believe that the exhaust system was in good working order and that the vehicle was not operated in violation of those restrictions.

Ch. 570 (SB 1534) Bowen. Solar energy systems.

Existing law provides that any covenant, restriction, or condition contained in any deed, contract, security instrument, or other instrument affecting real property, as specified, that prohibits or restricts the installation or use of a solar energy system is void and unenforceable. Existing law requires that solar collectors meet the standards and requirements imposed by state and local permitting authorities, and specifically requires, in this regard, certification by the Solar Rating Certification Corporation or other nationally recognized certification agencies. Existing law requires this certification to be for the entire solar energy system and installation.

This bill would additionally require that a solar energy system meet all applicable safety and performance standards established by the National Electrical Code and the Institute of Electrical and Electronics Engineers, among others, and applicable rules of the Public Utilities Commission.

Ch. 571 (SB 1645) Sher. Trapping animals.

(1) Under existing law, a person who takes fur-bearing mammals or nongame mammals by means of a trap, or who sells furs of those mammals, is required to obtain a trapping license from the Department of Fish and Game, except persons taking mammals injurious to growing crops or other property.

Existing law authorizes the taking, in accordance with the Fish and Game Code, of nongame mammals and black-tailed jackrabbits, muskrats, and red fox squirrels that are found to be injuring growing crops or other property. Existing law also authorizes the taking, in accordance with the Fish and Game Code, of fur-bearing mammals that are injuring property.

This bill would prohibit the sale of raw furs taken under those provisions and also would prohibit raw furs taken by persons providing trapping services for profit from being sold. The bill also would specify that persons taking the mammals described in the preceding paragraph are not required to procure a trapping license, except when providing trapping services for profit.

Because a violation of the trapping license requirement is a crime and a violation of the provisions against the sale of raw furs would be a crime under existing law, the bill would impose a state-mandated local program by expanding the definition of a crime and creating a crime.

(2) The bill would require additional persons to obtain trapping licenses, for which a fee is required. Because the fees are required by other provisions of law to be deposited in the Fish and Game Preservation Fund, a continuously appropriated fund, the bill would make 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.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 572 (SB 2053) Sher. Air toxics.

Existing law requires the State Air Resources Board to compile and maintain a list of toxic air pollutants, as specified.

This bill would require the state board to include on the list certain substances designated by the state board as toxic air contaminants pursuant to the federal Clean Air Act. The bill would make other technical changes.

Ch. 573 (SB 2090) Committee on Natural Resources and Wildlife. Public resources.

(1) Existing law provides that a sport fishing license is not required to take fish for any purpose other than profit by any means of angling from a public pier in the ocean waters of the state.

This bill would provide, instead, that a sport fishing license is not required to take fish by any legal means, for any purpose other than profit, from a public pier, as defined by the Fish and Game Commission, in the ocean waters of the state.

(2) Existing law requires the operator of any vessel landing fish in California that will be taken in the far offshore fishery to file a declaration with the department on forms prescribed by the department, prior to departure from any port in the United States for the purpose of taking fish in that fishery.

This bill would exempt from that requirement any commercial fisherman using only troll lines, as defined, or gear for angling, as defined, for the taking of albacore and no other fish.

(3) Existing law authorizes the Director of Fish and Game, after consultation with the National Oceanic and Atmospheric Administration and the Director of the Oregon Department of Fish and Wildlife, to open commercial king salmon fishing in ocean waters of this state, in times and areas as may be appropriate, to harvest the underutilized spring run king salmon stocks.

This bill would delete that authority.

(4) Existing law authorizes rock crab to be taken in traps in any waters of the state at any time, except in certain fish and game districts, subject to specified provisions relating to commercial fishing.

This bill, additionally, would make the taking of rock crab subject to regulation by the commission under certain provisions relating to marine life management.

Because a violation of the regulations of the commission is generally a misdemeanor, the bill would impose a state-mandated local program by creating a new crime.

(5) Existing law authorizes the taking of surfperch of the family Embiotocidae only between July 16th and April 30th, except shiner surfperch (*Cymatogaster aggregata*), which may be taken, sold, or purchased at any time. Surfperch may be sold or purchased only between July 16th and May 10th. South of a line drawn east and west through Point Arguello, barred surfperch, redbtail surfperch, and calico surfperch are prohibited from being taken for commercial purposes.

This bill would authorize the Fish and Game Commission to adopt, upon the recommendation of the director regarding management measures for surfperch of the family Embiotocidae, regulations to manage the commercial surfperch resource and fisheries, including the adoption of changes to the prohibitions described above, consistent with certain provisions of existing law relating to conservation and management of marine living resources.

(6) Existing law continuously appropriates money in the Fish and Game Preservation Fund to the Department of Fish and Game and to the commission to pay all necessary expenses incurred in carrying out the Fish and Game Code and to pay the compensation and expenses of the commissioners and employees of the commission.

By imposing new duties on the commission and the department, this bill would make an appropriation.

(7) The bill would make additional, clarifying changes in existing law relating to fish and game and to oil spills.

(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. 574 (AB 2156) Kehoe. San Diego River Conservancy.

Existing law authorizes various conservancies to acquire, manage, direct the management of, and conserve public lands in the state.

This bill would, until January 1, 2010, establish the San Diego River Conservancy to acquire and direct the management of specified public lands in the San Diego River Area, as defined, and would prescribe the management, powers, and duties of the conservancy.

Ch. 575 (AB 498) Chan. Environmentally preferable purchasing.

Existing law regulates the purchase of recycled products by state agencies and the Legislature.

This bill would provide that the Department of General Services, in consultation with the California Environmental Protection Agency, members of the public, industry, and public health and environmental organizations, shall provide state agencies with information and assistance regarding environmentally preferable purchasing, as provided.

This bill would state the intent of the Legislature in enacting these provisions.

Ch. 576 (AB 1923) Dickerson. Highway exit information signs.

Existing law requires the Department of Transportation to allow the placement of information signs on highways in rural areas. The signs are required to be placed near freeway exits and to identify specific roadside businesses offering fuel, food, lodging, or camping services. Under existing law, the Department of Transportation is prohibited from approving placement of the signs in any urban area with a population of 5,000 or more.

This bill would prohibit the department from removing information signs placed before January 1, 2003, in any urban area where population growth results in a population of 5,000 or more but less than 10,000. The bill would also require the department to provide equal access to all business applicants.

Ch. 577 (AB 2165) Strom-Martin. Pharmacy.

Existing law, the Pharmacy Law, provides for the licensure and regulation of pharmacies, pharmacists, and other associated persons and entities by the California State Board of Pharmacy. Existing law establishes the Joint Legislative Sunset Review Committee and specifies its duties with respect to the review of various boards and commissions.

This bill would require the Joint Legislative Sunset Review Committee to review the state's shortage of pharmacists and make recommendations on a course of action to alleviate the shortage.

Ch. 578 (AB 2360) Dutra. Freeway service patrols.

Existing law, the Freeway Service Patrol Act, authorizes a freeway service patrol system managed by the Department of the California Highway Patrol, the Department of Transportation, and a regional or local entity to provide emergency roadside assistance on a freeway located in an urban area. Under that act, funding is provided upon annual appropriation from the State Highway Account in the State Transportation Fund.

This bill would specify that the funding for this purpose be made using a formula-based allocation. The bill would create the Competitive Freeway Service Patrol Grant Program to provide funding for a freeway service patrol system to reduce traffic congestion. The bill would require the Department of Transportation to develop specified guidelines for this program and would specify that the funding be provided by appropriation in the annual Budget Act from the State Highway Account. The bill would specify that its provisions

establishing the program would be operative only if this funding is appropriated in the annual Budget Act.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 579 (AB 2413) Committee on Governmental Organization. Department of Alcoholic Beverage Control.

The Alcoholic Beverage Control Act is administered by the Department of Alcoholic Beverage Control. Existing law requires the department to make an annual report to the Legislature on the department's activities, including information for the previous calendar year on the number and type of enforcement activities conducted by the department.

This bill would also require that report to include information on the number and type of enforcement activities conducted by local law enforcement agencies in conjunction with the department.

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 meets specified requirements. Existing law permits 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 permit any of the above persons or entities to serve as an officer, director or employee of that theater company.

Ch. 580 (AB 2743) Lowenthal. Barbering and cosmetology apprenticeship.

Existing law requires the Bureau of Barbering and Cosmetology in the Department of Consumer Affairs to adopt regulations for the submittal of preapplications for admission to examination of students of approved cosmetology, electrology, or barbering school who have completed a specified percentage of the requirements.

This bill would also require the bureau to adopt regulations for the submittal of preapplications for admission to examination by a person licensed as an apprentice in barbering, cosmetology, skin care, or nail care who has completed 75% of apprenticeship requirements. The bill would authorize the bureau to require an additional fee for an apprenticeship preapplication.

Ch. 581 (AB 2967) Wright. Bureau for Private Postsecondary and Vocational Education.

(1) The existing Private Postsecondary and Vocational Education Reform Act of 1989 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 in the Department of Consumer Affairs, which succeeded to the rights and functions of the former Council for Private Postsecondary and Vocational Education. The bureau, among other things, is required to review and investigate all institutions, programs, and courses of instruction approved under the act, which establishes administrative and judicial procedures for the bureau to follow in carrying out these duties. Existing provisions of the act require that, if action is brought against an institution, notice of the action must be served upon the institution, and if the institution requests a hearing, that the hearing be held within 10 days of the bureau receiving the request.

This bill would require that the hearing be held within 30 days of the bureau receiving the request. This bill would make additional technical and conforming changes to delete references to the former council.

(2) Existing law requires the bureau to assess sums from each institution, based upon the course tuition paid over the calendar year, according to a prescribed formula, for purposes

of the Student Tuition Recovery Fund. This assessment is calculated only for those students who are California residents and are eligible to be reimbursed from the fund. This assessment is not applicable if the institution receives all of its students' total charges from 3rd-party payers, as defined. Each institution is required to collect the amount assessed by the bureau in the form of a Student Tuition Recovery Fund fee from its new students, and remit those fees to the bureau in the quarter following their collection.

This bill would provide that the assessment be based upon the assessment rate in effect when the student enrolled at the institution. The bill would authorize an institution to waive collection of the Student Tuition Recovery Fund fee, and to assume the fee as a debt of the institution, which must be disclosed to the student in the enrollment agreement. The bill would provide that the fee shall be assessed as tuition is paid or loans are funded on behalf of the student, based upon academic term, and that the subsequent disenrollment at the institution shall not relieve the institution of the obligation to pay the fee to the bureau, nor be the basis for refund of the fee to the student. The bill would define a "new student" as a student who signs the enrollment agreement on or after January 1, 2002. The bill would declare that students signing enrollment agreements prior to that date shall be charged the Student Tuition Recovery Fund fee in effect on that date. The bill would declare these provisions to be declaratory of existing law.

(3) 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 and requires the bureau to adopt regulations that prescribe procedures for complaint handling and complaint disclosure. The bureau is required to report evidence of violations to the Attorney General and is authorized to commence an action to revoke an institution's approval to operate. The bureau is required to make an annual report to the Legislature summarizing its activities during the previous fiscal year.

This bill would require the bureau to include, in its annual report to the Legislature, a statistical summary of complaints filed with the bureau, the bureau's disposition of those complaints and the bureau's enforcement actions relative to those complaints.

(4) Under existing law, institutions may register with the bureau to offer intensive English language programs, short-term career training programs, short-term seminar training programs, programs offered to assist students to prepare for a licensure examination, and continuing education programs. To register, institutions must file a registration form, containing specified information, with the bureau for public disclosure. Continuing education programs are exempt from these registration requirements.

This bill would authorize the bureau to require that registered institutions, at least every 3 years following the initial registration, verify all or a portion of the information required to accompany a registration form. The bill would make additional technical and conforming changes.

#### Ch. 582 (SB 192) O'Connell. Education technology.

Existing law, establishes various programs to enhance technology education, including, but not limited to, the Digital High School Education Technology Grant Act of 1997, to provide all high school pupils with basic computer skills so as to, among other things, improve pupil achievement in all academic subjects. Existing federal law, the Enhancing Children Through Technology Act of 2001, provides funding to improve pupil academic achievement through the use of technology in elementary schools and secondary schools.

This bill would establish the Education Technology Grant Program of 2002 to provide technology education grants for schools serving pupils in grades 4 to 8, inclusive, consistent with that federal law.

This bill would declare that it is to take effect immediately as an urgency statute.

#### Ch. 583 (SB 1333) Alpert. Claims against the state: appropriation.

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**NOTE:** Superior numbers appear as a separate section at the end of the digests.

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 \$1,360,702.74 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. 584 (SB 1463) Machado. Structural pest control.

Existing law authorizes the Structural Pest Control Board to regulate the practice of structural pest control operators in this state. Existing law, among other things, authorizes the board or a county agricultural commissioner to impose administrative fines or temporarily suspend a structural pest control licensee or registered company from working in a county.

This bill would also authorize the board or a county agricultural commissioner to require the licensee to attend and pass a board-approved course for specified violations. The bill would prohibit the board from renewing a licensee's license if the licensee did not attend and pass the required course.

Ch. 585 (SB 2012) Margett. Special education: interagency agreements.

Existing federal law, the Individuals with Disabilities Education Act, provides that a state is eligible for funding under that act if the state demonstrates to the satisfaction of the Secretary for Education that the state has in effect policies that assure that it meets certain conditions. The policies include, among others, that the state chief executive officer or his or her designee ensure that an interagency agreement or other mechanism for interagency coordination is in effect between each public agency that provides certain services and the state educational agency, that all certain services that are needed to ensure a free appropriate public education are provided, and that the interagency agreement meets certain conditions.

This bill would require the Governor or the designee of the Governor, in accordance with those requirements of federal law, to ensure that each agency under the Governor's jurisdiction enters into an interagency agreement with the Superintendent of Public Instruction that meets the requirements of federal law, and would prescribe related matters.

Under existing law, if a school district, special education local plan area, or county office of education does not make the placement decision of an individual with exceptional needs in a licensed children's institution or in a foster family home, the court, regional center for the developmentally disabled, or public agency, excluding an educational agency, is required to be responsible for the residential costs and the cost of noneducational services of the individual.

This bill would require that any public agency other than an educational agency that places a disabled child or a child suspected of being disabled in a facility out of state without the involvement of the school district, special education local plan area, or county office of education in which the parent or guardian resides, assume all financial responsibility for the child's residential placement, special education program, and related services in the other state unless the other state or its local agencies assume responsibility. To the extent that this bill imposes new duties on local 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.

Ch. 586 (SB 2039) O'Connell. Charter schools.

Existing law established 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. Existing law makes a charter schoolsite physically located in the attendance area of a public elementary school in which 70% or more of pupil enrollment is eligible for free or reduced price meals eligible for funding under the program.

This bill would instead require, to be eligible for funding under the program, that a charter schoolsite physically located in the attendance area of a public elementary school in which 70% or more of pupil enrollment is eligible for free or reduced price meals give a preference in admissions to pupils who are currently enrolled in that public elementary school, and to pupils who reside in the elementary school attendance area where the charter school is located. The bill would also make a charter schoolsite at which 70% or more of the pupil enrollment at the schoolsite is eligible for free or reduced price meals eligible to receive funding under the grant program. The bill would require the State Department of Education to report to the Legislature no later than June 30, 2005, on the number of charter schools that have participated in the grant program under this expanded eligibility for funding and to provide recommendations and suggestions on improving the program.

The bill would, notwithstanding specified provisions, authorize a charter school with a schoolsite physically located in the attendance area of a public elementary school in which 50% or more of the pupil enrollment is eligible for free or reduced price meals to give a preference in admissions to pupils who are currently enrolled in that public elementary school, and to pupils who reside in the elementary school attendance area where the charter schoolsite is located.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 587 (AB 467) Strom-Martin. Integrated waste management: landfill closure program.

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.

This bill would establish the Landfill Closure Loan Program, to be implemented by the board, for the purpose of providing loans to operators of unlined, older-technology landfills, who are interested in early closure of their landfills. The bill would authorize the board to provide loans for this purpose and would require the board to give loan priority to operators of landfills that if closed, would create a potential threat to the public health, safety, or the environment.

The bill would authorize the board to expend funds from the Integrated Waste Management Fund in the State Treasury, upon appropriation by the Legislature, to make those loans and to administer the program. The bill would prescribe the terms of the loans and would specify requirements for applying for a loan.

The bill would require the board, the California Pollution Control Financing Authority, the Treasurer, and other state officers and agencies to coordinate activities that would finance the program and encourage joint activities that would protect public health and the environment.

The bill would make these provisions inoperative on July 1, 2012, and would repeal these provisions on January 1, 2013, unless a later enacted statute deletes or extends these dates.

Ch. 588 (AB 666) Dutra. Rail passenger capacity enhancement demonstration projects: coordinated environmental review process.

Existing law sets forth the responsibilities of the Department of Transportation with respect to rail passenger service.

This bill, until January 1, 2007, would establish a coordinated environmental review process for three rail passenger capacity enhancement demonstration projects on corridors

with intercity and commuter passenger and freight service. The bill would require the projects to be identified by the department and selected by the California Transportation Commission, in accordance with specified criteria, and would provide for the department to be designated as the consolidated permit agency. The bill would require the department to seek and invite participation by federal resources agencies. The bill would provide for the department to provide staff support for the demonstration projects to the extent funds are identified for this purpose. The bill would enact other related provisions.

Ch. 589 (AB 709) Wayne. Codisposal sites: cleanup.

The California Integrated Waste Management Act of 1989 requires the California Integrated Waste Management Board to initiate a program for the cleanup of solid waste disposal sites and for cleanup of solid waste at codisposal sites where no responsible party is available to pay for timely remediation, and where cleanup is needed to protect public health and safety or the environment. In developing and implementing the program, the board is required to consult with enforcement agencies and California regional water quality control boards.

This bill would require the board, in consultation with the State Water Resources Control Board and the Department of Toxic Substances Control, to develop, on or before June 30, 2003, protocols to be utilized by the board and the local enforcement agencies for site investigation and characterization of hazardous substances at burn dump sites, as defined.

The bill would require the board to use the protocols to investigate and characterize hazardous substances at a site whenever it receives an application for funding under the site cleanup program.

The bill would prescribe a protocol to be used by the board, the department, the State Water Resources Control Board, and the appropriate California regional water quality control board in determining which entity may provide remediation oversight on cleanup projects.

The bill would authorize the board to require the placement of environmental restrictions on any burn dump site property on which any solid waste or residual is left in place.

The bill would require the board to enter into an agreement, on or before March 30, 2003, with the department, relating to the funding of any activities of the department appropriately conducted pursuant to these provisions. The board's activities in compliance with these provisions would be funded with allocations from the Solid Waste Disposal Site Cleanup Trust Fund, a continuously appropriated fund in the State Treasury. Thus, the bill would make an appropriation by requiring additional payments to be made from that continuously appropriated fund.

Ch. 590 (AB 1886) Jackson. Vehicles: school zone fines.

Existing law, in the case of specified violations relating to rules of the road and driving under the influence, doubles the fine in the case of misdemeanors, and increases the fine, as specified, in the case of infractions, if the violation is committed by the driver of a vehicle within a highway construction or maintenance area during any time when traffic is regulated or restricted by the Department of Transportation or local authorities pursuant to existing law or is committed within a designated Safety Enhancement Double Fine Zone.

This bill would double or increase the fines as described above for a designated violation occurring in a specially posted school zone, as specified, in Alameda County, Santa Barbara County, Ventura County, or in any city in any of those counties where the program is adopted by a vote of the city council, or the county board of supervisors, as appropriate, and is established in collaboration with local school districts within those jurisdictions, if that county or city opts for the application of this law. This bill would require any city or county that adopts the program to promptly notify specified law enforcement agencies and would require the county treasurer to deposit the amount of the enhanced portion of the fine in a special account in the county treasury to be used exclusively to pay for the cost of school pedestrian-bicyclist safety programs administered as provided. The bill would also require

the California Highway Patrol to report to the Legislature on or before July 1, 2006, on the effectiveness of the pedestrian-bicyclist safety programs and whether the added fines improved traffic and pedestrian safety within participating school zones. This bill would state findings and declarations of the Legislature explaining the use of a special statute in lieu of a statute of general applicability. The bill would repeal these provisions on January 1, 2007.

By increasing the duties of the county treasurer if a city opts into the program, 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. 591 (AB 2356) Keeley. Solid waste: compost contamination.

Existing law provides that the Director of Pesticide Regulation shall endeavor to eliminate from use in the state any pesticide that endangers the agricultural or nonagricultural environment, is not beneficial for the purposes for which it is sold, or is misrepresented. Existing law specifies the circumstances under which the director may cancel the registration of, or refuse to register, a pesticide.

This bill would make findings and declarations regarding the potential threat to composting programs posed by the herbicide clopyralid. It would provide that no person, except a licensed pest control dealer, as specified, may sell a pesticide that contains the active ingredient clopyralid. The bill would further provide that pesticides containing this active ingredient that are labeled for use on lawn and turf may only be sold to qualified applicators, as specified. The bill would require the Department of Pesticide Regulation to make determinations regarding the residues in compost created by lawn and turf uses of clopyralid and to impose appropriate restrictions on those uses or cancel the uses that are likely to result in persistent residues in compost. Because a violation of these provisions would be 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. 592 (AB 2436) Frommer. Land use restrictions: cleanup and abatement.

(1) Existing law requires the Department of Toxic Substances Control to notify the planning and building department of each city, county, or regional council of governments of certain land use restrictions imposed upon property designated as hazardous waste property or border zone property, sites listed for remedial or removal action, and remedial action land use controls. Existing law requires the planning department of those local agencies to file those restrictions and take specified actions and authorizes the city, county, or regional council to assess a fee to cover the costs of taking those actions. Existing law requires the department to maintain this list of land use restrictions in a specified manner and to make the list available electronically, as specified.

This bill would require the California Environmental Protection Agency (Cal-EPA), the California Integrated Waste Management Board, the State Water Resources Control Board, each California regional water quality control board, and the department to maintain a list of all instruments and agreements restricting land uses imposed by those agencies and would require the list to provide specified information. The bill would require each agency to update its list, as specified. The bill would require each agency to display the list on the agency's Web site and to make the list available to the public upon request.

The bill would require Cal-EPA to oversee the implementation of these requirements, including maintaining hyperlinks on its Web site to the individual lists, providing a search

function to search and retrieve information from each of the individual lists, and creating and posting a list of all instruments and agreements restricting land uses that would be imposed by the bill with regard to Environmental Restriction covenants, as specified in (3) below.

(2) The Porter-Cologne Water Quality Control Act prohibits the state and the regional boards from considering cleanup or site closure proposals from the primary or active responsible discharger, issuing a closure letter, or making a determination that no further action is required, with respect to a site subject to a cleanup or abatement order, unless all current record owners of fee title to the site of the proposed action have been notified, as specified.

This bill would additionally, if the state board or regional board finds the property is not suitable for unrestricted use and that a land use restriction is necessary for the protection of public health or safety or the environment, prohibit the state board or regional board from taking those actions with regard to a site that is not an underground storage tank site, unless a land use restriction is recorded or required to be recorded.

(3) Existing law provides for the recording of an instrument containing an Environmental Restriction covenant made by an owner of land or by the grantee of land to do or refrain from doing an act that is reasonably necessary to protect present or future human health or safety or the environment as a result of the presence on the land of hazardous materials.

This bill would authorize the office of the county recorder, if an instrument containing an Environmental Restriction covenant is recorded, to send a certified copy of the instrument to the Cal-EPA for posting on its Web site, for informational purposes only, pursuant to the requirements imposed by the bill, except as specified. The bill would provide the office of the county recorder and any of its employees immunity from any liability under any state law or in any action for damages if the office of the recorder does not send a certified copy of the instrument pursuant to the requirements of the bill.

The bill would authorize the office of the recorder to assess a reasonable fee, as determined by resolution of its governing body, to cover the costs of taking the action authorized by the bill.

Ch. 593 (AB 2701) Wyman. Sales and use taxes: exclusions: Indian taxes.

The Sales and Use Tax Law imposes a state sales and use tax on the gross receipts from the sale of tangible personal property sold at retail in this state, or on the sales price of tangible personal property purchased from a retailer for the storage, use, or other consumption of that property in this state by the purchaser.

This bill would provide, for purposes of that law, that the terms "sales price" and "gross receipts" do not include taxes imposed by an Indian tribe measured by a percentage of the sales price or purchase price of tangible personal property. This bill would provide that this exclusion from the terms "sale price" and "gross receipts" would only apply to an Indian tribe that is in substantial compliance with the Sales and Use Tax Law.

Counties and cities are authorized to impose local sales and use taxes in conformity with state sales and use taxes. Exemption 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. 594 (AB 2783) Strom-Martin. Fish and game: endangered species: income tax contributions: steelhead trout reports.

(1) Existing law requires any person taking steelhead trout in inland waters to have in his or her possession a steelhead trout catch report-restoration card issued by the Department of Fish and Game. Existing law requires cardholders to record certain information on the card relative to fishing whenever the cardholder finishes fishing for the day, moves to another river or stream, or retains steelhead trout. Existing law requires the commission to adopt regulations requiring a voluntary return of the cards to the department.

This bill would require that information to be recorded immediately upon finishing fishing, moving to another river or stream, or retaining steelhead trout.

The bill would require the cardholder to return the card to the department on a schedule or date established by the department. The bill would require the regulations adopted by the department to make return of the cards to the department mandatory. Because a violation of these requirements would be a misdemeanor under existing law, the bill would establish a state-mandated local program by creating new crimes.

The bill would make these provisions inoperative on July 1, 2007, and would repeal them as of January 1, 2008.

(2) Existing law restricts the use of the revenue from the fees for the cards, until July 1, 2002, to monitoring, restoring, and enhancing steelhead trout resources, and to administering the catch report-restoration card program.

This bill would extend the restriction on the use of the revenues for those purposes until July 1, 2007.

(3) Existing law relating to the administration of income tax laws allowed individual taxpayers, until January 1, 2002, to contribute amounts in excess of their tax liability to the Endangered and Rare Fish, Wildlife, and Plant Species Conservation and Enhancement Account in the Fish and Game Preservation Fund. All moneys contributed to the fund pursuant to these provisions were continuously appropriated to the Department of Fish and Game for specified purposes, and were subject to review by the budget committees of the Legislature.

This bill would reinstate those endangered and rare fish, wildlife, and plant species contribution provisions, and would extend their operation until January 1, 2008. This bill would also require that all moneys contributed to the account pursuant to these provisions, upon appropriation by the Legislature, be allocated to the Franchise Tax Board and the Controller for the costs of collection and administration of the funds, and to the Department of Fish and Game for specified purposes.

(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. 595 (AB 2891) Koretz. Santa Monica Mountains Conservancy.

(1) The Santa Monica Mountains Conservancy Act establishes the Santa Monica Mountains Conservancy within the Resources Agency, and prescribes its functions with respect to the Santa Monica Mountains Zone, as specified. Existing law provides that nothing in the act supersedes or limits a local government's exercise of its police powers, as specified.

This bill would provide that the act does not authorize the conservancy to regulate private property.

(2) Existing law specifies conditions of use that apply to property owned or subject to the interim management of the conservancy. Those conditions include authorizing property to be closed to public use only when fire, mudslide, landslide, or flood dangers pose a substantial risk of injury or loss of life and requiring property to be reopened as soon as those conditions no longer pose a danger of injury or loss of life.

This bill would modify the conditions of use that apply to property owned or subject to the management of the conservancy. This bill would authorize property to be closed when

a federal, state, or local disaster or emergency declaration has been made by an authorized person or public agency, or where there is an emergency or potential emergency situation of a temporary nature that involves substantial risk or potential risk to life or property, and the temporary closure or restriction of access is necessary to protect the public health or safety. The bill would require property to be reopened when a federal, state, or local disaster or emergency declaration is no longer in effect, or where there is no longer an emergency or potential emergency situation of a temporary nature that involves substantial risk or potential risk to life or property.

(3) Existing law requires vehicles to park only in designated areas on conservancy property and prohibits vehicles from being operated off of roads. Existing law requires trails, campsites, and other public use areas on property owned or subject to the interim management of the conservancy to be designated and posted with prohibited activities and use restrictions clearly indicated.

This bill would require all vehicle use, including bicycles, to conform to posted laws. This bill would specify prohibited activities and use restrictions to be posted on public use areas owned or subject to the management of the conservancy. The bill would authorize the conservancy to exercise its discretion in determining whether to authorize any license, permit for special use, easement, project, or activity to be undertaken by the conservancy or its agents for the use of conservancy owned or managed land if that authorization is consistent with specified purposes, and certain requirements governing the lease of conservancy lands.

(4) Existing law prohibits the dumping of any refuse matter, except by permit, on property owned or managed by the conservancy, and posted against that dumping. Existing law prohibits injuring, defacing, or destroying any property owned or managed by the conservancy. Existing law prohibits the violation of the posted conditions of use of property owned or managed by the conservancy. Existing law makes the dumping of refuse matter, the injuring, defacing, or destroying of property, or the violation of posted conditions of use of property owned by the conservancy, a misdemeanor punishable by a fine of not more than \$500 or imprisonment or both that fine and imprisonment. Existing law authorizes the reduction of the charged offense of violating posted conditions from a misdemeanor to an infraction punished by a fine of not less than \$5 and not more than \$500.

This bill would make the dumping of refuse matter, the injuring, defacing, or destroying of property, or a violation of the posted conditions of use of conservancy property, a misdemeanor punishable by a fine of not more than \$1,000 or imprisonment or both that fine and imprisonment. If the charged offense of violating posted conditions is reduced from a misdemeanor to an infraction, this bill would make the minimum fine \$100.

Ch. 596 (AB 2993) Firebaugh. Urban wildland interface communities: prefire activities.

Existing law requires the State Board of Forestry and Fire Protection to make and enforce regulations that are necessary and proper for the organization, maintenance, government, and direction of the fire protective system for the prevention and suppression of forest fires. Existing law also requires supervising forest officers, under the direction of the Director of Forestry and Fire Protection, to have charge of the firefighting system.

This bill would require the director to establish a working group consisting of representatives of state or local government, or both, representatives of industries and environmental groups with experience in state forestry and fire suppression policy, and representatives with experience in state forestry and fire suppression policy from sectors of the public that are not otherwise represented in the working group. The bill would require the working group to identify potential incentives for landowners to implement prefire activities in state responsibility areas and urban wildland interface communities, as defined, and to identify all federal, state, or local programs, private programs, or any other programs requiring a cost share that involves prefire activities, as defined.

The bill would require the department to report the findings of the working group to the Legislature on or before January 1, 2004, and would require the department to include in that report any recommendations identified by the working group to provide potential incentives for consideration by the Legislature.

Ch. 597 (SB 1372) Machado. State Water Resources Control Board: agricultural drainage: solar evaporators.

(1) Under the Agricultural Water Conservation and Management Act, water suppliers, as defined, individually, or in cooperation with other public agencies or persons, may institute a water conservation or efficient water management program consisting of farm and agricultural related components. Existing law, the Toxic Pits Cleanup Act of 1984, prohibits a person from discharging liquid hazardous wastes into a surface impoundment if the surface impoundment, or the land immediately beneath the impoundment, contains hazardous wastes and is within  $\frac{1}{2}$  mile upgradient from a potential source of drinking water.

This bill would require the State Water Resources Control Board to adopt, on or before April 1, 2003, emergency regulations that establish minimum requirements for the design, construction, operation, and closure of solar evaporators, as defined. The bill would require any person who intends to operate a solar evaporator to file a notice of intent with the regional water quality control board. The bill would specify a procedure for the issuance of a notice of authority by the regional board to operate a solar evaporator, including requiring the regional board to inspect the solar evaporator prior to authorizing the operation of the solar evaporator. The bill would prohibit a regional board from issuing a notice of authority to operate a solar evaporator on and after January 1, 2008.

The bill would require any person operating a solar evaporator to submit annually, according to a schedule established by the regional board, groundwater monitoring data and other information deemed necessary by the regional board. The bill would require the regional board to inspect any solar evaporator at least once every 5 years to ensure continued compliance with the provisions of the bill.

The bill would exempt any solar evaporator operating under a valid written notice of authority to operate issued by the regional board, including any facility that the regional board determines is in compliance with the requirements of the bill, from the provisions of the toxic pits act and other specified waste discharge requirements imposed under the Porter-Cologne Water Quality Control Act.

Because the provisions added by the bill would be located within the hazardous waste control laws and a violation of those laws is a crime, the bill would impose a state-mandated local program by creating new crimes regarding the operation of solar evaporators.

(2) Existing law, the toxic pits act, requires the state board to impose a fee upon any person discharging any liquid hazardous waste or hazardous waste containing free liquids into a surface impoundment. The state board is required to collect and deposit the fees in the Surface Impoundment Assessment Account in the General Fund. The money within that account is available, upon appropriation, to the state board and the regional boards for purposes of administering the toxic pits act.

This bill would additionally authorize the board to expend the fees deposited in the account for the purpose of administering the surface impoundments that would be exempted from the toxic pits act by the bill, thereby imposing a tax for purposes of Article XIII A of the California Constitution.

(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. 598 (SB 1381) Kuehl. Santa Monica Bay Restoration Commission.

Existing law creates the Santa Monica Bay Restoration Project within the State Water Resources Control Board, as an informational forum, planning body, and grant-making agency, to assess the biological condition and state of Santa Monica Bay, as provided.

This bill would recast those provisions to eliminate references to the project and instead establish, within the state board, the Santa Monica Bay Restoration Commission, which would assume the functions of the project.

The bill would require the Secretary for Environmental Protection, the Secretary of the Resources Agency, and the Chair of the Bay Watershed Council of the Santa Monica Bay Restoration Commission to enter into a memorandum of understanding that ensures the coordination of state programs affecting Santa Monica Bay, and that delineates the authority of the commission, and its governance structure with respect to the implementation of those programs. The bill would specify the authority of the commission related to the protection, restoration, and enhancement of Santa Monica Bay and its watershed. The bill would establish the Santa Monica Bay Restoration Account in the State Treasury, and would authorize the expenditure of moneys in the account, upon appropriation by the Legislature, to support the activities of the commission. This bill would provide for the transfer of the balance of any funds appropriated to the Santa Monica Bay Restoration Project by the Legislature, prior to January 1, 2003, to the account for expenditure as specified.

Ch. 599 (SB 1573) Karnette. Interagency Aquatic Invasive Species Council.

(1) Existing law governs aquatic nuisance species.

This bill would establish the Interagency Aquatic Invasive Species Council, consisting of representatives of the Department of Food and Agriculture, the Department of Boating and Waterways, the Department of Parks and Recreation, the Department of Water Resources, the State Water Resources Control Board, the California Coastal Commission, the State Coastal Conservancy, the University of California, and the State Lands Commission. The bill also would authorize the Governor to appoint to the council persons representing certain interest groups, which groups would be required to have expertise in aquatic invasive species, as defined. The bill also would authorize members of the council to invite representatives of federal agencies and tribal groups to join the council as members. The Director of Fish and Game would serve as the chairperson of the council.

The bill would require the Department of Fish and Game, in cooperation with the council, and using existing funds and current personnel of the Department of Fish and Game, to support and coordinate the development of a comprehensive plan for dealing with aquatic invasive species in California. The bill would require the council to submit its first working version of the plan to the Legislature on or before January 1, 2004.

The bill would provide that no provision of the bill would apply to the University of California, unless the Regents of the University of California, by appropriate resolution, make it applicable.

(2) Existing law continuously appropriates money in the Fish and Game Preservation Fund to the Department of Fish and Game and the Fish and Game Commission to carry out the Fish and Game Code.

By requiring this program to be funded through existing funds and current personnel of the department, thus imposing new duties on the department, the bill would make an appropriation.

Ch. 600 (SB 1777) Sher. Salmon and steelhead trout conservation and restoration.

Existing law sets forth a process that governs the expenditure of any funds received by the state from the federal government for the purposes of salmon and steelhead trout conservation and restoration and the expenditure of funds authorized for the Coastal Watershed Salmon Habitat Program.

This bill would also make that process applicable to the expenditure of funds appropriated to the Department of Fish and Game for salmon and steelhead trout conservation and

restoration from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund.

Existing law requires the department to grant funds from the Salmon and Steelhead Trout Restoration Account in the Resources Trust Fund for designated projects. Existing law requires the Director of Fish and Game to appoint a citizen's advisory committee to give advice on the grant program. Existing law prescribes the membership and duties of the committee.

This bill would prohibit an advisory committee member from participating in reviewing or making recommendations on certain grant applications if the advisory committee member, or a member of his or her immediate family, is employed by a grant applicant, the employer of a grant applicant, or a consultant or independent contractor employed by a grant applicant.

Existing law requires a certain percentage of the money in the Salmon and Steelhead Trout Restoration Account to be allocated for prescribed uses.

This bill would include within the prescribed uses monitoring projects related to anadromous fish, certain artificial propagation programs designed to restore depleted stocks of salmonids, and the acquisition and installation of fish screens to protect juvenile and adult salmon and steelhead trout from entrapment in water diversions.

Ch. 601 (SB 1790) Bowen. Energy resources.

(1) Existing law establishes the State Energy Conservation Assistance Account to carry out the provisions of the Energy Conservation Assistance Act of 1979. Existing law provides that it is the intent of the Legislature that the account be administered by the State Energy Resources Conservation and Development Commission to provide grants and loans to local governments and public institutions to maximize energy use savings through technical assistance, demonstrations, and identification and implementation of cost-effective energy efficiency measures and programs.

This bill would amend related legislative findings and declarations and would state the intent of the Legislature that the energy efficiency measures and programs for which grants and loans may be provided are for existing and planned buildings and facilities. This bill would make conforming changes to various definitions under the act.

(2) Existing law defines "technical assistance program" for the purposes of the act, as specified assistance to schools, hospitals, local government, and public care institutions.

This bill would include in that definition specialized studies related to energy and cost savings likely to be realized as a result of new construction activities, and the development and evaluation of alternative project implementation and proposals.

(3) Existing law requires the commission to approve only those applications for projects that will recover costs through savings in the cost of energy to the institution during repayment.

This bill would require the commission to prescribe the manner in which the savings would be calculated.

Existing law further requires the commission to give priority to projects that, based on anticipated savings in the cost of energy, will most quickly recover the cost of the allocation.

This bill would delete that provision.

(4) Existing law requires each eligible institution to which an allocation has been made to repay the principal amount of the allocation, plus interest, in not more than 22 equal semiannual payments.

This bill would instead require the institution to repay the amount in not more than 30 payments.

The bill would additionally prohibit the repayment period from exceeding the life of the equipment or lease term of the relevant building.

(5) Existing law authorizes the commission to contract and provide grants for specified services to be performed for eligible institutions. Existing law provides that the amount

expended for those services may not exceed 10% of the annual appropriation from the account.

This bill would instead provide that the amount may not exceed 10% of the balance of the account on July 1 of each year.

Existing law authorizes the commission to charge a fee for services provided to institutions and local jurisdictions, provided that the funds used for the payment of services has been made available as a result of the realization of savings in energy costs. Existing law further provides that, if anticipated savings do not result from the project, the repayment of fees shall be forgiven.

This bill would delete those restrictions.

(6) Existing law authorizes the commission to borrow money from, sell loans to, or enter into loan agreements or other contracts with, the California Economic Development Financing Authority and the California Infrastructure and Economic Development Bank, for specified purposes.

This bill would include the California Consumer Power and Conservation Financing Authority among those entities.

(7) Existing law authorizes the commission to make loans to local jurisdictions for energy project assistance. Existing law provides that the loans may not exceed \$1,000,000 for any one local jurisdiction and provides that the loan may not exceed 75% of the project costs.

This bill would delete the above provision and instead provide that the loan may not exceed \$5,000,000.

(8) Existing law provides that loans to local jurisdictions be evaluated according to specified factors.

This bill would delete certain of these factors.

(9) Existing law authorizes the commission to make loans to local governments owning, or leasing from entities other than privately owned electrical utilities, street lighting systems for conversion of such systems from incandescent or mercury vapor lighting to sodium vapor lighting or another lighting system of equivalent energy efficiency, if the conversion results in comparable illumination.

This bill would repeal that provision.

(10) Existing law provides that financial assistance provided to local jurisdictions for staff training and support services, as specified, may not exceed 75% of the cost of carrying out the activity, except as specified.

This bill would repeal that provision.

The bill would additionally delete various obsolete provisions of law.

(11) Existing law provides for regulation of electrical corporations by the Public Utilities Commission.

This bill would require the Public Utilities Commission, in consultation with the State Energy Resources Conservation and Development Commission, to develop a program for residential and commercial customer air-conditioning load control, as an element of each electrical corporation's tariffed service offerings paid for with electric rates. The bill would provide that the goal of the program is to contribute to the adequacy of electricity supply and to help customers reduce their electric bills in a cost-effective manner.

Because a violation of a rule or order of the Public Utilities Commission is a crime under existing provisions of law, the bill would impose a state-mandated local program by creating a new crime.

(12) 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. 602 (SB 1927) Soto. Omnitrans: bus fueling stations.

(1) Existing law imposes various requirements on transit operators.

This bill would require the Omnitrans Joint Powers Authority to contract with an independent third party to prepare and submit to the Legislature and the Governor a report on the environmental and public health impacts of transit bus fueling stations located within its jurisdiction that are owned or operated by the authority. The bill would require the authority to hold at least one noticed public hearing in the vicinity of each bus fueling station for the purposes of soliciting input from persons who may be affected by those impacts, and to consult with the South Coast Air Quality Management District and other appropriate federal, state, local agencies, and community groups representing residents of the affected areas, in conducting the assessment. The bill would require the Omnitrans Joint Powers Authority to solely use state transit funds allocated to it or its member agencies pursuant to the State Transportation Assistance Program in order to comply with these provisions.

(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 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. 603 (SB 1938) Machado. Groundwater management: state funding.

Existing law authorizes a local agency to prepare and implement a groundwater management plan. Existing law establishes the Local Groundwater Assistance Fund and provides that, upon appropriation by the Legislature, money in the fund may be used by the Department of Water Resources to assist local public agencies by awarding grants to those agencies to conduct groundwater studies or to carry out groundwater monitoring and management activities.

This bill would require a local agency that elects to develop a groundwater management plan to make available to the public a written statement describing the manner in which interested parties would be allowed to participate in the development of that plan. The bill would require a local agency, for the purposes of qualifying as a groundwater management plan under certain provisions of law, or, with certain exceptions, for the purposes of receiving state funds administered by the department for the construction of groundwater projects or groundwater quality projects, to prepare and implement a plan that includes certain basin management objectives and components, and to adopt certain monitoring protocols. The bill would require the local agency to submit a copy of the plan to the department, in an electronic format, if practicable, approved by the department, and the department would be required to make copies available to the public. The bill would provide, that upon appropriation by the Legislature, money in the Local Groundwater Assistance Fund may be used by the department to assist local public agencies in the development of groundwater management plans.

Ch. 604 (SB 1949) Soto. Public participation.

Under existing law, the State Water Resources Control Board has duties relating to the administration of water rights. Under existing law, the board and the California regional water quality control boards are among the principal state agencies that regulate water quality.

This bill would require the state board to undertake a review of the regional boards' public participation procedures. Upon completion of this review, the state board would be required to report to the Legislature regarding its findings and include recommendations to improve regional board public participation processes. The bill would also require the state board to provide training to regional board members to improve public participation procedures, if funding is provided for that purpose.

Ch. 605 (AB 74) Washington. Interception of communication.

Existing law makes it unlawful to possess, acquire, retain, produce, develop, manufacture, transfer, use, or threaten to use weapons of mass destruction, or to possess restricted biological agents, as specified. Existing law also makes unlawful the possession of destructive devices, as specified, and various types of conduct relating to those devices. Under existing law, courts can permit the interception of certain wire or electronic communications if an application authorized by a specified senior prosecutor shows, among other things, probable cause to believe that the subject of the intercepted communications had committed, or was going to commit, one of a list of enumerated offenses. These offenses include large quantity drug crimes, murder, solicitation to murder, bombing of property, felony gang participation, or a conspiracy to do any of these.

This bill would add to those prosecutors who can authorize an application for an order to intercept communications the person designated to act as district attorney in the district attorney's absence. It would also add to those enumerated offenses that permit a court to order the interception of wire or electronic communications the provisions relating to weapons of mass destruction and destructive devices, as well as large quantity drug precursor cases. This bill would also authorize an interception of communications for attempts to commit any of the enumerated offenses.

Under existing law, an application for an order to intercept communications must include certain information, and there is no provision for an applicant to modify an existing order except by a full application for a new order.

This bill would explicitly authorize an application to modify an existing order when there is probable cause to believe that the person or persons identified in the original order have commenced to use a facility or device that is not subject to the original order. It would specify the contents of an application to modify an order in this way.

Under existing law, only electronic digital pagers are subject to interception orders, as provided.

This bill would subject all electronic pagers to these interception orders.

Under existing statutory law, only a presiding judge of the superior court, or one other judge designated by the presiding judge, may hear an application for an order to intercept communications. An appellate court upheld an order by a 2nd alternate judge, designated by the presiding judge to hear applications when the first designee was unavailable.

This bill would explicitly permit an application for a wire interception order to be heard by the presiding judge, one other judge designated by the presiding judge, or the first available judge in a succession that could be designated by the presiding judge. The bill would also authorize the Judicial Council to establish guidelines for judges to follow when hearing applications for these orders.

Under existing law, an application for an order to intercept communications must include a complete statement of all previous similar applications known to the parties involved in the application concerning the targets of the interception, and the actions taken on those prior applications. Under existing law, the California Attorney General is required to collect from local agencies and report annually on statewide statistical information concerning the results of this wire interception authority.

This bill would provide that an order to intercept communications must require a specified report to the Attorney General not less than 10 days after the order was issued. This bill would provide that the applicant's duty to disclose prior related applications is satisfied if the application includes the results of inquiries to the California Attorney General and the United States Department of Justice concerning prior applications. This bill would require the California Attorney General to provide information known from his or her reporting requirement in response to an inquiry of this type, and would specify additional statistical information which must be provided to the Attorney General and reflected in the Attorney General's annual report.

Under existing law, the party receiving an order permitting the interception of communications must report to the issuing judge on progress toward the authorized objective of the order, and the need for continued interception. If a judge finds no progress without sufficient explanation, or no need for continued interception, he or she must order immediate termination of the interception. Under existing law, the reports must be made at least every 72 hours.

This bill would change that requirement to at least every 6 days.

Under existing law, a transcript of communications intercepted under an order must be provided to all parties at least 10 days before any proceeding in which the communication or any evidence derived from it is to be received in evidence. This 10-day requirement can be waived by a court if compliance is not possible, and the defendant will not be prejudiced by the delay.

This bill would require the prosecution to notify a defendant that he or she has been identified as the result of an interception of communication before a plea of guilty or nolo contendere, or at least 10 days prior to specified proceedings. It would require the prosecution to provide to the defendant all recorded interceptions from which evidence against the defendant was derived, as well as other specified materials not already specified in this law, not less than 10 days before any trial, hearing, or proceeding in which the contents of an interception, or evidence derived from the interception is to be introduced. It would permit a court to limit the required disclosures described in this paragraph on a showing of good cause.

Under existing law, if a lawful interception of communication yields evidence of a crime other than that for which the order was granted, that evidence may be used and disclosed for proper law enforcement and prosecution purposes if it concerns one of the other offenses for which a court can order an interception of communications. However, if an authorized interception of communications yields evidence of crime other than those crimes for which a court may authorize an interception, then that evidence may only be used or disclosed to prevent the commission of a crime.

This bill would additionally allow evidence of any of the crimes commonly called "violent felonies" to be disclosed to other prosecutors and law enforcement officers, and to be used to the extent appropriate for official law enforcement and prosecution duties, when lawfully intercepted pursuant to court order.

Existing law specifies obligations for parties applying for and carrying out orders to intercept communications, and makes a violation of these provisions a misdemeanor or felony. The law that authorizes the interception of communications is set to be repealed by its own terms on January 1, 2003.

This bill would delay the repeal of the provisions authorizing interceptions of communications to January 1, 2008.

By extending the duration of a law creating 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.

This bill would become operative only if SB 1391 also is enacted and becomes effective.

Ch. 606 (AB 1838) Hertzberg. Weapons of mass destruction.

Existing law, as amended by initiative statute, specifies those acts that constitute first degree murder. The initiative statute provides that any amendment of its provisions by the Legislature shall require a  $\frac{2}{3}$  vote of the membership of each house.

This bill would add to those acts, murder perpetrated by means of a weapon of mass destruction.

By expanding the scope of an existing crime, this bill would impose a state-mandated local program.

Existing law provides for a list of crimes called “serious felonies” and “violent felonies.” Existing law provides specified enhancements to the punishments of certain repeat, state prison bound offenders with prior violent or serious felony convictions. Existing law provides for the possibility of a reduction of time served on a sentence for work performance, but limits the sentence reduction available to 15%, rather than the usual 50% for prison, or 33% for county jail, if a defendant is committed on charges that include one or more violent or serious felonies. Proposition 21, in initiative statute, provides that any amendment of these provisions by the Legislature shall require a  $\frac{2}{3}$  vote of the membership of each house.

This bill would add to the list of violent felonies specified offenses perpetrated by means of a weapon of mass destruction, as specified.

This bill would also add to the list of serious felonies specified violations perpetrated with weapons of mass destruction, as defined, and any conspiracy to commit any serious felony.

Existing law defines “weapon of mass destruction.” Existing law also provides that, absent lawful authority, the possession, development, manufacture, production, transfer, acquisition, or retention of any weapon of mass destruction is a felony.

This bill would expand that definition to include restricted biological agents, and an aircraft, vessel, or vehicle that is used as a destructive weapon. This bill would also define “used as a destructive weapon” for purposes of those provisions.

By expanding the scope of an existing crime, this bill would impose a state-mandated local program.

Existing law provides that, absent lawful authority, the possession, development, manufacture, production, transfer, acquisition, or retention of any weapon of mass destruction is a felony.

This bill would, in addition, provide that a person who employs, as specified, a weapon of mass destruction in a form that may cause widespread great bodily injury or death and causes the death of any human being would be punishable by imprisonment in the state prison for life without the possibility of parole.

By creating a new crime, this bill would impose a state-mandated local program.

This bill would increase the penalty for related crimes.

Existing law provides that a threat, as specified, to use a weapon of mass destruction is a crime.

This bill would, in addition, provide that giving, mailing, sending, or causing to be sent a false or facsimile weapon of mass destruction, as specified, would be a misdemeanor. It would further provide that if the prohibited conduct causes another person to be placed in sustained fear, as defined, the conduct would be punishable by imprisonment in a county jail not exceeding one year, or imprisonment in the state prison for 16 months or 2 or 3 years and a fine not exceeding \$250,000.

By creating a new crime, this bill would impose a state-mandated local program.

The bill would make related changes.

Because this bill would amend initiative statutes, it would require a  $\frac{2}{3}$  vote of the membership of each house of the Legislature for enactment by the Legislature under the terms of the initiative statutes.

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 declare that it is to take effect immediately as an urgency statute.

Ch. 607 (SB 489) Romero. Hazardous waste of concern: handling: transportation.

(1) Under existing law, it is unlawful for any person to carry on, or engage in, the transportation of hazardous waste unless the person holds a valid registration issued by the Department of Toxic Substances Control. Existing law provides that a person who holds a valid registration issued by the department is a registered hazardous waste transporter. 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. Existing law requires any application to use and operate a hazardous waste facility to include a specified disclosure statement, but exempts from this requirement a person operating pursuant to a permit-by-rule, conditional authorization, or conditional exemption.

A violation of the laws regulating hazardous waste is a crime.

This bill would require the department, by July 1, 2003, to adopt a list of hazardous wastes of concern, including the minimum quantities for those hazardous wastes that are required to be reported when missing, which would include hazardous waste that the department determines requires special handling restrictions and requirements as specified, based on its potential to harm the public in a terrorist or other criminal act.

The bill would require the department to develop the list of hazardous wastes of concern, and the reportable quantities for those hazardous wastes, in consultation with other affected local, state, and federal agencies that have technical expertise on the storage, transportation, and potential hazards of those hazardous wastes.

The bill would require any person handling any hazardous waste of concern on and after July 1, 2003, to comply with various requirements, including requiring a hazardous waste transporter or the owner or operator of a hazardous waste facility who discovers that a reportable amount of hazardous waste of concern is missing during transportation or storage to immediately, as specified, provide a verbal notification to the department, to later report the discrepancy to the department in writing, and to comply with specified manifest discrepancy reporting requirements. The bill would require the department to determine, within 24 hours after receiving notice of a missing hazardous waste of concern, whether there is a potential risk to public safety and to notify the Department of the California Highway Patrol and the Office of Emergency Services if the department determines that the missing hazardous waste of concern reported presents a significant potential risk to public safety from its use in a terrorist or other criminal act. The bill would authorize the Department of the California Highway Patrol to enter and investigate a hazardous waste facility, upon the department's request, for an investigation regarding missing hazardous waste.

The bill would require any person applying for a hazardous waste facilities permit or other grant of authorization to use and operate a hazardous waste facility that would handle hazardous waste of concern, or a person applying for registration as a hazardous waste transporter, on and after January 1, 2004, who would transport that waste, to submit a disclosure statement to the department, except as specified. The bill would also require any person owning or operating a hazardous waste facility that handles a hazardous waste of concern to submit a disclosure statement to the department by January 1, 2004, and would require any registered hazardous waste transportation to submit such a disclosure form upon the request of the department. The department would be required to conduct a background check, as defined, on or before 180 days after receiving a disclosure statement.

The bill would require the department to adopt emergency regulations, prior to July 1, 2003, to implement the bill's requirements and would require that the regulations be filed with, but not be repealed by, the Office of Administrative Law and remain in effect until revised by the department. The bill would require the regulations to be consistent with the federal Hazardous Materials Transportation Authorization Act of 1994, except as specified.

Since a violation of the bill's requirements would be a crime, the bill would impose a state-mandated local program.

(2) Existing law requires any application to use and operate a hazardous waste facility to include a specified disclosure statement and requires certain persons listed on the disclosure statement to submit properly completed fingerprint cards to the department.

This bill would instead require those persons to submit fingerprint images and related identification information. The bill would require the department to submit the fingerprint cards or electronic fingerprint images and related identification information to the Department of Justice for a specified criminal offender record information check.

(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. 608 (SB 510) Scott. Transportation facilities: offenses.

Existing law makes it a crime to bring or possess specified weapons within certain public buildings, unless exempted.

This bill would make it a misdemeanor to possess specified weapons, replica weapons, parts of weapons, and ammunition within a sterile area of an airport, as defined, to which access is controlled by screening of persons and property, except as provided.

By creating a new crime, this bill would impose a state-mandated local program.

Existing law makes it unlawful for persons to engage in certain acts of trespass. In particular, existing law makes it unlawful for a person to knowingly enter upon any airport operations area, as defined, if the area has been posted with notices restricting access, as provided. Under existing law, a first violation of this provision is an infraction punishable by a fine not exceeding \$100, while a subsequent violation, or any violation involving a refusal to leave a posted area when requested to leave by a peace officer, is a misdemeanor.

This bill would provide that a refusal to leave a posted airport area after a request to leave from a peace officer or authorized personnel, as specified, would make the offense a misdemeanor.

By expanding the scope of 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.

This bill would also declare that it is to take effect immediately as an urgency statute.

#### Ch. 609 (SB 1241) Figueroa. Private security services.

The Private Security Services Act provides, among other matters, for the licensure and regulation of private patrol operators by the Bureau of Security and Investigative Services within the Department of Consumer Affairs, and makes a violation of its provisions a crime. Under existing law, an employee of a licensee may be assigned to work with a temporary registration card if specified requirements are met.

This bill would delete the provisions relating to temporary registration cards and would require that a background check be completed and a determination made by the bureau prior to the issuance of a registration card. The bill would authorize a person to work as a security guard or security patrolperson pending receipt of a registration card if he or she has been approved by the bureau and carries on his or her person a hardcopy printout of the bureau's approval from the bureau's Web site and a valid picture identification.

Existing law requires a person, upon accepting employment by a private patrol operator performing the function of a security guard or security patrolperson, to, among other things, submit fingerprint cards to the Department of Justice if he or she is not currently registered with the bureau. Existing law exempts law enforcement officers meeting specified criteria from the fingerprinting requirement.

This bill would remove the exemption for law enforcement officers, and instead would authorize an officer who meets the criteria to immediately perform the functions of a security guard or security patrolperson prior to the completion of a background check, provided that he or she has submitted an application, the applicable fees, and his or her fingerprints to the bureau for a security guard registration.

The bill would incorporate additional changes in Sections 7583.2, 7583.8, and 7583.9 of the Business and Professions Code proposed by AB 248, AB 1840, or AB 2880, to be operative only if any or all of the other bills are enacted and become effective on or before January 1, 2003, and this bill is enacted last.

Because a violation of any of the provisions regulating private patrol operators is 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. 610 (SB 1257) Murray. Vehicles: hazardous materials transportation.

(1) Existing law prohibits any person from operating a commercial motor vehicle carrying hazardous materials unless that person has in his or her possession a valid commercial driver's license for the appropriate class of vehicle, and an endorsement from the Department of Motor Vehicles to permit the operation of the vehicle. Existing law relating to hazardous waste control imposes various requirements with respect to the transportation of hazardous waste. A violation of the above provisions is a crime, punishable as specified.

This bill would also provide that an authorized representative of the generator or facility operator that is responsible for loading hazardous waste into a transport vehicle shall, prior to that loading, ensure that the driver of the transport vehicle is in possession of the appropriate class of driver's license and any endorsement required to lawfully operate the transport vehicle with its intended load. By creating a new crime, this bill would impose a state-mandated local program upon local governments.

(2) Existing law provides that the Commissioner of the California Highway Patrol may adopt and enforce regulations and standards with respect to fuel containers and fuel systems on vehicles using compressed or liquefied natural and petroleum gasses, as specified.

This bill would also allow the commissioner to adopt and enforce regulations with respect to vehicles using compressed or liquefied hydrogen gas or liquid fuels that generate hydrogen gas.

(3) Existing law generally requires every motor carrier that transports for a fee in excess of 500 pounds of hazardous materials for which placards are required to be licensed, as specified. Existing law exempts from these licensure requirements specified persons hauling only hazardous waste who are registered under the Health and Safety Code.

This bill would provide that these persons hauling only hazardous waste who are registered under the Health and Safety Code shall nonetheless be subject to specified licensing provisions relating to inspections, vehicle equipment, and compliance with specified laws and regulations.

(4) Existing law relating to the transportation of hazardous material makes it a crime for any motor carrier to direct the transportation of any shipment of hazardous material in any vehicle unless the vehicle and shipment meet specified requirements and the motor carrier holds a valid license for the transportation of hazardous material.

This bill would also require, with specified exceptions, (a) a vehicle or combination of vehicles transporting specified dangerous substances to be equipped with a 2-way communication device, maintained in good working order, that enables the driver to contact the personnel responsible for the safety operations of the motor carrier in the event of an emergency; and (b) a vehicle or combination of vehicles transporting specified dangerous substances that has an enclosed cargo body, as defined, to be locked and remain locked

during transit of the hazardous materials so as to prevent any unauthorized entry; to be opened only during loading, unloading, or at the direction of a peace officer, an authorized employee of the department, or a person authorized as specified; and, if the vehicle has been left unattended for any length of time, that the driver verify that all locks are in place and note this in his or her log book. By creating new crimes, this bill would impose a state-mandated local program upon local governments.

(5) Existing law provides that the Department of Motor Vehicles shall inspect, at least every 25 months, every terminal of specified motor carriers, including vehicles transporting hazardous material.

This bill would require the department to place an inspection priority on those terminals operating vehicles transporting hazardous material.

(6) This bill would require the California Highway Patrol, by July 1, 2004, to prepare a report on the feasibility and cost-effectiveness of requiring all commercial motor vehicles required to display warning placards when transporting any amount of explosives, radiological materials, poisonous materials, or extremely hazardous waste to be equipped with global positioning devices.

(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. 611 (SB 1287) Alarcon. Weapons of mass destruction.

Existing law defines “weapon of mass destruction.” Existing law also provides that, absent lawful authority, the possession, development, manufacture, production, transfer, acquisition, or retention of any weapon of mass destruction is a felony.

This bill would expand that definition to include restricted biological agents, and an aircraft, vessel, or vehicle that is used as a destructive weapon. This bill would also define “used as a destructive weapon” for purposes of those provisions.

By expanding the scope of an existing crime, this bill would impose a state-mandated local program.

Existing law provides that a threat, as specified, to use a weapon of mass destruction, that results in “sustained fear,” as defined, is a crime punishable by a specified term in county jail, state prison, or by a fine, or by both the fine and imprisonment.

This bill would delete a requirement that the threat actually cause isolation, quarantine, or a decontamination effort to violate this law. It would expand the definition of evidence showing “sustained fear” to include any isolation, quarantine, or decontamination effort and delete language specifying that any action taken in direct response to a threat to use a weapon of mass destruction is evidence of sustained fear. It would also provide that the offense would be punishable only by the imprisonment and fine in conjunction. By expanding the scope of an existing crime, this bill would impose a state-mandated local program.

Existing law provides that possession of a restricted biological agent, as defined, is punishable by imprisonment in the state prison for 4, 8, or 12 years, or a fine not exceeding \$250,000, or by both that imprisonment and fine.

This bill would revise the penalties to provide that the offense would be punishable only by the prison term and the fine in conjunction. The bill would also expand the list of restricted biological agents to include bioengineered products, as specified.

By expanding the scope of an existing crime, this bill would impose a state-mandated local program.

The bill would make related 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.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 612 (SB 1350) McPherson. Emergency services: terrorism.

(1) Existing law creates the Office of Emergency Services in the office of the Governor, with specified powers and duties relative to coordinating emergency services. Existing law establishes the Emergency Medical Services Authority to assess emergency medical services areas and to perform other activities relating to planning, implementing, and assisting local and regional emergency medical services. The State Fire Marshal is authorized to develop firefighter training and education standards.

This bill would establish the Emergency Response Training Advisory Committee, with specified membership, to recommend specified training criteria relative to terrorism awareness. The bill would require the authority and the State Fire Marshal, separately, to establish additional training standards that include the criteria for the curriculum content recommended by the committee, involving the responsibilities of first responders to terrorism incidents. It would require the Office of Emergency Services to contract with the California Fire Fighter Joint Apprenticeship Program to develop a fire service specific course of instruction regarding first responder to terrorism incidents. The bill would also require the Commission on Peace Officer Standards and Training to establish training standards and develop a specified course of instruction on the responsibilities of first responders to terrorism incidents and would require specified local agency and other peace officers to complete the training.

The bill would provide that it is to be implemented only when federal funds are received for the purposes of the bill.

(2) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 613 (AB 1997) Thomson. Land conservation.

The existing Subdivision Map Act requires the legislative body of a city or county to deny, except under specified circumstances, approval of a tentative map, or a parcel map for which a tentative map was not required, if it finds that the land is subject to a contract entered into pursuant to the California Land Conservation Act of 1965 and that either the resulting parcels following a subdivision of that land would be too small to sustain their agricultural use or the subdivision will result in residential development not incidental to the commercial agricultural use of the land.

This bill would also apply these provisions to land that is subject to an open-space easement, agricultural conservation easement, or conservation easement, but would make these provisions inapplicable during the 3-year period preceding the termination of contracts entered into pursuant to the California Land Conservation Act of 1965.

The bill would also provide that where an easement contains language addressing allowable land divisions, the terms of the easement shall prevail, and would specify that its provisions would apply only to contracts or easements entered into on or after January 1, 2003.

Ch. 614 (AB 2370) Thomson. Local agency formation: annexation.

Existing law prohibits a local agency formation commission from approving or conditionally approving a change of organization or reorganization that would result in the annexation to a special district of territory that is within a farmland security zone if that special district provides or would provide facilities or services or services related to sewers, nonagricultural water, or streets and roads unless the facilities or services benefit land uses that are allowed under the contract and the landowner consents.

This bill would prohibit the commission from approving or conditionally approving a change of organization or reorganization or a change in a sphere of influence of a local government agency that would result in the annexation to a city or special district of territory that is subject to a contract in a farmland security zone or a contract to conserve agricultural

land under prescribed conditions if the city or special district provides or would provide those facilities or services, unless the facilities or services benefit land uses that are allowed under the contract and the landowner consents. The bill would nevertheless authorize the commission to approve such a change of organization or reorganization if it makes a specified finding. The bill would also make various conforming changes.

Ch. 615 (AB 2587) Matthews. Food: water usage forecasts.

Existing law establishes the Department of Food and Agriculture and charges it with various duties and obligations.

This bill would require the Department of Food and Agriculture to estimate food, fiber, livestock, and other farm products production, as specified, and provide that information to the Department of Water Resources for estimating related water usage, and the Chairs of the Assembly Committee on Agriculture, the Assembly Committee on Water, Parks, and Wildlife, and the Senate Committee on Agriculture and Water Resources, as specified, for inclusion in a bulletin by the Department of Water Resources estimating the state's water needs. This bill would also state the intent of the Legislature in regard to that bulletin.

Ch. 616 (SB 1864) Costa. Agricultural land conservation.

(1) The Williamson Act, until January 1, 2003, to facilitate a lot line adjustment, authorizes parties to mutually agree to rescind the contract or contracts and simultaneously enter into a new contract or contracts covering the adjustment if the board or council makes specified findings.

This bill would extend the termination date of those provisions to January 1, 2004.

(2) The California Farmland Conservancy Program Act requires moneys in the California Farmland Conservancy Fund, upon appropriation by the Legislature in the annual Budget Act, to be used for the purposes of the program, which include the purchase of agricultural conservation easements, land improvement and planning grants, technical assistance provided by the department, technology transfer activities of the department, and specified department administrative costs.

This bill would include fee title acquisition grants among those purposes for which moneys in the fund may be used.

(3) The California Farmland Conservancy Program Act requires the Department of Conservation to implement and administer a program to provide grants for the acquisition of agricultural conservation easements. The act prescribes procedures for the implementation of the grant program, and establishes criteria for grant applications.

This bill would revise various procedures for the application and funding of grants for agricultural conservation easements under the act, and would make various statutory conforming changes, relating to the valuation of agricultural conservation easements as specified.

Ch. 617 (SB 482) Kuehl. Salton Sea.

(1) Existing law provides that the Imperial Irrigation District is not liable for any effects to the Salton Sea or its bordering area resulting from specified conservation measures.

This bill would make legislative findings concerning the Salton Sea and a Quantification Settlement Agreement. The bill would require the Resources Agency and the Technology, Trade, and Commerce Agency, in consultation with specified entities and individuals, to review and report to the Governor and the Legislature, on or before June 30, 2003, on certain matters pertaining to the implementation of the Quantification Settlement Agreement. The bill would authorize the Department of Fish and Game, contingent upon the execution of the Quantification Settlement Agreement among other things, to authorize the take of species resulting from specified environmental impacts attributable to the implementation of the agreement. The bill would make related conforming changes.

The bill would provide that, during the period that the Quantification Settlement Agreement is in effect and the Imperial Irrigation District is meeting its water delivery obligations under the Quantification Settlement Agreement, if the Imperial Irrigation District utilizes land following conservation measures that ensure compliance with specified criteria set forth in the bill for the environmental impacts of a water transfer to implement the Quantification Settlement Agreement, no person or local agency, as defined, may seek to obtain additional conserved Colorado River water from the district, voluntarily or involuntarily, until the district has adopted a resolution offering to make conserved Colorado River water available.

The bill also would require the Secretary of the Resources Agency to establish an advisory committee representing the parties interested in the future of the Salton Sea.

(2) Existing law establishes the Fish and Game Preservation Fund, a fund that is continuously appropriated to the department to carry out the Fish and Game Code. By imposing new duties on the department, this bill would make an appropriation.

Ch. 618 (SB 1473) Machado. Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002.

The Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002, if approved by the voters at the November 5, 2002, statewide general election (Proposition 50), would authorize, for the purposes of financing a safe drinking water, water quality, and water reliability program, the issuance of bonds in the amount of \$3,440,000,000.

This bill would require the Department of Water Resources to administer 50% of certain funds made available by the initiative measure for a regional water management program, and the State Water Resources Control Board to administer the remaining 50% of those funds.

The bill would require a state agency that makes a grant for a project financed by those funds that includes any modification of a river or stream channel, to determine, prior to awarding the grant, whether the environmental impacts resulting from that modification will be fully mitigated by considering all of the impacts of that modification and any mitigation, environmental enhancement, and environmental benefit resulting from the project, and, on balance, whether any environmental enhancement or benefit equals or exceeds any negative environmental impacts of the project. The bill would provide that the costs of mitigation or enhancement may be included in the project costs eligible for that described funding made available by the initiative measure.

The bill would declare the intent of the Legislature that up to \$150,000,000 of the total funds made available by the initiative measure be used for projects that facilitate the water transfers pursuant to the Quantification Settlement Agreement. The bill would additionally declare the intent of the Legislature that 40% of the funds made available by the initiative for integrated regional water management projects be made available for projects in northern California and 40% of the funds be made available for projects in southern California.

These provisions would only become operative if the initiative measure is approved by the voters at the November 5, 2002, statewide general election.

Ch. 619 (AB 310) Goldberg. Female parolees: parole violation: reintegration program in lieu of parole revocation.

Existing law provides that the Department of Corrections shall establish three pilot programs that provide intensive training and counseling programs for female parolees to assist in the successful reintegration of those parolees into the community upon release or discharge from prison and after completion of in-prison therapeutic community substance abuse treatment programs.

This bill would provide that, with respect to a female parolee who violates her parole, the Board of Prison Terms may order initial or continued participation in one of the above-described programs, in lieu of revocation of parole, provided the department approves

the program participation, the parolee meets all eligibility criteria for the program, and the parole violation was nonviolent. The bill would further provide that the Department of Corrections shall prepare an informational handout explaining the pilot programs, a copy of which shall be given to each eligible female inmate or parolee.

Ch. 620 (AB 2127) Matthews. Taxpayer contributions: Asthma and Lung Disease Research 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.

Existing law allowed, until September 1, 2001, taxpayers to designate on their tax returns that a specified amount in excess of their tax liability be transferred to the California Lung Disease and Asthma Research Fund.

This bill would repeal those obsolete provisions and instead allow taxpayers to designate on their tax returns that a specified amount in excess of their tax liability be transferred to the Asthma and Lung Disease Research 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 from that return.

This bill would provide that all moneys contributed to the fund pursuant to these provisions, upon appropriation by the Legislature, would be allocated to the Franchise Tax Board and the State Department of Health Services, as provided.

This bill would also provide that these voluntary contribution provisions are repealed on January 1 of the 5th taxable year following the taxable year the fund first appears on the tax return. 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, and an adjusted amount for subsequent taxable years.

Ch. 621 (AB 2238) Dickerson. Public Safety Officials Home Protection Act.

Existing law prohibits any state or local agency from posting the home address or telephone number of any elected or appointed official on the Internet without first obtaining the written permission of that individual.

This bill would, in addition, prohibit any person from knowingly posting the above information of any elected or appointed official, as defined, or the official's residing spouse or child, on the Internet knowing that person is an elected or appointed official and intending to cause imminent great bodily harm that is likely to occur, or threatening to cause imminent great bodily harm, to that individual. The bill would include public safety officials, as defined, within the list of covered officials. This bill would make a violation of these provisions a misdemeanor, and would make the violation a misdemeanor or a felony if it leads to the bodily injury of the official or his or her residing spouse or child. By creating new crimes, this bill would impose a state-mandated local program.

Under existing law every person who maliciously, and with the intent to obstruct justice or the due administration of the laws, publishes, disseminates, or otherwise discloses the residence address or telephone number of any peace officer, nonsworn police dispatcher, or employee of a city police department or county sheriff's office, or that of the spouse or children of these persons, whether living with them or not, while designating the peace officer, nonsworn police dispatcher, or relative of these persons as such, without the authorization of the employing agency, is guilty of a misdemeanor.

This bill would include with the intent or threat to inflict imminent physical harm in retaliation for the due administration of the laws in the above prohibition, and would include public safety officials, as defined, among the list of those who may not have their information published. It would prohibit disclosure of the addresses and telephone numbers of only the

spouses and children residing with the specified persons. Because this bill would create a new crime, it would impose a state-mandated local program.

The bill would create an advisory task force to determine how to protect a public safety official's home information. The task force would be chaired by the Attorney General and would be comprised of various representatives from law enforcement, the legal community, and the business community. The bill would require the task force, by September 1, 2003, to file a report with the Legislature on, among other things, how to protect a public safety official's home information.

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. 622 (AB 2471) Robert Pacheco. Criminal punishment.

Existing law defines the offense of gross vehicular manslaughter and provides punishment therefor.

This bill would require that certain facts be alleged in the information or indictment and admitted by the defendant in open court, or found true by the trier of fact in order for specified enhancements to apply.

By imposing additional duties on local prosecuting authorities, this bill would impose a state-mandated local program.

Existing law establishes in each county a board of parole commissioners, consisting of, among others, the sheriff, or, in a county with a department of corrections, the director of that department, and the probation officer.

This bill would, in addition, authorize as members of the board, the designee of the sheriff, as applicable, or the designee of the probation officer.

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 2659) Runner. Fingerprinting.

Existing law requires the Attorney General to procure from any available source, and file for record and report in the office of the bureau, all descriptions, information, photographs, and measurements of all persons convicted of a felony, imprisoned, and of all well-known habitual criminals. Existing law permits the Department of Justice to use, among other things, the fingerprint system of identification. Existing law requires the department to maintain an automated system to retain fingerprints files and identify latent fingerprints.

This bill would require the department to establish, implement, and maintain a certification program to process fingerprint-based criminal background clearances on individuals who roll applicant fingerprint impressions for licensure, certification, or employment purposes, and would require those persons to be certified, commencing January 1, 2004. The bill would authorize the department to charge a fee sufficient to cover costs of the program. This bill would require any person who rolls fingerprint impressions for individuals who are being fingerprinted for nonlaw enforcement purposes, to submit to the department 2 sets of fingerprints, along with appropriate fees and documentation in order to process a criminal background clearance. The bill would prohibit the certification of a fingerprint roller if, among other things, the person has been convicted of a felony.

Ch. 624 (AB 2965) Wiggins. Gaming: cheating.

Existing law makes it unlawful for a person to use any game, device, sleight of hand, pretension to fortune tell, trick, or other means, by use of cards or other implements or instruments, or while betting on sides or hands of any play or game, to fraudulently obtain

from another person, money or property of any description. Existing law defines the term “fraudulently obtain” for these purposes to include cheating by gaining an unfair advantage for any player in any game through a technique or device not sanctioned by the rules of the game.

This bill would make unlawful various acts of cheating in the playing of gambling games. The bill would define the term “cheat” for these purposes.

The bill also would make it unlawful to use at a gambling establishment, or to possess with the intent to use, any device to assist in projecting the outcome of the gambling game, keeping track of the cards played, analyzing the probability of the occurrence of an event relating to the game, or analyzing the strategy for playing or betting to be used in the game, except as permitted by the California Gambling Control Commission or a tribal gaming agency.

The bill also would make it unlawful for any person to use counterfeit chips, counterfeit debit instruments, or other counterfeit wagering instruments in a gambling game, associated equipment or a cashless wagering system. The bill would also make it unlawful for any person, to possess any paraphernalia for manufacturing slugs, as defined.

The bill would make it unlawful to manufacture, sell, or distribute any cards, chips, dice, game, or any device which is intended to be used to cheat and would also make it unlawful to mark, alter, or otherwise modify any associated equipment or gaming device in a manner that either affects the result of a wager by determining win or loss or alters the normal criteria of random selection, which affects the operation of a gambling game or which determines the outcome of a gambling game. The bill would prescribe terms of imprisonment and fines for violations of these prohibitions.

Because the bill would define various new crimes, 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. 625 (SB 649) Committee on Environmental Quality. Environmental quality: solid waste management: mercury added novelties: used and waste tires.

(1) Existing law authorizes the Department of Boating and Waterways to make loans to cities, counties, and districts for the planning, acquisition, construction, improvement, maintenance, or operation of small craft harbors and facilities in connection with those harbors, and connecting waterways. Existing law requires the department to establish, by rules and regulations, policies and standards to be followed in making these loans, and authorizes these rules and regulations to include policies and standards for restrooms, vessel pumpout facilities, oil recycling facilities, and receptacles for the purpose of separating, reusing, or recycling all solid waste materials.

This bill would, instead, require the rules and regulations established by the department under this provision to include policies and standards for restrooms, vessel pumpout facilities, oil recycling facilities, and receptacles for the purpose of separating, reusing, or recycling all solid waste materials.

(2) Existing law defines a “mercury-added novelty” as a mercury-added product intended mainly for personal or household enjoyment or adornment.

This bill would exclude from that definition a product that contains no mercury other than in a mercury-added button cell battery.

(3) The existing California Environmental Quality Act requires that all public and private activities or undertakings pursuant to, or in furtherance of, a redevelopment plan be deemed to be a single project.

This bill would specify that an environmental impact report for a redevelopment plan may be a master environmental impact report, a program environmental impact report, or a project

environmental impact report. The bill would require the environmental impact report for a redevelopment plan to specify the type of environmental impact report to be prepared for that plan.

(4) 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. Under existing law, the act 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.

This bill would revise the requirements for the granting of a time extension from these diversion requirements applicable to cities incorporated after January 1, 1990, and before January 1, 2001, and applicable to cities incorporated on or after January 1, 2001. The bill would make related and conforming changes.

(5) Existing law requires a community service district or sanitary district that provides solid waste handling services or implements source reduction and recycling programs to comply with the source reduction and recycling element and household hazardous waste element of the jurisdiction in which the district is located, and to provide the city, county, or regional agency in which it is located information on the programs implemented by the district and the amount of waste disposed and diverted within the district. A district is authorized to impose a fee, in a specified manner, for the costs of complying with these requirements.

This bill would additionally include a public utility district that provides these services or implements these programs within those requirements. The bill would impose a state-mandated local program by imposing new duties upon local agencies.

(6) Existing laws relating to the storage and disposal of used and waste tires and the transportation of waste tires define "used tire" to mean a tire meeting specified requirements, including a requirement of being stored by size in a rack or a stack, but not in a pile.

This bill would amend this requirement to specify that, for purposes of the storage and disposal of used tires, the used tire is ready for resale, stored by size in a rack or a stack not more than 2 rows wide, and stored in accordance with local fire and vector control requirements and with state minimum standards, but for purposes of the transportation of used tires, the bill would delete the storage requirement.

(7) Existing law relating to the storage and disposal of used and waste tires exempts from the definition of "minor waste tire facility" a tire dealer or an automobile dismantler, as defined, who stores used or waste tires on the dealer's or dismantler's premises for less than 90 days under prescribed conditions.

This bill would delete a tire dealer or automobile dismantler who stores used tires from this exemption from the definition of "minor waste tire facility."

(8) Existing law authorizes the California Integrated Waste Management Board to refuse to issue or renew or to suspend or revoke a waste tire facility permit under certain conditions. Any person who stores, stockpiles, or accumulates waste tires at a location for which a waste tire facility permit is required, or in violation of the terms and conditions of the permit, existing law, or the regulations adopted under existing law, is required, upon order of the board, to clean up those waste tires or abate the effects thereof, or, in the case of threatened pollution or nuisance, take other necessary remedial action. The board is authorized, individually or in cooperation with any other governmental agency, to expend available moneys to perform any cleanup, abatement, or remedial work required under these circumstances if that action is required by the magnitude of endeavor or the need for prompt action to prevent substantial pollution, nuisance, or injury to the public health or safety. A governmental agency that cooperates with the board in the cleanup, abatement, or remedial work is authorized to recover its costs in a civil action.

This bill would provide that any costs or damages incurred under these provisions by the board constitute a lien upon the real property owned by any responsible party that is subject to the remedial action. The bill would prohibit the board from being considered a responsible party for a remediated site merely because a lien is imposed under this provision. The bill would require all funds recovered under this provision on behalf of the board's waste tire stabilization and abatement program to be deposited in the California Tire Recycling Management Fund, which contains money that is available, upon appropriation, for expenditure for specified purposes.

(9) Existing law requires the board to initiate a program for the cleanup of solid waste disposal sites and for the cleanup of solid waste at codisposal sites, as defined, where the responsible party either cannot be identified or is unable or unwilling to pay for timely remediation, and where cleanup is needed to protect public health and safety or the environment. The board is required, to the extent possible, to seek repayment from responsible parties for its expenses incurred under the cleanup program, in an amount equal to the amount expended, a reasonable amount for the board's cost of contract administration, and an amount equal to the interest that would have been earned on the expended funds. The amount of any cost incurred by the board under these provisions are recoverable from responsible parties in a civil action brought by the board or, upon the request of the board, by the Attorney General.

This bill would provide that, in addition to the remedies in existing law described above, any costs or damages incurred under these provisions by the board constitute a lien upon the real property owned by any responsible party that is subject to the remedial action. The bill would prohibit the board from being considered a responsible party for a remediated site merely because a lien is imposed under this provision. The bill would require all funds recovered under this provision on behalf of the solid waste disposal and codisposal site cleanup program to be deposited in the Solid Waste Disposal Site Cleanup Trust Fund, which is a continuously appropriated fund in the State Treasury. The bill thereby would make an appropriation by increasing the amount of funds available for appropriation in a continuously appropriated fund.

(10) Existing law imposes a California tire fee in a specified amount on every person who purchases a new tire.

This bill would exempt from the California tire fee any tire sold with, or sold separately for use on, any self-propelled wheelchair, any motorized tricycle or motorized quadricycle, as defined, and any vehicle that is similar to a motorized tricycle or motorized quadricycle and is designed to be operated by a person who, by reason of the person's physical disability, is otherwise unable to move about as a pedestrian.

(11) Existing law requires the board to adopt a 5-year plan, to be updated every 2 years, to establish goals and priorities for the waste tire program and each program element. Existing law requires the 5-year plan to describe the effectiveness of each program element, including, among other things, a description of the effectiveness of cleanup, abatement, or other remedial action related to tire stockpiles throughout the state, and a description of the research directed at promoting and developing alternatives to the landfill disposal of tires.

This bill would specify that these descriptions relate to waste tires.

(12) Under existing law, the money in the California Tire Recycling Management Fund is authorized to be expended by the board, upon appropriation in the annual Budget Act, for specified purposes concerning tire recycling, the disposal of used tires, and for a program of grants to local government entities.

This bill would make technical revisions to the authorized purposes for expenditure of the money in the fund.

(13) Existing law requires the Department of Transportation to annually report to the Legislature and the board on the use of waste tires in transportation and civil engineering projects during the previous 5 years, including, but not limited to, the approximate number of tires used every year.

This bill would specify that this report is to include the approximate number of waste tires used every year.

(14) Existing law defines, among other things, “tire derived product” and “used tire” for the purposes of the provisions regulating the transportation of used and waste tires.

This bill would make technical changes in these definitions, and would add definitions of the terms “waste tire generator” and “waste tire generating business” to those provisions.

(15) Existing law requires a registered waste and used tire hauler to only transport waste or used tires to a facility that is permitted by the board, or exempted to accept waste and used tires, or to a facility that lawfully accepts waste or used tires for reuse or disposal.

This bill would, instead, require a registered waste and used tire hauler to only transport waste or used tires to a facility that is permitted, excluded, exempted, or otherwise authorized by the board, by statute, or by regulation, to accept waste and used tires, or to a facility that lawfully accepts waste or used tires for reuse or disposal.

(16) Existing law provides that a person who hauls waste or used tires is exempt from registration if the person meets at least one of 9 specified standards, including status as a solid waste collector operating under a license or franchise from any local government who transports fewer than 10 waste or used tires at any one time.

This bill would delete that standard.

(17) The bill would also make various technical changes in existing law relating to solid waste and hazardous waste.

(18) 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.

(19) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 626 (SB 1011) Sher. Household hazardous waste: environmental quality assessment: mercury-containing light switches.

(1) Existing law requires a public agency, or its contractor, that intends to operate a household hazardous waste collection facility, to submit specified information to the Department of Toxic Substances Control and authorizes the department to adopt and revise regulations for household hazardous waste collection facilities. Existing law authorizes the department to allow any household hazardous waste collection facility to accept hazardous waste from conditionally exempt small quantity generators (CESQGs). Existing law defines the term “curbside household hazardous waste collection program” for purposes of these provisions, as a service authorized by a public agency that collects recyclable household hazardous waste materials, including latex paint, used oil, used oil filters, and small batteries, and that is operated in accordance with specified requirements. The term “recyclable household hazardous waste material” is defined for these purposes as specified materials for which proven and authorized recycling technology exists. Existing law imposes specified requirements upon the operation of curbside household hazardous waste collection programs, including prohibiting the collection of spent lead-acid batteries and antifreeze. A violation of the hazardous waste control laws is a crime.

This bill would revise the definition of “curbside household hazardous waste collection program” to delete the authorization regarding small batteries and additionally include a program that collects household hazardous waste that is designated as a universal waste pursuant to the hazardous waste control laws or the regulations adopted by the department.

The bill would revise the definition of “recyclable household hazardous waste material” to include specified materials, including universal waste. The bill would also define the term “universal waste” for purposes of the hazardous waste control laws.

The bill would additionally prohibit a curbside household hazardous waste collection program from collecting hazardous waste containing mercury, unless the waste is contained as specified, and from collecting fluorescent light tubes that are 4 feet or greater in length.

The bill would delete prohibitions on a curbside program collecting spent lead-acid batteries and antifreeze and on the amount of small batteries that the program may collect.

Since a violation of the bill's requirements would be a crime pursuant to other provisions of the hazardous waste control law, the bill would impose a state-mandated local program.

(2) The existing Environmental Quality Assessment Act of 1986 authorizes the Director of Environmental Health Hazard Assessment, in consultation with various state agencies, to develop, adopt by regulation, and publicize criteria for 2 classes of environmental assessors. Existing law specifies procedures for the registration and renewal of an environmental assessor's registration by the Director of Environmental Health Hazard Assessment. The Director of Environmental Health Hazard Assessment is authorized to perform audits of work performed by a class II environmental assessor and to rescind a class II assessor's registration, under specified circumstances.

This bill would transfer, to the Department of Toxic Substances Control, all of the duties, powers, purposes, responsibilities, and jurisdiction of the Office of Environmental Health Hazard Assessment with regard to the Environmental Quality Assessment Act of 1986. The bill would authorize the department to expend the unexpended balance of funds available for expenditure by the office in connection with the performance of that transferred function and would provide for the transfer of specified employees and property of the office to the department with regard to that function. The bill would make conforming changes with regard to this transfer.

The bill would require the Director of Toxic Substances Control to additionally determine minimum standards of performance for environmental assessors and would revise the requirements for establishing criteria for registration. The bill would authorize the director to perform an audit of work performed by any environmental assessor and would authorize the director to deny, suspend, or rescind any environmental assessor's registration if the assessor's performance falls below the minimum standards, or based upon specified grounds.

The bill would require the director to deposit all fees paid by an applicant for registration as an environmental assessor in the Environmental Quality Assessment Fund, which the bill would establish in the State Treasury. The bill would authorize the director to expend the funds in the Environmental Quality Assessment Fund, upon appropriation by the Legislature, to implement the Environmental Quality Assessment Act of 1986.

(3) Existing law authorizes the department to prequalify bidders for remedial or removal actions taken pursuant to the Carpenter-Presley-Tanner Hazardous Substance Account Act, by adopting and applying a uniform system of rating bidders. The act requires the department to request annual statements of qualifications from interested firms for each type of engineering, architectural, environmental, landscape architectural, construction project management, or land surveying services work for which the department elects to use the prequalified list process.

This bill would permit, instead of require, the department to request annual statements of qualification from interested firms.

(4) Under the existing California Integrated Waste Management Act of 1989, which is administered by the California Integrated Waste Management Board, any mercury-containing motor vehicle light switch that becomes a hazardous waste when released or removed from a vehicle is required to be managed pursuant to specified regulations adopted by the Department of Toxic Substances Control regarding the management of universal waste and other applicable regulations.

This bill would delete the requirement that a mercury-containing light switch that becomes a hazardous waste when released from a vehicle be managed in accordance with those requirements.

(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. 627 (SB 900) Ortiz. Criminal history information.

Existing law requires the Department of Justice to furnish various agencies and entities with a person's state summary criminal history information when that information is used for employment, licensing, or certification purposes. Existing law generally provides for the destruction or return of specified records generated in connection with requests for criminal history information.

This bill would state the Legislature's findings and declarations with respect to the complexity of the provisions regarding dissemination of state summary criminal history information and resulting problems. It would state the Legislature's intent to consolidate statutory criteria on dissemination of criminal history information, not to overrule specified court cases, and not to discourage further legislative review of the amount and type of summary criminal history information that should be disseminated.

This bill would consolidate much of the law regarding disclosures of criminal history information for employment, licensing, or certification purposes. It would state a general rule applicable to those whose criminal history information is authorized to be released for employment, licensing, or certification purposes, a rule that limits the release to convictions and arrests for which the applicant is pending trial. It would state special rules for applicants for positions, licenses, or certification in law enforcement, in-home care, residential care, child day care, foster care, community care, banking, security services, and others. These special rules would detail what information should be disseminated concerning these applicants, according to the nature of the position, license, or certification sought, incorporating certain variations in existing laws authorizing the dissemination, while making some substantive and conforming changes. The bill would also eliminate the requirement that specified applications for criminal history information be destroyed. This bill would provide that it is not to be construed to relieve the department of its other statutory notification duties.

This bill would incorporate amendments to Section 11105.3 of the Penal Code proposed by AB 1855 that would become operative if both bills are enacted and this bill is enacted after AB 1855.

Ch. 628 (SB 1328) Chesbro. Solid waste: illegal disposal: abatement grants.

Existing law requires the California Integrated Waste Management Board to establish a grant program for cities and counties for purposes of cleaning up and abating the effects of solid waste that is illegally disposed of on farm or ranch property. Existing law authorizes the board to expend the funds in the Farm and Ranch Solid Waste Cleanup and Abatement Account, upon appropriation by the Legislature, to make these grants.

This bill would expand the program to include Native American tribes and all public entities, which the bill would define to include a city, county, or resource conservation district.

The bill would increase the amounts for which the grants may be awarded and the percentage of the grant that may be expended for project administrative costs.

The bill would modify certain reporting requirements relating to the grant program.

The bill would delete obsolete provisions in, and make conforming changes to, existing law.

Ch. 629 (SB 1735) Karnette. Victims of crime: domestic violence.

(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, subject to specified conditions. No victim or derivative victim may receive assistance under these provisions if the board finds that the victim or derivative victim failed to cooperate reasonably with a law

enforcement agency in the apprehension and conviction of a criminal committing 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 prohibit an application for a claim based on domestic violence from being denied solely because no police report was made by the victim. It would require the board to adopt guidelines that allow the board to consider and approve applications for assistance based on domestic violence relying upon evidence other than a police report to establish that domestic violence crime has occurred. By expanding the pool of potential recipients of funds from a continuously appropriated fund, this bill would make an appropriation.

(2) Existing law generally sets forth the duties of domestic violence counselors, as defined, with respect to the disclosure of confidential communication between a victim and a domestic violence counselor.

This bill would require a domestic violence counselor to inform a domestic violence victim of any applicable limitations on confidentiality of communications between the victim and the domestic violence counselor.

#### Ch. 630 (SB 1867) Figueroa. Victims of crime: indemnification.

(1) Existing law provides for the indemnification of victims of specified types of crimes, for certain expenses for which the victim has not been and will not be reimbursed from any other source. 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. No victim is eligible for assistance under these provisions if the board determines that the victim knowingly and willfully participated in the commission of the crime, except that until January 1, 2004, this restriction does not apply if the injury occurred as a direct result of a specified crime.

This bill would provide for a permanent exception to this restriction for an injury received as a direct result of other specified crimes.

(2) Existing law prohibits a victim from being eligible for assistance under these provisions if the board finds that the victim failed to cooperate reasonably with a law enforcement agency in the apprehension and conviction of a criminal committing the crime.

This bill would, in the case of a victim of domestic violence or sexual assault, require the board to consider specified factors in determining whether the victim is eligible for assistance pursuant to these provisions.

(3) By expanding the pool of persons eligible for payments from a continuously appropriated fund, this bill would make an appropriation.

#### Ch. 631 (SB 2099) Vasconcellos. State property: surplus.

Existing law requires each state agency, on or before December 31 of each year, to make a review of all proprietary state lands, with specified exceptions, over which it has jurisdiction, to determine what, if any, land is in excess of its foreseeable needs, and to report thereon in writing to the Department of General Services. Existing law transfers to the department jurisdiction of all land reported as excess.

The department is required to sell the land or otherwise dispose of the property pursuant to the authorization, by sending a specified written offer to sell or lease the property to certain local public entities. The department may not sell the land to a local governmental agency for less than fair market value. Any sale is subject to any other terms, conditions, reservations, and exemptions as the department may deem to be in the best interests of the state.

This bill would authorize the Director of General Services, subject to specified conditions, to sell, lease, or exchange a specified parcel of real property in the City of Santa Clara upon terms and conditions and subject to reservations and exceptions that the director determines are in the best interests of the state.

Ch. 632 (SB 1242) Brulte. Criminal identification: specimen or sample collection: use of reasonable force.

Existing law makes it a misdemeanor for persons convicted of specified offenses to refuse or fail to provide 2 specimens of blood, a saliva sample, and a thumb and palm print impression for law enforcement identification analysis after receiving written notice of the requirement to do so.

This bill would provide that, notwithstanding the above, authorized law enforcement, custodial, or corrections personnel, including specified peace officers, may employ reasonable force to collect required specimens, samples, or print impressions from individuals who, after request, refuse to provide those specimens, samples, or print impressions. The bill would require the Department of Corrections and the Department of the Youth Authority to adopt regulations regarding the use of reasonable force. The bill would require the Board of Corrections to adopt regulations regarding the use of reasonable force for local detention facilities. The bill would also require the Department of Corrections, the Department of the Youth Authority, and the Board of Corrections to report to the Legislature, no later than January 1, 2005, regarding implementation of the provisions of the bill, as specified.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 633 (SB 1887) McPherson. Actions against felons.

Under existing law, unless a longer period is prescribed for a specific action, in any action for damages against a defendant based upon the defendant's commission of a felony offense for which the defendant has been convicted, the time for commencement of the action is within one year after judgment is pronounced, as specified.

This bill would provide, as an exception thereto, that an action for damages against a defendant based upon the defendant's commission of a felony offense for which the defendant has been convicted may be commenced within 10 years of the date on which the defendant is discharged from parole if the conviction was for any of certain serious felonies, as defined, except as specified.

The bill would further provide that this provision would apply to any action commenced before, on, or after the effective date of the provision, as specified.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 634 (AB 320) Reyes. Portable classrooms.

Existing law authorizes the State Allocation Board to lease portable classrooms to school districts and county superintendents of schools.

This bill would require the Office of the State Architect to conduct a study to evaluate the safety of the various means currently available for providing emergency exit from portable classrooms and to report the results of the study along with recommendations to the Legislature by July 1, 2003.

Ch. 635 (AB 364) Aroner. Child welfare services.

Existing law requires each county to provide child welfare services.

Existing law provides for the administration of various child welfare services pursuant to regulations and procedures adopted by the State Department of Social Services.

Existing law requires the department to contract with an appropriate and qualified entity to conduct an evaluation of the adequacy of current child welfare services budgeting methodology, and to convene an advisory group. The Director of Social Services has convened an advisory group, the Child Welfare Services Stakeholders Group, to address concerns facing the child welfare system.

This bill would provide that it is the intent of the Legislature that the Human Resources Workgroup of the Child Welfare Services Stakeholders Group include in its next planned report the core strategies needed to establish minimum caseload standards under the

redesigned child welfare services system. This bill would also provide that it is the intent of the Legislature that the Human Resources Workgroup make recommendations for implementing the new caseload standards.

Ch. 636 (AB 966) Wesson. Baldwin Hills Conservancy: Kenneth Hahn State Recreation Area.

Under existing law, the Baldwin Hills Conservancy is authorized to acquire and manage public lands within the Baldwin Hills area, which is defined to include land within the Kenneth Hahn State Recreation Area. The Budget Act of 2001 appropriated \$4,000,000 to the Department of Parks and Recreation for capital outlay projects within the Kenneth Hahn State Recreation Area. Chapter 400 of the Statutes of 2001 reappropriated the unencumbered balance of that sum for the acquisition, development, and planning of that project.

This bill would reappropriate to the department the unencumbered balance of the funds appropriated pursuant to those provisions for the acquisition, planning, preliminary plans, working drawings, equipment, and construction of the project specified in that schedule, and would make the funds available for expenditure in the 2002–03, 2003–04, and 2004–05 fiscal years.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 637 (AB 1000) Simitian. Public works: design-build contracts.

Under existing law, a community college district governing board is required to award any contract for a public project that costs \$15,000 or more to the lowest responsible bidder.

Existing law also requires community college districts constructing community college facilities to meet various requirements, including requirements pertaining to seismic safety, the contents of plans for school construction, and the acquisition of proposed schoolsites.

This bill would authorize the governing boards of 3 specified community college districts and 5 community college facility construction projects selected by the Chancellor of the California Community Colleges to enter into a design-build contract, as defined, until January 1, 2008. The bill would authorize factors in addition to price and cost to be considered in awarding a contract for the design and construction of a community college facility for an amount that exceeds \$10,000,000. The bill would require the Board of Governors of the California Community Colleges to develop guidelines for design-build projects no later than June 30, 2003. The bill, among other things, would require each contract to prohibit construction or alteration of any community college facility without the prior written approval of the plans by the Department of General Services. The bill would require a community college district that elects to use the design-build process to submit a report to the Legislative Analyst, and would require the Legislative Analyst to submit an interim report and a final report to the Legislature.

Ch. 638 (AB 1108) Pavley. Environmental quality: scoping meetings: military areas.

(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 (EIR) on any 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 the project will not have that effect. CEQA also requires a lead agency to 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, and for a project of statewide, regional, or areawide significance. The existing federal National Environmental Policy Act and existing federal regulations authorize a lead agency to hold a scoping meeting, and permit that meeting to be integrated with any other early planning meeting the agency holds on a project that is subject to the federal act.

This bill would provide that any scoping meeting that is conducted in the city or county in which a project is located pursuant to the NEPA is deemed to satisfy the state scoping meeting requirement with regard to projects of statewide, regional, or areawide significance, if the lead agency provided notice to interested parties in conformance with the existing state requirements. The bill would also impose additional requirements on a lead agency, if the United States Department of Defense or a military service, as defined, notifies that lead agency of the contact person and address for the military service and the specific boundaries of a low-level flight path, military impact zone, or special use airspace, as those terms are defined by the bill.

The bill would require the lead agency to submit notices to the military service if the project is within those boundaries and the project includes a general plan amendment, the project is of statewide, regional, or areawide significance, or the project is required to be referred to the airport land use commission or appropriately designated body. The bill would exempt from those notification requirements specified hazardous waste response actions and corrective action orders. The bill would specify that a project's effect or potential effect on military activities would not itself constitute an adverse effect for the purposes of CEQA. By imposing additional duties on local lead agencies, 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.

#### Ch. 639 (AB 1119) Migden. Transitional housing placement services.

Under existing law, the Supportive Transitional Emancipation Program (STEP), emancipated foster youth are eligible to receive support while participating in an educational or training program, or any activity consistent with the youth's transitional independent living plan up to 21 years of age. Existing law provides that any person less than 21 years of age who is receiving aid pursuant to STEP, and who has emancipated from a county that has elected to participate in a transitional housing placement program for youths between 18 and 21 years of age, shall also be eligible for specified county transitional housing placement program services that provide supervised housing services.

This bill would eliminate the requirement that a youth receive aid pursuant to STEP in order to be eligible for the transitional housing placement services described in the bill.

#### Ch. 640 (AB 1314) Havice. Parking.

(1) Existing law provides that no person shall stop, park, or leave a vehicle in front of a curb that has been constructed to provide wheelchair accessibility to the sidewalk so designated by either a sign or red paint.

This bill would provide that it is unlawful to stop, park, or leave a vehicle in front of or upon a curb that has been constructed to provide wheelchair accessibility to the sidewalk. By expanding the scope of an existing crime, this bill would impose a state-mandated local program.

(2) Existing law authorizes local authorities to enact ordinances governing various types of vehicle parking.

This bill would authorize local authorities to enact an ordinance or resolution regulating parking spaces for electric vehicles, as specified.

(3) Existing law requires the Department of Motor Vehicles to issue distinctive decals, labels, or other identifiers for low-emission vehicles and super ultralow emission vehicles for the purposes of implementing a high-occupancy vehicle lanes program. Existing law makes it unlawful for any person to park or leave standing any vehicle in a stall or space designated for disabled persons and disabled veterans unless the vehicle displays either a special identification license plate or a distinguished placard. Existing law also provides a procedure

for the removal of vehicles unlawfully parked in the designated stalls or spaces of public or private offstreet parking facilities.

This bill would provide that no person may park or leave standing any vehicle in a stall or space designated for parking and fueling of zero-emission vehicles, as defined, unless the vehicle displays a decal issued by the department for zero-emission vehicles. The bill would require the department to make decals available beginning July 1, 2003.

Because a violation of this prohibition would be an infraction punishable by a \$100 fine, the bill would impose a state-mandated local program by creating a new crime.

This bill would set forth a procedure for the removal of a vehicle unlawfully parked in a stall or space designated for parking and fueling zero-emission vehicles in an offstreet parking facility that would be similar to the existing procedure governing the removal of unauthorized parking in a disabled parking stall or space.

This bill would also provide that an agency that issues a fine for failure to display a disabled placard may, in lieu of collecting a fine, charge an administrative fee not to exceed \$25 if the individual who received the citation can show proof that he or she had been issued a valid placard at the time he or she was cited.

(4) This bill would make other technical, nonsubstantive changes.

(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. 641 (AB 1379) Thomson. Family planning services.

Existing law imposes various functions, powers, and duties on the State Department of Health Services and the Office of Family Planning, which is established in the department, with respect to the provision of family planning services to eligible individuals. Among these powers is the authority to enter into contracts with individuals and various entities as deemed necessary and advisable to carry out the general intent and purposes of providing family planning services.

This bill would instead authorize the department and the office to award grants to these individuals and entities for the provision of family planning services, and would make related changes. It would also specify that all grants awarded by the office would be exempt from provisions governing state contracts.

#### Ch. 642 (AB 1454) Thomson. Mental health: facilities: criminal record checks: managed care.

Existing law requires the State Department of Mental Health to perform various functions and duties with respect to the provision of mental health services, including the licensure of facilities that provide these services.

This bill would require the department, prior to the initial licensure or first renewal of a license of any person to operate or manage certain facilities, upon the employment of any direct care staff, as defined, and prior to the provision of services by a direct care contractor, to submit fingerprint images and related information pertaining to these persons to the Department of Justice for purposes of a criminal record check, as prescribed.

This bill would also require the department, except under specified circumstances, to deny any application for any license, suspend or revoke any existing license, and disapprove or revoke any employment or contract for direct services, if the applicant, licensee, direct care staff person, or direct services contractor has been convicted of or incarcerated for specified crimes within the preceding 10 years.

Existing law requires the State Department of Mental Health to implement managed mental health care for Medi-Cal beneficiaries through fee-for-service or capitated rate contracts with mental health plans, including individual counties, counties acting jointly, any

qualified individual or organization, or a nongovernmental entity. Existing law further requires that contract renewal be on an annual basis.

This bill would instead provide that, at the discretion of the department, each contract may be renewed for a period not to exceed 3 years.

Ch. 643 (AB 1901) Cohn. Pupils: expulsion.

(1) Existing law specifies those acts for which a pupil may be suspended from school or recommended for expulsion, including the damage, theft, or receipt of stolen school property.

This bill would specifically include electronic files and databases within the meaning of “school property.”

(2) Under existing law, a pupil in any of grades 4 to 12, inclusive, may be suspended or expelled for intentionally engaging in harassment, threats, or intimidation directed against a group of pupils.

This bill would also authorize a pupil to be suspended or expelled for harassing, threatening, or intimidating school district personnel.

(3) This bill would incorporate additional changes in Section 48900 of the Education Code proposed by AB 662 that would become operative only if AB 662 and this bill are both chaptered and become effective on or before January 1, 2003, and this bill is chaptered last.

Ch. 644 (AB 1957) Robert Pacheco. Public guardians: criminal history information.

Existing law provides that a public guardian is a county officer and permits a public guardian to be appointed as a conservator for a person when no one else is available who is qualified and willing to act and when the appointment of a guardian or conservator would be in the best interest of the person, as specified.

This bill would permit, until January 1, 2007, a public guardian, as specified, or a county conservatorship investigator, as defined, upon a referral from a court or an adult protective services agency, to submit fingerprints and related information to the Department of Justice on a person being considered as a potential conservator, except as specified. The bill would also permit a potential conservatee to request that the information described above be submitted to the Department of Justice under specified circumstances. The bill would require the Department of Justice to provide a record of specified convictions and arrests. The bill would prohibit the Department of Justice from retaining fingerprints and related information to provide subsequent arrest information. The bill would require the Department of Justice to charge a fee to cover the cost of processing these requests, to be paid by the requesting agency. The bill would also require that information received by a public guardian and disclosed to the attorney of a proposed conservatee be kept confidential, except as specified. The bill would require that the information be disclosed to the subject of the background check. The bill would also require the Legislative Analyst’s office to make a specified sampling of counties of criminal history information requested regarding potential conservators and recommendations regarding the utility of this information, as part of its 2006–07 fiscal year budget analysis.

Ch. 645 (AB 2013) Harman. Native California trout.

(1) Existing law contains provisions governing freshwater fish.

This bill would designate native California trout.

The bill would authorize the Fish and Game Commission to designate “Heritage Trout Waters” to recognize the beauty, diversity, historical significance, and special values of California’s native trout. The bill would require the commission’s designation to meet certain criteria.

(2) Existing law continuously appropriates money in the Fish and Game Preservation Fund to the department and to the commission to pay all necessary expenses incurred in

carrying out the Fish and Game Code and to pay the compensation and expenses of the commissioners and employees of the commission.

By authorizing the commission to designate “Heritage Trout Waters” and requiring that the designation meet specified criteria, the bill would make an appropriation.

Ch. 646 (AB 2024) Nakano. After school programs: nutrition education.

The existing Before and After School Learning and Safe Neighborhoods Partnerships Program creates incentives for schools and communities to partner together to establish after school enrichment programs that provide academic and literacy support and safe, constructive alternatives for youth. Existing law requires an after school program established pursuant to the program to provide an educational enrichment component that may include recreation and prevention activities.

This bill would also authorize nutrition education to be provided as part of the educational enrichment component.

Ch. 647 (AB 2036) Liu. Taxpayer contributions: State Children’s Trust Fund.

Provisions relating to the administration of personal income taxes allowed individual taxpayers, until January 1, 2002, to contribute amounts in excess of their tax liability to the State Children’s Trust Fund by way of a designation on their tax returns.

The bill would reinstate those contribution provisions for taxable years beginning on or after January 1, 2002, and ending on or before January 1, 2008, unless a later enacted statute enacted before January 1, 2008, deletes or extends that date. This bill would also provide that the provisions would be repealed with respect to 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 a specified amount. This bill would, upon appropriation by the Legislature, provide for the specified allocation from the State Children’s Trust Fund of the contribution amounts obtained pursuant to this bill.

Ch. 648 (AB 2044) Salinas. Mental health realignment: reports.

Existing law requires the State Department of Mental Health to cooperate and coordinate with other state and local agencies engaged in research and evaluation studies regarding mental health.

Existing law requires the department, 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 to the Legislature by April 1, 2002.

This bill would require, instead, that all of the data be submitted by October 1, 2002.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 649 (AB 2178) Goldberg. Health care.

Existing law provides for the regulation of health care service plans by the Department of Managed Health Care and of disability insurers by the Insurance Commissioner. Existing law regulates plans and insurers that provide access to coverage for small employers and defines the term “small employer” for those purposes. A willful violation of the provisions governing health care service plans is a crime.

This bill would provide that an employer subject to a local living wage law or other legislation enacted by a local government that regulates the minimum hourly compensation of employees shall be a small employer for purposes of obtaining coverage under the small employer provisions. The bill would require an employer, effective January 1, 2003, who elects to provide health care coverage to employees subject to a local living wage law to obtain that coverage under the small employer provisions only for covered employees. The bill would repeal these provisions on January 1, 2007.

Because a violation of the bill’s requirements on health care service plans would be a crime, the bill would impose a state-mandated local program.

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**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. 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. 650 (AB 2184) Cohn. Transit districts.

Existing law prescribes the powers and duties of transit districts and their governing boards.

This bill would prohibit the unauthorized operation of, interference with, entry into, or climbing on or in, transit facilities, property, or vehicles. The bill would make a violation of these provisions an infraction, punishable by specified fines or community service. The bill would require transit districts to maintain records of violations and citations issued pursuant to these provisions until January 1, 2005, and would require the transit districts to report to the Legislature by January 1, 2006. Because this bill would impose new responsibilities on transit districts and create new crimes, 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 no reimbursement is required by this act for specified reasons.

Ch. 651 (AB 2264) Wyland. Public schools: home economics and career technical education.

Existing law, to be repealed on January 1, 2003, establishes an incentive grant program for the purpose of improving, expanding, and establishing instructional programs in home economics and technology career technical education.

This bill would delete the repeal date and would extend the program until January 1, 2008.

Ch. 652 (AB 2267) Kelley. Water rights.

(1) Existing law authorizes the executive director of the State Water Resources Control Board to issue a complaint to any person on whom civil liability may be imposed for an unauthorized water diversion or certain misstatements relating to water diversions. Existing law provides that no person may be subject to both administrative civil liability and civil liability imposed by the superior court for unauthorized water diversions pursuant to statute.

This bill would extend the authority of the state board to issue a complaint to any person on whom civil liability may be imposed for failure to pay an application fee for a permit to appropriate water and for the violation of a cease and desist order, and would provide that no person may be subject to both administrative civil liability and civil liability imposed by the superior court for those violations.

(2) Existing law requires the State Water Resources Control Board to cancel an application for a permit to appropriate water if an application fee is not received by the board within 30 days after notice by the board.

This bill, instead, would authorize the board to cancel the application and specify that civil liability may be imposed both administratively and by the superior court. The bill would provide that the applicant may be liable in an amount not to exceed \$500 for each day until the application fee is received, or the application is otherwise canceled or withdrawn.

(3) Existing law authorizes the board to issue a preliminary cease and desist order to any person holding a permit or license to appropriate water if the board determines that person is violating a term or condition of that permit or license and provides for the issue of a final cease and desist order. Existing law requires the Attorney General, upon the failure of any person to comply with a final cease and desist order and, if so requested by the board, to petition the superior court for the issuance of relief.

This bill would delete references to a preliminary or final cease and desist order and, instead, would authorize the board to issue a cease and desist order to any person who the board determines is violating, or threatening to violate, a prohibition against unauthorized diversion or use of water, any term or condition of a permit, license, certification or registration issued by the board, or prescribed orders or decisions of the board. The bill would revise provisions relating to notification by the board in the event of a violation or a threatened violation. The bill would specify that civil liability may be imposed by the superior court.

(4) Existing law makes a statement of legislative intent regarding the need for the state to take action to enforce the terms and conditions of permits and licenses to appropriate water.

This bill, in addition, would declare that it is the intent of the Legislature that the state take action to enforce certifications and registrations to appropriate water and to enforce the orders and decisions of the board.

Ch. 653 (AB 2326) Frommer. Braille reading standards.

Existing law requires school districts, special education local plan areas, and county offices of education, to provide opportunities for braille instruction for pupils who have a need for braille as a reading medium.

This bill would require the Superintendent of Public Instruction to form an advisory task force, with prescribed membership approved by the State Board of Education, to develop standards for mastery of the braille code by pupils, and to report to the Governor and the Legislature by June 30, 2004.

Ch. 654 (AB 2366) Dickerson. Political Reform Act of 1974: conflicts of interests.

Under the existing Political Reform Act of 1974, a public official at any level of state or local government may not make, participate in making, or in any way attempt to use his or her official position to influence a governmental decision in which he or she knows or has reason to know he or she has a financial interest. Existing law states that a public official has a financial interest in a decision if it is reasonably foreseeable that the decision will have a material financial effect, distinguishable from its effect on the public generally, on any source of income aggregating \$500 or more in value to the public official within 12 months prior to the time when the decision is made. Existing law, however, makes an exception to this provision, and states that a retail customer of a business entity engaged in retail sales of goods or services to the public generally is not a source of income to an official who owns a 10-percent or greater interest in the entity if the retail customers of the business entity constitute a significant segment of the public generally, and the amount of income received by the business entity from the customer is not distinguishable from the amount of income received from its other retail customers.

This bill would, with respect to a jurisdiction with a population of 10,000 or less that is located in a county with 350 or fewer retail businesses, instead apply the exception if the amount of income received by the business entity from the customer does not exceed one percent of the gross sales revenues of the business entity, as specified.

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. 655 (AB 2511) Dutra. Public utilities: Santa Clara Valley Transportation Authority: relocation.

Under existing law, certain transit districts may exercise the right of eminent domain to take any property necessary or convenient to the exercise of their powers. Under existing law,

the transit district when exercising this power is, in addition to the damage for the taking, injury, or destruction of property, also required to pay the cost of removal, reconstruction, or relocation of any structure, railways, mains, pipes, conduits, wires, cables, or poles of any public utility which is required to be moved to a new location.

This bill would authorize a relocation agreement between certain utilities, cable television corporations, or cable operators and the Santa Clara Valley Transportation Authority, entered into in connection with a transit or transportation capital improvement project, to contain certain elements, and would provide that, if a utility, cable television corporation, or cable operator abandons utility relocation work under a relocation agreement, the authority may, pursuant to the terms of the relocation agreement, assume from the utility, cable television corporation, or cable operator the work of relocating related utilities. The bill would provide that the rights and remedies available to the authority under the bill are nonexclusive and are cumulative of remedies available under other laws or pursuant to contract. The bill would require that for the provisions of this act to apply, certain conditions must have occurred related to a formal, written utility relocation agreement.

Ch. 656 (AB 2751) Pavley. State highways: soundwalls.

Existing law requires the Department of Transportation to establish a priority system for soundwalls on freeways. Existing law, the Connelly-Areias-Chandler Rice Straw Burning Reduction Act of 1991, limits the burning of rice straw in the Sacramento Valley Air Basin, and prescribes conditions and procedures for the issuance of conditional rice straw burning permits.

This bill would require the Department of Transportation to construct a demonstration noise attenuation barrier from rice straw, subject to certain conditions and requirements, including a requirement that a manufacturer of an approved rice straw barrier system provides funding.

Ch. 657 (AB 2753) Aanestad. Health care: bone densitometers.

Existing law provides for the regulation of various entities by the State Department of Health Services to protect persons from excessive and improper exposure to ionizing radiation in radiologic technology, and establishes standards of education, training, and experience for persons who use X-rays on any person.

This bill would provide for certification, by the department, of a physician and surgeon to operate and supervise the operation of an X-ray bone densitometer, as specified, if the physician and surgeon provides the department a certificate by a manufacturer of a densitometer machine or by a radiologic technology school that evidences the completion of training by the physician and surgeon in the use of the bone densitometer. This bill would require that if the physician and surgeon uses a bone densitometer other than for which he or she was certified, that he or she must complete training, as specified, in the use of that bone densitometer, and provide to the department, on the request of the department, evidence of training in the use of that bone densitometer. This bill would require the department to charge a fee for these certificates, to the extent necessary to administer certification, in an amount sufficient to cover the department's costs of implementing the provisions of this bill.

Ch. 658 (AB 2760) Simitan. Elections: special elections.

Existing law provides procedures for special elections to fill vacancies in congressional offices. These procedures provide for the issuance of a gubernatorial proclamation calling for a special election, the nomination of candidates, the setting of a date for a special primary election, and, if no candidate receives a majority of the votes cast, the setting of a date for a special general election.

This bill would provide procedures for expedited special elections to fill vacancies in congressional offices caused by a natural or manmade catastrophe that results in the death or disappearance, as defined, of at least  $\frac{1}{4}$  of the total membership of the United States House

of Representatives, including any number of California Representatives, or at least  $\frac{1}{4}$  of the total membership of the California congressional delegation. It would require the Governor to issue a proclamation within 7 days of the catastrophe calling for a special election to fill a vacancy on a Tuesday at least 56 days, but not more than 63 days, following the issuance of the proclamation, as specified.

This bill, by increasing the duties of local election officials, 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. 659 (AB 2811) Migden. Student financial aid: Child Development Teacher and Supervisor Grant Program.

Existing law, which will become inoperative on June 30, 2002, and will be repealed on January 1, 2003, establishes the Child Development Teacher and Supervisor Grant Program, which is administered by the Student Aid Commission. Under the program, qualified students attending California public or private 2-year or 4-year postsecondary educational institutions who intend to teach or supervise in the field of childcare and development in a licensed children's center may receive grants of up to \$2,000 for each academic year.

This bill would delete the provision that renders the program inoperative as of June 30, 2002, and repeals the program as of January 1, 2003, thereby extending the program indefinitely.

Existing law establishes a Child Development Teacher Loan Assumption Program through which participants agree to teach or supervise in the field of childcare and development in exchange for assumption of both state and federal loans.

This bill would repeal the Child Development Teacher Loan Assumption Program.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 660 (AB 2855) Strom-Martin. Local government: allocations and apportionments: prison geocodes.

Under existing law the Controller is authorized to allocate and apportion moneys derived from specified taxes and fees to local governments, in accordance with specified formulas, some of which are based on population ratios.

This bill would, upon notice from the Department of Finance and for a specified period, reallocate and reapportion to local governments those moneys collected under the Vehicle License Fee Law, the Motor Vehicle Fuel License Tax Law, the Use Fuel Tax Law, and the Diesel Fuel Tax Law in a manner that corrects prior apportionments and allocations that were calculated using population ratios based on erroneous prison geocoding contained in the 2000 census.

Ch. 661 (AB 2879) Strom-Martin. Judges' retirement.

Existing law prescribes the rates and terms of compensation applicable to a retired judge assigned to serve in a trial court, and prescribes different rates and terms of compensation applicable to a retired judge assigned to sit in a court of appeal or the Supreme Court.

Under this bill, the rates and terms of compensation applicable to a retired judge assigned to serve in a trial court shall be applicable to retired judges assigned to serve in any court of record.

Existing law, the Judges' Retirement Law, authorizes judges to elect one of 4 optional settlements in lieu of the retirement allowance for his or her life alone. Three of those optional settlements provide for a reduced allowance payable to the judge for life and a payment or allowance payable to his or her surviving spouse, as specified.

This bill would authorize a judge who elects one of those 3 optional settlements to designate a beneficiary other than his or her spouse to receive the payment or allowance after his or her death, subject to the community property rights of the judge's spouse. The bill would also require that, if a judge elects, on or after January 1, 2003, to receive specified benefits, and the judge and his or her optional settlement beneficiary both die before receiving in annuity payments the full amount of the judge's accumulated contributions at retirement, the balance of the judge's accumulated contributions be paid to the judge's estate.

Ch. 662 (AB 2985) Committee on Labor and Employment. Private employment: wages and hours.

Existing law generally provides for the regulation of employee wages and working hours.

This bill would direct the Labor and Workforce Development Agency to contract with a research organization with certain characteristics, to study the enforcement of wage and hour laws, including the identification of federal and state resources that may be utilized to enforce wage and hour laws.

This bill also provides that the study shall be completed by December 31, 2003, and paid from existing funds not to exceed \$50,000.

Ch. 663 (AB 3022) Special Committee on Assembly Legislative Ethics. State agencies: ethics orientation.

Existing law requires each state agency to offer at least semiannually an orientation course on the relevant ethics statutes and regulations that govern the official conduct of state officials. It requires certain exempt and management-level state officials and employees to attend the orientation course once every 2 years.

This bill would expand these training requirements to include all employees of a state agency who are required to file statements of economic interest pursuant to the Political Reform Act of 1974. It would require attendance at the orientation course at least once during each consecutive period of 2 years.

Ch. 664 (AB 3034) 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. 665 (AB 3059) Cardoza. Voter registration: notification.

Existing law requires the county elections official to send out a voter notification form upon receipt of a properly executed affidavit of registration, informing the voter that he or she is registered to vote, and may vote in any election held 15 or more days after the date shown on the reverse side of the notice.

This bill would revise the required notice, as specified, to include notification on how the voter's party affiliation has been recorded and to direct the voter to call his or her county elections office if information on the voter notification form is incorrect.

Existing law requires the Secretary of State to print blank forms of the voter notification described above, and to supply the forms to county elections officials as requested.

This bill would provide that the Secretary of State may continue to supply existing voter notification forms prior to printing new or revised forms as required by any changes to the notice requirements.

This bill would declare that it is to take effect immediately as an urgency statute.

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**NOTE:** Superior numbers appear as a separate section at the end of the digests.

Ch. 666 (SB 180) Speier. Proof of insurance: vehicles.

Existing law generally requires a person who applies for renewal of registration of a motor vehicle to provide proof that the applicant is in compliance with the financial responsibility laws of this state. Existing law also generally requires the driver of a motor vehicle to provide proof of financial responsibility upon demand to a peace officer or traffic collision investigator, as specified, and provides for issuance of a notice to appear for failure to do so.

Existing law, operative January 1, 2004, exempts vehicle owners residing in the City and County of San Francisco or the County of Los Angeles, and motorists who drive upon a highway in the City and County of San Francisco or the County of Los Angeles, respectively, from these financial responsibility requirements.

This bill would change the operative date of these exemptions to January 1, 2007.

This bill would provide that its provisions would become operative only if SB 1427 is also enacted.

Ch. 667 (SB 283) Speier. Healthy Families Program.

Existing law establishes the Healthy Families Program, administered by the Managed Risk Medical Insurance Board, to arrange for the provision of health services to eligible children based upon applications submitted by applicants to the program. Existing law authorizes the board to establish a list of designated eligible individuals or categories of individuals and organizations that may be compensated for assisting an applicant in completing a program application.

Existing law authorizes a plan participating in the program to provide application assistance in specific situations directly to an applicant acting on behalf of an eligible child who requests application assistance or to an applicant who is completing the program's annual eligibility review package on behalf of a subscriber enrolled with a participating plan. Under existing law, these provisions will be repealed on January 1, 2003.

This bill would, until January 1, 2006, authorize a plan participating in the program to provide application assistance directly to an applicant who is acting on behalf of an eligible person, subject to specified conditions. The bill would provide that a participating plan that directly provides application assistance to an applicant or subscriber is not eligible to receive the application assistance fee. The bill would delete the repealing provision. The bill would require the board to provide the Legislature with a specified report on the impact of the bill's provisions on or before March 1 of every other year.

Ch. 668 (SB 319) Alarcon. Teaching As A Priority Block Grant.

Existing law establishes the Teaching As A Priority Block Grant administered by the State Department of Education under which block grants are awarded to school districts to provide incentives to attract credentialed teachers to be employed and retained in low-performing schools.

This bill would require a school district, except as specified, to demonstrate a net decrease in the number of teachers holding an emergency permit or waiver at each school ranked in the bottom half of the academic performance index to be eligible to receive a full block grant in the third year of participation and would reduce the amount of a school's block grant after the second year by the amount of funds generated by pupils enrolled in a school where the school district fails to demonstrate a net decrease in the number of teachers holding an emergency permit or waiver. These provisions would be applicable only when there is no more than a 5% variation from one fiscal year to the next in funding made available for the program in the annual Budget Act.

Ch. 669 (SB 646) Ortiz. Child care employee registry: pilot program.

Existing law authorizes the State Department of Social Services to adopt regulations to create substitute care facility employee registries for persons working at more than one

facility licensed by the department, in order to permit these registries to submit fingerprint cards and child abuse index information for child care registries.

This bill would additionally authorize the department to operate a substitute child care employee registry pilot program for the above purposes, and to charge an administrative fee to participating registry facilities. The bill would specify the conditions under which the pilot program could be operated, including, among other things, limiting the pilot program to screening employees for facilities licensed as child care facilities.

Ch. 670 (SB 1331) Speier. Salvage vehicles.

Existing law requires an inspection by the Department of Motor Vehicles of any total loss salvage vehicle, or certain dismantled vehicles, when application is made to register the vehicle. Existing law also provides that the department may request an inspection of the vehicle by the Department of the California Highway Patrol, as specified. These provisions of law will be repealed as of January 1, 2003.

Existing law defines a "total loss salvage vehicle."

This bill would provide that an inspection by the Department of Motor Vehicles would not preclude referral to the Department of the California Highway Patrol for an additional inspection of the vehicle, as specified. This bill would also provide that if the vehicle was originally manufactured with a "supplemental restraint system" as defined, the reconstructed vehicle would be required to be equipped with a supplemental restraint system in good working order, as specified. This bill would also delete those provisions repealing the above-described provisions of law. This bill would also make a technical, conforming change to these provisions.

This bill would define the terms "revived salvage vehicle," "salvage vehicle rebuilder," and "supplemental restraint system."

Existing law defines various terms for purposes of the Vehicle Code.

This bill would define the term "vehicle frame" and would make other conforming technical changes.

Existing law defines "vehicle identification number" for purposes of vehicle identification.

This bill would specify determination of the vehicle identification number when the vehicle is constructed of component parts identified with more than one vehicle identification number.

Existing law authorizes the imposition of a \$50 fee to cover the costs of implementing an inspection program pertaining to inspecting salvage vehicles for purposes of registration. Existing law also provides that these provisions will be repealed on January 1, 2003.

This bill would extend those provisions of law indefinitely by deleting the provisions requiring repeal on January 1, 2003.

This bill would require a salvage vehicle rebuilder who has not applied for and received a title, as specified, to provide the buyer of a salvaged vehicle, as specified, with a certificate of inspection or certain other documentation, upon sale or transfer of the vehicle, as specified. Violation of these provisions would be a misdemeanor. By creating a new crime, this bill would impose a state-mandated local program.

This bill would incorporate by reference additional changes to the Vehicle Code proposed by SB 1743 that would become operative only if that bill adds Section 11568 to the Vehicle Code, and both bills are enacted and become effective.

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. 671 (SB 1346) Kuehl. Solid waste: tire recycling program: rubberized asphalt concrete: public works projects.

The existing California Tire Recycling Act requires the California Integrated Waste Management Board to administer a tire recycling program that promotes and develops alternatives to the landfill disposal of used whole tires. The board is authorized to implement various grant, subsidy, and loan programs to encourage the recycling of waste tires. The board is required to adopt and biennially update a 5-year plan to establish goals and priorities for the waste tire program, including specified program elements. The budget for implementation of the act and the funding of the tire recycling program are based upon the 5-year plan.

This bill would authorize the board to implement a program, until June 30, 2006, to award grants to cities, counties, districts, and other local governmental agencies for the funding of public works projects that use rubberized asphalt concrete. The grants would be funded by an appropriation in the annual Budget Act from the California Tire Recycling Management Fund.

The bill would require the board, in cooperation with its Rubberized Asphalt Concrete Technology Centers, to create, annually update, and post on each center's Internet Web site a data base of public works projects that include rubberized asphalt concrete that were completed by local agencies. The bill would require the Department of Transportation to post on its public Internet Web site data and descriptions regarding state public works projects using rubberized asphalt concrete. The board would be required to post on its public Internet Web site links to connect to all of this information.

The bill would require the board to include the rubberized asphalt concrete technology grant program as a program element in the 5-year plan.

#### Ch. 672 (SB 1410) Chesbro. Mobilehome parks: homeowners: renting.

Existing law, the Mobilehome Residency Act, provides that the owner of any park, and a person employed by the owner, is subject to all rules and regulations of the mobilehome park, with specified exceptions. Existing law defines management to mean the owner of a mobilehome park or an agent authorized to act on the owner's behalf in connection with park tenancy. Existing law further provides that these provisions do not validate, invalidate, or express a legislative policy regarding the subletting of a mobilehome park space by a tenant.

This bill would delete the provisions concerning the subletting of a mobilehome park space by a tenant and the status of legislative policy in this regard. The bill would require management to permit a homeowner to rent his or her home that serves as the homeowner's primary residence or sublet his or her space if a medical emergency or treatment requires the homeowner to be absent from his or her home, subject to an attending physician's written confirmation. The bill would require that rentals or subleases under these circumstances conform to specified provisions. The bill would prohibit a homeowner from charging a renter or sublessee under these provisions more than an amount necessary to cover the cost of space rent, utilities, and scheduled loan payments on the mobilehome, if any.

Existing law specifies the reasons for termination of a tenancy in a mobilehome park, and prohibits a tenancy in a mobilehome park from being terminated to make the homeowner's site available for a person who purchased a mobilehome from a park owner or his or her agent.

This bill would also prohibit a tenancy in a mobilehome park from being terminated to make the homeowner's site available for a person who purchased or proposes to purchase, or who rents or proposes to rent, a mobilehome from a park owner or the owner's agent.

#### Ch. 673 (SB 1530) Torlakson. Vehicles.

Existing law provides that vehicles carrying aggregate material only carry that material in the cargo area of the vehicle, that the material be covered, and that the cargo area be maintained without any holes, cracks, or openings through which material could escape. Existing law also requires vehicles carrying aggregate material to be fitted with certain equipment, as specified. Existing law provides that a subsequent violation of provisions

relating to the prevention of the escape of aggregate materials from vehicles, as specified, is a misdemeanor.

This bill would require a person who provides property on which aggregate material or any other material is loaded into vehicles, unless there are 100 yards or less between the scale houses where trucks are weighed and the point of egress to the public road, to provide a location at which vehicle operators can comply with these provisions before entering a highway. Drivers leaving locations exempted from this provision would be authorized to operate on public roads until they are able to safely cover their load but no further than 200 yards from the point of egress to the public road. Because this bill would expand the scope of an existing 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. 674 (SB 1563) Polanco. Telecommunications: services.

Existing law, the Public Utilities Act, sets forth the findings and declarations of the Legislature regarding described policies for telecommunications in California.

This bill would include within those policies, assisting in bridging the “digital divide” by encouraging expanded access to state-of-the-art technologies for rural, inner-city, low-income, and disabled Californians, and encouraging fair treatment of consumers through consumer-oriented conduct.

The bill would also require the Public Utilities Commission, not later than April 1, 2003, to convene a proceeding to develop a plan for encouraging the widespread availability and use of advanced communications infrastructure, and would require the proceeding to encourage participation from a broad cross section of the communications industries, including those entities that the commission does not regulate, as well as users and community representatives. The bill would require the commission to encourage participation by community-based organizations, including nonprofit community technology programs, as defined, and libraries.

The bill would require the commission to submit a report to the Governor and the Legislature no later than December 31, 2004, of its findings and recommendations regarding the plan, that identifies factors preventing the ubiquitous availability and use of advanced communications services, and assesses the consequences of and develops strategies for addressing this inadequacy while encouraging the deployment of adequate investment.

The bill would provide that the provisions concerning the commission’s convening of a proceeding and the related report would be repealed on January 1, 2005.

This bill would incorporate additional changes to Section 709 to be operative if this bill and SB 1863 are enacted and become effective on or before January 1, 2003, and this bill is enacted last.

Ch. 675 (SB 1613) Dunn. Long-term care insurance.

(1) Existing law requires an insurer of long-term care in California to provide specified continuing education to agents and insurer representatives authorized to solicit individual consumers for the sale of long-term care insurance.

This bill would require the evidence of the continuing education to be filed with and approved by the Insurance Commissioner for specified nonresident licensees.

(2) Existing law requires an insurer of long-term care in California to notify current holders of its policies within 12 months of developing new benefits or benefit eligibility or new policies with new benefits or benefit eligibility.

This bill would instead require, until June 30, 2003, the notification to be provided within 18 months if certain conditions are met.

(3) Existing law requires an insurer to file with the Insurance Commissioner by January 1, 2002, premium rate schedules and new policy forms for all group long-term care insurance policies that it will offer, sell, issue, or deliver on or after January 1, 2003.

This bill would specify that an insurer is not prohibited from filing new group and individual policy forms with the commissioner after January 1, 2003. The bill would authorize an insurer that has filed premium rate schedules and new policy forms by March 1, 2002, to continue to offer and market long-term care policies approved prior to January 1, 2002, until 90 days after approval of the premium rate schedules and new policy forms or June 30, 2003.

Ch. 676 (SB 1630) Chesbro. Services for the developmentally disabled: state council: area boards.

Under existing law, services are provided to persons with developmental disabilities and their families pursuant to the authority of various entities, including the State Department of Developmental Services, the State Council on Developmental Disabilities, and on a localized level, area boards on developmental disabilities. Under existing law, membership appointments for the council and the boards are made by the Governor and the governing bodies of each county, in accordance with specified criteria. Existing law also establishes the Organization of Area Boards, consisting of the respective chairpersons or their designees from among the volunteer board members of the individual boards. In addition, existing federal law, the Developmental Disabilities Assistance and Bill of Rights Act of 2000, imposes specified requirements on states that provide services to persons with developmental disabilities, as a condition of receiving federal funding.

This bill would recast and revise the provisions relating to the composition, powers, and duties of the council and the boards, and would make various technical and conforming changes, including changes to conform state law with federal requirements. The bill would increase the membership of the council from 19 to 29, would specify that one member of each area board shall serve on the council, and would revise the Governor's other council appointments. The bill would eliminate the Organization of Area Boards, and would transfer certain of its powers and duties to the council.

This bill would provide that, as of January 1, 2003, no further expenditures shall be charged against a specified item of the Budget Act of 2002 for support of area boards on developmental disabilities. The bill would further require all remaining area board appropriation authority to be transferred to another specified budget item, for support of the State Council on Developmental Disabilities, thereby making an appropriation.

Ch. 677 (SB 1690) Margett. Criminal procedure: persons committed to medical facilities: study.

Existing law establishes procedures for determining a person found not guilty by reason of insanity has been restored to sanity, and procedures for placing persons who have been committed to medical institutions by criminal procedures to obtain outpatient status.

This bill would direct the State Department of Mental Health to undertake a study regarding the application and impact of those procedures, and the potential advantages and disadvantages of certain proposed procedures, as specified. This bill would require a report to the Legislature not later than January 1, 2004.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 678 (SB 1695) Escutia. Drug overdose deaths.

Existing law, the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act, requires the Emergency Medical Services Authority to establish minimum standards and regulations for the training and scope of practice of an emergency medical technician-I. Under existing law, an emergency medical technician-II is authorized to administer naloxone, within the scope of his or her practice.

This bill would authorize counties to establish training and certification programs to permit an emergency medical technician-I, as specified, to administer naloxone hydrochloride, the antidote to heroin overdose, by means other than intravenous injection if he or she has completed training and passed a test, as specified. The bill would require the Emergency Medical Services Authority to develop guidelines relating to the county certification programs. These provisions would be operative until a specified date.

This bill would require the State Department of Alcohol and Drug Programs to place on its Internet Web site, for a period of not less than 6 months, information, as specified, regarding drug overdose trends and death rates.

Ch. 679 (SB 1726) Vasconcellos. Pool and spa safety.

(1) Existing law establishes the Swimming Pool Safety Act, which makes provision for various safety requirements for swimming pools and spas.

This bill would require, whenever a construction permit is issued for the construction of a new swimming pool or spa, that the suction outlet of the pool or spa meet specified standards to provide circulation throughout the pool or spa, and protection against physical entrapment of bathers. The bill would also prescribe standards for any owner of a new swimming pool or spa who chooses to install a backup system in addition to the above requirements. By increasing the inspection duties of local officers, this bill would impose a state-mandated local program.

The bill would also require the Director of Health Services to review standards relating to entrapment hazards in swimming pools and spas within 90 days of their adoption by the United States Consumer Product Safety Commission and to make recommendations to the Governor and the Legislature regarding their adoption by the state.

(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. 680 (SB 1749) Polanco. Boxing and martial arts.

Existing law, the Boxing Act, provides for the licensure of boxers and martial arts fighters by the State Athletic Commission and makes a violation of its provisions a misdemeanor. The act requires that applicants for licensure and for licensure renewal as a professional boxer or as a professional martial arts fighter submit documentation of negative test results for the human immunodeficiency virus and hepatitis B virus.

This bill would additionally include within this requirement testing for hepatitis C virus and would require professional boxers and martial arts fighters to submit to the commission negative results for all of the required tests prior to competing in a match that occurs 180 days or more after the date of the tests submitted by the boxer or fighter for issuance or renewal of his or her license.

Because the bill would specify an additional requirement under the Boxing Act, a violation of which would be punishable as a misdemeanor, 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. 681 (SB 1954) Figueroa. State Board of Chiropractic Examiners.

Existing law requires the State Board of Chiropractic Examiners to prepare an analysis and submit a report outlining the board's mission, goals, objectives, complaint data, fund condition, licensing process, and legislative efforts to the Joint Legislative Sunset Review Committee on or before September 1, 2001.

This bill would extend the time the board would have to prepare this analysis and submit this report to the committee to September 1, 2005, and would make a related change.

Ch. 682 (SB 2018) Figueroa. Consumer boards and committees: funds subject to appropriation.

Existing law creates certain funds for the boards, committees, and programs under the jurisdiction of the Department of Consumer Affairs established to regulate various professions and vocations. Under existing law, the boards, committees, and programs obtain revenue from licensing and other regulatory fees collected from the persons subject to their licensing and regulatory provisions, which revenue is deposited into a particular fund. Existing law provides in some cases for revenue derived from administrative fines, civil penalties, and criminal penalties or other enforcement actions imposed or undertaken by the regulating board, committee, or program to be deposited in the same fund. Existing law provides in some cases that the money in the fund, including both regulatory fees and penalties, is continuously appropriated for certain purposes. Thus, a proposed statute changing the purposes for which money in a continuously appropriated fund may be expended, or providing an increase in the revenues deposited in a continuously appropriated fund, constitutes an appropriation.

This bill, notwithstanding any other provision of law, would provide that the money in certain funds that is attributable to fines, penalties, or other enforcement actions is not continuously appropriated. The bill would provide that these moneys shall only be available for expenditure upon appropriation by the Legislature. The bill would also authorize the annual Budget Act to appropriate, in a single budget item for each individual fund, the entire amount available for expenditure in the budget year from that individual fund. That appropriation could include the portion of a fund that is continuously appropriated and the portion that is not continuously appropriated.

Ch. 683 (SB 2019) Speier. Health care practitioners: student loans.

Existing law provides for the licensure and regulation of health care practitioners, as defined.

This bill would authorize a licensing board or agency having jurisdiction over a licensee to cite and fine a licensed health care practitioner who is in default on a United States Department of Health and Human Services education loan, including a Health Education Assistance Loan. The bill would require a board, prior to issuing a citation, to take into account the population served by the health care practitioner and his or her economic status. The bill would authorize the board to deny a license to an applicant to become a health care practitioner or deny renewal of a license if he or she is in default of a loan until the applicant or licensee clears the default or makes satisfactory repayment arrangements.

This bill would require that each board that issues citations and imposes fines retain the money from these fines for deposit into its appropriate fund. Because some of these fines would be deposited into funds which are continuously appropriated, the bill would make an appropriation.

This bill would become operative on July 1, 2003.

Ch. 684 (AB 2197) Koretz. Medi-Cal: benefits for persons infected with HIV who are not disabled.

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. Counties are responsible for

making eligibility determinations under the Medi-Cal program. One of the methods by which services are provided under the Medi-Cal program is through enrollment of recipients in Medi-Cal managed care plans.

This bill would require the State Department of Health Services to expand eligibility for benefits under the existing Medi-Cal program, with certain exceptions, to include nondisabled persons with HIV enrolled in the AIDS Drug Assistance Program, and who would be eligible for Medi-Cal if disabled. This bill would provide that the expansion would be implemented on the date all applicable federal waivers are granted, as specified. The bill would provide that enrollment in Medi-Cal pursuant to the bill would be limited pursuant to an allocation system to be developed by the department. The bill would require the department to meet federal revenue neutrality requirements through the savings generated by voluntary enrollment into Medi-Cal managed care of persons who are disabled as a result of AIDS, and who are either receiving Medi-Cal benefits on a fee-for-service basis as of January 1, 2003, or who become eligible to receive Medi-Cal benefits on or after that date. The bill would require the department to seek appropriate federal waivers. The bill would prohibit the department from enrolling persons in the program established by this bill until the department can ensure sufficient savings equal to or greater than the cost of providing benefits to these persons.

By increasing counties' responsibilities for Medi-Cal eligibility determinations, 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. 685 (AB 1830) Frommer. Tobacco products: sales to minors.**

Existing law creates the Stop Tobacco Access to Kids Enforcement (STAKE) Act. The STAKE Act is designed to reduce the availability of tobacco products to minors through specified sales restrictions and enforcement activities. Existing law authorizes the State Department of Health Services to assess civil penalties against any person, firm, or corporation that furnishes a tobacco product to a minor.

This bill would prohibit any person from distributing or selling tobacco products via the United States Postal Service, or any other public or private postal or package delivery service, to any purchaser who is a minor. This bill would require a specified distributor or seller, among other things, to verify that a purchaser of tobacco products is 18 years of age or older, and to telephone the purchaser after 5 p.m. to confirm the order prior to shipping the tobacco products.

This bill would authorize a city attorney, district attorney, or the Attorney General to assess specified civil penalties against a person, firm, corporation, or other entity that violates any of these provisions.

**Ch. 686 (SB 1766) Ortiz. Tobacco products: sales.**

Existing law, known as the Stop Tobacco Access to Kids Enforcement (STAKE) Act, requires the State Department of Health Services to establish and administer a program to reduce the availability of tobacco products to minors. The STAKE Act prescribes certain civil penalties for violations of its provisions, which the department is required to enforce.

Existing law imposes taxes at specified rates upon the distribution of cigarettes and tobacco products within the state. Existing law provides that any person who knowingly violates these provisions is guilty of a misdemeanor and may be subject to a fine.

This bill would require each retail sale of cigarettes in the state to be a vendor-assisted, face-to-face sale. The bill would define a “face-to-face sale” as a sale in which the buyer and seller or the seller’s employee or agent are within each other’s physical presence at the time of the sale, and would exclude from this definition any transaction that is conducted by mail order, the Internet, telephone, or any other anonymous transaction method. The bill would not prohibit any lawful sales that occur by means of a cigarette vending machine. This bill would also provide that a person may engage in a non-face-to-face sale of cigarettes if the seller complies with specified requirements concerning payment of applicable state taxes.

This bill would provide that any person who violates its provisions is subject to specified civil penalties, and that the Attorney General or a city attorney, county counsel, or district attorney may bring a civil action to enforce the provisions of the bill.

Existing law provides that, except as expressly provided by statute, a prevailing party is entitled as a matter of right to recover costs, including attorney fees when authorized by contract, statute, or law, in any action or proceeding.

Existing federal law, known as the Jenkins Act, requires any person that sells or transfers in interstate commerce cigarettes into a state that taxes the sale or use of cigarettes to file certain information with the tobacco tax administrator of that state.

This bill would provide that in an action in the name of the people of the state against any person for failure to comply with the Jenkins Act the court, to the extent not expressly prohibited by federal law, shall award fees and costs, including reasonable attorney’s fees, to the people if the people succeed on any claim to enforce the Jenkins Act.

Ch. 687 (AB 2205) Koretz. Tobacco products: prevention of sales of untaxed cigarettes: multiagency task force.

The existing Cigarette and Tobacco Products Tax Law imposes a specified tax on the distribution of cigarettes. Existing law also imposes a penalty of \$100 for each carton of 200 cigarettes, or portion thereof, upon any person who knowingly possesses, keeps, stores, or retains for the purpose of sale, or sells, or offers to sell, any package of cigarettes to which there is not affixed a stamp or meter impression. Existing law requires, with regard to the \$100 penalty for the distribution of a carton of black-market cigarettes, that the court transmit 50% of the penalty assessed to the local prosecuting jurisdiction and 50% of the penalty assessed to the State Board of Equalization for transmittal to the Treasurer for deposit in the General Fund.

This bill would, for the period beginning on January 1, 2003, and ending on January 1, 2006, impose an additional penalty for the distribution of black-market cigarettes in an amount equal to \$100 per carton, and would provide for the additional \$100 penalty to be deposited in the Unlawful Sales Reduction Fund, which the bill would create, for appropriation by the Legislature to the Office of Criminal Justice Planning to be allocated for the funding of a competitive grant program, to be established by the Legislature, to award grants to local jurisdictions to establish a multiagency task force for the purpose of significantly reducing the sales of black-market cigarettes and creating a deterrent to those sales, through the focused investigation and prosecution of sales of black-market cigarettes and other associated offenses and crimes.

Ch. 688 (AB 1010) Correa. Transportation: franchise agreements.

(1) Existing law authorizes the Department of Transportation to enter into agreements with private entities for the construction by and lease to private entities of 4 transportation demonstration projects, including at least one in northern California and one in southern California. Existing law authorizes these private entities to charge tolls for the use of the privately constructed facilities. Existing law requires that any excess toll revenue be applied to any debt the entity incurred building the facilities to be paid into the State Highway Account in the State Transportation Fund. Existing law provides that the department may

continue to charge tolls for use of these facilities after the lease held by the private entity has expired.

This bill would provide that the collection of tolls for the use of these facilities would terminate at the expiration of the franchise agreement. The bill would also delete the provisions specifying the location of the demonstration projects and would preclude the department from entering into a new agreement for these projects after January 1, 2003.

(2) Existing law authorizes the Orange County Transportation Authority to acquire, construct, develop, lease, or dispose of rights-of-way, rail lines, buslines, and other facilities necessary for transit purposes.

This bill would additionally authorize the authority with respect to the segment of State Highway Route 91 between Interstate Highway Route 15 and State Highway Route 55 only, to acquire streets, highways, bridges, tunnels, and connector roads necessary for transit or transportation purposes. The bill would require the department, if requested by the Orange County Transportation Authority, to approve the assignment of a franchise agreement between the department and the California Private Transportation Company for State Highway Route 91 to the Orange County Transportation Authority. The bill would provide that the authority shall not sell or assign its interest in the franchise agreement without approval of the Legislature by the enactment of a statute. The bill would authorize the authority to impose tolls on State Highway Route 91 to be used for specified purposes. The bill would specify that the authority's authorization to impose the toll would terminate upon its payment in full of certain bonded indebtedness or on December 31, 2030, whichever occurs earlier, and that the segment of State Highway Route 91 between Interstate Highway Route 15 and State Highway Route 55 would revert to the department at that time. The bill would provide that neither the state nor any other public agency is liable for any debt of the authority. The bill would create an advisory committee composed of 5 voting members each from the board of the Orange County Transportation Authority and the Riverside County Transportation Commission, and 3 nonvoting members from the San Bernardino Associated Governments and the department to review and make recommendations to the authority regarding the facilities acquired, tolls imposed, and the maintenance and operations of State Highway Route 91. The bill would make the exercise of the authority's powers in Riverside County subject to the approval of the Board of Supervisors of Riverside County and the Riverside County Transportation Commission and in consultation with the advisory committee. The bill would specify that all costs associated with the advisory committee would be paid by the Orange County Transportation Authority.

Ch. 689 (AB 1840) Diaz. Private security services: peace officers.

Existing law, the Private Security Services Act, provides for the licensure of private patrol operators and the registration of security guards by the Director of Consumer Affairs and requires that they comply with certain terms in the conduct of their operations, including submitting a set of fingerprints to the Department of Justice and paying specified fees for licensure, registration, and various other purposes. Existing law exempts certain peace officers and reserve officers from the provisions requiring the submission of fingerprints.

This bill would require a peace officer who is engaged as a security guard to pay registration fees and would exempt the peace officer from any other fees imposed on security guards under certain conditions. The bill would require a peace officer exempt from the provisions requiring the submission of fingerprints to submit verification of their active duty status to the Bureau of Security and Investigative Services, subject to certain conditions.

Existing law regulates the possession and use of a firearm by a private patrol operator or security guard.

The bill would permit a peace officer who has complied with specified conditions to carry a firearm while working as a security guard or security officer.

The bill would incorporate additional changes in Section 7583.9 of the Business and Professions Code proposed by AB 248 or SB 1241, to be operative only if any or all of the

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**NOTE:** Superior numbers appear as a separate section at the end of the digests.

other bills are enacted and become effective on or before January 1, 2003, and this bill is enacted last.

Ch. 690 (AB 2670) Wyman. Income taxes: victims of terrorism.

The Personal Income Tax Law provides for, in specified conformity to federal income tax laws, the exclusion of certain items from gross income, the tax treatment of certain survivor benefits, provisions relating to estates, trusts, beneficiaries, and decedents, postponement of certain tax deadlines, and disclosure of tax return information.

This bill would also provide conformity to the federal Victims of Terrorism Tax Relief Act of 2001, as specified.

Existing law provides for the waiver of interest accrued against the income tax liability of an individual during a filing extension period authorized for individuals determined to be affected by a presidentially declared disaster, if that individual is located in an area affected by a presidentially declared disaster or in a county or city that is proclaimed by the Governor to be in a state of disaster.

This bill would extend this waiver provision to any taxpayer, including a business entity, located in an area affected by a presidentially declared disaster or in a county or city proclaimed by the Governor to be in a state of disaster.

This bill would take effect immediately as a tax levy.

Ch. 691 (AB 2818) Aanestad. Registered dental hygienists.

Existing law requires the Dental Board of California to license a person as a dental hygienist who completes a board-approved education program, and performs satisfactorily on certain exams. Existing law authorizes the board to impose various fees upon dental hygienists for deposit in the State Dental Auxiliary Fund, a continuously appropriated fund.

This bill would authorize the board to license a person who has not taken an examination as a dental hygienist if the person is licensed in another state and meets additional specified requirements.

By providing for the licensure of additional registered dental hygienists and thereby increasing the source of funds from fees and fines for deposit into a continuously appropriated fund, the bill would make an appropriation.

The bill would require the board to report to the Legislature by January 1, 2006, on the impact of the bill.

This bill would incorporate additional changes in Section 1758 of the Business and Professions Code, proposed by SB 2022, to be operative only if SB 2022 and this bill are both enacted and become effective on or before January 1, 2003, and this bill is enacted last.

Ch. 692 (AB 2875) Vargas. Military bases: recovery: retention.

The existing Local Agency Military Base Recovery Area Act authorizes local agencies to propose to the Technology, Trade, and Commerce Agency specific geographic areas to receive regulatory, tax, and other governmental program incentives to offset federal military base closures by being designated local agency military base recovery areas. Under existing law, a designation as a local agency military base recovery area is binding for a period of 8 years.

This bill instead would specify that the designation would be for an 8-year period that shall expire 8 years after the Technology, Trade, and Commerce Agency has determined that the later of specified conditions has been met.

Ch. 693 (SB 1578) 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. Existing

law also requires a passenger vehicle or pickup truck that is a specially constructed vehicle to be inspected by stations authorized to perform referee functions, and requires 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.

This bill would eliminate the requirement that the registration provided to the first 500 vehicles by the Department of Motor Vehicles be an initial registration for that vehicle, and would specify that the 500-vehicle limit does not apply to the renewal of registration of a vehicle previously registered pursuant to those provisions.

This bill would require the department, if it receives during a calendar year an application for registration of a specially constructed passenger vehicle or pickup truck after it has registered 500 specially constructed vehicles during that calendar year, and the vehicle has not been previously registered, to assign the same model year as the calendar year in which the application is submitted, for purposes of determining emissions control equipment and inspection requirements for the vehicle. The bill would require the department to deny an application for registration during a calendar year of a specially constructed passenger vehicle or pickup truck that was previously registered, if the application for registration is received after the department has registered 500 specially constructed vehicles during that calendar year and the application requests a model-year determination different from the model-year determination assigned in the previous application. The vehicle owner would be subject to the emission control and inspection requirements applicable to the model-year assigned in the previous registration. The bill would permit the vehicle owner to apply for a different model-year determination in a subsequent calendar year subject to the 500-vehicle annual limitation.

Ch. 694 (SB 2051) Bowen. Income and corporation taxes: information privacy.

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.

Existing law, until December 31, 2008, permits, under specified conditions, the disclosure of tax information to tax officials of any city.

This bill would express the intent of the Legislature that the board continue to implement the provisions permitting disclosure of this tax information to city tax officials if the specified conditions are met.

Existing income and corporation tax laws provide for determinations of liability for tax, penalty, interest, fine, forfeiture, or other imposition or offense thereunder.

This bill would provide that specified provisions of the Information Practices Act of 1977, relating to privacy of individuals, shall not be applied to those determinations.

Ch. 695 (SB 2100) Torlakson. Contra Costa County: retirement benefits.

The County Employees Retirement Law of 1937 authorizes counties and districts, if authorized by the county board of supervisors, to provide service retirement allowances for safety members based on a 3% at age 50 formula.

This bill would authorize the Contra Costa County Board of Supervisors and the governing boards of districts within that county, if authorized by the board of supervisors, to negotiate with a recognized employee organization representing safety members regarding the conditions, as specified, to be required of employees who are or may become subject to the 3% at age 50 formula.

The County Employees Retirement Law of 1937 authorizes counties and districts, if authorized by the county board of supervisors, to provide service retirement allowances for general members based on a 2% at age 55 formula. Existing law also authorizes the Contra Costa County Board of Supervisors to adopt a Tier Two and a Tier Three retirement benefit program for county officers and employees.

This bill would authorize the Contra Costa County Board of Supervisors and the governing boards of districts within the county, if authorized by the board of supervisors, to make the Tier Three program applicable to all new employees and to all current employees in Tier Two, and to provide members in Tier Three or Tier One, or both, with retirement allowances based on the 2% at age 55 benefit formula.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 696 (SB 796) Costa. High-Speed Rail Authority.

Existing law creates the High-Speed Rail Authority with specified powers and duties relating to the development and implementation of an intercity high-speed rail system. Existing law provides for termination of the authority on December 31, 2003. Existing law authorized the authority to submit a high-speed rail financial plan, including various financing mechanisms, to the Secretary of State for placement on the general election ballot of 1998 or 2000 for voter approval.

This bill would delete the termination date and the now-obsolete provisions relating to submission of the plan to the voters at the 1998 or 2000 general election. The bill would instead authorize the authority to submit the financial plans to the Legislature and the Governor and to keep the public informed of its activities.

Existing law allows an action against a state agency that is required to be filed in a court in the County of Sacramento to also be filed in a court in any county in which the Attorney General has an office.

This bill would require any legal or equitable action against the authority to be filed solely in an appropriate court in the County of Sacramento.

This bill would incorporate additional changes to Section 185020 of the Public Utilities Code proposed by SB 1799, to become effective only if SB 1799 and this bill are enacted and become effective on or before January 1, 2002, and this bill is enacted last.

Ch. 697 (SB 1856) Costa. Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century.

Existing law creates the High-Speed Rail Authority with the responsibility of directing the development and implementation of intercity high-speed rail service.

This bill would enact the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, which, subject to voter approval, would provide for the issuance of \$9.95 billion of general obligation bonds, \$9 billion of which would be used in conjunction with available federal funds for the purpose of funding the planning and construction of a high-speed train system in this state pursuant to the business plan of the authority. Nine hundred fifty million dollars of the bond proceeds would be available for capital projects on other passenger rail lines to provide connectivity to the high-speed train system and for capacity enhancements and safety improvements to those lines. Bonds for the high-speed train system would not be issued earlier than January 1, 2006.

The bill would provide for the submission of the bond act to the voters at the general election on November 2, 2004.

Ch. 698 (SB 1560) Figueroa. Telephone solicitations.

Existing law prohibits certain unfair business practices, including certain advertising practices. Existing law requires 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. Existing law requires telephone solicitors to pay a fee to the Attorney General to obtain copies of the "do not call" list. Existing law provides that it is unlawful for a person to obtain a "do not call" list for specified purposes. Existing law makes it a crime to violate any of the provisions governing advertising.

This bill would delay until April 1, 2003, the requirement that the Attorney General maintain a “do not call list.” The bill would provide that it is unlawful for a person to obtain the list for the purpose of selling or leasing it to a person other than a telephone solicitor or for the purpose of a telephone solicitor selling or leasing the list. The bill would prohibit any person, other than the Attorney General, from selling or leasing the list. The bill would also prohibit a person from purchasing the list except from the Attorney General.

Because a violation of this bill’s provisions with respect to advertising would be 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. 699 (AB 1769) Leslie. Advertising: unsolicited cellular telephone and pager text messages.

Existing law provides for the regulation of advertising and specifically prohibits a person conducting business in this state from faxing or electronically mailing unsolicited advertising material, unless certain conditions are satisfied. Existing law provides that a violation of the provisions regulating advertising is a misdemeanor, and also provides for imposition of civil penalties and injunctive relief.

This bill would, subject to certain exceptions, generally prohibit a person or entity conducting business in this state from transmitting or causing to be transmitted a text message advertisement to a cellular telephone or pager equipped with short message or a similar capability. By creating a new 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. 700 (AB 2944) Kehoe. Advertising: facsimile machines.

Existing state law prohibits a person conducting business in this state from faxing or electronically mailing unsolicited advertising material, unless certain conditions are met.

This bill would delete the existing state law prohibition relative to the faxing of unsolicited advertising material.

Ch. 701 (AB 989) Chan. Holocaust restitution payments.

Existing law establishes programs for education grants, priorities, and program enrollments, state disability insurance benefits, and public social services.

The Personal Income Tax Law provides various exclusions from gross income in determining tax liability.

Existing law excludes from the determination of state personal income taxes and eligibility for various public assistance program benefits certain compensation or settlements for unrecovered property of victims of the holocaust.

This bill would provide an exclusion of holocaust restitution payments, as defined, received by an eligible individual, or the individual’s heirs or estate, and for any excludable interest, as defined, for purposes of determining eligibility for state education grants, priorities, and program enrollments, state disability insurance benefits, and public social services, to the extent permitted by federal law, and for purposes of determining personal income taxes.

Under existing law, moneys in the Disability Fund are continuously appropriated to the Employment Development Department for purposes of paying disability benefits.

Because this bill would expand eligibility for disability benefits, it would constitute an appropriation.

Under existing law, certain public social services programs, the State Supplementary Program for the aged, blind, and disabled and the CalWORKs program, are funded through a continuing appropriation, and, by excluding benefits from the determination of eligibility for benefits under those programs, this bill would increase the number of persons who would be eligible for those program benefits, resulting in an increase in the level of funding under those programs, thus resulting in an appropriation.

Under existing law, counties are responsible for the administration of, and determination of eligibility for, those public social service programs. By increasing the number of persons who would be eligible for benefits under those programs, 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. 702 (AB 2003) Koretz. The Holocaust and genocide.

Existing law requires the State Department of Education to incorporate into prescribed materials, frameworks on history and social science that deal with civil rights, human rights violations, genocide, slavery, and the Holocaust, and encourages all state and local professional development activities to provide teachers with content background and resources to assist in teaching about civil rights, human rights violations, genocide, slavery, and the Holocaust.

This bill would declare that the Legislature encourages the incorporation of survivor, rescuer, and liberator testimony into the teaching of human rights, genocide, and the Holocaust. The bill would also require the Model Curriculum for Human Rights and Genocide to be made available to schools in grades 7 to 12 as soon as funding is available and would require the State Department of Education to make the curriculum available on its Web site.

Existing law requires the Superintendent of Public Instruction to designate nonprofit agencies to serve as regional social tolerance resource centers and provides one-time funding for support of the centers. Existing law requires that the agencies selected have demonstrated success in prescribed activities, including, but not limited to, providing teacher training activities and curricular materials.

This bill would, in addition, until January 1, 2005, establish the California Taskforce on Holocaust, Genocide, Human Rights, and Tolerance Education, as an advisory body, and would establish the Center for Excellence on the Study of the Holocaust, Genocide, Human Rights, and Tolerance as a pilot program at the California State University, Chico to promote education regarding the Holocaust, genocide, human rights, and tolerance, including, but not limited to, providing teachers with the knowledge and training to effectively teach pupils about the Holocaust, genocide, human rights, and tolerance.

The bill would authorize the use of certain funds made available pursuant to the Budget Act of 2002 for purposes of the CSU Centers for Excellence to be used to establish the Center for Excellence on the Study of the Holocaust, Genocide, Human Rights, and Tolerance, as a pilot program at California State University, Chico.

Ch. 703 (AB 1902) Reyes. Automobile insurance: damaged child safety restraint systems.

Existing law provides for regulation of insurers by the Insurance Commissioner and describes the coverage required to be provided by various categories of automobile

insurance. Under these provisions, coverage is required to be provided for the replacement of a child passenger restraint system that was in use by a child during an accident for which the policy is applicable due to the liability of an insured.

This bill, upon the filing of a claim pursuant to a policy, would impose an obligation upon an insurer to ask, unless it is otherwise determined, whether a child passenger restraint system was in use by a child during an accident that is covered by the policy, and if so, to replace the child passenger restraint system in accordance with these provisions or reimburse the cost to a claimant for purchasing a new child passenger restraint system.

This bill would also provide that an insured may surrender a replaced child passenger restraint system to the nearest office of the Department of the California Highway Patrol.

Existing law prohibits a manufacturer, wholesaler, or retailer from selling or installing a child passenger restraint system in a motor vehicle if the system does not conform to all applicable federal motor vehicle safety standards on the date of sale or installation. A violation of this provision is a misdemeanor.

This bill would prohibit an individual from selling or offering for sale a child passenger restraint system that was in use by a child during an accident, subject to a fine of \$100. By creating a new 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. 704 (AB 1914) Kehoe. Hearing aids.

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 provides for hearing aids as a covered benefit, subject to utilization controls.

This bill would provide that hearing aids are a covered Medi-Cal benefit only after specified examinations and evaluations are completed by certain individuals.

This bill would make one hearing aid assessment in a 12-month period a covered benefit under Medi-Cal. In the event a beneficiary receives more than one hearing aid assessment within a 12-month period, Medi-Cal would reimburse the first valid claim for only one hearing aid assessment unless additional assessments are deemed to be medically necessary.

#### Ch. 705 (AB 1999) Correa. Immigration consultants.

Existing law, the Immigration Consultants Act, authorizes a person claiming to be aggrieved by an immigration consultant to bring a civil action for injunctive relief or damages, or both. An injured party may also seek civil penalties against an immigration consultant in an amount not to exceed \$100,000. Existing law also allows any other party to bring a civil action on behalf of the general public against an immigration consultant for injunctive relief.

This bill would authorize the Attorney General, district attorney, or city attorney to seek civil penalties not exceeding \$100,000 against immigration consultants for a violation of the act. The bill would expand the types of civil remedies available to include restitution and other equitable relief and would require that an action for civil penalties brought by the Attorney General, a district attorney, or a city attorney seek these remedies. The bill would provide that an action being brought on behalf of the people would not preclude an action being brought by an injured person.

Existing law requires that a court impose a civil penalty for a violation of the Immigration Consultants Act, and that the court, in imposing the penalty, consider certain relevant circumstances presented by the parties to the case.

This bill would instead authorize the court to consider the relevant circumstances in assessing the civil penalty.

Existing law prohibits a person from representing himself or herself as an immigration consultant unless the person has a bond on file with the Secretary of State. Existing law permits a person awarded damages in a civil action to recover the damages from that bond.

This bill would provide that in an action brought by the Attorney General, a district attorney, or a city attorney the court may order relief for the benefit of the injured parties to be paid from the bond.

Ch. 706 (AB 2292) Dutra. General plans: residential density.

The Planning and Zoning Law requires a city, county, or a city and county to adopt a general plan that consists of a statement of development policies and a diagram or diagrams and text setting forth objectives, principles, standards, and plan proposals, including a land use element that sets forth a statement of the standards of population density and building intensity recommended for districts and other territory covered by the plan. The act also requires that the maximum allowable residential density be consistent with the applicable zoning ordinance and the adopted general plan.

This bill would prohibit a city, county, or a city and county, by administrative, quasi-judicial, or legislative action, from reducing, requiring, or permitting the reduction of the residential density for any parcel to a lower residential density that is below the density that was utilized by the Department of Housing and Community Development in determining compliance with housing element law, unless the city, county, or city and county makes written findings supported by substantial evidence that the reduction is consistent with the adopted general plan, including the housing element, and the jurisdiction's share of the regional housing need, as specified.

The bill would also require, until January 1, 2007, a court to award attorney's fees and costs of suit to specified plaintiffs or petitioners if the court finds that an action of a city, county, or city and county is in violation of these provisions, except as specified.

Ch. 707 (AB 2470) Jackson. Minors: statements.

Under existing law, evidence of a statement that was made other than by a witness while testifying at a hearing and that is offered to prove the truth of the matter stated as hearsay evidence is inadmissible, unless otherwise specified by law.

Existing law provides that certain statements made by a minor child under 12 years of age out of court may not be inadmissible under the hearsay rule in certain circumstances with respect to the establishment of the elements of certain crimes.

Existing law provides that hearsay evidence may be used for the purpose of supplementing or explaining other evidence, but over timely objection shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions.

Existing law authorizes the administrative law judge conducting a hearing with respect to the licensing, registration, or permitting of a community care facility, residential care facility for persons with chronic life-threatening illness, residential care facility for the elderly, or child day care facility to permit the testimony of a child witness, or a similarly vulnerable witness, including a witness who is developmentally disabled, to be taken outside the presence of the respondent or respondents if certain conditions exist.

This bill would specify that certain out-of-court statements made by a minor under 12 years of age who is the subject of an allegation at issue in an administrative hearing shall be admissible in any of those types of administrative hearings unless an objection is made and the objecting party establishes that the statement is unreliable because it was the product of fraud, deceit, or undue influence.

Ch. 708 (AB 2865) Koretz. Appellate issues: judges.

Existing law sets forth the matters that trial court judges may decide in chambers, as specified.

This bill would add thereto that, upon the written request of any party or his or her counsel, or at his or her own discretion, a trial court judge may indicate in any interlocutory order a belief that there is a controlling question of law as to which there are substantial grounds for a difference of opinion, appellate resolution of which may materially advance the conclusion of the litigation. There would be no grounds for a writ or appeal from the decision of the trial judge in this regard.

Ch. 709 (AB 3023) Committee on Insurance. Insurance: unfair practices.

Existing law provides for the regulation of insurers by the Insurance Commissioner. Existing law prohibits unfair methods of competition and unfair or deceptive acts or practices in the business of insurance. Existing law requires the commissioner to commence hearings when the commissioner has reason to believe that a person has been engaged or is engaging in any unfair method of competition or any unfair or deceptive act or practice, as specified. Existing law requires the hearings to be conducted in accordance with the Administrative Procedure Act.

This bill would authorize those hearings to be conducted by an administrative law judge in the administrative law bureau that provides administrative hearing services in the Department of Insurance if certain conditions are satisfied. The bill would prohibit an administrative law judge appointed by the commissioner from being supervised by the commissioner or by an employee in the legal branch of the Department of Insurance.

Ch. 710 (SB 1357) Vincent. Pet shops.

Under existing law, a pet shop operator must carry out specified duties with respect to the care, sale, trade, and adoption of pet animals. A pet shop operator's failure to carry out these duties is punishable by a fine of not to exceed \$1,000, or by imprisonment in the county jail for not more than 90 days, or by both the fine and imprisonment.

This bill would require private or public retail sellers of pet animals to provide buyers with written recommendations for the generally accepted care of the class of pet animal sold. It would specify that sellers shall not be liable for damages caused by erroneous information in material provided by 3rd parties unless sellers fail to exercise ordinary care. This bill would also provide that charges brought against a seller of pet animals for a first violation of these provisions shall be dismissed if proof of compliance is shown, as specified. This bill would provide that second or subsequent violations shall be infractions punishable by a fine. 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. 711 (SB 1432) Alpert. Housing elements: self-certification.

Under existing law, a city, county, or city and county is required to submit a draft housing element or draft amendment to its housing element for the general plan for its jurisdiction to the Department of Housing and Community Development for a determination of whether the draft complies with state law governing housing elements. Existing law, until June 30, 2009, exempts any local government within the jurisdiction of the San Diego Association of Governments from this review requirement if it instead submits to the department with its housing element a self-certification of compliance with state law. In an action brought by any party to review the conformity of a housing element with applicable state law, a court review extends to whether the housing element, or portion thereof or revision thereto, substantially complies with that law.

This bill would provide that, notwithstanding any other provision of law, any city or county that self-certified its housing element shall be considered to be fully eligible to participate in any program created by, or receiving funds through, the Housing and

Emergency Shelter Trust Fund Act of 2002 in an identical manner and to the same degree, as those jurisdictions deemed in substantial compliance by the department.

Ch. 712 (SB 1614) Speier. Public records: vital statistics.

Existing law requires the Director of Health Services, as the State Registrar of Vital Statistics, to administer the registration of births, deaths, fetal deaths, and marriages. Existing law requires the State Registrar to arrange and permanently preserve the certificates in a systematic manner and to prepare and maintain a comprehensive and continuous index of all certificates registered.

Existing law, the California Public Records Act, requires state and local agencies to make records that are not otherwise exempt from disclosure available to the public upon receipt of a request that reasonably describes an identifiable record, and upon payment of fees to cover costs.

This bill would require the comprehensive index described above, and comprehensive birth and death record indices prepared or maintained by local registrars and county recorders, to be kept confidential, except that these indices may be disclosed to government agencies. This bill would exempt these indices from disclosure under the California Public Records Act.

This bill would prohibit a government agency from selling or releasing these indices, except as specified, and from posting these indices on the Internet.

This bill would require the State Registrar to prepare and maintain separate noncomprehensive indices of all California birth and death records for public release, as well as indices for purposes of law enforcement or preventing fraud. The bill would also provide for the release of certain birth and death data files, as defined, by the State Registrar, local registrars, and county recorders in accordance with specified requirements. It would require requesters of these indices and data files to provide proof of identity, complete a form containing prescribed information, and sign the form under penalty of perjury, and would prohibit these indices and data files from being used for fraudulent purposes or from being posted on the Internet unless certain requirements are met.

This bill would also make it a misdemeanor for any person to violate the above provisions and would provide that any violators may be denied further access to the indices or data files maintained by the department.

By expanding the scope of the crime of perjury, creating new crimes, and by increasing 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, 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. 713 (SB 1778) Dunn. Mobilehomes and manufactured homes.

(1) The existing Mobilehomes-Manufactured Housing Act of 1980 authorizes the Director of Housing and Community Development or his or her designee to issue a citation that assesses a civil penalty, payable to the Department of Housing and Community Development, to any licensee who violates specified provisions of the act. The act requires those funds to be deposited in the Mobilehome-Manufactured Home Revolving Fund, a continuously appropriated fund.

This bill would authorize the issuance of such a citation to any licensee who violates additional specified provisions of the act, thereby making an appropriation by authorizing the expenditure of additional funds from a continuously appropriated fund.

(2) The act requires any manufactured home, mobilehome, vehicle, or transportable structure manufactured, remanufactured, altered, used, or converted for use as a commercial coach or special purpose commercial coach to comply with the act and the regulations adopted thereunder relating to insignia and inspection requirements, construction, fire safety, electrical, heating, mechanical, plumbing, occupancy, and energy conservation. Other existing provisions impose requirements relating to sanitation, structural, and safety requirements for mobile food preparation units.

This bill would require that special purpose commercial coach mobile food preparation units shall also meet requirements for mobile food preparation units and stationary mobile food preparation units.

(3) The act requires all used mobilehomes and manufactured homes sold in this state on and after January 1, 1986, to be equipped with an operable smoke detector.

This bill would provide that on and after January 1, 2003, this requirement is satisfied if, within 45 days prior to the date of transfer of title, the transferor signs a declaration stating that each smoke detector in the manufactured home or mobilehome is operable on the date that the declaration is signed.

(4) The act specifies that in the case of the sale of a manufactured home or mobilehome to be installed on a foundation system, other provisions of the act generally governing the escrow of manufactured home and mobilehome sales transactions are not applicable.

This bill would impose additional requirements for escrow instructions and disbursements in the case of manufactured homes and mobilehomes to be installed on a foundation system.

#### Ch. 714 (SB 1951) Figueroa. Professional boards: acupuncture board.

Existing law provides for the regulation of various professions by professional boards within the Department of Consumer Affairs, including the regulation of the practice of acupuncture by the Acupuncture Board. Existing law provides, until July 1, 2003, that the board consists of 9 members. Existing law requires the board, until July 1, 2003, to employ an executive officer and other personnel necessary for the administration of the laws regulating the practice of acupuncture. Existing law provides that those provisions of law are repealed on January 1, 2004. Under existing law, all revenue received by the board in the course of regulating the practice of acupuncture is deposited into the Acupuncture Fund, which is continuously appropriated.

This bill would delete the July 1, 2003, and January 1, 2004, dates upon which those provisions establishing the board and requiring it to employ an executive officer and other personnel become inoperative and are repealed. The bill would instead extend the operation of those provisions until July 1, 2005, and would repeal those provisions on January 1, 2006.

Existing law requires the Acupuncture Board to include 4 acupuncturists that are not licensed as physicians and surgeons.

This bill would instead require the board to include 3 acupuncturists who are not licensed as physicians and surgeons and one acupuncturist who is a faculty member of an acupuncture college approved by the board.

Existing law provides that a majority of the appointed board members constitutes a quorum for the conduct of business.

This bill would provide that 5 members of the board constitutes a quorum for the conduct of business.

This bill would request the Milton Marks "Little Hoover" Commission on California State Government Organization and Economy to conduct separate reviews addressing specified issues with respect to the practice of acupuncture and report its findings to the Legislature by September 1, 2004. The bill would appropriate up to \$250,000 to the board from the Acupuncture Fund to pay for all costs associated with this review. By authorizing

the use of revenue in a continuously appropriated fund for a new purpose, the bill would make an appropriation. The bill would also require the board to conduct certain studies and reviews relating to acupuncture assistants and report its findings to the department and the Joint Legislative Sunset Review Committee by September 1, 2004.

Existing law provides that it is a misdemeanor for a person to practice acupuncture or to hold himself or herself out as practicing or engaging in the practice of acupuncture without a current and valid acupuncturist's license. Existing law authorizes the Acupuncture Board to deny, suspend, revoke, or impose probationary conditions upon, the license of an acupuncturist if the acupuncturist is guilty of specified acts of unprofessional conduct.

This bill would provide that it is a misdemeanor for a person to fraudulently buy, sell, or obtain a license to practice acupuncture or to violate the provisions of law regulating the practice of acupuncture. The bill would specify that misdemeanor punishment for a violation of these provisions includes specified fines and imprisonment in a county jail. The bill would revise the list of specified acts that constitute unprofessional conduct.

Because a violation of the bill's requirements would be 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. 715 (SB 1356) Murray. Film California First Program: film costs.

(1) Existing law establishes the Film California First Program, pursuant to which the Technology, Trade, and Commerce Agency may pay and reimburse film costs incurred by a public agency, and the California Film Commission, within the agency, is required to develop alternate procedures for reimbursement of public agency costs incurred by a production company. "Film costs" are defined for this purpose to include, among other things, local public entity employee costs for fire services and nonpolice public safety, including, but not limited to, municipal utilities, transportation and street maintenance, and recreational agencies, as well as rental costs for equipment mandated and owned by a public agency in connection with the film.

This bill would delete the provisions restricting local public entity employee costs to costs for fire services and nonpolice public safety, including, but not limited to, municipal utilities, transportation and street maintenance, and recreational agencies. It would also revise the rental cost restriction on equipment mandated and owned by a public agency in connection with the film, to apply instead to equipment owned and operated by public agency in connection with the film.

(2) Existing law expresses the intent of the Legislature that funding for the Film California First Program be provided from the General Fund through the annual Budget Act in a specified amount for three years, commencing with the 2000–01 fiscal year.

This bill instead would express the intent of the Legislature that, commencing with the 2002–03 fiscal year, funding for the program from the General Fund shall not exceed the General Fund funding level for the prior fiscal year.

(3) Existing law requires the Technology, Trade, and Commerce Agency to reimburse only actual costs incurred by a public agency or production company, under the Film California First Program.

This bill would, notwithstanding this provision, prohibit the Technology, Trade, and Commerce Agency from reimbursing costs at rates exceeding those in effect as of January 1, 2002.

(4) This bill would make various technical, nonsubstantive changes.

(5) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 716 (AB 116) Nakano. Commission on Asian and Pacific Islander American Affairs.

Existing law establishes various advisory boards and commissions in state government with specified duties and responsibilities.

This bill would create the Commission on Asian and Pacific Islander American Affairs consisting of 13 members appointed as specified. The duties of the commission include advising the Governor, the Legislature, and state agencies, departments, and commissions on issues relating to the social and economic development, and the rights and interests of Asian Pacific Islander American (APIA) communities.

The bill would also require the commission to act as a liaison with APIA communities, hold meetings on issues affecting the APIA community, and submit an annual report with specified recommendations by December 1 of each year to the Governor and the Legislature that details the commission's activities and sets forth its action plan for the following year. The bill would also provide that the commission may apply for and accept public and private funding, as specified.

Ch. 717 (AB 1872) Canciamilla. Vital records: certificate of death: mass fatalities incident.

Existing law permits a verified petition to be filed by any beneficially interested person with the county clerk of certain superior courts for an order to judicially establish the fact of, and the time and place of, a birth, death, or marriage that is not registered or for which a certified copy is not obtainable.

This bill would permit a coroner, medical examiner, or other beneficially interested person, in the event of a mass fatalities incident, to also file such a petition. The bill also would permit a coroner or medical examiner, in the event of a mass fatalities incident, to file a similar single verified petition with respect to all persons who died.

Existing law requires the county clerk to set the time of hearing not less than 5 nor more than 10 days after the filing of the petition.

This bill, notwithstanding the above provision, would provide that upon the filing of a petition for a determination of the fact of death in the event of a mass fatalities incident, the clerk shall set a hearing no later than 15 days from the date the petition was filed. It would also require the petitioner to make a reasonable effort to provide notice of the hearing to the known heirs of the deceased up to the 2nd degree of relationship, but failure to provide this notice would not invalidate the judicial proceedings regarding the determination of the fact of death.

Existing law requires the State Registrar to send certified copies of the court order delayed certificate to the local registrar and the county recorder within the area in which the event occurred and in whose offices copies of records of the year of occurrence of the event are on file.

This bill would require the State Registrar, in the event of a mass fatalities incident, without delay, to send these certified copies of the court order delayed death certificates to the local registrar and the county recorder of the county in which the incident occurred and in whose offices copies of records of the year of occurrence of the incident are on file, and to the spouse or next of kin of the decedent, if there is no spouse, provided the spouse or next of kin's name and address information are included in the court order or on the application form submitted by the spouse, next of kin, coroner, or medical examiner.

The bill would also define "mass fatalities incident" for purposes of the above provisions.

Ch. 718 (AB 2041) Vargas. Liability: emergency care.

Existing law provides immunity from civil liability to any person who completes a basic cardiopulmonary resuscitation (CPR) or automatic external defibrillator (AED) course that complies with regulations adopted by the Emergency Medical Services (EMS) Authority and the standards of the American Heart Association or the American Red Cross, and who,

in good faith, renders emergency care by the use of an AED at the scene of an emergency, without the expectation of receiving compensation for providing the emergency care.

This bill would revise those provisions by deleting the requirement that a person complete a basic CPR or AED course. The bill would further provide immunity from civil liability to a person or entity that acquires an AED for emergency use and renders emergency care, if that person or entity is in compliance with specified requirements.

Existing law authorizes the EMS Authority to establish minimum standards for AED use and training by unlicensed or uncertified individuals. Existing law requires specified persons to meet those standards.

This bill would expand the authorization to establish standards and would delete the requirement that specified persons meet those standards.

This bill would also require that the supplier of an AED notify the local EMS authority of the existence, location, and type of AED acquired, and provide to the acquirer specified information governing the use and maintenance of the AED. The bill would additionally require certain persons or entities that have acquired an AED to ensure employee training in CPR and AED use, as specified, and to follow particular emergency safety procedures. The bill would specify that the above requirements shall remain effective until January 1, 2008.

#### Ch. 719 (AB 374) Matthews. Central Valley Rural Crime Prevention Program.

Existing law authorizes specified counties to develop Rural Crime Prevention Programs to address the problems of agricultural and rural crime. Existing law also requires the creation, by participating counties, of the Rural Crime Task Force, as specified, to perform specific functions, including developing rural crime prevention programs, as specified. Under existing law, these provisions are scheduled to become inoperative on July 1, 2002, and to be repealed on January 1, 2003.

This bill would extend the operation of these provisions to July 1, 2005, and provide for their repeal, instead, on January 1, 2006, and rename the programs "Central Valley Rural Crime Prevention Programs." This bill would require the Central Valley Rural Crime Task Force to develop a uniform procedure for all participating counties to collect, and would require each county to collect, data on agricultural crimes by June 30, 2003. The bill would also require the task force to establish a central database for the collection and maintenance of data on agricultural crimes and designate one participating county to maintain the database by June 30, 2003.

This bill would provide that funds appropriated for rural crime prevention programs, as specified, shall be allocated based on counties' compliance with specified requirements.

This bill would declare that it is to take effect immediately as an urgency statute.

#### Ch. 720 (SB 1457) Johannessen. Law enforcement funding.

Existing law allocates annually prescribed amounts from the General Fund to the Controller for allocation to county sheriffs' departments to enhance law enforcement efforts, and until July 1, 2002, requires those funds to supplement rather than supplant existing law enforcement resources.

This bill would extend that requirement indefinitely.

The bill would declare that it is to take effect immediately as an urgency statute.

#### Ch. 721 (SB 372) Dunn. Preservation interim loan programs.

Existing law prescribes the responsibilities of the Department of Housing and Community Development and the California Housing Finance Agency with respect to the provision and preservation of housing; establishes the Housing Rehabilitation Loan Fund, which is continuously appropriated for purposes of specified deferred payment housing rehabilitation loans; and prescribes requirements for the notification of tenants by owners proposing termination or prepayment of governmental assistance.

This bill would establish preservation interim loan programs known as the Preservation Opportunity Program and the Interim Repositioning Program, and require the department to make loans on prescribed terms, including requiring a borrower under the Preservation Opportunity Program to also receive a loan from the agency's Preservation Acquisition Program, to preserve and maintain the affordability of assisted housing developments pursuant to those programs. The bill would also authorize the department to administer the Interim Repositioning Program through a notice of funding availability that is exempt from the provisions of the Administrative Procedure Act.

This bill would create the Preservation Opportunity Fund for purposes of these programs and require any money made available by the Legislature, received as loan repayments, or received from other sources to be deposited in the fund, which would be continuously appropriated to the department for purposes of the programs.

This bill would declare that it is to become operative only upon voter approval of the Housing and Emergency Shelter Trust Fund Act of 2002.

Ch. 722 (SB 800) Burton. Liability: construction defects.

Existing law provides for stipulated judgments in construction defect actions, as defined.

The bill would specify the rights and requirements of a homeowner to bring an action for construction defects, including applicable standards for home construction, the statute of limitations, the burden of proof, the damages recoverable, a detailed prelitigation procedure, and the obligations of the homeowner.

This bill would also provide that there is no personal monetary liability on the part of, and no cause of action for damages shall arise against, any person, in any of the specified categories, who is under contract with an applicant for a residential building permit to provide independent quality review of the plans and specifications provided with the application in order to determine compliance with all applicable requirements imposed pursuant to the State Housing Law or any rules or regulations adopted pursuant to that law, or to inspect a work of improvement to determine compliance with these plans and specifications, except as specified. The bill would also set forth specified findings and declarations of the Legislature regarding construction defects.

Ch. 723 (AB 1008) Lowenthal. Housing assistance: property tax notices.

(1) Existing law establishes the Code Enforcement Incentive Program pursuant to which the Department of Housing and Community Development, upon appropriation by the Legislature, is required to make funds available as matching grants to cities, counties, and cities and counties through December 31, 2003, to increase staffing dedicated to local building code enforcement efforts.

This bill would also authorize these grant funds to be used for capital expenditures and require grants to be made to grantees that operate local building code enforcement programs for more than 3 years.

(2) Existing law also requires that grant recipients submit a report, on or before June 30, 2004, to their local legislative bodies and to the department regarding the results of the expanded code enforcement efforts, and requires the department to summarize the results and transmit the reports to the Legislature by December 31, 2004.

The bill would instead require grant recipients to submit the report to their local legislative bodies within 6 months after completion of each program cycle funded by the Legislature and require the department to transmit the reports within 6 months after the grant recipient's submission date.

(3) Existing law also establishes, until January 1, 2005, the Community Code Enforcement Pilot Program pursuant to which the Department of Housing and Community Development awards grants to communities that develop a code enforcement pilot program meeting specified criteria that would operate until December 31, 2003. Pilot program administrators are required to evaluate the pilot programs and report that information to the

department by June 30, 2004, and the department is required to report to the Legislature by December 31, 2004.

This bill would delete the repeal date for the program. It would require grants to be made to programs that operate for more than 3 years.

The bill would permit grant funds to be used for capital expenditures. It would also require that each pilot project submit its evaluation within 6 months after completion of each program cycle approved by the department and funded by the Legislature.

(4) Existing law requires the tax collector to publish annually a notice of impending default for failure to pay taxes on real property and to publish annually the affidavit that real property on which taxes, assessments, penalties, and costs had not been fully paid are in default.

This bill would permit the tax collector to include in those notices only properties that have been tax delinquent for 3 or more years in specified cases.

The bill would, pursuant to legislative findings and declarations, permit the University of California to do a study of tax-delinquent properties and would require the Controller to provide the university with specified information relating to these properties upon receiving that information from the tax collector. By imposing new requirements upon tax collectors, this bill would impose a state-mandated local program.

The bill would revise and limit the requirement to notify assesses of tax delinquent properties, and would express the intent of the Legislature in making this revision to offset costs incurred by the tax collector with regard to providing information, as required by this bill, for the study of the tax-delinquent properties.

(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. 724 (AB 1170) Firebaugh. Housing: downpayment assistance.

Existing law requires the Department of Housing and Community Development, the California Housing Finance Agency, and various other state and local agencies to administer programs to provide affordable housing through incentives to developers, rental housing assistance, and loans or grants for downpayment, interest subsidy, relocation, veterans' programs, and other home purchase assistance. Existing law requires the housing element of a local general plan to identify adequate sites for affordable housing to be made available through appropriate zoning and development standards, including those relating to density.

This bill would create the Building Equity and Growth in Neighborhoods (BEGIN) Program and BEGIN Fund. Moneys in the fund would be made available, upon appropriation, to the department for grants to cities, counties, and cities and counties for assistance in the form of 2nd mortgage loans for downpayment purposes to qualifying new home buyers in those cities, counties, and cities and counties that have taken prescribed actions to remove barriers to affordable housing.

This bill would specify that its provisions would become operative only if the Housing and Emergency Shelter Trust Fund Act of 2002 is enacted by the voters.

#### Ch. 725 (AB 1891) Diaz. Housing trust funds.

Existing law creates, among other housing programs, the Multifamily Housing Program, and the Emergency Housing and Assistance Program.

This bill would require the Department of Housing and Community Development to establish a program to make matching grants to local agencies or nonprofit entities that have housing trust funds, to provide financing for rental housing projects affordable to very low income families, as prescribed. Unused funds would revert for use in the Multifamily Housing Program.

The bill would become operative only if the Housing and Emergency Shelter Trust Fund Act of 2002, as proposed by Senate Bill 1227 of the 2001–02 Regular Session, is enacted by the voters, and would provide that specified amounts appropriated pursuant to that act would be used for purposes of this bill.

Ch. 726 (AB 2787) Aroner. Building standards: universal design.

Existing law presumes that a housing development for senior citizens constructed on or after January 1, 2001, is designed to meet the physical and social needs of senior citizens for purposes of meeting existing laws regarding age discrimination in housing if the housing development includes specified elements.

Existing law also encourages developers of these housing developments to implement in their construction the principles of universal design or any other design guidelines for home modifications for seniors that may be promulgated by the California Department of Aging.

This bill would, instead, by December 31, 2003, require the Department of Housing and Community Development, in consultation with specified state agencies, and without significantly impacting housing cost and affordability, to develop guidelines and at least one model ordinance for new construction and home modifications that are consistent with particular principles of universal design or other similar design guidelines, as specified.

Under the existing State Housing Law the California Building Standards Code applies to any city or county that does not amend, add, or repeal ordinances or regulations that impose the same requirements as the code, except that the law authorizes a city or county to make changes or modifications as it determines are reasonably necessary because of local climatic, geological, or topographical conditions if the findings of reasonable necessity and the modification or change are filed with the California Building Standards Commission.

The bill would authorize, commencing January 1, 2005, a city, county, or city and county to make, by ordinance, changes or modifications to the requirements of the code if the city, county, or city and county determines that the ordinance is reasonably necessary and is substantially the same as the guidelines or model ordinance prepared by the department pursuant to the bill.

The bill would encourage developers of housing for senior citizens, persons with disabilities, and other persons and families, in a city or county where a universal design ordinance has not been adopted, to seek information regarding the principles of universal design, as specified.

The bill would authorize the California Department of Aging, in partnership with specified entities, to develop and provide consumer advice regarding home modification for seniors and persons with disabilities.

Ch. 727 (AB 2534) Pavley. Watershed, Clean Beaches, and Water Quality Act.

Existing law provides for the protection and preservation of the coast of California, and regulates water quality in the state.

This bill would enact the Watershed, Clean Beaches, and Water Quality Act, which would provide for a program of grants to public agencies and nonprofit organizations for projects designed to improve water quality at public beaches, improve water quality monitoring and sewer capability, protect water quality by reducing runoff pollution, and controlling nonpoint source water pollution. The bill would prescribe procedures for funding projects under the act, as provided.

The bill would appropriate specified amounts derived from the proceeds of bonds issued under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 (Proposition 40 at the March 5, 2002, primary election) to the State Water Resources Control Board, the State Coastal Conservancy, and the Department of Forestry and Fire Protection for expenditure for the purposes of the bill.

Ch. 728 (AB 34) Runner. Veterans' Home of California.

The Veterans' Homes Bond Act of 2000 requires the proceeds from the sale of the bonds issued under that act to be deposited in a newly established Veterans' Home Fund. That act provides that upon appropriation by the Legislature, the moneys in that fund are to be allocated first to meet state funding requirements for the renovation or construction of those veterans' homes identified by a specified statute, and then to fund any additional homes established pursuant to the bond act.

Existing law continuously appropriates the moneys in the Veterans' Home Fund, without regard to fiscal years and in an amount not to exceed \$31,000,000, to meet state funding requirements for the construction of veterans' homes, located in the City of Lancaster and in the community of Saticoy, that are identified by the same specified statute, and a veterans' home located in West Los Angeles, that is an additional home established pursuant to the bond act.

This bill would provide that this appropriation is subject to the approval of the Department of Finance. The bill would also continuously appropriate, without regard to fiscal years, certain federal matching funds, as specified.

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. 729 (AB 42) Negrete McLeod. Public Employees' Retirement System.**

Existing law establishes the Board of Administration of the Public Employees' Retirement System and the composition of its membership.

This bill would authorize a specified member of the board to designate a deputy to act in the member's absence, as specified.

**Ch. 730 (AB 65) Strom-Martin. Reading First Plan.**

Under existing law, the required course of study for grades 1 to 6, inclusive, includes instruction in English, including knowledge of, and appreciation for literature and the language, as well as the skills of speaking, reading, listening, spelling, handwriting, and composition.

This bill would establish the Reading First Plan to provide reading instruction to pupils in kindergarten and grades 1 to 3, inclusive, and to special education pupils in kindergarten and grades 1 to 12, inclusive. Under the bill, the State Department of Education would administer the program that would be funded from moneys allocated pursuant to the federal No Child Left Behind Act of 2001. The bill would require the plan submitted pursuant to the federal act to authorize a local educational agency to use specific instructional materials and to receive grants of up to \$6,500 per teacher in kindergarten and any of grades 1 to 3, inclusive, to enhance reading instruction. The bill would authorize up to \$6,600,000 of federal funds appropriated in the annual Budget Act for the Reading First Plan to be allocated annually, pursuant to a schedule, to reading implementation centers identified in the state's Reading First Plan and to 6 regional lead agencies for technical assistance, and for other specified purposes in accordance with the Reading First Plan.

**Ch. 731 (AB 669) Hertzberg. State nonemergency telephone number system.**

Existing law requires local public safety agencies to maintain, in addition to a "911" emergency telephone number, a separate number for nonemergency calls. Existing law also sets forth the duties of the Division of Telecommunications of the Department of General Services in providing management oversight of statewide telecommunications systems developments, among other things.

This bill would authorize every local public agency, as defined, to establish a nonemergency telephone system and would specify that the digits "311" would be the dedicated nonemergency telephone number within the system. It would authorize the Division of Telecommunications of the Department of General Services to, among other things, aid local public agencies in the formulation of concepts, methods, and procedures that

will improve the operation of systems authorized by this bill and that will increase cooperation among public agencies.

Ch. 732 (AB 1889) Horton. Civil service: hearings.

Existing law authorizes the legislative body of a city to provide for the appointment of a civil service commission or personnel officer to which it may delegate powers and duties in relation to the civil service.

This bill would require that where an audio or stenographic recording is permitted of a hearing before the commission or a personnel officer, a copy of the recording shall be provided, upon request, to the employee bringing the appeal.

The bill would also require the city or its civil service commission or officer ordering or making a transcript of the recording to notify the affected employee of the transcription and the employee's right to obtain a copy of it and to provide a copy of the transcript promptly to the employee at the employee's request.

The bill would authorize the city to charge fees covering direct duplication costs for these recordings or transcripts.

Ch. 733 (AB 2059) Rod Pacheco. Public employee health benefits: survivors of firefighters and peace officers.

(1) The Public Employees' Medical and Hospital Care Act provides that, upon the death of a specified firefighter or peace officer from injury or disease relating to his or her official duties, the uninsured surviving spouse, as defined, and uninsured family members may enroll in an approved health benefits plan and a portion of the cost of that enrollment is paid by the state. Employer and employee contributions for health benefits are deposited into one of 2 continuously appropriated funds.

Under this bill, if the eligible family members of a deceased firefighter or peace officer, as specified, employed by a contracting agency were validly enrolled in an approved health benefits plan on the date of the employee's death, the contracting agency would be required to continue to pay the employer's contribution for the continued enrollment of those family members for a specified period. By increasing the contributions to a continuously appropriated fund, the bill would make an appropriation.

(2) Existing law limits the amount of money that a surviving spouse, or the guardian or conservator of the estate of the surviving spouse, may collect in salary or compensation owed from the employers of his or her deceased spouse to no more than \$5,000, as specified, without procuring letters of administration or awaiting probate of the deceased's will.

This bill would exempt from that \$5,000 limitation the surviving spouse or the guardian or conservator of the estate of the surviving spouse of specified firefighters or peace officers subject to the Public Employees' Medical and Hospital Care Act. The bill would also make that \$5,000 amount subject to an annual cost-of-living adjustment, as specified.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 734 (AB 2157) Papan. Credit unions.

The California Credit Union Law provides for the organization and regulation of credit unions by the Department of Financial Institutions, headed by the Commissioner of Financial Institutions.

This bill would recast the provisions of the law and revise the regulatory requirements with respect to a number of subjects, including organization, filing and certification, formation, and enforcement. The bill would make other related changes.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 735 (AB 2198) Lowenthal. Schools: violent crime.

Existing law makes each school district and county office of education responsible for the overall development of comprehensive school safety plans for its schools.

This bill would authorize a principal, or his or her designee, to notify each pupil's parent or legal guardian and each school employee in writing of the general nature of a violent crime, as defined, that occurs on the school site of an elementary or secondary school of which he or she is the principal. The bill would provide that, if a local law enforcement agency determines that disclosure of the crime would hinder an ongoing investigation, the notification would occur within a reasonable time, to be determined by the local law enforcement agency and the school district.

This bill would declare that it does not create any liability in a school district or its employees for providing notice of the occurrence of a violent crime.

Ch. 736 (AB 2206) Salinas. Transportation: rail service.

Existing law prescribes the allocation of funds from the Public Transportation Account and the State Highway Account, both in the State Transportation Fund.

This bill would require that funds previously allocated to the City of Seaside for the Fort Ord rail station right-of-way acquisition could also be used by the Transportation Agency for Monterey County for work at the Monterey Bay rail station and would require the commission to oversee the timely use of these funds in accordance with the requirements specified in current law.

By expanding the use of the funds originally authorized for expenditure for the Fort Ord rail station, the bill would make an appropriation.

Ch. 737 (AB 2399) Committee on Governmental Organization. Gambling: licensee; premises.

The existing Gambling Control Act provides for the licensure and regulation of gambling establishments operating in California. The act establishes the California Gambling Control Commission as the state agency charged with administering its provisions.

Existing law authorizes a person possessing a license to operate a gambling establishment to remove from his or her licensed premises any person who, while on the premises interferes with a lawful gambling operation or is intoxicated.

This bill also would expressly permit a person possessing a license to operate a gambling establishment to remove from his or her licensed premises any person who, while on the premises, is under the influence of a controlled substance.

Ch. 738 (AB 2431) Committee on Governmental Organization. Gambling control.

Existing law, the Gambling Control Act, provides for the licensure and regulation of various legalized gambling activities and establishments by the California Gambling Control Commission and the investigation, and discipline of those activities and establishments by the Division of Gambling Control within the Department of Justice, as specified.

This bill would renumber various sections and article headings within the Gambling Control Act; delete obsolete references to the former California Gambling Control Board; delete outdated operative date provisions within the act; and make other clarifying, technical, nonsubstantive changes.

The bill would also increase the salary of the chairperson of the commission; authorize additional commission offices in addition to the principal office; revise the deadline for the payment of license fees; and redistribute various powers and duties between the executive officer of the commission, the commission, and the division. The bill would also prohibit the Gaming Policy Advisory Committee from advising the commission on Indian gaming.

Ch. 739 (AB 2709) Wyland. Education: curriculum.

Under existing law, the adopted course of study for grades 7 to 12, inclusive, is required to include instruction in the social sciences, as prescribed.

This bill would require that instruction to contain instruction on World War II and the American role in that war. The bill would express the Legislature's intent to encourage that

**NOTE:** Superior numbers appear as a separate section at the end of the digests.

the instruction include a component drawn from personal testimony of American soldiers who were involved in World War II and those men and women who contributed to the war effort on the homefront. The bill would specify that this instruction shall be carried out in a manner that does not result in any new duties or programs being imposed on school districts.

Ch. 740 (AB 2770) Matthews. Solid waste: conversion technologies.

Existing law, the California Integrated Waste Management Act, requires the California Integrated Waste Management Board to administer state programs to recycle solid waste, plastic trash bags, plastic packaging containers, waste tires, newsprint, and other specified materials. Existing law provides for an external scientific peer review process to review the scientific basis of a regulation or policy proposed by the agencies, boards, and departments within the California Environmental Protection Agency.

This bill would define the term “gasification” for purposes of the act. The bill would revise the definition of the term “solid waste facility” to include a gasification facility, and would revise the definition of the term “transformation” to exclude gasification. The bill would require the board to include, as part of the annual report required to be submitted by the board to the Legislature on or before March 1, 2003, a report on new and emerging conversion technologies, including, but not limited to, noncombustion thermal technologies, including gasification and pyrolysis, chemical technologies such as acid hydrolysis or distillation, and specified biological technologies. The bill would require the report to be subject to a specified external scientific peer review process and to consult with the State Energy Resources Conservation and Development Commission and other state, federal, or international governmental agencies in preparing the report.

The bill would appropriate \$1,500,000 from the Integrated Waste Management Account to the board to prepare the report.

Ch. 741 (AB 2890) Wiggins. Pests.

Under existing law, the Pierce’s Disease and Glassy-winged Sharpshooter Board is charged with collecting and handling assessments on grape producers for expenditure on research and other activities related to the plant killing Pierce’s disease bacteria. It is empowered to submit recommendations to the Secretary of Food and Agriculture on the expenditure of these assessments, to receive money, and adopt appropriate procedures for its operation.

This bill would explicitly empower the board to coordinate its activities with the secretary’s science advisory board and agricultural/governmental advisory task force and would provide, in addition, that, notwithstanding any other provision of law, the secretary, upon the recommendation of the board, may contract with any nonprofit authoritative scientific body with expertise in agricultural issues in order to expedite research relating to the eradication of Pierce’s disease.

Existing law requires the Department of Food and Agriculture to establish a competitive grants program to make funds available to qualified private and public entities to conduct pest management research projects. Existing law specifies procedures and requirements relating to the awarding of these grants.

This bill would provide that the disbursement of research funds obtained from the assessment imposed by the Pierce’s Disease and Glassy-winged Sharpshooter Board shall be exempt from these procedures and requirements. It would specify that disbursement of these research funds shall be on a competitive bid basis.

Existing law imposes various requirements relating to the expenditure of research funds and requires that researchers protect the confidentiality of data and related information and materials produced in the course of these research projects, as specified. However, existing law exempts the University of California from these restrictions.

This bill would make the same exception provided to the University of California applicable to other public agencies or public institutions that are subject to interagency agreements.

Existing law requires the Secretary of Food and Agriculture to provide the Pierce's Disease and Glassy-winged Sharpshooter Board with a written statement of the reasons for a decision by the secretary, as specified, not to accept a recommendation of the board.

This bill would no longer require the secretary to provide the reasons for the decision in a written statement, but would, in addition, require the secretary to provide the board with the reasons for the decision within 15 days of the decision. The bill would make a clarifying change to the provision.

The bill would declare that it is to take effect immediately as an urgency statute.

#### Ch. 742 (SB 1427) Escutia. Low-cost automobile insurance.

Existing law establishes, until January 1, 2004, low-cost automobile insurance pilot programs for the County of Los Angeles and the City and County of San Francisco within the California Automobile Assigned Risk Plan. Existing law establishes the initial annual rate for low-cost automobile insurance in Los Angeles at \$450 and in San Francisco at \$410. Existing law requires a person to meet certain requirements to be eligible for a low-cost automobile insurance policy under the pilot programs, including being in a household with a gross annual income that does not exceed 150% of the federal poverty level. Existing law provides for minimum automobile liability insurance requirements, as specified. Existing law requires these low-cost automobile insurance policies to include certain attributes, including offering coverage in specified amounts for bodily injury and property damage that results from an accident. Existing law provides until January 1, 2004, that these amounts, which are lower than those generally required for automobile liability insurance, satisfy applicable financial responsibility requirements, as specified. Existing law authorizes the California Automobile Assigned Risk Plan to make available to an insured under the pilot programs a premium installment option that requires the insured to pay \$100 upon issuance of a low-cost policy followed by 6 other payments. Existing law provides that producers certified by the California Automobile Assigned Risk Plan that issue a low-cost automobile insurance policy pursuant to the pilot programs are entitled to the same commission rate as is paid by the plan.

This bill would delete the January 1, 2004, repeal date for the provisions establishing the low-cost automobile insurance pilot programs for the County of Los Angeles and the City and County of San Francisco and for certain provisions declaring that low-cost policies satisfy financial responsibility requirements, and would instead provide for the repeal of those provisions on January 1, 2007. The bill would require a low-cost automobile insurance policy to offer medical payments and uninsured motorist coverage but would authorize the charging of an additional premium for that coverage. The bill would increase the gross annual household income limit to be eligible for a low-cost automobile insurance policy from 150% of the federal poverty level to 250% of the federal poverty level. The bill would authorize the Insurance Commissioner to establish a commission for the sale of a low-cost automobile insurance policy issued pursuant to the pilot programs. The bill would require the commissioner to prepare and propose annually a plan to the Senate and Assembly Committees on Insurance setting forth the methods the commissioner intends to implement to inform households eligible for the pilot programs about the availability of low-cost automobile insurance.

The bill, effective March 1, 2003, would reduce the initial annual rate for low-cost automobile insurance in the County of Los Angeles to \$347 and in the City and County of San Francisco to \$314, per covered vehicle, unless the commissioner establishes a rate prior to that time, and would limit the initial premium installment payment authorized under the plan to 15% of the total policy cost. The bill would also require the policy to offer coverage for medical payments and would require an agent or representative of an insurer to inform

prospective policyholders that the policy is available to qualifying motorists. The bill would also specify that an additional premium may be charged for medical payments and uninsured motorist insurance coverage.

The bill would also provide that it would be operative only if SB 180 of the 2001–02 Regular Session is enacted and becomes effective.

Ch. 743 (SB 1703) Peace. San Diego: consolidated transportation agency.

Existing law, the San Diego County Regional Transportation Commission Act, requires the Board of Directors of the San Diego Association of Governments to serve as the San Diego County Regional Transportation Commission. Existing law provides that any board, commission, or department succeeding to the functions of the association is granted the powers and duties of the association.

This bill would create a consolidated transportation agency in San Diego from specified existing agencies, including the San Diego Association of Governments (SANDAG), the Metropolitan Transit Development Board (MTDB), and the North County Transit Development Board (NCTD), and would authorize that agency to assume certain responsibilities and functions of those agencies. The consolidated agency would be governed by a board of 20 members selected from specified areas within the county. The bill would provide that this agency assumes the powers of the transportation commission and would be designated the transportation planning agency for its area. The bill would allocate the agency's votes among the board and specify a weighted vote formula. The bill would create the executive, transportation, regional planning, and borders policy committees and would authorize these committees to perform specific functions. The bill would authorize the agency to own, operate, and maintain property and to adopt regulations regarding specified transportation matters. The bill would authorize the agency to, among other things, contract for goods and services, employ legal counsel, provide retirement benefits to its employees, enter joint powers agreements, provide insurance, and issue bonds. The bill would provide that the executive director is the administrator of the agency. The bill would require the agency to submit a report to the Governor and the Legislature beginning in 2005 regarding its progress in carrying out the provisions of this bill. The bill would make related conforming changes.

Ch. 744 (SB 1953) Figueroa. Contractors.

(1) Existing law, the Contractors' State License Law, creates the Contractors' State License Board within the Department of Consumer Affairs. Existing law authorizes the board to appoint a registrar of contractors who is responsible for all of the board's administrative duties. Under existing law, these provisions will become inoperative on July 1, 2003, and will be repealed on January 1, 2004.

This bill would extend these provisions to January 1, 2008. This bill would state that the highest priority for the board, in performing its licensing, regulatory, and disciplinary functions, is the protection of the public.

(2) Existing law requires the board, within 30 days prior to the meeting of the general session of the Legislature, to submit a report to the Governor and the Legislature describing its transactions for the preceding biennium.

This bill would require the board to submit an additional report to the Legislature, by October 1 of each year, containing statistical and case aging information, as specified, pertaining to complaints the board received the previous year.

(3) Existing law requires the Director of Consumer Affairs to appoint a Contractors' State License Board Enforcement Program Monitor who is responsible for monitoring and evaluating the board's disciplinary system and reforming the board's enforcement program. Existing law repeals this provision and this position on January 31, 2003.

This bill would extend this provision and this position until April 1, 2003.

(4) Existing law prohibits an applicant, officer, director, partner, associate, and a managing employee from committing any acts or crimes that are grounds for denial of a license. Existing law requires a home improvement salesperson to submit an application for licensure to the board with the appropriate fee.

This bill would require, on and after January 1, 2004, that all applicants for a contractor's license or a home improvement salesperson license submit a set of fingerprints to the board with his or her application. The bill would require the board to obtain and receive criminal history information from the Department of Justice and the Federal Bureau of Investigation for a criminal history records check.

(5) Existing law statutorily provides the fees that the board may charge for, among other things, an application for an original license, rescheduling an examination, and the renewal of an active or an inactive license.

This bill would authorize the board to set these fees by regulation, subject to increased fee maximums for specified licenses and services. Because these fees would be deposited into the Contractors' License Fund, which is continuously appropriated, the bill would make an appropriation.

(6) Existing law provides that the board may set fees at a level necessary to generate a 3-month reserve fund based on annual board expenses.

This bill would authorize the board to set fees to maintain the amount of the reserve fund at a level not to exceed approximately 6 months of annual authorized board expenditures.

(7) Existing law authorizes the Director of the Employment Development Department to permit the use of information in his or her possession for specified purposes.

This bill would additionally authorize the director to release information to the board so the board may verify the employment history of an individual applying for a contractor's license.

(8) This bill would incorporate additional changes in Section 144 of the Business and Professions Code proposed by SB 1952, to be operative only if SB 1952 and this bill are both enacted and become effective on or before January 1, 2003, and this bill is enacted last.

Ch. 745 (AB 381) Salinas. Transportation: transit operators: farebox ratio: study.

Existing law authorizes transit operators to file specified claims for operating costs from local transportation funds with the applicable transportation planning agency under the Transportation Development Act. Existing law also provides for allocation of State Transit Assistance funds to transit operators by transportation planning agencies. Existing law establishes certain farebox ratio and other efficiency requirements that transit operators are required to meet in order to receive those transit operating funds, subject to various exceptions.

This bill would require the Legislative Analyst, in consultation with transit operators, providers of community transit services, and the Department of Transportation, to conduct a specified analysis of changes in operating costs experienced by transit operators and providers that are beyond the control of those operators and providers, relative to farebox ratio requirements and other efficiency requirements imposed by law as a condition of receiving transit operating funds. The bill would require the Legislative Analyst to include findings in this regard in the analysis of the 2003-04 Budget Bill.

Ch. 746 (AB 499) Rod Pacheco. State Building 101: transfer of title.

Existing law generally authorizes the Department of General Services, with the approval of the State Public Works Board, to transfer surplus state land at no cost to a governmental agency when specified conditions apply.

This bill would require the Director of General Services to transfer title of state Building 101 to the City of Norco at no cost to the city, other than costs related to the actual transfer, in accordance with specified conditions.

Ch. 747 (AB 915) Frommer. Medi-Cal provider 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, and provides for the reimbursement of providers of Medi-Cal benefits.

This bill would provide for the payment of a supplemental reimbursement to adult day health centers and acute care hospitals owned by certain public entities that provide specified services to Medi-Cal beneficiaries.

The bill would make provision of supplemental reimbursement under the bill subject to the obtaining of any necessary federal approvals, and would require that it shall be funded wholly out of federal funds. It would also make the provisions of the bill inoperative in the event, and on the date, of a final judicial determination of any court of appellate jurisdiction or a final determination by the administrator of the federal Centers for Medicare and Medicaid Services that the supplemental reimbursement must be made to any facility not covered by the bill.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 748 (AB 1956) Vargas. Video arcades.

Existing law regulates the operation of various types of businesses.

This bill would require a video arcade, as defined, to post a sign notifying consumers that an industry-created rating system is available to aid in the selection of a game. The bill would also require a video arcade to make a brochure available upon request to consumers explaining this system.

Ch. 749 (AB 2012) Frommer. Insurance.

Existing law defines automobile insurance to include any warranty or guaranty that promises service, maintenance, parts replacement, repair, money, or any other indemnity in the event of loss or damage to a motor vehicle or any part thereof from any cause.

This bill would exclude from that definition a warranty issued by a manufacturer or provider of vehicle protection products covering the theft of a vehicle. The bill would require a warrantor to file certain information with the Insurance Commissioner and would impose other related requirements. The bill would authorize the commissioner to issue a stop order against a warrantor that is acting in violation of these provisions.

Ch. 750 (AB 2078) Kelley. Joint powers authorities: self-insurance.

Existing law authorizes a private nonprofit health care services corporation to participate, under specified conditions, when 2 or more health care districts have joined together to pool their self-insurance claims.

This bill would define "self-insurance claims or losses" for that purpose to include claims or losses incurred pursuant to specified provisions of law that require every employer except the state to secure the payment of compensation in a prescribed manner. The bill would also provide that the Self-Insurers' Security Fund established under the law governing workers' compensation shall owe no duties or obligations to any entity that participates pursuant to the above-described authorization.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 751 (AB 2132) Matthews. Medi-Cal: medical supplies: contracts.

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 enter into contracts with manufacturers of single-source and multiple-source drugs, on a bid or nonbid basis, for drugs from each major therapeutic category, and requires the department to maintain a list of those drugs for which contracts have been executed.

This bill would require the department to enter into demonstration contracts with manufacturers of medical supplies for four items of medical supplies existing on a designated pharmacy claims processing system. It would also require the department to maintain a list of the supplies for which contracts have been executed.

Ch. 752 (AB 2271) Aanestad. Health facilities: licensing and certification requirements.

Existing law provides for the licensure and regulation of health facilities by the State Department of Health Services. Existing law makes each hospital designated by the department as a critical access hospital under the federal Medicare Rural Hospital Flexibility Program eligible for supplemental payments, as specified.

This bill would provide that with respect to each hospital designated by the department as a critical access hospital, and certified as such by the Secretary of the United States Department of Health and Human Services under the federal Medicare Rural Hospital Flexibility Program, the department may develop criteria to waive any regulatory licensing and certification requirements that are in conflict with the federal requirements for designation in the federal program, if the department finds that it is in the public interest to do so, and the department determines that the waiver would not negatively affect the quality of patient care.

The bill would provide that the criteria established by the department shall not be considered regulations within the meaning of specified law, and would also prohibit the criteria from being adopted as regulations pursuant to that law. The bill would state that its provisions shall not be construed to mean that a critical access hospital is not a general acute care hospital, even if otherwise applicable regulatory requirements are waived pursuant to the bill.

Ch. 753 (AB 2277) Keeley. Absentee ballots: applications.

Existing law requires the Secretary of State to prepare and distribute to appropriate elections officials a uniform application format for an absent voter's ballot that conforms to statutory requirements.

This bill would require the Secretary of State, in addition, to prepare a uniform electronic application format for an absent voter's ballot, as specified. This bill would allow a local elections official to use the uniform electronic application and would require the official to deliver an absent voter's ballot to a person who submits an electronic application within the proper time that contains the required information.

This bill would require local elections officials who use the electronic application format to deliver a notice of defect to persons who submit an electronic application that does not contain the required information.

Existing law requires any individual, group, or organization that distributes applications for absent voter ballots to return the completed application forms to the appropriate elections official within a specified time period of receiving them.

This bill would impose a state-mandated local program by prohibiting, subject to infraction penalties for a violation, anyone other than the registered voter from submitting an electronic application for another voter.

This bill would require the Secretary of State to report to the Legislature, within one year of the first statewide election following implementation of this bill, on the impact, if any, of permitting electronic application for absentee ballots, including the impact of the electronic applications on voter participation.

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 2630) Cogdill. Airport security: airport improvement grants.

Under the Federal Aviation Administration Authorization Act of 1994, airport sponsors may submit applications to the Secretary of Transportation for financial assistance for airport improvement projects. Under the act, upon approval by the Secretary of Transportation, the United States government may pay for certain project costs.

Existing law establishes the Aeronautics Account in the State Transportation Fund. Existing law requires that funds in the account be paid to certain public entities owning and operating an airport for projects for airport and aviation purposes, as defined, or operation and maintenance purposes, as defined. Existing law authorizes any balance remaining in the fund to be used as a portion of the local match for federal Airport Improvement Program grants for general aviation airports, as defined, or reliever airports, as defined. Existing law prohibits the California Transportation Commission from allocating funds until the federal grant offer is accepted by the public entity. Existing law authorizes the Department of Transportation, upon allocation of the funds by the commission, to pay a public entity 5% of the amount of a federal Airport Improvement Program grant.

This bill would authorize the department, until December 31, 2006, upon allocation of the funds by the commission, to pay a public entity 10% of the local matching share of a federal Airport Improvement Program grant for security projects, as defined, at small general aviation airports, as defined.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 755 (AB 2668) Zettel. Pupil curricula: brain and spinal cord injury prevention.

Existing law sets forth the required, authorized, and prohibited course of study and requires the State Department of Education to adopt related curricula.

This bill would require the California Healthy Kids Resource Center, in consultation with the State Department of Education, and contingent upon receipt of funds for this purpose, to review, acquire, and circulate brain and spinal cord injury prevention curricula, as specified, for use, on a voluntary basis, by school districts maintaining kindergarten and any of grades 1 to 12, inclusive. The bill would also require the California Healthy Kids Resource Center to notify school districts regarding the availability of the approved curricula. The bill would require funding for these purposes to be provided by nonstate sources.

Ch. 756 (AB 2674) Chu. Medi-Cal: federally qualified health centers: primary care providers.

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, one of the methods for the provision of Medi-Cal services is through contracts between the department and local initiatives. Existing law provides that, except as otherwise specified, managed care subcontracts offered to a federally qualified health center or a rural health clinic by a local initiative, county organized health system, commercial plan, or a health plan contracting with a geographic managed care program, as defined, shall be on the same terms and conditions offered to other subcontractors providing a similar scope of service.

This bill would provide that any beneficiary, subscriber, or enrollee of a program or plan who affirmatively selects, or is assigned by default to, a federally qualified health center or rural health clinic under the terms of a contract between a plan, government program, or any subcontractor of a plan or program and a federally qualified health center or rural health clinic, would be assigned directly to the federally qualified health center or rural health clinic, and not to any individual provider performing services on behalf of the federally qualified health center or rural health clinic.

Existing law provides that a federally qualified health center or rural health clinic may voluntarily agree to enter into a capitated or other at-risk contract with a managed care program health plan if the federally qualified health center or rural health clinic agrees to specified conditions regarding cost, reimbursement, and supplemental reimbursement.

This bill would delete those provisions of existing law.

Existing law requires the department to afford public assistance recipients a choice of managed care arrangements and a choice of primary care providers under those arrangements.

This bill would provide that Medi-Cal beneficiaries shall be entitled to affirmatively select, or to be assigned by default to, any primary care provider, as defined.

This bill would also provide that when a Medi-Cal beneficiary is assigned, from any source, to a primary care physician, as defined, and that primary care physician is an employee of a primary care provider, as defined, the assignment shall constitute an assignment to the primary care provider.

This bill would incorporate additional changes in Section 14087.325 of the Welfare and Institutions Code proposed by SB 1413, that would become operative only if SB 1413 and this bill are both chaptered and become effective on or before January 1, 2003, and this bill is chaptered last.

#### Ch. 757 (AB 2963) Aroner. Income taxes: dependent care.

The Personal Income Tax Law, in modified conformity to federal income tax law, authorizes a refundable credit for household and dependent care expenses necessary for gainful employment, as provided. The credit is allowed only if the taxpayer furnishes more than one-half of the cost of maintaining a household that includes a qualifying individual.

This bill would expand the credit by providing that a child of parents who never married each other is a qualifying individual, if specified requirements are met.

The Tax Relief and Refund Account in the General Fund is continuously appropriated to make all payments required to be made to taxpayers or other persons, as specified.

By authorizing an increase in a refundable income tax credit to be paid from that account, this bill would make an appropriation.

This bill would incorporate additional changes in Section 17052.6 of the Revenue and Taxation Code, proposed by SB 1724, to become operative only if SB 1724 and this bill are both chaptered and become effective on or before January 1, 2003, and this bill is chaptered last.

This bill would declare that it is to take effect immediately as a tax levy.

#### Ch. 758 (AB 3024) Committee on Transportation. Vehicles.

Existing law imposes specified licensing and regulatory requirements on dealers of motor vehicles, as defined. The term "dealer" does not generally include persons engaged in the sale, purchase, or exchange of vehicles that are not intended for use on the highways, but does include persons who are engaged in the purchase, sale, or exchange of motorcycles subject to identification under the Vehicle Code that are not intended for use on the highways. A violation of any of the requirements is a crime, punishable as specified.

This bill would, in addition, impose these licensing and regulatory requirements on persons engaged in the purchase, sale, or exchange of trailers subject to identification under the Vehicle Code even though they are not intended for use on the highways. The bill would make a conforming change to a related provision. By making existing crimes applicable to a new category of persons, this bill would impose a state-mandated local program.

Existing law requires mileage records for vehicles operated under fleet registration to be maintained for 5 years, or until audited, whichever occurs first. Existing law also requires declared gross or combined gross weight records for those vehicles to be maintained for 3 years following the date the vehicle is deleted from the fleet. A violation of any of these provisions is a crime, punishable as specified.

This bill would instead require mileage records to be maintained for 3 years after the close of the registration year and declared gross and combined gross weight records to be maintained for 4 years after the close of the registration year in which the vehicle was deleted. By revising existing crimes, this bill would impose a state-mandated local program.

Existing law requires the Department of Motor Vehicles to impose a penalty of \$50 or 10% of underpaid fees, whichever is greater, for underpaid fees due in connection with apportioned registration, as specified.

This bill would make imposition of that penalty discretionary. This bill would also specify when waivers of the penalty would be authorized, and when penalty provisions imposed by other provisions of existing law would control, as specified.

Existing law provides that fees, including penalties and service fees, due for the operation of a fleet apportionately registered vehicle are a lien upon all vehicles operated as part of the fleet, and upon any other fleet vehicles operated by the registrant, and that these liens expire 3 years from the date the fee or penalty first becomes due, unless the lien is perfected, in which case the lien expires 5 years from the date of perfection, as specified. This bill would provide that liens arising because of an audit shall instead expire 4 years from the date the registration fees first become due, unless perfected, in which case the lien expires 5 years from the date of perfection, as specified.

Existing law provides for the imposition of a transfer fee by the owner of a trailer, trailer coach, or commercial vehicle.

This bill would delete the provision imposing the transfer fee in the case of a trailer.

Existing law provides for issuance of a temporary permit for a person applying for a vehicle salesperson's license. Existing law also provides that the permit becomes invalid when the Department of Motor Vehicles issues, or refuses to issue, a license, unless the applicant demands a hearing as provided.

This bill would delete the provisions relating to the provision of a hearing, and instead would provide that the permit shall become invalid when canceled or when the applicant's license is issued or issuance has been refused.

Existing law provides that any person, while having in his or her possession a valid instruction permit, may operate a motor vehicle, other than a motorcycle or motorized bicycle, when either taking driver training instruction or when practicing that instruction, provided the person is accompanied by, and is under the immediate supervision of, a California licensed driver 25 years of age or older whose driving privilege is not on probation. Existing law further provides that any driver's license issued to a person who is at least 16 years of age but under 18 years of age shall be issued pursuant to a provisional licensing program, as specified.

This bill would instead authorize a person who possesses a valid instruction permit that was not issued pursuant to a provisional licensing program to operate a motor vehicle, other than a motorcycle or motorized bicycle, provided the person is accompanied by, and is under the immediate supervision of, a California licensed driver 18 years of age or older whose driving privilege is not on probation.

Existing law generally requires the driver of a commercial motor vehicle that carries hazardous materials or that is hauling hazardous waste, as specified, to obtain an endorsement issued by the Department of Motor Vehicles in order to operate the vehicle. This requirement is not applicable to specified persons operating a vehicle transporting asphalt or coal tar pitch, as specified, or to specified persons transporting hazardous waste, as specified.

This bill would delete the above exemptions from the endorsement requirement and would make a clarifying change.

Existing law requires proof of financial responsibility for vehicles used by motor carriers. Existing law also specifies the acceptable documentation for proof of financial responsibility.

This bill would add to the list of acceptable documentation, proof of insurance coverage provided by a charitable risk pool, as specified.

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**NOTE:** Superior numbers appear as a separate section at the end of the digests.

This bill would make other technical, conforming, or clarifying changes to provisions relating to vehicles, the Resources Agency, and aeronautics.

This bill would also (1) incorporate additional amendments to Section 12805 of the Government Code as proposed by AB 103, contingent upon the prior enactment of AB 103; (2) incorporate additional amendments to Section 12509 and 12814.6 of the Vehicle Code as proposed by AB 2273, contingent upon the prior enactment of AB 2273; and (3) incorporate additional amendments of Section 286 of the Vehicle Code as proposed by SB 1743, contingent upon the prior enactment of SB 1743.

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. 759 (AB 3033) Committee on Judiciary. Family law.

(1) Existing law authorizes a court to order temporary spousal support during the pendency of any proceeding for dissolution of marriage or legal separation, consistent with specified criteria.

This bill would delete all criteria except those relating to domestic violence, as specified.

(2) Existing law creates, in the Department of Justice, the California Parent Locator Service and Central Registry which is required to collect and disseminate specified information with respect to any parent, putative parent, spouse, or former spouse. Existing law also requires the Director of the Department of Child Support Services to assume responsibility for implementing and managing all aspects of a single statewide automated child support system.

This bill would provide, instead, that upon implementation of the California Child Support Automation System, the Department of Child Support Services shall assume responsibility for the California Parent Locator Service and Central Registry pursuant to a letter of agreement, as specified, and would make related, conforming changes.

(3) Existing law authorizes the staff appraisers of specified state agencies to examine the records, including nonpublic records, of the county assessor.

This bill would authorize the staff appraisers of the Department of Child Services to examine those records.

Ch. 760 (AB 3048) Committee on Health. Health care.

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensing and regulation of health care service plans by the Department of Managed Health Care.

This bill would correct various obsolete references.

Existing law provides for the regulation of disability insurers by the Insurance Commissioner. Existing law, the California Major Risk Medical Insurance Program, provides major medical insurance coverage to subscribers who may not otherwise qualify for coverage due to a preexisting medical condition and provides that the Managed Risk Medical Insurance Board shall administer the program. Existing law authorizes the exclusion of coverage or benefits during the subscriber's first 6 months of participation in the program for any condition that an ordinary person would have sought diagnosis, care, or treatment for or for which medical advice, care, or treatment was recommended or received during the 6 months immediately preceding the subscriber's enrollment in the program. Existing law, however, prohibits exclusion of coverage for a preexisting condition if the subscriber has satisfied a specified waiting period for prior health insurance that was involuntarily terminated if the subscriber has applied to enroll in the program no later than 31 days after the involuntary termination of the prior coverage.

This bill would instead authorize the exclusion of coverage or benefits for a preexisting condition during the subscriber's first 6 months of participation in the program only for any

condition for which medical advice, diagnosis, care, or treatment was recommended or received during the 6 months immediately preceding the subscriber's enrollment in the program. The bill would prohibit the exclusion of coverage for a preexisting condition if the subscriber was covered under any creditable coverage, as defined, that was terminated if the subscriber applies to enroll in the program no later than 63 days after termination of the prior coverage or within 180 days of termination of the prior coverage if the subscriber lost his or her creditable coverage for specified reasons.

Ch. 761 (SB 68) Battin. Local agency investments.

Under existing law, all money in the possession of or collected by any state agency or department is state money and is subject to provisions governing its deposit and handling in trust accounts. Existing law also establishes the Local Agency Investment Fund, authorizes a local government having money in its treasury not required for immediate needs to remit it to the Treasurer for deposit in that fund for the purpose of investment, and prescribes the handling of that money.

This bill would designate money in the Local Agency Investment Fund as nonstate money and would enact additional separate provisions governing the deposit and handling of that money in trust accounts.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 762 (SB 540) Sher. Forest practices: penalties.

Existing law requires the Attorney General or a district attorney, upon the request of the Director of Forestry and Fire Protection, to, as part of a misdemeanor action brought for a violation of the Z'berg-Nejedly Forest Practice Act of 1973 or any rules or regulations of the State Board of Forestry and Fire Protection, petition the superior court to impose, assess, and recover a civil penalty, as specified.

This bill would delete the requirement that the petition to the superior court be made as part of a misdemeanor action.

Ch. 763 (SB 843) Perata. Omnibus Tuberculosis Control and Prevention Act of 2002.

Existing law establishes various communicable disease prevention and control programs, including one for tuberculosis. That program provides for testing of various persons for tuberculosis by prescribed licensed health professionals.

This bill would enact the Omnibus Tuberculosis Control and Prevention Act of 2002.

This bill would until January 1, 2006, permit any local health department to provide for certification, by the local health officer, of tuberculin skin test technicians, as defined, in accordance with specified requirements.

Existing law requires each health care provider who treats a person for active tuberculosis disease, each person in charge of a health facility, or each person in charge of a clinic providing outpatient treatment for active tuberculosis disease to promptly provide a disease notification report and written treatment plan to the local health officer at the times that the health officer requires, but no less frequently than when there are reasonable grounds to believe that a person has active tuberculosis disease, and when a person ceases treatment for tuberculosis disease.

Existing law prohibits a health facility, local detention facility, or state correctional institution from discharging or releasing a person known to have active tuberculosis disease or a person the medical staff of the health facility or of the penal institution has reasonable grounds to believe has active tuberculosis disease, unless the notification report and individual treatment plan requirements specified above have been met.

This bill would provide that when a person described above is released on parole from a state correctional institution, the notification and written treatment plan shall be provided to both the local health officer for the county in which the parolee intends to reside and the local

health officer for the county in which the state correctional institution is located. It would require the Department of Corrections to inform the parole agent, and other parole officials as necessary, that the person has active or suspected active tuberculosis disease and provide information regarding the need for evaluation or treatment. In addition, the bill would require the parole agent and other parole officials to coordinate with the local health officer in supervising the person's compliance with medical evaluation or treatment related to tuberculosis, and to notify the local health officer if the person's parole is suspended as a result of having absconded from supervision. The imposition of new duties on local health officers in connection with these provisions would create a state-mandated local program.

Existing law provides that in the case of a parolee under the jurisdiction of the Department of Corrections, the local health officer shall notify the medical officer of the parole region or the physician and surgeon designated by the Director of Corrections when there are reasonable grounds to believe that the parolee has active tuberculosis disease and when the parolee ceases treatment for tuberculosis.

This bill would instead require the local health officer to notify the assigned parole agent, when known, or the regional parole administrator.

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 993) Figueroa. Nursing.

Existing law, the Nursing Practice Act, provides for the issuance of a certificate by the Board of Registered Nursing to practice nurse-midwifery or to practice as a nurse practitioner, and describes the scope of practice authorized by the certificate. The act specifies in this regard that a certified nurse-midwife or a nurse practitioner may order or furnish drugs or devices pursuant to a standardized procedure, unless the certified nurse-midwife or nurse practitioner is in solo practice.

This bill would require a state department to consult with the board in promulgating regulations that affect the scope of practice of a certified nurse-midwife or nurse practitioner. The bill would also delete the practice restriction on the furnishing of drugs or devices applicable to a certified nurse-midwife or nurse practitioner in solo practice.

#### Ch. 765 (SB 1353) Perata. Harbors: Monterey Bay and the Bays of San Francisco, San Pablo, and Suisun: pilotage rates.

(1) Existing law specifies the rates of pilotage for vessels entering or leaving the Bays of San Francisco, San Pablo, and Suisun through the Golden Gate Bridge. The Board of Pilot Commissioners for those bays is required to adopt a schedule of pilotage rates for those operations that are not otherwise provided for under existing law. Existing law imposes a board operation surcharge of 7.5% of those pilotage fees, requires those funds to be deposited in the Board of Pilot Commissioners' Special Fund, and continuously appropriates those funds for the payment of the compensation and expenses of the board and its officers and employees and to fund pilot training programs.

This bill would require the rates specified for those vessels and the rates in the schedule adopted by the board to be increased by certain percentages pursuant to a specified schedule. The bill thereby would make an appropriation by increasing the amount of money deposited in a continuously appropriated fund.

(2) Existing law establishes the mill rate chargeable to the vessels specified above and authorizes that rate to be changed under certain circumstances, including when the number of licensed pilots is reduced to 60 pilots or falls below 60 pilots.

This bill would suspend until January 1, 2007, the authority to increase the mill rate under those circumstances.

Ch. 766 (SB 1590) Karnette. Motor vehicles: reportable property damage minimum.

Existing law requires the driver of every motor vehicle who is involved in an accident that has resulted in damage to the property of any one person in excess of \$500 or in bodily injury or in the death of any person to report the accident to the Department of Motor Vehicles within 10 days after the accident, as specified.

This bill would increase the minimum property damage that is required to be reported to \$750. The bill would make conforming changes to related provisions.

Ch. 767 (SB 1672) Costa. Integrated Regional Water Management Planning Act of 2002.

Existing law requires urban water suppliers, as defined, to prepare urban water management plans to facilitate long-term resource planning to ensure adequate water supplies to meet existing and future demands for water.

This bill would enact the Integrated Regional Water Management Planning Act of 2002. The bill would authorize a regional water management group, as defined, to prepare and adopt a regional plan, in accordance with certain procedures, that addresses programs, projects, reports, or studies relating to water supply, water quality, flood protection, or related matters, over which any local public agency, as defined, that is a participant in that group has authority to undertake.

The bill would require the Department of Water Resources, the State Water Resources Control Board, the State Department of Health Services, or CALFED, as appropriate, to include in any set of criteria used to select the projects and programs they administer under specified provisions of law or under a specified CALFED program a criterion that provides a benefit for qualified projects or programs.

Ch. 768 (SB 1699) Ortiz. Health care programs: denial of continued enrollment, suspension, and withholding of payment.

Existing law imposes various functions and duties on the State Department of Health Services and the Director of Health Services with respect to the administration and oversight of various health programs and facilities, including the Medi-Cal program.

Existing law provides that a Medi-Cal provider may be denied continued enrollment in, suspension from, or have payments withheld in connection with, the Medi-Cal program, if certain actions relating to fraud, abuse, or misrepresentation have been found to have taken place.

This bill would require the director to review the evidence supporting the denial of continued enrollment, suspension, or withholding of payments in cases where there is evidence of fraud, abuse, or willful misrepresentation on the part of a provider, as defined, for any health care program administered by the department, including the Medi-Cal program, and would authorize the director to deny continued enrollment, suspend, or withhold payments to, an applicant or provider with respect to other health care programs administered by the department if the director finds that certain conditions relating to fraud, abuse, and willful misrepresentation exist. The bill would also authorize the director to deny the application of an applicant or provider to participate in any health care program administered by the department when certain conditions relating to fraud, abuse, or willful misrepresentation exist or when utilization controls have been imposed on an applicant or provider.

Ch. 769 (SB 1769) Machado. Market milk.

Existing law authorizes the Secretary of Food and Agriculture to establish and administer a milk producers security trust fund and creates a Milk Producers Security Trust Fund Advisory Board to advise the secretary on the administration of the fund. Existing law directs the secretary to collect security charges on milk, and deposit those charges into the fund until the fund reaches the maximum provided for, as specified. Under existing law, when the fund reaches the maximum provided for in these provisions, the secretary is required to discontinue collection of the security charges except for the purpose of replacing periodically any withdrawals from the fund in order that the maximum amount in the fund is maintained.

This bill would authorize the secretary, in consultation with the board, to consider and use alternative financial instruments as an alternative to solely using security charges to meet the above security requirements. This bill would make other nonsubstantive, clarifying, and conforming changes.

Ch. 770 (SB 1879) Poochigian. Real estate: disclosures.

Existing law requires certain disclosures to be made upon the transfer of real estate and prescribes the manner and form of the disclosures. Existing law requires the seller of real property subject to a continuing lien securing the levy of special taxes pursuant to the Mello-Roos Community Facilities Act, or a fixed lien assessment collected in installments to secure bonds issued pursuant to the Improvement Bond Act of 1915, to make a good faith effort to obtain a disclosure notice concerning the tax assessment from each local agency that levies the tax or collects the assessment, on the property being transferred and deliver it to the prospective purchaser, as long as the notices are made available by the local agency.

Existing law, the Proposition 218 Omnibus Implementation Act, imposes prior notice, protest, and hearing requirements when a local agency levies a new or increased tax or assessment upon real property. Existing law also requires the legislative body of the local agency to designate an office, department, or bureau to prepare a "Notice of Special Assessment" and to furnish a seller of real property with a notice upon request.

This bill would provide that a seller of real property may satisfy its disclosure notice requirement by delivering a disclosure notice that is substantially equivalent, as specified, and obtained from another source, until December 31, 2004.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 771 (AB 337) Correa. Real estate: disclosures.

Existing law requires certain disclosures to be made upon the transfer of real estate and prescribes the manner and form of the disclosures. Existing law requires the seller of real property subject to a continuing lien securing the levy of special taxes pursuant to the Mello-Roos Community Facilities Act, or a fixed lien assessment collected in installments to secure bonds issued pursuant to the Improvement Bond Act of 1915, to make a good faith effort to obtain a disclosure notice concerning the tax assessment from each local agency that levies the tax or collects the assessment, on the property being transferred, and to deliver it to the prospective purchaser, as long as the notices are made available by the local agency.

Existing law, the Proposition 218 Omnibus Implementation Act, imposes prior notice, protest, and hearing requirements when a local agency levies a new or increased tax or assessment upon real property. Existing law also requires the legislative body of the local agency to designate an office, department, or bureau to prepare a "Notice of Special Assessment" and to furnish a seller of real property with a notice upon request.

This bill would provide that a seller of real property may satisfy the seller's disclosure notice requirement regarding the Improvement Bond Act of 1915 by delivering a disclosure notice that is substantially equivalent, as specified, and obtained from another source, until December 31, 2004.

The bill would also permit a seller of real property to satisfy the disclosure notice requirements described above by delivering a disclosure notice, obtained from a

nongovernmental source, that meets specified requirements. The bill would permit a notice provided by a private entity other than a designated office, department, or bureau of a levying entity to be modified as specified for clarity and accuracy, and would require that notice to include certain information.

Ch. 772 (SB 1926) Costa. Commissioner of Corporations.

(1) Existing law, the California Finance Lenders Law, provides for the regulation and licensure by the Commissioner of Corporations of persons engaging in the business of making consumer loans and commercial loans. A willful violation of the California Finance Lenders Law is a crime.

This bill would prohibit those persons from producing, advertising, offering, selling, distributing, or transferring for use in this state, any live check, as defined, unless the check contains a specified disclosure. The bill would prohibit live checks from being negotiable 30 days after the date printed on the live check. The bill would require a loan solicitation made through a live check to be honored in its full amount unless the account on which the solicitation is made is closed prior to the date the check is cashed. The bill would provide safeguards to protect consumers in the event a live check is used by someone other than the intended recipient of the live check. The bill would also authorize the commissioner to levy administrative penalties against licensees for willfully violating the bill.

Because a violation of this provision would be a crime, the bill would impose a state-mandated local program.

(2) Existing law requires a finance lender to retain specified records for 2 years.

The bill would increase the time for retaining these records to 3 years. The bill would make other changes with respect to the commissioner's authority to issue orders and enforce regulations relating to broker-dealers, escrow agents, finance lenders, and residential mortgage lenders.

(3) Existing law requires any person who engages in business as a broker-dealer to be licensed and regulated by the Commissioner of Corporations. Existing law, the Escrow Law, requires any person who engages in business as an escrow agent to be licensed and regulated by the commissioner. Existing law authorizes the commissioner to bring a civil action against a person who is in violation of a law or order regulating broker-dealers.

This bill would specify that in a case brought by the commissioner where a defendant is ordered to pay restitution, the order is deemed a money judgment and is fully enforceable by the victim as if it were a separate civil judgment.

(4) Existing law establishes the Escrow Law Advisory Committee and provides for the appointment and terms of its 11 members.

The bill would delete the requirement that the members from the Escrow Agents' Fidelity Corporation and the Escrow Institute of California serve 2-year terms.

(5) Existing law defines entity conversion transactions. Existing law authorizes the commissioner to charge and collect specified fees from broker-dealers regarding applications to sell specified securities.

This bill would expand the definition of entity transactions to include a conversion that occurs entirely out of state. The bill would require broker-dealers to pay a specified application fee to the commissioner if the broker-dealer engages in entity conversion transactions.

(6) This bill would incorporate additional changes to Section 25005.1 of the Corporations Code made by SB 399 if it is enacted prior to this 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.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 773 (SB 1982) Perata. Community care facilities: definition.

Existing law, the California Community Care Facilities Act, provides for the licensure and regulation of community care facilities, as defined, by the State Department of Social Services.

Existing law defines a community care facility to include an adult day care facility as a facility that provides nonmedical care to persons 18 years of age or older in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a 24-hour basis. Under existing law, a community care facility also includes an adult day support center, which is a community-based group program designed to meet specified needs of functionally impaired adults, in a protective setting on less than a 24-hour basis.

This bill would delete the definition of an adult day care facility for purposes of the act, and would revise the definition of an adult day support center to mean any community-based facility or program that provides care to persons 18 years of age or older in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of these individuals on less than a 24-hour basis. The bill would also redesignate adult day support centers as adult day programs.

This bill would require the department to adopt regulations to combine the existing categories of adult day care centers and adult day support centers into the new adult day program category. The bill would make additional conforming changes.

Ch. 774 (SB 2079) Burton. Driving instruction: motor carriers: drug testing.

Existing law generally regulates driving schools and driving instructors.

This bill would provide that these regulations may not be construed to direct or restrict driver education courses offered by private secondary schools, as defined, or to require credentialed or certified instructors in courses offered by those schools. The bill would make technical changes.

The bill would provide that these changes would remain in effect only until July 1, 2004.

Existing law imposes various requirements upon owner-operators providing transportation services to a motor carrier under the direction and control of that motor carrier, as specified. Existing law defines, for those purposes, "under the direction and control" as, among other things, the performance of transportation services by the owner-operator for a minimum of 60 days within the past 90 days, as specified.

This bill would specify that the relevant period would be 60 calendar days within the past 90 calendar days.

Existing law requires motor carriers and drivers to comply with federal requirements relating to, among other things, controlled substances and alcohol use and testing for the same. Existing law prohibits an applicant for employment as a commercial driver 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.

This bill would require an owner-operator to notify all other motor carriers with whom he or she is under contract when these requirements have been met. Violation of these provisions would be an infraction.

By creating a new crime, this bill would impose a state-mandated local program.

Existing law establishes a classification of motor carrier of property known as owner-operators.

This bill would require every motor carrier who is within the owner-operator classification to notify all other motor carriers with whom he or she is under contract when the status of the motor carrier changes so that he or she is no longer within the owner-operator classification. Violation of these provisions would be a crime pursuant to other provisions of law.

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.

This bill would provide that it is to take effect immediately as an urgency statute.

Ch. 775 (SB 2092) Committee on Revenue and Taxation. Taxation: property taxation: local sales and use taxes.

(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 statutory provisions, require an additional certification, as provided, by claimants of the exclusion as to their kinship status and other matters.

(2) Existing property tax law, pursuant to the authorization of the California Constitution, 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 permit persons over the age of 55 years and disabled persons to transfer a base year value of land, as well as the manufactured home, to and from manufactured home parks owned by resident-controlled entities.

The bill would permit these residents to file a claim for the same base year value transfer within 3 years of the reappraisal, within a specified period, of the pro rata share of the manufactured home park, instead of within 3 years from the day they sold an original property.

This bill would also clarify how specified amendments made by prior law, relating to transfer of base year value where the original home was damaged or destroyed, shall apply.

(3) Existing law provides that all property is taxable unless otherwise provided. Existing law permits a county board of supervisors to provide for the cancellation of a supplemental tax bill where the amount of the taxes to be billed is less than the cost of administration, not to exceed \$20, or \$50 for mobilehome accessories.

This bill would increase the maximum amount of taxes permitted to be canceled from \$20 to \$50, and would eliminate obsolete provisions relating to mobilehome accessories.

(4) The California Constitution authorizes the Legislature to exempt from taxation property that is used exclusively for religious, hospital, or charitable purposes, and is owned or held in trust by a nonprofit entity. Pursuant to this constitutional authority, existing law exempts from property taxation lower income housing, that meets specified conditions, that is owned and operated by the housing entity of a federally designated Indian tribe.

This bill would designate this latter exemption as the "tribal housing exemption" and would, for purposes of the exemption, specify the requirements for the filing of an exemption affidavit, and revise the definition of lower income housing to also include lower income households as defined by government financing agreements. The bill would provide for filing deadlines for the exemption, add provisions for partial exemptions in the case of late filing and for postlien date acquisition of property, and for other administrative matters.

(5) Existing law provides that if any property on the local roll has escaped assessment, the assessor is required to assess the property upon discovery.

This bill would permit a county board of supervisors to require that the assessor not make an escape assessment if the assessment would result in the amount of tax due being less than the cost of assessing and collecting the tax, not to exceed \$50.

(6) Existing property tax law provides, pursuant to the authorization of the California Constitution, for the exemption from property taxation of specified amounts of the assessed value of the home of a disabled veteran, or a veteran's spouse in the case in which the person has, as a result of a service-connected disease or injury, died while on active duty in military service. It also provides for partial exemptions, each applicable as provided and contingent upon an affidavit being filed, as specified.

This bill would make various revisions to these provisions to permit the disabled veterans' exemption to apply to property owned, but not resided in, by the individual on the lien date, and to terminate the exemption on the individual's prior residence as of the lien date. The bill would also establish an alternative final filing date, and make conforming changes with respect to escape assessments on property for which the exemption has been terminated.

(7) Existing property law requires each person owning taxable personal property with an aggregate cost of \$100,000 or more to file a signed property statement with the county assessor.

This bill would permit these statements to be filed electronically, subject to authentication, as specified.

(8) The existing Manufactured Home Property Tax Law currently refers to "manufactured homes," rather than mobilehomes.

This bill would conform various other references in property tax law provisions to make similar reference changes, and would clarify various provisions relating to manufactured homes.

(9) The bill would make various other technical, conforming changes to correct various cross-references and to conform provisions to related, current law.

(10) By imposing additional administrative duties on local tax officials, this bill would impose a state-mandated local program.

(11) The Bradley-Burns Uniform Local Sales and Use Tax Law requires that the place of use for reporting and transmitting any use tax with respect to a leased vehicle, as defined, is determined according to specified criteria.

This bill would define the term "motor vehicle," for purposes of these provisions, to mean a self-propelled passenger vehicle, other than a house car, or a pickup truck rated less than one ton.

(12) 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.

(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, 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. 776 (AB 2388) La Suer. Franchise Tax Board: debt collection program.

Existing law generally provides that fines, state or local penalties, forfeitures, restitution fines, restitution orders, or any other amounts imposed by a superior or municipal court of the State of California upon a person or any other entity that are due and payable in an amount totaling no less than \$250, in the aggregate, for criminal offenses, may be referred, by the county or the state, to the Franchise Tax Board for collection, as specified.

Existing law also provides that, for purposes of a manageable implementation and evaluation of this debt collection program, the Franchise Tax Board may limit referrals to 17 counties and requires the Franchise Tax Board to report to committees of the Legislature the results of the debt collection program, to specifically address the feasibility and advisability of expanding the debt collection program so that it may accept referrals from all 58 counties in the state.

Existing law provides that the provisions authorizing the debt collection program shall remain in effect until January 1, 2003.

This bill would extend the provision of the debt collection program to January 1, 2006.

Ch. 777 (SB 898) Perata. Check cashers: deferred deposit transactions.

Existing law provides for regulation by the Department of Corporations of finance lenders engaged in the business of making consumer or commercial loans. Existing law requires every owner of a check casher's business to obtain a permit from the Department of Justice.

This bill would enact the California Deferred Deposit Transaction Law, which except for specified provisions would become operative March 1, 2004, to provide for specific regulation of persons engaged in the business of making or negotiating deferred deposit transactions, which are transactions in which the lender defers depositing a consumer's personal check until a specific date pursuant to a written agreement. The bill would provide for the licensing of those persons by the Commissioner of Corporations and for the charging of unspecified fees. The bill would impose various duties on a person engaged in the business of making or negotiating deferred deposit transactions, and would specify the rights of a consumer in that regard. The bill would enact certain transition provisions relative to the transfer of responsibilities from the Department of Justice to the Department of Corporations. The bill would exempt persons engaged in the business of making or negotiating deferred deposits under the bill from the usury limitation in Section 1 of Article XV of the California Constitution. Because a violation of these provisions would be a crime, the bill would impose a state-mandated local program by creating new crimes. The bill would make related 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. 778 (AB 2244) Wayne. Prepaid calling cards and services.

Existing law regulates the sale of prepaid calling cards and services. Existing law requires a company that sells prepaid calling cards and services to make certain disclosures regarding fees and surcharges, and regulates the manner in which these fees are imposed.

This bill would add to the list of specified fees and charges that are required to be disclosed and would impose additional restrictions on the manner in which these fees and charges are imposed.

Existing law requires a company that sells prepaid calling cards and services to maintain a toll-free customer service number.

This bill would impose additional requirements in operating and maintaining the company's customer service number.

The bill would include certain transition provisions and make other related changes.

Ch. 779 (AB 2293) Liu. Consumer credit counseling organizations.

The Check Sellers, Bill Payers and Proraters Law provides for licensing and regulation by the Commissioner of Corporations of various licensees. That law provides for licensing and regulation of proraters, defined as persons who receive money from a debtor for the purpose of distributing the money among the debtor's creditors in full or partial payment of the debtor's obligations. Existing law provides an exemption from licensing and regulation under these provisions for certain nonprofit community service organizations that provide prorating services if those organizations comply with certain requirements.

This bill would establish new regulatory provisions exempting nonprofit community service organizations that engage in prorating activities from regulation if certain requirements are met. The new regulatory provisions would, among other things, authorize the commissioner to investigate violations of the Check Sellers, Bill Payers and Proraters Law, impose various civil penalties for a violation of that law, and would require moneys collected from certain penalties to be deposited in the State Corporations Fund. The bill would require the Department of Corporations to conduct a study of the consumer credit counseling industry in California and make certain recommendations to the Legislature by March 1, 2003.

Ch. 780 (AB 2957) Koretz. Employment: mass layoffs, relocations, and terminations.

Existing law provides for a system of labor standards enforcement administered by the Labor Commissioner.

This bill would preclude employers from ordering a mass layoff, relocation, or termination, as defined, of an industrial or commercial facility employing a prescribed number of people, without first giving 60 days' notice to affected employees and specified government agencies. An employer would not be required to comply with the 60-day notice requirement established by this bill if the employer is actively seeking capital or business that would enable the employer to avoid or postpone a relocation or termination, and the employer reasonably and in good faith believed that giving the 60 days' notice would preclude the employer from obtaining the capital or business.

This bill would further provide for civil penalties against an employer who fails to provide the required notices. Employees who bring a civil action to enforce the provisions of this bill would, at the discretion of the court, be entitled to recover attorney's fees. The court would also have discretion to reduce the amount of an employer's liability if the employer conducted a reasonable investigation in good faith and had reasonable grounds to believe that it was not violating the law. Payments to a person by an employer who is liable to that person under this bill would not be considered wages or compensation for personal services for purposes of unemployment insurance, and unemployment insurance benefits would not be denied or reduced by those payments.

Ch. 781 (AB 1943) Chu. Acupuncture.

Existing law, the Acupuncture Licensure Act, regulates the practice and licensure of acupuncture and establishes the Acupuncture Board to enforce and administer these provisions.

Existing provisions of the act require the board to establish standards for the approval of schools and colleges offering education and training in the practice of an acupuncturist.

This bill would require that those standards include a minimum of 3,000 hours of study in curriculum pertaining to the practice of an acupuncturist and would require that the revised standards be established by the board on or before January 1, 2004. The bill would provide that the standards would apply to all students entering programs on or after January 1, 2005.

This bill would declare the intent of the Legislature, if SB 1951 of the Statutes of 2002 is passed, to consider for implementation recommendations to increase curriculum hours for the licensure of acupuncturists in excess of 3,000 hours up to 4,000 hours. The bill would also declare the intent of the Legislature that the commission provide recommendations for

reviewing the competence of certain licensed acupuncturists and recommendations for training, testing, or continuing education of those acupuncturists.

Ch. 782 (SB 701) Torlakson. Redevelopment.

(1) The existing Community Redevelopment Law prohibits the Redevelopment Agency of the City of Oakland from receiving specified property tax revenue that the East Bay Regional Park District would be entitled to receive if a redevelopment plan had not been amended.

This bill would delete this prohibition.

(2) Existing law requires a redevelopment agency to use moneys in its Low and Moderate Income Housing Fund to increase, improve, and preserve the supply of low- and moderate-income housing, which is defined to include the preservation of certain units for a specified period of time.

This bill, instead, would require those units to be preserved for the longest feasible time, but not less than 55 years. It would also require the redevelopment agency to comply with its affordable housing obligation prior to exceeding a limit on the number of tax dollars that may be divided and allocated if required by specified provisions.

(3) Existing law requires a redevelopment agency that adopts a redevelopment plan to also adopt an implementation plan containing prescribed information, including how the project will implement, among other things, a requirement that the agency expend, over the duration of the implementation plan, the moneys in the Low and Moderate Income Housing Fund to assist housing for persons of low income and very low income in at least the same proportion as the total number of housing units needed for each of those income groups bears to the total number of units needed for persons of moderate, low, and very low income within the community, and to assist housing that is available to families with children, as prescribed.

This bill would, among other things, require the implementation plan to address specified matters relating to that requirement. It would, until January 6, 2012, exempt the Redevelopment Agency of the City of Covina from specified expenditure requirements regarding these moneys.

(4) Existing law requires the agency to periodically hold a hearing to review the redevelopment plan and the implementation plan, and requires notice of that hearing to be published, as specified.

This bill would require that review to address prescribed matters relating to replacement dwelling units, project area housing, and the disposition of Low and Moderate Income Housing Fund moneys. The bill would additionally require notice of that hearing to also be mailed to persons and agencies that have requested notice.

(5) Existing law authorizes 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 authorize until January 1, 2006, the Redevelopment Agency for the City of Fairfield 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.

(6) The bill would make additional conforming and clarifying changes relating to redevelopment agency assistance for low- and moderate-income housing units.

Ch. 783 (SB 772) Bowen. Electronic mail: service providers.

Existing law regulates the sending of unsolicited electronic mail advertisements.

This bill would require an electronic mail service provider, as defined, to give each customer notice at least 30 days prior to permanently terminating the customer's electronic

mail address, unless otherwise provided by law or contract. The bill would prohibit a contract from permitting termination of service without cause with less than a 30-day notice. The bill would provide that it supersedes and preempts all local agency provisions regarding notice of electronic mail termination by providers of electronic mail service. The bill would also provide that its provisions would become inoperative if a federal law or regulation is enacted regulating notice requirements in the event of termination of electronic mail service.

Ch. 784 (SB 1316) Committee on Judiciary. Court unification.

The California Constitution provides for the abolition of municipal courts and their unification within the superior courts, as specified.

This bill would conform various statutory provisions of law to the abolition of municipal courts and their unification within the superior courts.

The bill would also make related statutory changes with respect to certain superior court rules; the discontinuation of law libraries; jury service, to become operative January 1, 2004; funding of certain jury costs; the definition of subordinate judicial officers and their powers, duties, and compensation; the appointment, duties, and fees of court reporters; the setting of various court and related fees; the transfer of various duties from the county clerk to the clerk of the superior court; the duties of the Judicial Council and the California Law Revision Commission; provisions affecting county employees who work for the courts; the duties of sheriffs and marshals with respect to the courts; state and county charges for court fees and costs; the boundaries of judicial districts; the appointment and duties of various officers and employees of the superior court; and the definition of court operations for purposes of trial court funding.

The bill would also set forth the intent of the Legislature and the operation of the bill with respect to existing rights under the law. The bill would also provide that any other bill enacted in the year 2002 that takes effect on or before January 1, 2003, and that affects any section affected by this bill, except AB 3034, shall prevail over the changes made by this bill.

Ch. 785 (SB 1677) Alpert. Surrogate parents.

(1) Existing law authorizes a court to limit the control exercised over a minor by a parent or guardian in all cases where the minor is adjudged a ward or dependent child of the court.

Existing law provides for the appointment of an individual to act as a surrogate parent upon the referral of a child who is adjudged a ward or dependent child of the court to a local educational agency for special education and related services, or in cases where the child already has a valid individualized education program. Existing law provides that an individual acting as a surrogate parent has the same authority as a parent with respect to educational decisions concerning the child. Existing law prohibits the appointment of a surrogate parent under certain conditions. Existing law requires the local educational agency to appoint another surrogate parent if the child is moved from the home of the relative caretaker or foster parent who has been appointed as a surrogate parent.

Existing law defines a parent, for purposes of specified provisions governing special education programs, to include a person who has custody of a minor if neither a parent nor a legal guardian can be notified of education actions under consideration.

This bill would revise and recast these provisions. The bill would require that the local educational agency appoint a surrogate parent under the circumstances described above, if the court has specifically limited the right of the parent or guardian to make educational decisions for the child, and the child has no responsible adult to represent him or her as specified. The bill would also revise the definition of a parent, as described above, to also include persons acting in the place of a parent, as specified.

The bill would require the local educational agency to appoint a new surrogate parent if a dependent child or ward is moved from the home of the surrogate parent only if necessary to ensure adequate representation of the child. The bill would specify the requirements, duties, and term of service of a person who serves as a surrogate parent. The bill would

require a local educational agency to terminate the appointment if the surrogate parent is not properly performing the duties of a surrogate parent or if the person has a conflict of interest. The bill would also require the State Department of Education to develop a model surrogate parent training module and manual to be made available to local educational agencies.

By imposing new duties and a higher level of service upon local educational agencies, the bill would impose a state-mandated local program.

(2) Existing law requires that each social study or evaluation concerning a dependent child or a ward that is made by a social worker or child advocate appointed by the court and that is required to be received into evidence include a factual discussion of specified subjects. Existing law also requires the status of every dependent child or ward in foster care to be reviewed at least every 6 months. Existing law requires the court to make specified factual determinations regarding the dependent child or ward, and requires supplemental reports that include a factual discussion of specified subjects concerning the dependent child or ward.

This bill would require the social studies and evaluations described above to include a factual discussion of whether the right of the parent or guardian to make educational decisions for the dependent child or ward should be limited and, if it makes that recommendation, whether there is a responsible adult available to make educational decisions for the dependent child or ward. The bill would also require the court to make similar factual determinations regarding a dependent child or ward at the status review hearing and to appoint a responsible adult to make those educational decisions. The bill would require the supplemental reports filed concerning the dependent child or ward to include similar information. By imposing additional duties on local employees, 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, 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) The bill would provide that amendments made to Sections 358.1, 366, 366.1, 366.3, 706.5, and 727.2 of the Welfare and Institutions Code by its provisions take effect only if AB 886 of the 2001–02 Regular Session is enacted.

The bill also would recommend that the Judicial Council adopt appropriate rules, standards, and forms regarding the implementation of these provisions and the provisions of AB 886 of the 2001–02 Regular Session if this bill and AB 886 are enacted.

Ch. 786 (SB 1730) Bowen. Personal information.

(1) Existing law authorizes a consumer to place a security alert in his or her credit report by making a request in writing or by telephone to a consumer credit reporting agency, as specified. Existing law requires consumer credit reporting agencies to take specified actions in response to a request by a consumer to place a security freeze, as defined, on his or her credit report. Existing law makes various entities exempt from that requirement.

This bill would additionally exempt from those requirements the use of a consumer credit report by any person or entity administering a credit file monitoring subscription service to which the consumer has subscribed or by any person or entity for the purpose of providing a consumer with a copy of his or her credit report upon the consumer's request. The bill would also exempt a fraud prevention services company from the requirement to place a security alert or a security freeze in a credit report, as specified.

(2) Existing law prohibits a person or entity, except as specified, from publicly posting or displaying an individual's social security number, printing that social security number on

a card required for the individual to access products or services or on materials mailed to the individual, or otherwise requiring an individual to transmit or use that social security number. These provisions become operative in the case of a health care service plan, a provider of health care, and other, specified health care related entities as the requirements pertain to individual policyholders, employer groups, and enrollees of state medical insurance programs on various dates, as specified.

This bill would revise those provisions to additionally provide that they shall become operative in the case of the provision by any person or entity of administrative or other services relative to health care or insurance products or services on various dates, as specified.

Ch. 787 (SB 1798) Ackerman. 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 these provisions.

Ch. 788 (AB 2653) Chu. Criminal procedure.

Under existing law, to continue a hearing in a criminal proceeding specified procedures must be followed. Existing law makes an exception to these procedures and allows a party to make a motion for a continuance in which the moving party shows good cause for the failure to comply with the above requirements. "Good cause" is defined as those cases involving specified crimes in which the prosecuting attorney assigned to the case has another trial, preliminary hearing, or motion to suppress in progress in that court or another court. Existing law permits only one continuance per case for specified cases. Existing law also permits superior and municipal courts of a county to adopt consistent rules regarding the method of giving notice or waiver of service when a continuance is sought because of a schedule conflict.

This bill would include a hate crime within the list of crimes that constitute "good cause" for a continuance. This bill would only permit one continuance for cases involving hate crimes. This bill would remove provisions permitting courts to adopt rules regarding the method of service when there is a schedule conflict, as specified.

Ch. 789 (SB 253) Ortiz. Stem cells: human tissue: research.

Under existing law, it is unlawful for any person to knowingly acquire, receive, sell, promote the transfer of, or otherwise transfer any human organ, for purposes of transplantation, for valuable consideration.

Under existing law, human tissue may be removed in certain circumstances from human remains for the use of the tissue by authorized donees, including, but not limited to, physicians, hospitals, and educational institutions, for transplant, therapeutic, or scientific purposes.

This bill would declare that the policy of the state shall be that research involving the derivation and use of human embryonic stem cells, human embryonic germ cells, and human adult stem cells from any source, including somatic cell nuclear transplantation, shall be permitted, as specified. This bill would require a health care provider delivering fertility treatment to provide his or her patient with specified information. The bill would authorize a donation of a human embryo pursuant to specific requirements and would prohibit the purchase or sale of embryonic or cadaveric fetal tissue for research purposes.

Ch. 790 (SB 686) Ortiz. Health care service plans.

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care and provides for the department to be supported from the Managed Care Fund. Existing law requires health care service plans to pay an amount each fiscal year as a reimbursement of its share of all costs and expenses reasonably incurred in the administration of the act.

Existing law requires health care service plans to pay \$12,500 plus an amount up to an amount computed in accordance with a specified schedule, and requires specialized health care service plans to pay \$7,500 plus an amount up to an amount computed in accordance with a specified schedule as reimbursement for that cost. Existing law authorizes the director to impose an additional assessment, for the 2000–01, 2001–02, and 2002–03 fiscal years in order to provide the department with sufficient revenues to support costs and expenses, including maintaining a prudent reserve. Existing law permits the director to require a health care service plan to pay an additional assessment to provide the department with sufficient revenue.

This bill would change the maximum rate for reimbursement for the administration expenses to \$10,000 per plan. The bill would require non-specialized health care service plans to pay 65% of the department's costs and expenses for the ensuing fiscal year and specialized plans to pay 35% of the department's costs and expenses for the ensuing fiscal year, calculated on a per enrollee basis. The bill would, effective July 1, 2003, remove the director's authority to require a health care service plan to pay an additional assessment to provide the department with sufficient revenue.

Ch. 791 (SB 842) Speier. Health care: prescription drug benefits.

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the regulation of health care service plans by the Department of Managed Health Care. Existing law requires health care service plan contracts to provide specified coverage to enrollees and subscribers, including specified benefits regarding prescription drugs. Existing law provides that a violation of the act is a crime.

This bill would specify that certain provisions of the act requiring a health care service plan to include prescription drug benefits shall not be construed to deny or restrict the authority of the Department of Managed Health Care to ensure a plan's compliance with the act when a plan provides coverage for prescription drugs.

The bill would also specify procedures for a plan to request approval from the department for a copayment, deductible, limitation, or exclusion to its prescription drug benefits and would require the department to adopt regulations outlining the standards it uses in reviewing these requests. The bill would require the department to review periodically these regulations and, commencing on or before July 1, 2004, to report annually to the Legislature regarding the implementation of these provisions.

In addition, this bill would provide, subject to specified exceptions, that nonformulary prescription drugs include any drug for which an enrollee's copayment or out-of-pocket costs are different than the copayment for a formulary prescription drug.

Ch. 792 (SB 1092) Sher. Health care service plans.

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the regulation of health care service plans by the Department of Managed Health Care. Existing law requires each plan licensed by the department to pay various fees associated with the department's regulatory activities, including a share of costs and expenses associated with financial examinations, grievances, and complaints.

This bill would require until January 1, 2007, that the Director of the Department of Managed Health Care adopt regulations on or before July 1, 2003, to establish the Consumer Participation Program, which would allow for the director to award reasonable advocacy and witness fees to any person or organization demonstrating that the person or organization represents the interests of consumers and has made a substantial contribution on behalf of consumers to the adoption of any regulation or to an order or decision, as specified, made by the director. The bill would provide that fees awarded under these provisions would be considered costs and expenses of the department that may be recovered from health care service plans but would prohibit an increase in the amount of the fees. The bill would also

require the department to report to the Legislature before March 1, 2004, and annually thereafter, specified information concerning the Consumer Participation Program.

Ch. 793 (SB 1913) Committee on Insurance. Department of Managed Health Care and Department of Insurance: joint working group.

Existing law requires the Director of Managed Health Care in the Department of Managed Health Care to consult with the Insurance Commissioner in the Department of Insurance to ensure consistency of regulations relating to health care.

This bill would require the Department of Managed Health Care and the Department of Insurance to maintain a joint senior level working group to ensure clarity in enforcement and consistency in regulations. The bill would require the joint working group to review and examine certain procedures in the departments and to report its findings to the Insurance Commissioner and the Director of the Department of Managed Health Care to submit to the Legislature by January 1 of every year for 5 years.

Ch. 794 (AB 1401) Thomson. Health benefit coverage.

(1) The California COBRA Program (Cal-COBRA) and other provisions of existing law require health care service plans and health insurers to offer health benefit coverage to specified individuals who are without that coverage. Existing law also creates the Managed Risk Medical Insurance Board which administers the California Major Risk Medical Insurance Program (MRMIP) to provide major risk medical coverage to residents who are unable to secure adequate private health coverage. Under existing law, designated amounts from the Cigarette and Tobacco Products Surtax Fund are deposited annually into the Major Risk Medical Insurance Fund, which is continuously appropriated to pay for the MRMIP expenses. Existing law imposes requirements relating to the obligation of a health insurance issuer to provide coverage through a converted policy to certain individuals after they become ineligible for coverage through a group plan.

This bill would revise certain provisions of Cal-COBRA and other existing laws that require plans and insurers to offer health benefit coverage to certain individuals. The bill, in this regard, would, effective September 1, 2003, revise coverage requirements for converted policies and would also require a health care service plan and a health insurer to offer specified individuals who begin receiving continuation coverage on or after January 1, 2003, and who have exhausted their continuation coverage under federal continuation coverage provisions an opportunity to extend the term of their coverage to 36 months. The bill would also extend continuation coverage for specified individuals under Cal-COBRA to 36 months.

This bill additionally would establish a 4-year pilot program, commencing September 1, 2003, and terminating September 1, 2007, requiring that health care service plans and health insurers offer a standard benefit plan, based on benefit designs offered through the MRMIP. Under the pilot program, plans and insurers would be precluded from rejecting an application for coverage from an individual who was previously covered under the MRMIP for a period of 36 consecutive months. The bill would specify the amount of the individual or insured contribution required in the pilot program and would require the board to make payments from the Major Risk Medical Insurance Fund to plans and insurers for the provision of health care services under the standard benefit plan. Because the bill would authorize the expenditure of funds in a continuously appropriated fund for a new purpose, it would make an appropriation.

This bill would require the Legislative Analyst to report to the Legislature on the effectiveness of these provisions in providing health benefits to individuals who otherwise are unable to obtain that coverage. The bill would authorize the Managed Risk Medical Insurance Board, the Department of Managed Health Care, and the Department of Insurance to adopt emergency regulations to implement the provisions of the bill.

(2) Under existing law, a violation of the provisions of Cal-COBRA or the Knox-Keene Health Care Service Plan Act of 1975 which regulates the operations of health care service plans is punishable as a misdemeanor offense.

Because this bill would impose additional requirements with respect to the Knox-Keene Health Care Service Plan Act of 1975 and Cal-COBRA, the violation of which would be punishable as a criminal offense, it 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. 795 (AB 1996) Thomson. University of California: analysis of legislation mandating health care benefits and services.

Existing law regulates the provision of health care benefits by a health care service plan and by a health insurer.

This bill would request the University of California to assess legislation proposing mandated health care benefits to be provided by health care service plans and health insurers, and to prepare a written analysis in accordance with specified criteria.

This bill would request the University of California to develop and implement conflict-of-interest provisions that would prohibit a person from participating in any analysis in which he or she knows or has reason to know he or she has a material financial interest.

This bill would provide funding for the University of California's work from fees imposed upon health care service plans and health insurers, which would not exceed a total of \$2,000,000. The fees would be deposited in the Health Care Benefits Fund, which would be created by the bill. Initial startup funding would be loaned to the Health Care Benefits Fund from the Managed Care Fund and the Insurance Fund.

This bill would request the University of California to submit a report to the Governor and the Legislature by January 1, 2006, on the implementation of the bill's provisions.

The bill's provisions would remain in effect until January 1, 2007.

Ch. 796 (AB 2085) Corbett. Health care.

Under existing law, the Knox-Keene Health Care Service Plan Act of 1975, health care service plans are regulated by the Department of Managed Health Care. A violation of the act by a health care service plan is a crime.

Existing law requires a health care service plan to establish and maintain a grievance system approved by the department, under which enrollees and subscribers may submit their grievances to the plan.

This bill would require a health care service plan to provide a written acknowledgment of the receipt of a grievance within 5 calendar days of receipt unless the grievance is received by telephone, fax, e-mail, or online and meets specified requirements or unless the grievance is subject to expedited review. The bill would require the plan to keep a log recording specified information for certain grievances exempted from the requirement.

This bill would require every health care service plan to maintain a Web site and, effective July 1, 2003, would require a health care service plan to allow subscribers and enrollees to submit grievances to the plan online through its Web site. The bill would provide guidelines detailing the specific requirements for the online grievance submission process, including providing access to the department's Web site. The bill would exempt from the requirements, until January 1, 2006, health plans that utilize a hardware system that does not have the minimum system requirements to support the software necessary to meet those requirements.

Existing law requires every health care service plan to publish the Internet address of the Department of Managed Health Care and the plan's telephone number, as well as the California Relay Service's toll-free telephone numbers for the hearing and speech impaired, on every plan contract, on every evidence of coverage, on copies of plan grievance

procedures, on plan complaint forms, and on all written notices to enrollees required under the grievance process of the plan. Existing law specifies the language that is required to be used in the statement.

This bill would change the requirement that a health care service plan instead publish the California Relay Service's toll-free telephone numbers for the hearing and speech impaired to a requirement that the plan publish the department's TDD line for the hearing and speech impaired. The bill would also revise the language that is required in the statement to include more specific information regarding grievances, and to include information regarding eligibility for Independent Medical Review.

Because a violation of this bill's requirements regarding online grievances by a subscriber or enrollee 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. 797 (AB 2179) Cohn. Health care coverage.

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care. The act requires that the services provided by health care service plans be available to enrollees at reasonable times and makes a violation of its provisions a crime. Existing law also provides for the regulation of health insurers by the Insurance Commissioner.

This bill would require the Department of Managed Health Care and the commissioner to adopt, not later than January 1, 2004, regulations to ensure access to needed health care services in a timely manner. The bill would require the department and the commissioner to make specified reports to certain committees of the Legislature on March 1, 2003, and March 1, 2004, regarding the progress towards the implementation of these requirements. The bill would also authorize the Director of the Department of Managed Health Care to assess an administrative penalty against a plan in specified circumstances for its failure to comply with requirements concerning timely access to care.

By placing additional requirements on health care service plans, 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. 798 (AB 2420) Richman. Health care service plans.

Existing law, 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 the act's provisions a crime. This act prohibits a contract between a health care service plan and a risk-bearing organization, as defined, from including any provision that requires the risk-bearing organization to be at financial risk for the provision of health care services unless the provision has been first negotiated and agreed to by the parties or is included within a contract meeting specified criteria.

This bill would provide that no health care service plan contract that is issued, amended, or renewed in this state on or after July 1, 2003, shall require or allow a health care service provider, as defined, to assume or be at any financial risk, as defined, for certain designated items that would, instead, be reimbursed, as specified, by the health care service plan, subject to any applicable copayment or deductible. The bill would specify, however, that a health care service provider may request in writing to assume the financial risk for these items when negotiating an initial contract or renewing a contract with a health care service plan.

Because this bill would impose a requirement regulating health care service plans, the willful violation of which would be 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. 799 (AB 424) Thomson. Health insurance: conversion coverage.

Existing law imposes requirements relating to the obligation of a health insurance issuer to provide coverage through a converted policy to certain individuals after they become ineligible for coverage through a group plan. Under existing law, these requirements pertain to a group health insurance policy issued, amended, or renewed on or after January 1, 1983.

This bill would specify that certain existing requirements to provide coverage through a converted policy do not apply to a group policy that is issued, amended, or renewed on or after September 1, 2003. The bill would provide that its provisions would become operative on September 1, 2003, only if this bill and AB 1401 are both enacted on or before January 1, 2003.

Ch. 800 (SB 59) Escutia. Healthy Families Program.

Existing federal law establishes the State Children's Health Insurance Program, which provides funds to the states to expand the provision of health assistance to uninsured, low-income children. In California, this program is known as the Healthy Families Program and is administered by the Managed Risk Medical Insurance Board.

This bill would require the board to report to the Legislature on or before January 30, 2004, if federal funding is obtained, regarding its recommendations with respect to various initiatives regarding the State Children's Health Insurance Program. The bill would also include a statement of legislative findings and declarations.

Ch. 801 (AB 885) Daucher. Average daily attendance: Internet classroom.

Existing law prescribes the method for computing average daily attendance of pupils under the direct supervision, as defined, of school district personnel for the purpose of determining school district apportionments.

This bill would, notwithstanding any other provision of law, for the purposes of an online classroom program conducted over the Internet, as defined, in a secondary school, include as "immediate supervision," pupil participation in an online asynchronous interactive curriculum, as defined, provided by certificated school personnel. The bill would require schools that provide an online asynchronous interactive curriculum to meet certain requirements including, applying to the State Department of Education for participation in the program. The bill would limit total participation in the program to 40 schoolsites, and would restrict any one school district under the program to no more than 5 schoolsites. The bill would permit courses other than high school courses to be eligible for online classroom programs pursuant only to a waiver from the State Board of Education.

This bill would repeal these provisions on January 1, 2006.

This bill would require the Controller to provide for a financial audit of online classroom programs conducted over the Internet that are subject to the provisions of the bill.

Ch. 802 (AB 1781) Hertzberg. Instructional materials: funding.

(1) Existing law establishes the California Classroom Library Materials Act of 1999 to provide state funding for classroom library materials and establish the Business Organizations and Opportunities for Kids Fund for the donation of moneys by private entities for classroom reading materials.

This bill would repeal certain provisions in the California Classroom Library Materials Act of 1999 regarding state funding.

(2) Existing law provides for the State Instructional Materials Fund as a means of annually funding the acquisition of instructional materials. Existing law requires the State Board of Education to encumber the fund for the purpose of establishing an allowance for the governing board of each school district, which may reflect increases or decreases in average daily attendance, that the district board may use for instructional materials, tests, textbooks, and in-service training.

This bill would additionally authorize a school district to use the funding to purchase classroom library materials for kindergarten and grades 1 to 4, inclusive, on the condition that the school district develop a districtwide classroom library plan, as specified. The bill would authorize the allowances to reflect increases or decreases in enrollment instead of average daily attendance.

(3) Existing law requires the Controller, during each fiscal year, to transfer from the General Fund to the State Instructional Materials Fund, a specified amount per pupil in average daily attendance in the public elementary schools during the preceding fiscal year, as provided, and requires the superintendent to annually apportion to each school district \$14.41 per pupil enrolled in grades 9 to 12, inclusive, in the school district in the prior fiscal year for the purpose of purchasing instructional materials.

This bill would make those funding provisions inoperative on January 1, 2003, and would provide for their repeal on January 1, 2007.

(4) Existing law provides for the Pupil Textbook and Instructional Materials Incentive Account in the State Instructional Materials Fund to ensure availability of textbooks and instructional materials.

This bill would make those provisions relating to the account inoperative on January 1, 2003, and would provide for their repeal on January 1, 2007.

(5) This bill would establish the Instructional Materials Funding Realignment Program to provide funding for instructional materials to school districts, as defined, on the basis of an equal amount per pupil enrolled in kindergarten and grades 1 to 12, inclusive, in the prior year, except as specified.

This bill would authorize the State Board of Education to permit a school district to use any state basic instructional materials allowance to purchase standards-aligned materials, as specified.

This bill would require a local governing board to use funding received pursuant to the program to ensure that each pupil is provided with a standards-aligned textbook or basic instructional materials, as adopted by the state board or the local governing board, as specified. The bill would provide that if any funds received pursuant to the program remain after providing each pupil with a standards-aligned textbook or basic instructional materials in core curriculum areas and if the local governing board has met certain eligibility requirements, the remaining funds may only be used for instructional materials, as specified. The bill would permit the State Board of Education to grant additional time to the school district to meet the purchasing requirements if the governing board of the school district meets specific criteria.

This bill would provide that specified funds appropriated in the Budget Act of 2002 shall be used for purposes of the program. Under the bill, the program would become inoperative on July 1, 2007, and would be repealed as of January 1, 2008.

#### Ch. 803 (AB 1926) Horton. Discrimination: housing.

(1) Existing law authorizes any person holding an ownership interest of record in property containing a restrictive covenant determined by the Department of Fair Employment and Housing to violate the fair housing laws to cause the recording of a modified document with the covenant stricken, as prescribed.

This bill would, under specified circumstances, authorize any person holding an ownership interest of record in property that he or she believes is subject to an unlawfully restrictive covenant to submit for recordation a modified document with the covenant

stricken. The bill would authorize the county recorder to record the document and, if recorded, would require the recorder to provide a specified form for attachment to the front of the document. The bill would create a state-mandated local program by imposing new duties on the county recorder.

(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. 804 (AB 2533) Jackson. Postsecondary education: campus crime reporting.

Existing law establishes the California Postsecondary Education Commission as the statewide postsecondary education coordinating and planning agency, which serves as a fiscal and program adviser to the Governor and the Legislature on postsecondary educational policy. The federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act requires that eligible institutions of higher education participating in federal student assistance financial grant programs or federal work study programs, to collect, and annually prepare, publish, and distribute to current students and employees, and to applicants for enrollment or employment upon request, an annual security report containing information with respect to the campus security policies and campus crime statistics of that institution. The act further requires that the institutions annually file statistics concerning the occurrence of crimes on campus or on noncampus buildings or property, with the federal Secretary of Education.

This bill would require the State Auditor, by January 1, 2004, and every 3 years thereafter, to report the results of an audit of a sample of not less than 6 institutions of postsecondary education that receive federal student aid, to evaluate the accuracy of their statistics and the procedures used by the institutions to identify, gather, and track data for publishing, disseminating, and reporting accurate crime statistics in compliance with the Clery Act and to report the results of those audits to the respective chairs of the Assembly Higher Education Committee and the Senate Education Committee. The bill would further require the commission to provide on its Internet Web site a link to each California institution of higher education's Web site that includes that institution's criminal statistics information.

Ch. 805 (AB 2996) Committee on Budget. Transportation.

(1) Existing law authorizes the California Transportation Commission to allocate federal and state transportation funds to the Department of Transportation for an enforceable commitment to the California Economic Development Financing Authority for implementing the purposes of the Transportation Finance Bank, relative to funding guarantees for loans and other instruments of credit for transportation projects that have a dedicated revenue source and are eligible under a federal demonstration program.

This bill would revise these provisions to instead require the department to act as a lender in administering the Transportation Finance Bank. The bill would require the department to develop guidelines and loan documents for the program and to present them to the commission for adoption. The bill would revise the program to delete the provisions for loan guarantees. The bill would create the Local Transportation Loan Account in the State Highway Account in the State Transportation Fund for the management of funds for loans to local entities under these provisions. The bill would require specified funds and interest and penalties to be deposited in the new account. The money in the new account would be continuously appropriated to the department, thereby making an appropriation. The bill would require the department to report to the Legislature annually on the program.

(2) Existing law creates the Seismic Safety Retrofit Account in the State Transportation Fund, and requires each annual proposed transportation budget to include an amount recommended to be transferred from the State Highway Account to the Seismic Safety Retrofit Account based upon the Department of Transportation's estimate of state funds

necessary to fund the seismic retrofit program during the budget year. Under the program, publicly owned state and local bridges throughout the state, including pedestrian and rail transit bridges, are evaluated for seismic structural sufficiency and projects funded from the Seismic Safety Retrofit Account are undertaken to remedy any deficiency.

This bill would repeal these provisions. The bill would transfer any funds remaining in the Seismic Safety Retrofit Account to the State Highway Account effective June 30, 2002, with any outstanding encumbrances to be paid from the State Highway Account. The bill would authorize the department to administer local seismic safety bridge retrofit projects consistent with requirements applicable to other local bridge projects and to allocate State Highway Account funds to those projects to the extent funding is provided through the annual Budget Act.

(3) Existing law creates the Toll Bridge Seismic Retrofit Account in the State Transportation Fund for the purpose of funding seismic retrofit or replacement of state-owned toll bridges, and the money in the account is continuously appropriated to the Department of Transportation for this purpose. Existing law generally requires state agencies seeking to invest funds or to sell or exchange securities to obtain prior approval from the Department of Finance, with certain exceptions.

This bill would authorize the Department of Transportation, in consultation with the Department of Finance and the Office of the State Treasurer, to invest bond or commercial paper proceeds deposited into the account in obligations permitted by the Treasurer, and would require those investments to be included as cash balance for purposes of reporting the condition of the account. The bill would also require notification by the Department of Finance of certain legislative committees prior to the initial issuance of bonds or commercial paper pursuant to these provisions and would enact other related financial provisions relative to the use of interest income and the reserve funds created to support the financing. The bill would prohibit the use of this interest income or of reserve funds to pay project costs in excess of a specified amount, and would prohibit the existence of reserve funds, other than debt service reserve funds, subsequent to the completion of seismic retrofit projects. The bill would authorize the Department of Finance to establish the accounting and a reporting system used to determine the expenditures, cash needs and the balance of the account.

(4) Under existing law, certain fines and fees collected from motor carriers of property, as defined, are deposited in the Motor Carriers Permit Fund.

This bill would abolish the Motor Carriers Permit Fund effective July 1, 2003, and cause those fines and fees to be deposited in the Motor Vehicle Account in the State Transportation Fund instead. This bill would require any unencumbered balance remaining in the Motor Carriers Permit Fund on June 30, 2003, to be transferred and deposited into the Motor Vehicle Account by the end of that day. This bill would require that any other amounts collected or received as revenues or transfers directed to the Motor Carriers Permit Fund after June 30, 2003, shall also be transferred and deposited into the Motor Vehicle Account.

(5) Existing law requires the Department of Motor Vehicles to publish and distribute copies of the California Vehicle Code, and other specified laws, to specified government entities and to public secondary schools who request a copy, at no cost. Existing law requires the department to provide a copy upon request to any other person at a cost not to exceed \$3.

This bill instead would require the department to distribute the copies at a charge sufficient to pay the entire cost of publishing and distribution.

(6) Existing law establishes fees for original and renewal registration of vehicles, and weight fees for commercial vehicles, to be collected by the Department of Motor Vehicles. Existing law also establishes various penalty fees for late registration of vehicles.

This bill would revise the provisions relating to late fees, to be applied on or after January 1, 2003, and would appropriate \$3,693,000 from the funds collected from the registration, but not specified penalty fees to the Department of Motor Vehicles for purposes of implementing certain provisions of this act.

(7) Existing law authorizes the Department of Motor Vehicles to permit inspection of, or sell, or both, information from its records concerning the registration of any vehicle or information from the files of drivers' licenses, with specified limitations, at a charge sufficient to pay the actual cost to the department for providing the inspection or sale of the information, with the charge to be determined by the director of the department.

This bill would revise these provisions to be consistent with other related provisions that allow the department to sell copies of its records at a charge sufficient to pay at least the actual cost to the department.

(8) Existing law authorizes the Department of Motor Vehicles to allow access to the department's database, with specified limitations, by special permit for the purpose of obtaining vehicle registration information for commercial use. Existing law provides that the director of the department must charge fees for the direct-access service permits, and must charge fees sufficient to pay at least the entire actual cost to the department for any information copied from the files.

This bill would expand the authorization of the director to permit access to the department's database for any information rather than merely vehicle registration information, as provided. This bill would also provide that the director must charge fees sufficient to pay at least the actual cost to the department for any information copied from the files, as specified.

(9) Existing law requires the Department of Motor Vehicles to notify a person by certified mail, return receipt requested, when the department suspends or revokes the person's privilege to operate a motor vehicle. Existing law also provides a conclusive presumption that a person has knowledge of the suspension or revocation if notice is sent pursuant to these provisions.

This bill would instead, require the department to send the notice by first-class mail, and would provide that the presumption of notice is rebuttable, and that the presumption affects the burden of proof. The bill would make other technical and conforming changes to these provisions.

(10) Existing law provides for the payment of a \$12 fee in conjunction with an application for an original driver's license, as specified.

This bill, on or after July 1, 2003, would require the payment of an additional \$5 for any person who fails to successfully complete the driving skill test on the first attempt, for each additional driving skill test administered under that application.

(11) Existing law provides for the payment of a \$15 fee in conjunction with an application for a renewal of a driver's license, as specified.

This bill, in addition, on or after July 1, 2003, would require the payment of an additional \$5 for any person who fails to successfully complete the driving skill test on the first attempt, for each additional driving skill test administered under that application.

(12) Existing law requires the payment of a \$100 fee for administrative costs before a driver's license may be issued, reissued, or returned to a person, where the person's privilege to operate a motor vehicle was suspended or revoked by the department for specified reasons.

This bill would increase that fee to \$125.

(13) Existing law provides that persons subject to a hearing for suspension or revocation of their driver's license for specified reasons may request a departmental review of the decision taken pursuant to the hearing.

This bill would impose an administrative fee of \$120 to pay for the costs of the departmental review.

(14) The bill would declare that it is to take effect immediately as an urgency statute.

#### Ch. 806 (AB 3027) Committee on Judiciary. Courts.

(1) Existing law provides that a public entity, its employees, and volunteers are not liable under the Governmental Tort Liability Act for advice provided to small claims litigants.

This bill would provide that independent contractors, as well as employees and volunteers, who provide advice to small claims litigants or potential litigants as a public service on behalf of a court or county are not liable for that advice under that act.

(2) Existing law specifies the deadlines for service of a claim and order on a defendant in small claims court.

This bill would extend those deadlines, as specified, set a deadline for the postponement of a small claims court hearing, and require a request for postponement to be for good cause.

(3) Existing law provides for the unification of municipal and superior courts.

This bill would delete obsolete provisions regarding the transfer of cases between a municipal and superior court.

(4) Existing law authorizes a superior court in a county in which there is no municipal court to transfer a limited civil case to another branch or location of the superior court in the county.

This bill would repeal this provision and enact new provisions regarding the proper location of the superior court in a county in which a particular matter shall be heard. The bill would authorize a superior court, by local rules, to designate the nearest or most accessible location for the trial of specified cases, and to provide for the transfer of cases to the proper location in the county. The bill would also make related changes.

(5) Existing law authorizes a trial court, on the motion of a party or its own motion, to strike a pleading, dismiss an action, enter a default judgment, or impose lesser penalties, as well as to require the opposing party or his or her counsel to pay the reasonable expenses of the moving party.

This bill would prohibit the imposition of any penalty under this provision without prior notice to, and an opportunity to be heard by, the party against whom the penalty is sought to be imposed.

(6) Existing law provides for the advance deposit of jury fees and mileage or transportation allowance, and the ways in which a jury trial may be waived for failure to provide these advance deposits, in a civil action. Existing law also provides the ways in which an opposing party may reinstate the jury trial following waiver by the party who originally requested a jury trial.

This bill would revise the provisions for the advance deposit of jury fees and mileage or transportation allowance, and the ways in which a jury trial may be waived for failure to provide these advance deposits, in a civil action. The bill would also delete the provisions for an opposing party to reinstate a jury trial following waiver by the party who originally requested a jury trial.

(7) Existing law prescribes the form of an oath, affirmation, or declaration in an action or proceeding.

This bill would make a technical, nonsubstantive change in that provision.

(8) Existing law specifies the methods for service of papers opposing a motion and all reply papers.

This bill would extend these provisions to apply to opposition and reply papers regarding motions for summary judgment or summary adjudication.

(9) Existing law establishes the evidentiary privilege between the clergy and their penitents.

This bill would make technical, nonsubstantive changes in those provisions.

Ch. 807 (SB 219) Scott. Income taxes: federal conformity: victims of terrorism.

The Personal Income Tax Law provides for, in specified conformity to federal income tax laws, the tax treatment of certain survivor benefits, provisions relating to estates, trusts, beneficiaries, and decedents, postponement of certain tax deadlines, and disclosure of tax return information.

This bill would also provide conformity to the federal Victims of Terrorism Tax Relief Act of 2001, as specified.

The Personal Income Tax Law or the Bank and Corporation Tax Law, or both, as applicable, provide conformity to federal income tax law with respect to, among other things, an exclusion of certain items from gross income including amounts received as qualified scholarships, the Ricky Ray Hemophilia Fund, deferred compensation, retirement plans, special rules for nondealers with respect to installment obligations, and an election to be an "S" corporation.

This bill would provide additional conformity to federal law relating to secured indebtedness with respect to nondealers, the election to be an "S" corporation, and the exclusion from gross income with respect to qualified scholarships. The bill would also clarify the taxable years to which specified federal provisions apply and make various technical changes.

Existing law provides for the waiver of interest accrued against the income tax liability of an individual during a filing extension period authorized for individuals determined to be affected by a presidentially declared disaster, if that individual is located in an area affected by a presidentially declared disaster or in a county or city that is proclaimed by the Governor to be in a state of disaster.

This bill would extend this waiver provision to any taxpayer, including a business entity, located in an area affected by a presidentially declared disaster or in a county or city proclaimed by the Governor to be in a state of disaster.

Existing income tax laws authorize the Franchise Tax Board to provide for the filing of a group return for electing nonresident partners, as specified.

This bill would authorize the board to adjust the income of those taxpayers to properly reflect income, as provided.

Existing law pertaining to personal income taxes provides for a specified statute of limitations for filing a claim for refund.

This bill would suspend the running of that statute of limitations in the case of an individual who is financially disabled, as provided.

This bill would declare that it is to take effect immediately as an urgency statute.

#### Ch. 808 (SB 1476) O'Connell. High school exit examination.

Under existing law, the Superintendent of Public Instruction, with the approval of the State Board of Education is required to develop a high school exit examination in language arts and mathematics in accordance with the statewide academically rigorous content standards adopted by the State Board of Education.

This bill would provide that language arts refers to English language arts.

This bill would require a school principal, at the request of a parent or guardian, to submit a request for a waiver of the requirement to successfully pass the high school exit examination to the governing board of the school district for a pupil with a disability who has taken the high school exit examination with modifications, as defined for that purpose, that alter what the test measures and has received the equivalent of a passing score on one or both subject matter parts of the high school exit examination. The bill would authorize the governing board of the school district to waive the requirement to successfully pass one or both subject matter parts of the high school exit examination for a pupil with a disability if specified conditions are met. By imposing new duties on schools regarding that waiver process, 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.

This bill would incorporate additional changes to Section 60851 of the Education Code proposed by AB 1794, to become effective only if AB 1794 and this bill are chaptered and become effective on or before January 1, 2003, and this bill is chaptered last.

Ch. 809 (SB 1504) Ackerman. Instruments.

(1) Existing law requires a person recording a notice of default of a mortgage or deed of trust to perform specified actions, one of which is to provide a copy of a 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.

This bill would provide that the failure to provide the Internal Revenue Service the notice of sale is sufficient cause to rescind the trustee's sale and invalidate the trustee's deed, at the option of either the successful bidder at the trustee's sale or the trustee, and in either case with the consent of the beneficiary. The bill would permit the rescission of the trustee's deed to be recorded, as specified.

(2) 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 requires that the trustee deliver a copy of the reconveyance to the beneficiary if known, and requires that the reconveyance instrument to specify the trustor as the person to whom the recorder will deliver the recorded instrument.

This bill would permit the reconveyance instrument to alternatively specify that the recorder shall deliver the recorded instrument to the trustee's address or the address of the trustor or successor in interest, but specify that the recorder has no duty to validate those addresses. The bill would require that, if the trustee's address is specified for delivery, the trustee mail the recorded instrument to the trustor or the successor in interest at the last known address for that party. The bill would also permit the reconveyance instrument to specify the successor in interest of the trustor as the person to whom the recorder will deliver the recorded instrument, as provided.

(3) Existing law, the Uniform TOD Security Registration Act, provides for the transfer of the ownership or proceeds of a security, as defined, upon the death of the owner, without probate or estate administration, and defines a security account for these purposes.

This bill would add the term cash equivalents, as defined, and an investment management or custody account with a trust company or a trust department of a bank with trust powers, as specified, to the definition of security account for purposes described above.

Ch. 810 (SB 2022) Figueroa. Healing arts.

(1) Existing law provides for the regulation of dental auxiliaries by the Committee on Dental Auxiliaries, under the jurisdiction of the Dental Board of California. Existing law authorizes a registered dental hygienist to perform certain functions, as prescribed by the board by regulations.

This bill would define the practice of dental hygiene. The bill would delete the authorization that the board determine authorized functions for dental hygienists and would instead set forth procedures that a properly trained dental hygienist is authorized to perform under direct supervision and procedures that he or she is authorized to perform under general supervision. The bill would authorize a dental hygienist to provide educational services, oral health training programs, and oral health screenings without supervision, but would require that a patient with possible oral abnormalities be referred to a dentist. The bill would also authorize a dental hygienist to provide dental hygiene preventative services without supervision in a public health program. The bill would require the board to adopt regulations necessary to define the functions that may be performed, the supervisory requirements, and the settings in which a registered dental hygienist may work.

This bill would authorize a dental hygienist to use any material or device approved for use in the performance of a service or procedure within his or her scope of practice if the dental hygienist has the appropriate education and training.

Existing law requires the board to license as a registered dental hygienist in alternative practice a person who passes an examination required by the board and meets certain other requirements.

The bill would require the board, in consultation with the committee, to adopt regulations necessary to implement these licensing requirements.

This bill would prohibit a person other than a licensed dental hygienist or a licensed dentist from engaging in the practice of dental hygiene or the performance of dental hygiene patient procedures, and would set forth certain exceptions to this prohibition. The bill would require the board to adopt regulations necessary to implement the provisions of law relating to dental auxiliaries.

This bill would make nonsubstantive changes to the provisions regulating dental auxiliaries.

(2) Existing law, the Nursing Practice Act, provides for the licensure of registered nurses by the Board of Registered Nurses. Existing law provides that any fees required by the board may be paid by customary mediums of exchange, including a postal money order.

This bill would delete the specification that a money order be a postal money order.

(3) Existing law, the Vocational Nursing Practice Act, creates the Board of Vocational Nursing and Psychiatric Technicians of the State of California that is composed of 11 members. Under existing law, 5 members of the board constitute a quorum for transaction of business at a meeting.

This bill would instead require 6 members of the board to constitute a quorum.

(4) This bill would incorporate additional changes in Section 1758 of the Business and Professions Code, proposed by AB 2818, to be operative only if AB 2818 and this bill are both chaptered and become effective on or before January 1, 2003, and this bill is chaptered last.

The bill would incorporate additional changes in Section 1770 of the Business and Professions Code, proposed by SB 1589, to be operative only if SB 1589 and this bill are both chaptered and become effective on or before January 1, 2003, and this bill is chaptered last.

#### Ch. 811 (SB 1589) Perata. Dentistry: dental hygienists.

Existing law requires the Board of Dental Examiners of the State of California to license registered dental hygienists. Existing law authorizes a registered dental hygienist in alternative practice to practice as an employee of a dentist or of another registered dental hygienist in alternative practice. Existing law provides that it is a crime for a person without a license to represent that he or she is a registered dental hygienist in alternative practice.

This bill would authorize a registered dental hygienist in alternative practice to be an employee of specified clinics.

This bill would incorporate additional changes in Section 1770 of the Business and Professions Code proposed by SB 2022, to be operative if this bill and SB 2022 are both enacted and become effective on or before January 1, 2003, and this bill is enacted last.

#### Ch. 812 (SB 1653) Costa. California Bay-Delta Act.

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 enact the California Bay-Delta Authority Act. The bill would establish in the Resources Agency the California Bay-Delta Authority, consisting of representatives from 6 state agencies and 6 federal agencies if those federal agencies are authorized to

participate, 7 public members, one member of the Bay-Delta Public Advisory Committee, and 4 nonvoting, ex officio Members of the Legislature. The bill would prescribe the authority's organization, powers, and purposes.

The bill would require the authority and the implementing agencies, as defined, to carry out the programs, projects, and activities necessary to implement the Bay-Delta Program, defined to mean those projects, programs, commitments and other actions that address the goals and objectives of the CALFED Bay-Delta Program Record of Decision, dated August 28, 2000, or as it may be amended.

The bill would require the Governor to appoint a director, in consultation with the Secretary of the Interior, and would prescribe the director's salary, duties, and powers. The bill would require the authority to appoint a lead scientist and would require the lead scientist to nominate, and the authority to establish, an Independent Science Board that would advise and make recommendations to the authority and the Bay-Delta Public Advisory Committee.

The bill would require the authority to review, approve, and make recommendations regarding certain annual program plans and project expenditures submitted by the implementing agencies. The bill would require the director to prepare and submit to the Department of Finance an annual state proposed budget for identified program elements of the Bay-Delta Program and the authority's oversight and coordination duties.

The bill would repeal these provisions on January 1, 2006, unless the Secretary of the Resources Agency makes a certain determination.

#### Ch. 813 (AB 1772) Harman. Escheat: financial accounts.

The Unclaimed Property Law provides for the escheat to the state of abandoned property, including certain deposits, accounts, shares, or other interests with a banking or financial organization, business association, or other holder of personal property. Existing law further requires a banking or financial organization, business association, or other holder of personal property, if it has in its records an address for the apparent owner, which the records do not disclose to be inaccurate, to make reasonable efforts to notify by mail any customer that the customer's deposit, account, shares, or other interest in the banking or financial organization will escheat to the state, as specified.

This bill would, operative January 1, 2004, add to the required contents of these notices a statement, in bold or in a font a minimum of 2 points larger than the rest of the notice, specifying that since the last date of activity, or for the last 2 years, there has been no customer activity on the deposit, account, shares, or other interest in the banking or financial organization, business association, or other holder of personal property; identifying the deposit, account, shares, or other interest by number or identifier; indicating the danger of escheat to the state; and specifying that the Unclaimed Property Law requires banks, banking organizations, and financial organizations to transfer funds of the deposit, account, shares, or other interest if it has been inactive for 3 years.

#### Ch. 814 (AB 2020) Correa. Optometry.

(1) Existing law provides for the regulation of prescription lenses and prohibits any person other than a physician and surgeon or optometrist from prescribing ophthalmic or contact lenses or plano contact lenses. Existing law also prohibits any person other than licensed physicians and surgeons, licensed optometrists, or registered dispensing opticians from dispensing, selling, or furnishing prescription lenses.

This bill would prohibit the expiration date of a contact lens prescription from being less than one to 2 years from the date of issuance, with certain exceptions. The bill would also require a prescriber or registered dispensing optician to provide the patient with a copy of his or her prescription, subject to certain exceptions. The bill would prohibit the prescriber or optician from conditioning the release of the prescription on the patient paying a fee or purchasing contact lenses. The bill would make the prescriber's willful violation of these requirements unprofessional conduct. The bill would provide that it is a deceptive marketing

practice to represent by advertisement or sales presentation that contact lenses may be obtained without confirmation of a prescription. The bill would provide that a violation of the laws regulating prescription lenses is punishable by a fine, not to exceed \$2,500 that would be available upon appropriation to the Medical Board of California. The bill would also require money derived from fines on optometrists to be deposited in the Optometry Fund and to be available upon appropriation to the State Board of Optometry.

(2) Existing law requires a person located outside California to be registered with the Medical Board of California in order to ship, mail, or deliver contact lenses at retail to a patient at a California address.

This bill would require a nonresident contact lens seller to provide a toll-free telephone number, facsimile line, or e-mail address where contact lens prescribers may confirm their prescriptions. The bill would also provide that violation of the provisions regulating nonresident contact lens sellers is punishable by a fine not to exceed \$2,500 that would be available upon appropriation to the Medical Board of California.

Ch. 815 (AB 2331) Wayne. Waivers: obligations: consumers.

Existing law, the Song-Beverly Credit Card Act and federal law, regulates the use of credit cards, as specified. The Areias Credit Card Full Disclosure Act and the Areias-Robbins Charge Card Full Disclosure Act of 1986, requires specified credit card applications and solicitations to disclose certain information. Existing law limits a debit cardholder's liability for the unauthorized use of the card. Existing law prohibits the sale of gift certificates that contain an expiration date. The Supermarket Club Card Disclosure Act of 1999, regulates the terms and conditions of issuing and using supermarket club cards. Existing law, the Consumer Credit Reporting Agencies Act, regulates the activities of consumer credit reporting agencies and the provision of consumer credit report information. Existing law excepts from these provisions and otherwise regulates the activities of commercial credit reporting agencies. The Investigative Consumer Reporting Agencies Act, regulates the activities of investigative consumer reporting agencies and the provision of investigative consumer credit report information. The Holden Credit Denial Disclosure Act of 1976, requires a creditor to provide an applicant who is denied credit a specified statement.

Existing law, the Rosenthal Fair Debt Collection Practices Act, regulates the activities of debt collectors. The Electronic Commerce Act of 1984 requires an electronic commercial service provider to provide certain information to consumers. Existing law also regulates the activities of check cashers, and a violation of these provisions are, under specified conditions, a misdemeanor. Existing law requires a business to destroy certain customer records, as specified. Existing law prohibits a person or entity from using or displaying a person's social security number, as specified. Existing law prohibits certain loans from requiring the payment of precomputed interest in specified circumstances. Existing law prohibits certain contracts from requiring the payment of a precomputed finance charge in specified circumstances. Existing law regulates the terms and conditions of consumer credit contracts. The Consumer Contract Awareness Act of 1990 requires a seller to deliver a copy of a consumer contract at the time it is signed at a seller's place of business, except as specified, and regulates the terms of the contract. Existing law regulates the terms and conditions of membership camping contracts. Existing law regulates the activities of auctioneer and auction companies, and a violation of these provisions are a misdemeanor.

This bill would make a waiver of any of the provisions described above contrary to public policy, void, and unenforceable. The bill, by changing the definition of an existing crime, would impose a state-mandated local program. The bill would also make a statement of legislative findings and declarations.

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. 816 (AB 2385) Bill Campbell. Healing arts.

Existing law, the Medical Practice Act, regulates the practice of medicine in this state and authorizes the Medical Board of California to take disciplinary action against a licensee.

This bill would require the board to keep, for a period of 7 years or until the statute of limitations for filing an accusation against a licensee has expired, whichever period is shorter, a copy of a complaint it receives concerning the unprofessional conduct of a licensee if the board finds after an investigation that there is insufficient evidence to proceed with disciplinary action.

Ch. 817 (AB 2546) Nation. Common interest developments: marketing and sales.

Existing law, the Davis-Stirling Common Interest Development Act, requires that a common interest development be managed by an association, as defined.

This bill would provide that any rule or regulation of an association that arbitrarily or unreasonably restricts an owner's ability to market, as defined, his or her interest in a common interest development is void. The bill would also prohibit an association from adopting, enforcing, or otherwise imposing any rule or regulation that: (1) imposes an assessment or fee in connection with the marketing of an owner's interest in the common interest development in an amount that exceeds the association's actual or direct costs; or (2) establishes an exclusive relationship with a real estate broker through which the sale or marketing of interests in the development is required to occur, except for sales and marketing by the association, as specified. The bill would include a specified exception from these provisions.

Ch. 818 (AB 2732) Washington. Automatic checkout systems.

The Rosenthal-Roberti Item Pricing Act requires every retail grocery store or grocery department within a general retail merchandise store which uses an automatic checkout system to cause to have a clearly readable price indicated on 85% of the total number of packaged consumer commodities offered for sale, unless the commodities are otherwise exempted.

Existing law authorizes any sealer to levy a civil penalty against a person who violates specified laws or regulations governing weights and measures. A violation of the laws governing weights and measures is a misdemeanor unless otherwise specified.

This bill would add new provisions to the laws governing weights and measures that would require a business establishment that uses an automatic checkout system to sell goods or services to consumers to ensure that the price of each good or service to be paid by the consumer is conspicuously displayed to the consumer at the time the price is interpreted by the system. The bill would authorize the Attorney General, the district attorney, or city attorney to enforce this requirement in accordance with certain provisions of law. This bill would, in addition, authorize the sealer to levy a civil penalty for a violation of these provisions.

The bill would require all automatic checkout systems used by a business establishment on and after January 1, 2007, to comply with its provisions.

Because a violation of the laws governing weights and measures is 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. 819 (SB 17) Figueroa. Health and safety: cemeteries: human remains: vital records.

(1) Existing law, the Cemeteries Act, provides for the licensing and regulation of cemeteries and crematories by the Cemetery and Funeral Bureau.

This bill would, on and after July 1, 2003, require all cemeteries for which a certificate of authority is required and all crematories which are licensed, to be supervised by a manager that has passed a written examination demonstrating an understanding of applicable provisions regarding, among other things, the disposal of human remains. This bill would, on and after July 1, 2003, require the bureau to inspect the books, records, and premises of any cemetery for which a certificate of authority from the bureau is required. This bill would require that the bureau have access to all books, records, buildings, mausoleums, columbariums, and storage areas during specified times and that the bureau conduct, on and after July 1, 2003, at least one annual unannounced inspection of a cemetery for which a certificate of authority is required. This bill would, on and after July 1, 2003, prohibit a person from engaging in the business of, acting as, or advertising as, a cemetery or crematory manager without a license from the bureau.

(2) Existing law provides that, unless specified, it is a misdemeanor to deposit or dispose of human remains except in a cemetery. Existing law additionally provides that it is a misdemeanor to fail to inter a corpse within a reasonable period of time if one has a legal duty to do so, that it is a misdemeanor to fail to furnish or to furnish false information affecting specified certificates or records, and that it is a misdemeanor to willfully alter or knowingly possess altered documents or to falsify a birth certificate, death certificate, or marriage certificate. Existing law provides that a misdemeanor is punishable by imprisonment in a county jail for 6 months, by a \$1,000 fine, or by both that imprisonment and fine, unless a different punishment is prescribed by law.

This bill would specify that punishment of licensees and certain unlicensed persons for these actions would include imprisonment in a county jail not exceeding 1 year, or by a fine not exceeding \$10,000, or by both that imprisonment and fine. By increasing the imprisonment for these misdemeanors, 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. 820 (SB 577) Burton. Health: complementary and alternative health care practitioners.

Existing law regulates the practice of medicine in the state, and in that regard prohibits persons who are not licensed as physicians and surgeons from engaging in certain activities constituting the practice of medicine.

This bill, notwithstanding any other provision of law, would provide that a person engaging in certain medical treatments who makes specified written disclosures to a client shall not be in violation of certain provisions of the Medical Practice Act unless that person engages in specified diagnosis, treatment, and other activities. The bill would require a person who advertises himself or herself as performing the services that are subject to those requirements to state in the advertisement that he or she is not licensed by the state as a healing arts practitioner.

This bill would also make various findings of the Legislature concerning the utilization of complementary and alternative health care services.

Ch. 821 (SB 1230) Alpert. Human cloning.

Existing law, until January 1, 2003, prohibits a person from cloning a human being, and from purchasing or selling an ovum, zygote, embryo, or fetus for the purpose of cloning a human being, and authorizes the State Department of Health Services to levy administrative penalties for violation of these provisions. Existing law, until January 1, 2003, further

provides that violation of this prohibition constitutes unprofessional conduct for purposes of the Medical Practice Act, and requires city business licenses and county business licenses to be revoked for violation of the prohibition.

This bill would prohibit a person from engaging in “human reproductive cloning,” as defined. It would also delete the January 1, 2003, repeal dates thereby extending the operation of the above provisions indefinitely.

The bill, in addition, would require the department to establish an advisory committee, composed of specified representatives, including not less than 3 bioethicists, for purposes of advising the Legislature and the Governor on human cloning and other issues relating to human biotechnology. The bill would require the department to fund the activities of the advisory committee from its existing resources, to the extent that funds are available.

It would also require the department, on or before December 31, 2003, and annually thereafter, to report to the Legislature and the Governor regarding the activities of the committee.

#### Ch. 822 (SB 1345) Kuehl. Biologics.

(1) Existing law provides for the licensure and regulation of persons engaging, or proposing to engage, in the production of biologics that are specified products used for the diagnosis and detection of, and for the prevention or treatment of, disease in animals other than humans. Existing law defines “animal” to include, but not be limited to, any domesticated fowl and any wild fowl or bird which is reduced to captivity.

This bill would revise the definition of animal for the purposes of the provisions relating to biologics to also specifically include any domesticated nonhuman or wild mammal.

(2) Existing law provides that the Secretary of Food and Agriculture shall license biologic establishments that meet specified requirements.

This bill would require biologic commercial blood banks for animals licensed by the Department of Food and Agriculture to maintain onsite records containing information documenting how the animal was acquired and any history of blood draws or use of anesthesia on the animal.

(3) Existing law provides that an application for a license for any establishment that produces, or proposes to produce, biologics shall contain specified information.

This bill would provide that the application shall also contain a written protocol that addresses specified topics relating to animal blood donors.

(4) Existing law provides that the secretary may adopt reasonably necessary rules and regulations for the administration and enforcement of the provisions relating to biologics, and provides for that enforcement by the denial, suspension, or revocation of any license for any establishment or registration of any biologic that fails to meet specified requirements or that violates specified provisions. Existing law also provides for licensing fees that may be fixed at less than, but may not exceed, \$250.

This bill would, in addition, provide that for commercial blood banks for animals licensed by the department (a) the department, or humane officers under contract with the department, shall inspect the establishments at least once a year to ensure compliance with required protocols; (b) anesthesia shall be performed by a California licensed veterinarian or a registered veterinary technician under the direct supervision of a California licensed veterinarian; and (c) existing fees may be increased by the department to cover the department’s reasonable costs incurred in connection with required inspections.

(5) The bill would exempt certain federally inspected facilities and federal biologics licensees from its requirements, as well as private veterinarians who maintain their own, in-office blood donor animals for use in their own practice. The bill would also provide that all records held by the department relating to the provisions on biologics shall be confidential and not subject to disclosure under the California Public Records Act, except that the records shall be accessible to specified law enforcement officers.

Ch. 823 (SB 1402) Murray. Occupational therapy.

Existing law, the Occupational Therapy Practice Act, provides for licensure and regulation of occupational therapists by the California Board of Occupational Therapy. Existing law defines "hand therapy" as it relates to occupational therapy and authorizes an occupational therapist to perform feeding or swallowing assessments, evaluations, and interventions if the therapist has satisfactorily demonstrated to the board that he or she has the necessary requirements.

This bill would revise the definition of "hand therapy" in the act. The bill would specify that the advanced practices an occupational therapist could perform include hand therapy and the use of physical agent modalities if the occupational therapist demonstrated to the board that he or she had the necessary educational training and competency requirements. The bill would require the board to develop and adopt regulations, in collaboration with the Speech-Language Pathology and Audiology Board, the Board of Registered Nursing, and the Physical Therapy Board of California, concerning the educational training and competency requirements for these advanced practices.

The bill would require the provisions that are related to advanced practices to become operative no later than on January 1, 2004, or when the board adopts regulations for training and competency requirements, whichever first occurs.

Ch. 824 (SB 1724) Speier. Income taxes: dependent care.

The Personal Income Tax Law, in modified conformity to federal income tax law, authorizes a refundable credit for household and dependent care expenses necessary for gainful employment, as provided.

This bill would, in further conformity to federal income tax law, increase the amount of the credit for taxable years beginning on or after January 1, 2002, but would, for taxable years beginning on or after January 1, 2003, also reduce those percentage factors that are applied to calculate the amount of the credit.

The Tax Relief and Refund Account in the General Fund is continuously appropriated to make all payments required to be made to taxpayers or other persons, as specified.

By authorizing an increase in the refundable income tax credit, for each taxable year beginning on or after January 1, 2002, and before January 1, 2003, to be paid from that account, this bill would make an appropriation.

This bill would incorporate additional changes in Section 17052.6 of the Revenue and Taxation Code, proposed by AB 2963, to become operative only if AB 2963 and this bill are both chaptered and become effective on or before January 1, 2003, and this bill is chaptered last.

This bill would take effect immediately as a tax levy.

Ch. 825 (SB 1952) Figueroa. Cemetery and Funeral Bureau.

Existing law creates a Joint Legislative Sunset Review Committee and authorizes it to review and evaluate various boards and commissions having duties and responsibilities relating to professions and occupations.

This bill would provide for the committee review and evaluations of the Cemetery and Funeral Bureau in the Department of Consumer Affairs.

Existing law provides for the regulation of funeral establishments, embalmers, cemeteries, and crematories by the Cemetery and Funeral Bureau in the Department of Consumer Affairs. Existing law requires a cemetery authority to display and make available to certain consumers a copy of the consumer guide for funeral and cemetery purchases.

The bill would require a cemetery authority or a cemetery licensee to provide a copy of the consumer guide to a consumer prior to drafting a contract for cemetery goods or services.

Existing law requires a person who is delinquent in renewing a cemetery license or a crematory license or a cremated remains disposer registration to pay the fee plus an additional 50% of the renewal fee, but no more than the renewal fee plus \$25.

This bill would set the delinquency fee at 150% of the timely fee, but not less than the renewal fee plus \$25.

Existing law regulates preneed contracts for funeral services, and requires a funeral establishment to file an annual report with the bureau.

This bill would require a funeral establishment that is exempt from filing an annual report or whose preneed trust funds are reported in a combined preneed trust report, to file a declaration of nonreporting status each year.

The bill would require the bureau to conduct a study on the need to regulate 3rd-party casket retailers and report to the department and the Joint Legislative Sunset Review Committee on or before September 1, 2004.

Existing law provides for the examination of applicants for a cemetery license or a crematory license by the bureau.

This bill would define a cemetery manager and a crematory manager. The bill would require a licensed cemetery to employ a cemetery manager to manage, direct, and supervise the cemetery and would require a crematory to employ a crematory manager to manage, direct, and supervise the crematory. The bill would require, among other things, a licensed cemetery manager and a licensed crematory manager to be at least 18 years of age and a resident of the state. The bill would provide that the fee for a crematory manager examination and reexamination shall be no more than \$500, and that the fee for a cemetery manager examination and reexamination shall be no more than \$900. The bill would additionally provide specified fees for the licensure and renewal of a crematory manager and a cemetery manager. The bill would provide that the fee for changing the name of a designated manager or to request approval to share a designated manager shall not be more than \$50. Because these items would lead to an increase in fees being deposited into the Cemetery Fund, which is continuously appropriated, the bill would make an appropriation.

Because a violation of the provisions regulating funeral establishments is 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. 826 (SB 2076) Bowen. Vehicles.

Existing law requires the Department of Motor Vehicles to accept an endorsed salvage certificate for a total loss salvage vehicle, as defined, prior to its sale or disposal in lieu of the certificate of ownership or other evidence of ownership when accompanied by an application and other documents and fees. The salvage certificate, except as specified, must include a statement that the seller and any subsequent sellers are required to disclose to the purchaser at, or prior to, the time of sale that the vehicle has been declared a total loss salvage vehicle. A seller who fails to make the disclosure is subject to a specified civil penalty. Existing law provides that the disclosure requirement is satisfied if the seller obtains a properly endorsed salvage certificate and delivers it to the purchaser within 10 days or prominently posts a sign at his or her place of business stating that the seller sells total loss salvage vehicles. Existing law also provides that this disclosure requirement does not apply to a financial institution, leasing company, occupational licensee of the Department of Motor Vehicles, an insurer, or a self-insurer.

This bill would eliminate the provisions for satisfying the disclosure requirement by posting a sign stating that the seller sells total loss salvage vehicles. This bill would also remove the exceptions for certain types of institutions.

This bill would also provide for the addition to the Vehicle Code of a section with provisions comparable to those discussed above to become operative only if this bill and SB 1743 are both enacted and this bill is enacted last.

Ch. 827 (AB 1139) Thomson. Death certificates: forms.

Existing law requires that each death shall be registered with the local registrar of births and deaths in the district in which the death was officially pronounced or the body was found, within 8 calendar days after death and prior to any disposition of the human remains, and requires a funeral director, or person acting in lieu thereof, to prepare a certificate of death and register it with the local registrar.

Existing law requires that a certificate of death contain certain information, including items necessary to establish the fact of the death and personal data.

This bill would require that a certificate of death include information indicating whether the decedent was pregnant at the time of death or within the year prior to the death. By increasing the responsibilities of counties, 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. 828 (AB 2499) Frommer. Criminal procedure.

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, as defined, evidence of the defendant's commission of another sexual offense or offenses is not inadmissible under that rule, except as specified. Existing law provides that the prosecution shall disclose this evidence of other sexual conduct to the defendant at least 30 days before the scheduled date of trial or at such later time as the court may allow for good cause.

This bill would instead require the prosecutor to supply the evidence in compliance with the provisions of law in the Penal Code governing discovery generally. These provide for disclosure 30 days in advance of trial unless there is good cause shown that disclosure should be denied, restricted, or deferred, and for immediate disclosure of any evidence which comes into the possession of the prosecutor less than 30 days before trial absent a similar showing. 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 those violations of the law proscribing assault with the intent to commit a specified felony that require sexual intent.

Under existing law, annoying or molesting a child under 18 years of age is a misdemeanor, in the absence of specified additional factors. Under existing law, prosecution for a misdemeanor violation of this offense must be brought within a year after the commission of the offense, unless it is committed with or upon a minor under 14 years of age, in which case prosecution must be commenced within 2 years.

This bill would require prosecution for a misdemeanor violation of the offense committed with or upon a minor under 14 years of age to instead be commenced within 3 years of the commission of the offense.

Ch. 829 (AB 2539) Rod Pacheco. Parole: sex offenses.

Existing law specifies the period of parole for various crimes for which an inmate has been imprisoned in the state prison, and provides for the discharge of certain persons from parole prior to the end of that period, as specified, unless the Department of Corrections

recommends to the Board of Prison Terms that the person be retained on parole and the board, for good cause, determines that the person will be retained on parole.

This bill would add to the list of crimes for which an inmate shall be released on parole for a period of 5 rather than 3 years, those inmates convicted of an act of sexual penetration accomplished against the victims will, as specified, and inmates who have received a life sentence as an habitual sex offender.

The bill would also revise the provisions for discharge from parole after 2 years since release from confinement to apply only to inmates released on parole for a period not exceeding 3 years, and would add similar provisions for the discharge from parole after 3 years of inmates released on parole for a period not exceeding 5 years. The bill would also extend provisions for release from parole after 3 years since release from confinement that are applicable to inmates released after certain terms of imprisonment, to specified inmates released on parole for a period not exceeding 3 years or 5 years under other provisions of law, and would specify that the 3-year period for release shall follow release from confinement or the extension of parole.

#### Ch. 830 (AB 2695) Oropeza. Firearms.

Existing law provides that any willful and knowing violation of specified court orders involving family relations and domestic violence shall constitute contempt of court punishable by imprisonment for not more than one year.

This bill would make a clarifying change to this provision.

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 crime.

This bill would require the Attorney General, subject to available funding, to work with other specified entities to develop a protocol designed to facilitate the enforcement of restrictions on firearm ownership, as specified. The protocol would be required to be completed on or before January 1, 2005.

Existing law provides that, if a firearm or other deadly weapon seized by a law enforcement officer as a result of a domestic violence incident is not retained for specified reasons, the firearm or other weapon shall be made available to the owner or lawful possessor no later than 72 hours after the seizure.

This bill would provide that, if not retained, the firearm or other weapon shall be made available to the owner or lawful possessor no later than 5 business days after the seizure.

Existing law provides that, if a law enforcement agency has reasonable cause to believe that the return of a firearm or other deadly weapon would be likely to endanger the victim or the person reporting the threat, the agency shall, within 30 days of the seizure, initiate a petition in superior court to determine if the firearm or other weapon should be returned. Existing law allows the agency to seek an extension of this period, for good cause, to no more than 60 days after the date of the seizure.

This bill would extend to 60 days the period for the law enforcement agency to initiate a petition, and would extend to 90 days the period of extension for good cause.

Existing law requires that a receipt be given to the possessor of a firearm or other deadly weapon when the firearm or other weapon is taken into custody by a law enforcement officer. Existing law specifies the information to be included in the receipt.

This bill would add to that information the time limit for the possessor to recover the firearm or other weapon.

This bill would make nonsubstantive corrections to these provisions.

This bill would incorporate changes to Section 12028.5 of the Penal Code proposed by SB 1807 that would become operative only if both bills are enacted and this bill is enacted after SB 1807.

#### Ch. 831 (AB 2794) Reyes. Offenders: HIV and AIDS tests.

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**NOTE:** Superior numbers appear as a separate section at the end of the digests.

(1) Existing law requires the court to order every person who is convicted of, or adjudged to be a ward of the court by reason of, a violation of a sexual offense, as specified, to submit to a blood test for evidence of antibodies to the probable causative agent of AIDS.

This bill would revise this provision to require the person to submit to a blood or saliva test. The bill also would revise the list of enumerated sexual offenses for which blood or saliva testing of the person would be required. Because the bill would increase the duties of local officials in connection with disclosing the results of blood tests for AIDS, it would impose a state-mandated local program.

(2) Existing law provides that when a defendant has been charged with any of a list of sexual offenses, as specified, the court may under certain circumstances issue a search warrant for the purpose of testing the accused's blood with any HIV test.

This bill would authorize the court to also issue a search warrant for the purpose of testing the accused's saliva with any HIV test. The bill would add to the list of sexual offenses for which a court may issue a search warrant for the purpose of testing an accused's blood or saliva with any HIV test.

(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. 832 (SB 1320) Kuehl. Stalking.

Under existing law, any person who willfully, maliciously, and repeatedly follows or harasses another person when a credible threat, intended to place that person in fear for his or her safety or the safety of his or her immediate family, is made is guilty of the crime of stalking. Under existing law, as interpreted by the courts, a violation of this law may be committed by following maliciously and repeatedly or by harassing only once without malice. Under existing law, "harasses" refers to a course of conduct that would cause a reasonable person to suffer substantial emotional distress, and that actually causes such distress, as specified. Existing law provides that, for these purposes, a "course of conduct" is a pattern of conduct composed of a series of acts, as specified.

This bill would revise the definition of the crime of stalking to require willful, malicious, and repeated following or willful and malicious harassment. The bill would redefine course of conduct to mean 2 or more acts, as specified, would eliminate the requirement that the conduct be such as would cause a reasonable person substantial emotional distress to be considered harassment, and would eliminate the requirement that the conduct in fact cause substantial emotional distress to be deemed harassment under these provisions.

This bill would also clarify the definition of "credible threat" by specifying that constitutionally protected activity is not included within its meaning.

By revising 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. 833 (SB 1807) Chesbro. Firearms.

Existing law requires specified law enforcement officers who are at the scene of a domestic violence incident involving a threat to human life or physical assault to take temporary custody of any firearm or other deadly weapon in plain sight or discovered pursuant to a

consensual search, as necessary for the protection of the peace officer or other persons present. Existing law details a procedure for return or disposal of these weapons, depending on specified circumstances.

This bill would also require a peace officer to take custody of a firearm or other deadly weapon in these circumstances if it were discovered pursuant to any other lawful search, and would subject a weapon so taken to this same procedure. By imposing new duties on peace officers, the bill would impose a state-mandated local program.

Ordinarily, existing law provides for the return of the weapon within a specified period. However, a law enforcement agency with reasonable cause to believe that the return of a firearm or other deadly weapon taken pursuant to these provisions would be likely to result in endangering the victim or the person reporting the assault or threat, may initiate a petition in superior court to determine if a firearm or other deadly weapon should be returned. Existing law provides that a court shall order the return of the firearm or other weapon unless shown by clear and convincing evidence that the return would result in endangering the victim or the person reporting the assault.

This bill would require an order returning the firearm or other weapon unless shown by a preponderance of the evidence that the return would result in endangering the victim or the person reporting the assault.

Under existing law, if, at this hearing, the court does not order the return of the weapon, the owner or person who had lawful possession of it may petition for a 2nd hearing within 12 months.

This bill would specify that, at the 2nd hearing, unless it is shown by clear and convincing evidence that the return of the weapon would endanger the victim or the person reporting the assault or threat, the court shall order the return of the weapon and award reasonable attorney's fees to the prevailing party.

Under existing law, weapons taken pursuant to these procedures must be returned, auctioned off or destroyed, and are subject to certain storage requirements.

By expanding the number of weapons to which these requirements apply, this bill would impose a state-mandated local program.

This bill would also make 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.

This bill would incorporate changes to Section 12028.5 of the Penal Code proposed by AB 2695 that would become operative if both bills become effective on or before January 1, 2003, and this bill is enacted after AB 2695.

#### Ch. 834 (SB 1894) Escutia. Domestic violence programs.

Existing law provides that the Maternal and Child Health Branch of the State Department of Health Services shall administer a comprehensive shelter-based services grant program to battered women's shelters, as specified.

This bill would require the department to fund specified domestic violence programs, using funds appropriated in a specified item in the Budget Act of 2002, payable from the Domestic Violence Training and Education Fund.

This bill would declare that it is to take effect immediately as an urgency statute.

#### Ch. 835 (AB 57) Wright. Electrical corporations: procurement plans.

(1) The Public Utilities Act imposes various duties and responsibilities on the Public Utilities Commission with respect to the purchase of electricity.

This bill would state findings and declarations regarding providing guidance to electrical corporations and the commission for the procurement of electricity and electricity demand reductions by an electrical corporation and providing for review by the commission of procurement plans of electrical corporations.

The bill would amend the act to require the commission to review and adopt a procurement plan for each electrical corporation in accordance with elements, incentive mechanisms, and objectives set forth in the bill.

The bill would authorize the commission to engage an independent consultant or advisory service to evaluate risk management and strategy. The bill would require the commission to adopt appropriate procedures to ensure the confidentiality of any market sensitive information submitted in an electrical corporation's proposed procurement plan or resulting from or related to its approved procurement plan, and to determine the impact of a proposed divestiture on an electrical corporation's procurement plan.

The bill would allow an electrical corporation that serves less than 500,000 retail customers within the state to file with the commission a request for exemption from the provisions of the bill. The bill would require the commission to grant the exemption upon a showing of good cause.

(2) Existing law makes a violation of the provisions of the act a crime.

This bill, by imposing new requirements on electrical corporations, would expand the scope of that crime, and thus 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.

(4) The bill would appropriate \$600,000 from the Public Utilities Commission Utility Reimbursement Account to the commission for the purposes of implementing this bill.

(5) The bill would declare that it is to take effect immediately as an urgency statute.

#### Ch. 836 (AB 58) Keeley. Net energy metering.

(1) Under existing law, the Public Utilities Commission is required to order the respective electrical corporations to collect and spend funds in accordance with a prescribed schedule. Under existing law, of the funds expended for in-state operation and development of emerging renewable resource technologies, a certain amount shall be used for programs designed to provide customer credits for purchases of renewable energy produced by certified energy providers.

This bill would require the commission, in its administration of these provisions, to establish a separate rebate for eligible distributed emerging technologies for affordable housing projects.

These provisions would only become operative if SB 1038 is also enacted and amends Section 383.5 of the Public Utilities Code.

(2) Existing law requires every electric service provider to develop a standard contract or tariff providing for net energy metering, and to make this contract available to eligible customer-generators, upon request. Existing law, commencing on January 1, 2003, 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. Existing law requires, commencing in 1999, every electric service provider to 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.

This bill would require every electric service provider, as defined, commencing January 1, 2003, to 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. The bill would require every electric service provider to ensure that requests for establishment of net energy metering service are processed in a time period not exceeding that for similarly situated customers requesting new electric service, but not to exceed 30 working days from the date the electric service provider receives a completed application form, including a signed interconnection agreement, from an eligible customer-generator and an electric inspection clearance. The bill would require an electric service provider to ensure that requests for an interconnection agreement be processed in a time period not to exceed 30 working days from the date the electric service provider receives the completed application. The bill would require an electric service provider that is unable to process the requests within these timeframes, to notify the customer-generator and the ratemaking authority. The bill would also require every electric service provider to make forms and contracts for net energy metering available for download from the Internet. The bill would specify special net-metering provisions for an eligible customer-generator with a capacity of more than 10 kilowatts, that receives electrical service from a local publicly owned electric utility that has elected to utilize a co-energy metering program. The bill would require, if the commission determines that there are cost or revenue obligations for an electrical corporation that may not be recovered from customer-generators acting pursuant to the bill, that those obligations remain within the customer class from which any shortfall occurred and would prohibit those obligations from being shifted to any other customer class. The bill would require that net energy metering and co-energy metering customers shall not be exempt from the public benefits charge. The bill would require the commission, in its report to the Legislature, to examine different methods to ensure the public benefits charge remains a nonbypassable charge. The bill would require net energy metering customers to reimburse the Department of Water Resources for all charges that would otherwise be imposed on the customer by the commission to recover bond-related costs, as specified. The bill would require the commission to report to the Governor and the Legislature by January 1, 2005, on the economic and environmental costs and benefits of net energy metering. The bill would express legislative intent that the Treasurer incorporate net energy metering and co-energy metering projects as sustainable building methods or distributive energy technologies for purposes of evaluating low-income housing projects.

This bill would require eligible customer-generators, unless approved by the electric service provider, that utilize wind energy co-metering, as defined by the bill, with a capacity of more than 50 kilowatts, but not exceeding one megawatt, to utilize described meters.

The bill would provide that the consumption of electricity from the electric service provider for wind energy co-metering by an eligible customer-generator is to be priced in accordance with the standard rate charged to the eligible customer-generator in accordance with the rate structure to which the customer would be assigned if the customer did not use an eligible wind electrical generating facility, and that the generation of electricity provided to the electric service provider is to result in a credit to the eligible customer-generator.

(3) Existing law provides that generation eligible for net energy metering installed on or before December 31, 2002, is entitled to the net energy metering terms in effect on the date of installation for the life of the installation.

This bill would make this provision applicable only to generation eligible for net energy metering that has all local and state permits required to commence construction on or before December 31, 2002, and has completed construction on or before September 30, 2003, regardless of any change in customer or ownership of the energy system. The applicable terms would be those in effect on the date local and state permits were acquired.

Ch. 837 (AB 80) Havice. Aggregation: Magnolia Power Project.

(1) Existing law suspends the right of retail end-use customers to acquire direct access service from certain electricity suppliers after a period of time to be determined by the Public

Utilities Commission until the Department of Water Resources no longer supplies electricity under a certain provision of law.

This bill would provide that, notwithstanding the above provision of law, a city with rights and obligations to the Magnolia Power Project, as defined, may serve as a community aggregator on behalf of all retail end-use customers within its jurisdiction, if the Magnolia Power Project has been constructed and is otherwise capable of beginning deliveries of electricity to the existing project participants. This provision would not become operative until the commission implements a cost-recovery mechanism applicable to customers electing to purchase electricity from an alternate provider beginning February 1, 2001, in accordance with specified criteria that are declared to be declaratory of existing law, and submits a report on that implementation to specified committees of the Legislature. The bill would require retail end-use customers purchasing power from a community aggregator to reimburse the department and the electrical corporation that previously serviced the customer, for specified costs, as determined by the commission. Because under the Public Utilities Act a violation of an order or decision of the commission is a crime, 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. 838 (AB 117) Migden. Electrical restructuring: aggregation.

(1) Existing law, relating to transactions between electricity suppliers and end-use customers, authorizes various entities to aggregate electrical loads, and defines an "aggregator" as one of those entities that provides power supply services, including combining the loads of multiple end-use customers and facilitating the sale and purchase of electrical energy, transmission, and other services on behalf of the end-use customers.

This bill would authorize customers to aggregate their electrical loads as members of their local community with community choice aggregators, as defined. The bill would authorize a community choice aggregator to aggregate the electrical load of interested electricity consumers within its boundaries. The bill would require a community choice aggregator to file an implementation plan with the Public Utilities Commission in order for the commission to determine a cost-recovery mechanism to be imposed on the community choice aggregator to prevent a shifting of costs to an electrical corporation's bundled customers. The bill would require a retail end-use customer electing to purchase power from a community choice aggregator to pay specified amounts for Department of Water Resources costs and electrical corporation costs, as described. The bill would require the commission to prepare and submit to the Legislature, on or before January 1, 2006, a report on community choice aggregation. Because a violation of an order or decision of the commission is a crime, this bill would impose a state-mandated local program.

(2) Existing law requires the Public Utilities Commission to order certain electrical corporations to collect and spend certain funds for public benefit programs, including cost-effective energy efficiency and conservation programs.

The bill would require the commission, not later than July 15, 2003, to establish policies and procedures by which any party, including, but not limited to, a local entity that establishes a community choice aggregation program, may apply to become administrators for cost-effective energy efficiency and conservation programs. The bill would require the commission, if a community choice aggregator is not the administrator, to require the administrator of cost-effective energy efficiency and conservation programs to direct a proportional share of its approved energy efficiency program activities for which the community choice aggregator's customers are eligible, to the community choice aggregator's territory without regard to customer class. Under the bill, the commission would be authorized to order an adjustment to the share of energy efficiency program

activities directed to a community aggregator's territory if necessary for an equitable and cost-effective allocation of program activities.

(3) Existing law defines "electric service provider" as an entity that offers electrical service to residential and small commercial customers, but not including an electrical corporation and requires these providers to register with the commission.

This bill would instead define "electric service provider" as an entity that offers electrical service to customers within the service territory of an electrical corporation, but not including an electrical corporation or a person employing cogeneration technology or producing electricity from other than conventional power sources, for its own use or the use of its tenants or an adjacent property and not for sale or transmission to others.

This bill would provide that, if a customer of an electric service provider or community choice aggregator is involuntarily returned to service provided by an electrical corporation, any reentry fees imposed on that customer are to be the obligation of the electric service provider or community choice aggregator, except as specified. The bill would require the electric service provider or community choice aggregator, as a condition to its registration, to post a bond or demonstrate insurance sufficient to cover paying those reentry 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. 839 (AB 1234) Pescetti. Production and transmission of public utility commodities and services: natural gas.

Existing law permits 3 or more natural persons engaged in the production of gas to form a cooperative association for purposes of selling gas produced by the association's members and performing other specified related functions. Existing law permits an association to acquire a real property easement from a public utility for the purpose of accommodating the association's gas plant, and provides that the easement shall be deemed to be held for a public purpose by the association, provided that the Public Utilities Commission finds that the use by the association is in the public interest.

Under existing law no public utility may sell, lease, assign, or otherwise dispose of property necessary or useful in the performance of its duties to the public, including easement rights for the transmission of natural gas, without first having secured from the commission an order authorizing it to do so.

This bill would permit an individual, partnership, limited liability company, or corporation (person) that is involved in the production of natural gas, to exercise all privileges of ownership of real or personal property as may be necessary or convenient for the conduct and operation of, or incidental to, transmission of natural gas and to acquire a real property easement from a public utility for the purpose of accommodating the person's gas plant, and provides that the easement shall be deemed to be held for a public purpose by the person, provided the commission finds that the use by the person is in the public interest. The bill would require, within 10 days of submission to the commission of an application by a public utility for an order authorizing the transfer of a real property easement to a person, that the utility provide written notification of the application and of the commission's pending review to each owner of real property affected by the easement.

Ch. 840 (AB 1235) Leslie. Generation facilities: sale or transfer.

Under existing law, the Public Utilities Act, the Public Utilities Commission is granted jurisdiction over certain facilities for the generation of electricity owned by any public utility. The act prohibits any public utility from disposing of a facility for the generation of electricity prior to January 1, 2006.

This bill would exempt the four run-of-river hydroelectric project works located on the Truckee River and the two run-of-river hydroelectric project located on the Wapatox Canal on the Naches River in the State of Washington from these provisions.

The bill would declare that, due to the unique circumstances of the four run-of-river hydroelectric project works located on the Truckee River and the two run-of-river hydroelectric project located on the Wapatox Canal on the Naches River in the State of Washington, 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.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 841 (AB 1823) Papan. Regional water systems.

(1) Under existing law, the City and County of San Francisco (city) operates the Hetch Hetchy Project as a regional water delivery system (bay area regional water system), supplying water to persons and entities in the city and the Counties of Alameda, San Mateo, and Santa Clara.

This bill would enact the Wholesale Regional Water System Security and Reliability Act, which would impose various requirements on wholesale regional water systems, as defined, thereby imposing a state-mandated program. The bill would require the city, by February 1, 2003, to adopt a capital improvement program. The bill would require the city, in consultation with other entities, to adopt an emergency response plan by September 1, 2003. The bill would require a regional wholesale water supplier, as defined, to distribute available water during any interruption to all customers on an equitable basis, to the extent feasible. The bill would require the city to continue its practice of operating reservoirs in the Counties of Tuolumne and Stanislaus in a manner that ensures that the generation of hydroelectric power will not cause any reasonably anticipated adverse impact on water service. The bill would require the city to assign higher priority to water delivery to the bay area than to electric power generation, unless the Secretary of the Interior notifies the city of a violation of federal law.

The bill would require the State Department of Health Services to conduct an audit relating to the bay area regional water system and an audit of other regional water systems. If the city and the bay area wholesale customers that are public agencies form a special district with authority to own, operate, and manage the bay area regional water system, the bill would impose the requirements of the act on that district instead of the city. The bill would require the State Department of Health Services to ensure that the bay area regional water system is operated in compliance with the California Safe Drinking Water Act and certain federal guidelines.

The bill would require the city to prepare various reports in connection with its operation of the bay area regional water system. The new requirements established by the bill for the city would impose a state-mandated local program. The bill would require a regional wholesale water supplier to reimburse the State Department of Health Services and the Seismic Safety Commission for costs incurred in connection with implementing the requirements imposed by the act. The bill would require the bay area wholesale customers to reimburse the city for their share of costs. The bill would require wholesale customers of other regional wholesale water suppliers to be responsible for reimbursing the regional wholesale water supplier for the proportional share of costs through the imposition of water charges.

The bill would make these provisions inoperative on the earlier of two specified dates and would repeal these provisions on January 1 immediately following that earlier date.

(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. 842 (AB 1928) Jackson. Civil actions: gender-related violence.

Existing law sets forth various personal rights and provides that all persons within California have the right to be free from violence, or intimidation by the threat of violence because of, among other characteristics, their race, color, religion, ancestry, national origin, political affiliation, or sex. Existing law further permits an individual whose exercise or enjoyment of specified personal rights has been interfered with to bring a civil action for damages, including actual damages, exemplary damages, attorney's fees, injunctive relief, and other appropriate relief.

This bill would permit a person injured by a crime of violence motivated by gender to bring a civil action for damages against the responsible person or persons. The bill would provide that damages may include actual damages, compensatory damages, punitive damages, injunctive relief, or a combination of those damages, including any other appropriate relief, in addition to attorney's fees and costs. The bill would require the action to be commenced within a specified time period. The bill would specify that it does not establish any civil liability of a person because of his or her status as an employer, unless the employer personally committed an act of gender violence. The bill would include a statement of legislative findings and declarations regarding gender-related violence.

Ch. 843 (AB 1968) Nation. Income taxes: exclusions: energy conservation rebates.

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 an exclusion from gross income under both the Personal Income Tax Law and the Bank and Corporation Tax Law with respect to vouchers, rebates, or other financial incentives received from the California Energy Commission, the Public Utilities Commission, or a local publicly owned utility, as defined, for the purchase or installation of specified energy production systems.

This bill would take effect immediately as a tax levy.

Ch. 844 (AB 2058) Papan. Bay Area Water Supply and Conservation Agency.

(1) Under existing law, the City and County of San Francisco (San Francisco) operates the Hetch Hetchy Project as a regional water delivery system, supplying water to persons and entities in San Francisco and the Counties of Alameda, San Mateo, and Santa Clara.

This bill would enact the Bay Area Water Supply and Conservation Agency Act. The bill would provide for the formation of the Bay Area Water Supply and Conservation Agency by 26 public entities that purchase water from San Francisco. The bill would provide for the adoption of resolutions by those public agencies as to whether to form and join the agency. The bill would require the Board of Supervisors of San Mateo County to determine whether or not resolutions to form and join the agency have been adopted by at least 15 of those public entities representing collectively at least 60% of certain water deliveries. If so, the bill would require the clerk of that board of supervisors to file a certificate with the Secretary of State and would require the secretary to issue a certificate of formation. The bill would thereafter authorize certain public entities, including San Francisco, to become members of the agency, subject to certain procedures.

The bill would require each member of the agency to appoint one member to the board, and would require the Boards of Supervisors of San Mateo County and Santa Clara County to each appoint one member, to a 4-year term on the board. The bill would allow each director to receive compensation prescribed by the board, and would provide for the reimbursement of reasonable expenses incurred in the performance of duties. The bill would grant each director one vote on any ordinance, resolution, or motion, but would also provide for weighted voting.

The bill would authorize the agency to acquire water and water rights within or outside the state; develop, store, and transport water; provide, deliver, and sell water at wholesale for municipal, domestic, and industrial purposes to certain entities; and acquire, construct, operate, and maintain works and facilities to carry out the agency's purposes. The bill would authorize the agency to provide, sell, or deliver surplus water for beneficial uses. The bill would authorize the agency to exercise the right of eminent domain, except that the bill would prohibit the agency from acquiring by eminent domain, or exercising any control over, any water distribution facility owned and operated by any city, city and county, local public entity, or public utility without that entity's consent.

The bill would authorize the agency to issue revenue bonds, pursuant to certain procedures, to finance the construction, reconstruction, or improvement of any works carried out by the agency. The bill would authorize the agency to impose reasonable rates, fees, and charges on Stanford University, the California Water Service Company, its member public entities, and certain other entities that are sufficient to generate revenue to pay the principal and interest on any bonds issued by the agency.

The various requirements established by the bill for local public entities in connection with the formation and operation of the agency 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. 845 (AB 2228) Negrete McLeod. Public utilities: net energy metering.

Under existing law, electric service providers, as defined, are required to provide eligible customer-generators with net energy metering, as defined.

This bill would require electrical corporations, as defined, to provide eligible biogas digester customer-generators with net energy metering, as defined, under a pilot program. The bill would define an "eligible biogas digester customer-generator," in part, as a customer of an electrical corporation that uses a biogas digester electrical generating facility, as defined, with a certain capacity that is located on or adjacent to the customer's premises, is interconnected and operates in parallel with the electric grid, and is sized to offset part or all of the customer's own electrical requirements and that receives certain funding. The bill would prescribe conditions under which these customers may participate in the pilot program established by the bill.

Ch. 846 (AB 2706) Cardoza. Irrigation districts.

The Irrigation District Law provides for the formation of irrigation districts and grants powers to those districts relating to, among other things, water, electric power, flood control, and sewage disposal.

This bill would authorize an irrigation district to enter into any forward contract or futures contract, or put, call, or swap agreement, or similar procurement method for electricity, natural gas, or coal, or any weather, fuel, or energy risk management contract determined to be in the best interests of the district by the board of directors of the district for any of the uses or purposes of the district.

Ch. 847 (SB 1753) Bowen. Independent System Operator: duties.

(1) Existing law provides for the establishment of an Independent System Operator, a nonprofit, public benefit corporation, to ensure efficient use and reliable operation of the electrical transmission grid.

This bill would require the Independent System Operator to conduct its operations consistent with applicable state and federal laws and consistent with the interests of the people of the state. The bill would also require the Independent System Operator to manage the transmission grid and related energy markets in a manner that makes the most efficient

use of available energy resources, reduces overall economic cost to the state's consumers, is consistent with applicable state law intended to protect the public's health and the environment, and maximizes the availability of electric generation resources necessary to meet the needs of the state's electricity consumers. The bill would also require the Independent System Operator to ensure that its purposes and functions are consistent with those of a nonprofit public benefit corporation, maintain open meetings consistent with the general policies of the Bagley-Keene Open Meetings Act, and provide public access to corporate records consistent with the general policies of the California Public Records Act. Since under existing law a violation of the bill's requirements would be a crime, this bill would impose a state-mandated local program by changing 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. 848 (SB 1755) Soto. County water districts and municipal water districts: electric power.

(1) The County Water District Law and the Municipal Water District Law of 1911 grant to county water districts and municipal water districts, respectively, prescribed powers relating to water and other services.

This bill would authorize those districts to provide, generate, and deliver electricity, and to construct, operate, and maintain works, facilities, improvements, and property for that generation and delivery. The bill would prohibit those districts from acquiring property employed in the generation or delivery of electricity, except by mutual agreement between the district and the property owner. If a district elects to provide for its own generation of electricity, the bill would require the Public Utilities Commission to determine a cost-recovery mechanism to be imposed through a nonbypassable charge, for reimbursement of the Department of Water Resources and the electrical corporation for certain electricity purchase costs, to prevent a shifting of costs to an electrical corporation's bundled customers. Because a violation of an order or decision of the commission is a crime, 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. 849 (SB 1870) Speier. San Francisco Bay Area Regional Water System Financing Authority.

(1) Under existing law, the City and County of San Francisco (San Francisco) operates the Hetch Hetchy Project as a regional water delivery system, supplying water to persons and entities in San Francisco and the Counties of Alameda, San Mateo, and Santa Clara.

This bill would enact the San Francisco Bay Area Regional Water System Financing Authority Act. The bill would create the San Francisco Bay Area Regional Water System Financing Authority, consisting of San Francisco, certain public entities that purchase water from San Francisco, Stanford University, and the California Water Service Company.

The bill would require the governing body of each member public entity of the authority, other than San Francisco, and the Boards of Supervisors of San Mateo and Santa Clara Counties, to appoint one voting member to the board, and would require the governing body of San Francisco to appoint one nonvoting member, to a 4-year term on the board. The bill would require San Francisco to become a voting member of the authority if a certain requirement is met. The bill would allow each director who is not an officer or employee of an appointing entity to receive compensation prescribed by the board, and would provide for

the reimbursement of reasonable expenses incurred in the performance of duties. The bill would grant each voting director one vote on any ordinance, resolution, or motion.

The bill would authorize the authority to issue revenue bonds until December 31, 2020, pursuant to certain procedures, to improve the reliability of San Francisco's regional water system. The bill would require the bond proceeds to be made available upon terms and conditions that include San Francisco's entering contracts with the authority that, among other things, require San Francisco, on behalf of the authority, to impose a surcharge to generate revenue to pay the debt service on the revenue bonds issued by the authority and the operating expenses of the authority. The bill would require San Francisco to submit an annual report to the Joint Legislative Audit Committee describing the progress made on projects financed by the authority and on the implementation by the capital improvement program for the regional water system.

The bill would require the authority to dissolve upon the repayment of all revenue bonds issued by the authority and the satisfaction of all other debts and obligations of the authority.

The various requirements established by the bill for local public entities in connection with the formation and operation of the authority 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. 850 (SB 1976) Torlakson. State Energy Resources Conservation and Development Commission: report: real-time pricing: electrical corporation: procurement plans.

(1) Existing law requires the State Energy Resources Conservation and Development Commission (Energy Commission) to conduct an ongoing assessment of the opportunities and constraints presented by all forms of energy.

Under existing law, the Public Utilities Commission is required to conduct a pilot study of real-time metering for nonresidential customers, 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. Real-time metering is 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.

This bill would require the Energy Commission, in consultation with the Public Utilities Commission, to report to the Legislature and the Governor, by March 31, 2003, regarding the feasibility of implementing real-time, critical peak, and other dynamic pricing tariffs for electricity in California, as strategies which can either reduce peak demand or shift peak demand load to off-peak periods.

(2) The Public Utilities Act imposes various duties and responsibilities on the Public Utilities Commission with respect to the purchase of electricity.

The bill would amend the act to require the commission to review and adopt a procurement plan for each electrical corporation in accordance with elements, incentive mechanisms, and objectives set forth in the bill.

The bill would authorize the commission to engage an independent consultant or advisory service to evaluate risk management and strategy. The bill would require the commission to adopt appropriate procedures to ensure the confidentiality of any market sensitive information submitted in an electrical corporation's proposed procurement plan or resulting from or related to its approved procurement plan, and to determine the impact of a proposed divestiture on an electrical corporation's procurement plan.

The bill would allow an electrical corporation that serves less than 500,000 retail customers within the state to file with the commission a request for exemption from the

provisions of the bill. The bill would require the commission to grant the exemption upon a showing of good cause.

(3) Existing law makes a violation of the provisions of the act a crime.

This bill, by imposing new requirements on electrical corporations, would expand the scope of that crime, and thus 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 declare that it is to take effect immediately as an urgency statute.

Ch. 851 (AB 1219) Simitan. Criminal procedure: identity.

Existing law authorizes a person who reasonably believes that he or she is a victim of identity theft to petition a court for an expedited judicial determination of his or her factual innocence, where the perpetrator of the identity theft was arrested for or convicted of a crime under the victim's identity or where the victim's identity has been mistakenly associated with a record of criminal conviction. Existing law provides that a judicial determination of factual innocence may be heard and determined upon material, relevant, and reliable information submitted by the parties. Existing law requires a court that determines the petitioner is factually innocent to issue an order certifying the determination of factual innocence.

This bill would authorize the alleged victim of identity theft to petition for, or the court, on its own motion or upon application of the prosecuting attorney, to move for, an expedited judicial determination of the factual innocence of an alleged victim of identity theft, where the perpetrator of the identity theft was arrested for, cited for, or convicted of a crime under the victim's identity, or where a criminal complaint has been filed against the perpetrator in the victim's name, or where the victim's identity has been mistakenly associated with a record of criminal conviction. This bill would also increase the sources upon which a determination of factual innocence may be made to include material, relevant, and reliable information ordered to be part of the record by the court. This bill would authorize the court that has issued a finding of factual innocence to order the name and associated personal identifying information contained in court records, files, and indexes accessible by the public deleted, sealed, or labeled to show that the data is impersonated and does not reflect the defendant's identity.

Ch. 852 (AB 2067) Nakano. Nuclear emergencies: exposure to radioactive iodine.

Existing law provides for the regulation of various entities, and the administration of various programs, by the State Department of Health Services to protect persons from excessive and improper exposure to radiation.

This bill would require the department to work with the KI working group, coordinated by the Office of Emergency Services, to develop and implement a program to oversee the distribution of potassium iodide (KI) tablets to all persons who reside, work, visit, or attend school within the state-designated emergency planning zone of an operational nuclear powerplant, in the event of an accident causing leakage of radioactive iodine.

This bill would also require the department to develop and implement, in consultation with local health departments and local emergency management agencies, a plan for the prompt distribution of potassium iodide tablets, as specified, in the event of a nuclear emergency, and for the dissemination of instructions on the use of the tablets. The bill would require the department to work with the KI working group to develop and implement a plan and method for the efficient storage of the tablets. The bill would require the department to submit these plans to the Governor and the Legislature no later than July 1, 2004.

The bill would also require the department, in consultation with the KI working group, to evaluate areas in the state, other than those in specified areas around nuclear powerplants, in

which leakage of radioactive iodine is possible, and evaluate the need to store quantities of KI tablets in those areas. The bill would require the department to submit the evaluation to the Governor and the Legislature no later than July 1, 2004.

This bill would also provide that its provisions are to be implemented only to the extent that funds are appropriated for that purpose in the annual Budget Act or another measure.

Ch. 853 (AB 2191) Migden. Medical records: confidentiality.

(1) Existing law, the Confidentiality of Medical Information Act, prohibits providers of health care, health care service plans, and contractors, as defined, from disclosing medical information regarding a patient, without first obtaining authorization, except in specified instances.

This bill would prohibit pharmaceutical companies, as defined, or agents or representatives of pharmaceutical companies, from disclosing medical information regarding a patient, without first obtaining authorization, except as specified.

(2) The Confidentiality of Medical Information Act also prohibits providers of health care, health care service plans, and contractors from requiring a patient, as a condition of receiving health care services, to sign an authorization, release, consent, or waiver permitting the disclosure of medical information, except as specified, and further requires these entities to maintain, dispose of, and release medical information and records in a manner that preserves confidentiality, according to certain procedures.

This bill would prohibit pharmaceutical companies, or agents or representatives of pharmaceutical companies, as defined, from requiring a patient, as a condition of receiving pharmaceuticals, medications, or prescription drugs, to sign an authorization, release, consent, or waiver permitting the disclosure of medical information, except as specified. The bill would also require pharmaceutical companies to adhere to specified procedures regarding the maintenance, disposal, and release of medical information and records.

(3) A violation of the Confidentiality of Medical Information Act constitutes a crime. Because a violation 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. 854 (AB 2251) Nation. Sudden oak death.

The Budget Act of 2001 appropriated funds to the Department of Forestry and Fire Protection 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.

This bill would require the department to implement a program to detect, remove, and treat, if possible, trees infected with *Phytophthora ramorum* and would require that the program encourage tree management and replanting, as specified. The bill would additionally prescribe the duties of the Director of Forestry and Fire Protection with regard to the program.

The bill would require the department and the Department of Food and Agriculture to cooperate in enforcing quarantine and pest abatement provisions as they may relate to the program. In addition, the bill would require the department to provide information and technical assistance, as specified, to local agencies, and would authorize the department and other state agencies to assist local tree maintenance programs by making surplus equipment available on loan.

The bill would authorize the director to contract to provide assistance, as specified, for project costs associated with program implementation.

Subject to the appropriation of funds in the Budget Act of 2002, this bill would require the department to expend funds on various specified sudden oak death management activities and would require the Department of Food and Agriculture to expend funds on various specified sudden oak death regulatory activities.

The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 855 (AB 2409) Jackson. Emergency notification systems.

Existing law requires the Office of Emergency Services to conduct various investigations regarding the use of television and radio broadcast stations for transmitting emergency information to the public during an emergency.

This bill would require that the office conduct a study of the emergency notification systems at California television and radio broadcast stations to determine the ability of these stations to notify the public of emergency situations 24 hours a day. It would require the office to report its findings and any recommendations for improving the system to the Legislature no later than July 1, 2003.

Ch. 856 (AB 2441) Bates. Child abduction prevention.

Existing federal law implements the provisions of the Hague Convention on the Civil Aspects of International Child Abduction, which provides remedies for the wrongful removal or retention of a child in cases of international child abduction.

Existing state law requires a child custody determination made in a foreign country under factual circumstances in substantial conformity with the jurisdictional standards of specified laws of this state governing child custody proceedings to be recognized and enforced. Existing law also prohibits the abduction of a child in violation of the right of custody or visitation of a person.

This bill would enact the Synclair-Cannon Child Abduction Prevention Act of 2002. The bill would require a court, in cases in which the court becomes aware of facts which may indicate that there is a risk of abduction of a child, to consider specified factors in determining the risk of abduction of the child and to determine whether conditions are needed to prevent the abduction of the child. The bill would require the court to consider imposing specified conditions to prevent the abduction of the child.

The bill would also require the Judicial Council to make changes to child custody order forms necessary for the implementation of these provisions. This provision would be operative on July 1, 2003.

Ch. 857 (AB 2550) Nation. Electronic death registration.

Existing law requires that each death shall be registered with the local registrar of births and deaths in the district in which the death was officially pronounced or the body was found, within 8 calendar days after death and prior to any disposition of the human remains.

Existing law provides that the State Department of Health Services is charged with the uniform and thorough enforcement of those provisions relating to the registration of certain vital statistics and provides that the State Director of Health Services is the State Registrar of Vital Statistics, who shall have supervisory powers over local registrars.

Existing law authorizes the State Registrar of Vital Statistics to incorporate computer or telephone facsimile technology, or both, in the statewide program of death and fetal death registration.

This bill would require the State Department of Health Services to implement an Internet-based electronic death registration system on or before January 1, 2005.

Existing law imposes a fee on applicants for the issuance of a permit for the disposition of human remains to be paid to the local registrar of births and deaths. A portion of this fee is paid to the State Registrar.

This bill would impose an additional fee for the issuance of the permit and would require the local registrar of births and deaths to pay these fees to the State Registrar by a specified

date. The bill would require the funds derived from these fees, upon appropriation by the Legislature, to be used by the State Registrar to implement and maintain the electronic death registration system required by this bill.

Ch. 858 (AB 2672) Leonard. Child abuse reporting.

Existing law establishes the Child Abuse and Neglect Reporting Act, which requires that specified persons who have knowledge of or observe a child in their professional capacity or within the scope of their employment, who the person knows or reasonably suspects has been the victim of child abuse or neglect to report that information to a child protective agency, as defined. Existing law prohibits any supervisor or administrator from impeding or inhibiting these reporting duties, and prohibits any person from being sanctioned for making the report.

This bill would make a knowing violation of the above prohibition by a supervisor or administrator an infraction punishable by a fine not to exceed \$5,000. Because this bill creates a new 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. 859 (SB 1236) Alarcon. Labor and Workforce Development Agency.

(1) Existing law does not provide for the establishment of a Labor and Workforce Development Agency in state government.

This bill would create a Labor and Workforce Development Agency in state government consisting of the Department of Industrial Relations, the Employment Development Department, the Agricultural Labor Relations Board, and the Workforce Investment Board. The agency would be under the supervision of the Secretary of Labor and Workforce Development who would be appointed by the Governor, subject to confirmation by the Senate. The bill would specify that funding for the new agency be achieved from reallocation of existing resources currently allocated to the various entities that would form the agency, but would provide that no funds may be provided by the Agricultural Labor Relations Board. It would also specify that no appropriation of new General Fund moneys would be permitted to implement the bill.

(2) Existing law provides for the Director of Industrial Relations to receive an annual salary of \$91,054, as adjusted.

This bill instead would provide for the director to receive an annual salary of \$85,402, as adjusted.

(3) This bill would make conforming changes and other related changes in governmental reorganization of state agencies.

Ch. 860 (SB 1239) Figueroa. Consumer credit reporting agencies.

Existing law, the Consumer Credit Reporting Agencies Act, governs the disclosure of consumer credit reports. A consumer credit reporting agency is required to make specified disclosures of information contained in a consumer credit report upon the request of a consumer and to provide a free disclosure if the consumer has been turned down for credit, employment, insurance, or a rented dwelling because of information in his or her credit report within the preceding 60 days. Existing law also requires consumer credit reporting agencies to provide a specified written summary of rights to consumers.

This bill would enact provisions, effective July 1, 2003, that would additionally require a consumer credit reporting agency to provide a statement describing the statutory rights of victims of identity theft, as specified, and to provide one free copy each month, for up to 12 consecutive months, of a consumer's file, upon the request of a consumer who is a victim of identity theft. The bill would except from its provisions certain credit reporting agencies that

act only as resellers of credit information collected from other credit reporting agencies, as specified.

The bill would also revise the content of the written summary of rights provided to consumers, as specified.

Ch. 861 (SB 1259) Ackerman. Payment card theft.

Existing law establishes various offenses for theft.

This bill would provide that the possession or use, knowingly, willfully, and with the intent to defraud, as specified, of a device designed to scan or reencode information from or to the magnetic strip of a payment card, as defined, would be punishable by a term of imprisonment in a county jail not to exceed one year, or a \$1,000 fine, or both the imprisonment and fine. This bill would also provide for destruction of those devices owned by the defendant and possessed or used in violation of these provisions, and seizure of various other computer equipment used to store illegally obtained data, as specified.

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. 862 (SB 1617) Karnette. Credit cards.

Existing law provides for the issuance of credit cards, as specified, and permits a card to be issued as a renewal of, or in substitution for, an accepted credit card.

The bill would permit a credit card to be issued in substitution for an accepted credit card only if the card issuer provides an activation process whereby the cardholder is required to contact the card issuer to activate the credit card prior to using the card. The bill would state that its provisions do not prohibit the completion of an overdraft protection advance or recurring-charge transaction that a cardholder has previously authorized on an accepted credit card.

Ch. 863 (SB 1657) Scott. International trade and investment office: Republic of Armenia.

Existing law provides for the administration of international trade and investment offices by the International Trade and Investment Division of the Technology, Trade, and Commerce Agency. The secretary of the agency is authorized to accept private donations for the operation of these offices, among other purposes, and these donations are to be deposited in the Economic Development and Trade Promotion Account, as specified.

This bill would require the Governor to instruct the Secretary of Technology, Trade, and Commerce to establish, on a contract basis, an international trade and investment office in Yerevan, in the Republic of Armenia. It would require the secretary to report to the Legislature on the success of the international trade and investment office no later than March 1, 2005. It would specify that its provisions shall be implemented only to the extent that funds are available to the agency for purposes of the bill from any source. The bill would require that private donations specified for the operation of this office be deposited in a separate subaccount within the Economic Development and Trade Promotion Account and be used only for that purpose. These provisions would be repealed as of January 1, 2006.

This bill would make various technical, conforming changes.

Ch. 864 (SB 1980) McPherson. Search warrants.

Existing law authorizes a court or magistrate to issue a warrant for the search of a place and the seizure of property or things identified in the warrant where there is probable cause to believe that specified grounds exist. Federal law requires a provider of electronic communication service or a remote computing service to disclose to a governmental entity the name, address, local and long distance telephone connection records, and other billing,

payment, service, and calling records, of a subscriber to or customer of the service when the governmental entity uses, among other means, a warrant, a court order, an administrative subpoena authorized by a federal or state statute, or a federal or state grand jury or trial subpoena. Federal law provides similar requirements for the collection of the contents of stored communications in the possession of a provider of electronic communication service or a remote computing service, with specified consumer notice requirements. State law provides for a warrant procedure for the acquisition of these records. Existing law provides that no cause of action shall lie against specified parties for assistance in accordance with a warrant.

This bill would detail state procedures, similar to those described in federal law, for a governmental entity to gather similar specified records, not including the contents of stored communications, from a provider of electronic communication service or a remote computing service by search warrant. This bill would specify that no notice need be given to a subscriber or customer by a governmental entity receiving records pursuant to these procedures. It would also provide for motions to quash or modify a warrant under these provisions in specified circumstances, and would require a provider of wire or electronic communication services or a remote computing service to preserve records and evidence on request of a peace officer as provided. This bill would specify that no cause of action shall be brought against specified parties for providing information, facilities, or assistance in good faith compliance with a search warrant.

This bill would incorporate additional amendments to Section 1524 of the Penal Code as proposed by SB 1637 and AB 2055, contingent upon the prior enactment of one or both of those bills.

Ch. 865 (AB 105) Rod Pacheco. Public employees: peace officers: employee organizations.

Existing law grants certain peace officers a right to be represented by an employee organization composed entirely of other peace officers. This provision has been interpreted to apply only to those persons designated as peace officers under specified sections of the Penal Code at the time this provision was amended in 1971. Existing law also provides that, for San Bernardino County only, no distinction shall be made between a position designated as a peace officer position at the time of the enactment of the 1971 amendments to this provision, and a welfare fraud investigator or inspector designated as a peace officer position at any time after the enactment of the 1971 amendments to this provision.

This bill would prohibit this distinction with respect to probation corrections officers in San Bernardino County, upon approval by the county board of supervisors by ordinance or resolution.

Ch. 866 (AB 486) Calderon. Workers' compensation: administration and benefits.

(1) Existing law provides that the Commission on Health and Safety and Workers' Compensation in the Department of Industrial Relations is to be funded by appropriations from the Workplace Health and Safety Revolving Fund, into which certain civil and administrative penalties are deposited. Existing law requires the commission to review and approve applications from employers and employee organizations, or both, for grants to assist in establishing effective occupational injury and illness prevention programs.

This bill would instead provide for the deposit of these penalties in the Workers' Compensation Administration Revolving Fund. This bill would authorize the department to expend these funds upon approval by the commission, and upon appropriation from the fund by the Legislature, to fund the grants and other activities and expenses of the commission.

(2) Existing law provides for the Department of Industrial Relations to be divided into at least 6 divisions, including the Division of Workers' Compensation, which is under the

direction of an administrative director. Existing law provides that the administrative director has various powers and duties with respect to the Workers' Compensation Appeals Board and workers' compensation administrative law judges who hear appeals of workers' compensation claims.

This bill would add various provisions, including certain qualifications and ethics requirements for workers' compensation administrative law judges and other provisions relating to the operation of the workers' compensation courts.

This bill would also require the administrative director, in consultation with the court administrator and the Commission on Judicial Performance, to adopt regulations to enforce the applicable ethics requirements for workers' compensation administrative law judges, and would authorize the court administrator to enforce these regulations.

(3) Existing law authorizes collective bargaining agreements between a private employer or groups of employers engaged in certain activities and a recognized or certified exclusive bargaining representative that establishes a dispute resolution process for workers' compensation instead of the hearing before the Workers' Compensation Appeals Board and its workers' compensation administrative law judges, or that provides for specified other alternative workers' compensation programs.

This bill would enact similar provisions with respect to employers in the aerospace and timber industries, as specified. By requiring certain information in connection with these provisions to be submitted by an employer under penalty of perjury, this bill would expand the definition of the crime of perjury, thereby imposing a state-mandated local program.

(4) Existing law makes certain conclusive presumptions regarding a child's or spouse's dependency on a deceased employee for support as it pertains to workers' compensation benefits.

This bill would require a finding by a trier of fact, as specified, as to the physical or mental incapacitation to earn by a dependent child of any age.

(5) Existing law requires every employer, except as specified, to secure the payment of compensation by either being insured against liability to pay compensation, or by securing from the Director of Industrial Relations a certificate of consent to self-insure.

Existing law establishes the Self-Insurers' Security Fund, governed by a 7-member board of trustees and administered by the Director of Industrial Relations, to provide for the continuation of workers' compensation benefits delayed as a result of the failure of a private, self-insured employer to meet its compensation obligations when the employer's security deposit is either inadequate or not immediately accessible for the payment of benefits.

Existing law requires every private, self-insuring employer to secure incurred liabilities for the payment of workers' compensation by making a deposit based on estimated future liability for compensation.

This bill would authorize the director to provide by regulation for an alternative security system, as an alternative to that required by existing law, that would require private, self-insured employers to collectively secure all, or a portion of, their aggregate liabilities through the Self-Insurers' Security Fund.

(6) Existing law requires the Self-Insurers' Security Fund to establish bylaws in order to carry out the purposes and responsibilities of the fund.

This bill would require that those bylaws include any obligations imposed on the director by the above provisions relating to the alternative security system whereby all private, self-insureds, collectively, would be required to secure all, or a portion of, their aggregate liabilities through the Self-Insurers' Security Fund. The bill would also authorize the director to impose specified financial obligations on fund members to satisfy the security requirements set by the director with respect to participation in the fund.

(7) Existing law provides certain methods for determining workers' compensation benefits payable to a worker or his or her dependents for purposes of temporary disability, permanent total disability, permanent partial disability, and in case of death.

This bill would provide for increased temporary disability and permanent partial disability and death benefits for injuries or deaths occurring on or after January 1, 2003, with additional increases in benefits phased in over several years.

(8) Existing law establishes certification requirements for specified health care organizations that provide health care services for injured employees.

This bill would revise these certification requirements.

(9) Existing law provides for the payment of death benefits to the dependents of an injured employee who has died. Existing law establishes varying amounts of death benefits, in the case of dependents who are totally or partially dependent, or both, based on the date of the injury and on the number of dependent children.

This bill would increase the amount of those death benefits for injuries occurring on or after January 1, 2006.

(10) Existing law requires injured employees to be provided with medical services, including surgical treatment.

The bill would provide that the administrative director has the sole authority to develop an outpatient surgery facility fee schedule for services not performed under contract.

(11) Existing law establishes various procedures for workers' compensation claims proceedings, and gives exclusive jurisdiction to the Workers' Compensation Appeals Board regarding those claims. Existing law establishes procedures for the filing of pleadings, and for setting the times for hearings.

This bill would make changes to that procedure and would require a court administrator, rather than the Workers' Compensation Appeals Board, to establish various forms and to perform various administrative functions relating to these proceedings. This bill would also require the court administrator to establish a priority conferences calendar in specified cases, and require that the conferences shall be conducted by a workers' compensation administrative law judge, as prescribed. This bill would provide that if the dispute cannot be resolved at the conference, the case would be set for trial, as specified.

(12) Existing law requires workers' compensation insurers to maintain or provide occupational safety and health loss control consultation services certified by the Director of Industrial Relations.

The bill would require the Commission on Health and Safety and Workers' Compensation to establish and maintain a worker and occupational safety and health training and education program and an insurance loss control services coordinator position, to be funded from the Workers' Occupational Safety and Health Education Fund that would be created by the bill. The bill would require the director to levy and collect fees from workers' compensation insurers for purposes of the program, with the fees to be deposited in the Workers' Occupational Safety and Health Education Fund. Moneys in the fund would be available for expenditure for the above purposes upon appropriation by the Legislature.

(13) This bill would make related and technical changes.

(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.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 867 (AB 500) Goldberg. School districts: short-term employees.

(1) Under existing law, the governing board of any school district is required to employ persons for positions not requiring certification qualifications, to be known as the classified service. Under existing law, the governing board of any community college district is required to employ persons for positions that are not academic positions, also to be known as the classified service. Existing law prohibits substitute and short-term employees, employed and paid for less than 75% of a school year, from being part of the classified service. Existing law requires each position in the classified service to have, among other

things, a specific statement of the duties required to be performed by the employees in each such position.

This bill would require the governing board of a school district and of a community college district, before employing a short-term employee and at a regularly scheduled board meeting, to specify the service required to be performed by the employee, pursuant to the definition of "classification" in existing law, and to certify the ending date of the service. By imposing new duties on school districts and community college districts regarding the employment of classified employees, the bill would impose a state-mandated local program.

(2) This bill would incorporate additional changes to Section 45103 of the Education Code proposed by AB 2849, to be operative only if this bill and AB 2849 are both enacted and become effective on or before January 1, 2003, 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, 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. 868 (AB 1506) Wesson. Public works.

Existing law generally requires the payment of the general prevailing rate of per diem wages for public works projects costing over \$1,000, unless the awarding body elects to initiate and enforce a labor compliance program, as defined, for every public works project under the authority of that awarding body.

This bill would require an awarding body that chooses to use funds from either the Kindergarten-University Public Education Facilities Bond Act of 2002 or the Kindergarten-University Public Education Facilities Bond Act of 2004 for a public works project to initiate and enforce, or contract with a 3rd party to initiate and enforce, a labor compliance program for that public works project. The bill would provide that the labor compliance law applies to a public works project that commences, as provided, on or after April 1, 2003.

This bill would also provide that, if any campus of the California State University chooses to use these funds and is required to implement a labor compliance program as provided, the "awarding body" for the purposes of this bill is the Chancellor of the California State University, in which case the Chancellor of the California State University would be required to review certain payroll records on at least a monthly basis, as provided. This bill would also require the review of similar payroll records on at least a monthly basis if any campus of the University of California is required to implement a labor compliance program under the bill. This bill would also require awarding bodies to make a written finding that the body has complied with this bill, and require the State Allocation Board or the Director of the Department of Industrial Relations, as applicable, to verify that this written finding has been made.

This bill would not become operative unless either the Kindergarten-University Public Education Facilities Bond Act of 2002 or the Kindergarten-University Public Education Facilities Bond Act of 2004 is approved by the voters.

This bill would also state legislative findings and declarations regarding the bill's intent.

#### Ch. 869 (AB 1825) Nakano. Leaves of absences: organ donors.

Existing law authorizes, and in certain cases requires, that the appointing power of any state agency, department, board, or commission grant leaves of absences. These provisions also differ as to whether these leaves of absence are to be with or without pay.

This bill would require the appointing power of every state agency, department, board, or commission to grant up to a 30-day leave of absence with pay to employees who have exhausted all available sick leave and who are organ donors and up to a 5-day leave of absence with pay to employees who have exhausted all available sick leave and who are bone marrow donors, subject to specified requirements.

The bill would impose the same employee leave requirements on the Trustees of the California State University, and would allow the Regents of the University of California to adopt, by resolution, the same employee leave requirements.

Ch. 870 (AB 1847) Correa. Public employees: public safety members: biochemical substances.

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, county probation officers, and members in active law enforcement, who have completed 5 or more years of service, as specified, 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 additionally provide that, for purposes of qualification for disability benefits, the development of an illness due to exposure to a biochemical substance, as defined, by specified peace officer or firefighter members is presumed to arise out of, and in the course of, employment.

Under existing law, a person injured in the course of employment is generally entitled to receive workers' compensation due to 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 provide that, for specified peace officers and firefighters, the term "injury" includes illness or resulting death due to exposure to a biochemical substance, as defined, during the period in which the member is in the service of the governmental entity, and also establishes a disputable presumption in this regard.

Existing workers' compensation law contains various provisions applicable to a firefighter, firefighting member, and member of a fire department.

This bill would specify that whenever these terms are used, the term shall include, but shall not be limited to, unless the context expressly provides otherwise, a person engaged in providing firefighting services who is an apprentice, volunteer, or employee on a partly paid or fully paid basis.

Ch. 871 (AB 1908) Cohn. Public employees: long-term care insurance.

Existing law requires that the full cost of enrollment in a long-term care insurance plan or health care service plan contract covering long-term care offered to active and retired public employees, as specified, and their spouses, parents, and spouses' parents by the Board of Administration of the Public Employees' Retirement System be paid by the enrollees.

This bill would delete that requirement and make related conforming changes.

Ch. 872 (AB 1316) Dickerson. Horse racing: satellite wagering facilities.

(1) Existing law requires that in order to encourage and develop the racing of all horses in California, regardless of breed, whenever a state designated fair conducts a program of horse races on which there is parimutuel wagering, the fair, so far as practicable, provide a program of racing that includes thoroughbred racing, quarter horse racing, Arabian racing, and Appaloosa racing, if a sufficient number of horses are available to provide competition in one or more races.

This bill would eliminate the requirement that the fair be state-designated.

(2) Existing law permits any fair in San Joaquin, Humboldt, or Fresno County, with the approval of the Department of Food and Agriculture and the authorization of the board, to operate one satellite wagering facility on leased premises within the boundaries of that fair.

This bill would permit Shasta County, with the approval of the department and the authorization of the board, to operate one satellite wagering facility within the boundaries of that fair.

(3) Existing law permits mule races to be conducted by any county fair, district agricultural association fair, or citrus fruit fair.

This bill would permit mule races to be conducted by any fair. Under existing law, all revenue distributed to the state as license fees from mule racing is required to be deposited in the Fair and Exposition Fund and is continuously appropriated to the Department of Food and Agriculture for various regulatory and general governmental purposes. This bill would, by increasing the number of permissible meetings, increase the amount of continuously appropriated license fees, thereby making an appropriation. The bill would also authorize the imposition of a state tax for purposes of Article XIII A of the California Constitution.

Ch. 873 (AB 1985) Calderon. Insurance: workers' compensation: state rate supervision.

Existing law requires property and casualty insurers to file an annual risk-based capital report concerning various risks to the insurer's assets. Existing law requires that all insurers, including property and casualty insurers, take certain actions based on the report, and, in some instances authorizes the Insurance Commissioner to take action. Property and casualty insurer is defined for purposes of these provisions.

This bill would revise the definition of property and casualty insurer to include, among other things, workers' compensation insurance.

Existing law provides for the payment of workers' compensation benefits to employees injured in the course of employment.

Existing law regulates workers' compensation insurance rates, and among other things, provides for minimum rates. Existing law prohibits the use of rates that impair or threaten the solvency of an insurer or tend to create a monopoly in the market.

This bill would revise these workers' compensation insurance rate provisions to delete the prohibition against the use of rates that impair or threaten the solvency of an insurer and to require, instead, that rates be adequate to cover an insurer's losses and expenses. The bill would make conforming changes.

Existing law requires an insurer to file all rates, rating plans, and supplementary rate information with the commissioner. Existing law authorizes the commissioner, after a hearing and finding that an insurer's rates require closer supervision due to the insurer's financial condition, to require the insurer to file additional rates and information.

This bill would delete reference to rating plans. The bill would delete the authority of the commissioner, described above, to have a hearing based on the insurer's financial condition and require an insurer to file additional rates and information.

Existing law authorizes the commissioner to disapprove a rate if certain determinations are made, and specifies procedures for a hearing prior to the disapproval of rates, for the discontinuance of a disapproved rate, and for the use of an interim rate.

This bill would modify the basis upon which a rate is disapproved, and would revise the various procedures described above.

Ch. 874 (AB 2554) Thomson. Horse racing.

The California Horse Racing Law puts authority over the regulation of horse racing in the California Horse Racing Board. Existing law provides for the San Mateo County Fair to conduct races with board approval at any location if Bay Meadows closes.

This bill would authorize the board to permit the Solano County Fair to conduct live racing meetings at another site within or outside Solano County, if the site of its 2002 racing meeting

is no longer available for horse racing in any subsequent year. This bill would permit that fair, subject to the approval of the board, to conduct its racing dates at a facility operated by a thoroughbred racing association or fair licensed to conduct a racing meeting in the northern zone, as specified.

Existing law authorizes advance deposit wagering, as specified, and requires entities holding advance wagering accounts to provide a full accounting of deposits and wagers, as specified. After the payment of winning wagers and the deduction of contractual compensation and a host fee, where applicable, existing law requires payments to various racing entities in California. Existing law refers to the balance returned to the host licensee in California from advance deposit wagering as the market access fee. From this, existing law provides that 0.0011 percent of the amount handled on advance deposit wagers that originate in California for each racing meeting to be dedicated to the Kenneth L. Maddy Fund for equine health, 0.0003 percent of that amount to pay for specified auditing and reimbursement costs, and 0.00165 of that amount to augment a specified welfare fund and pension plans benefiting backstretch personnel, with the remaining funds to be distributed as commissions, purses, and incentive awards, as specified.

This bill would instead specify that 0.0011 multiplied by the amount handled on advance deposit wagers that originate in California for each racing meeting shall be dedicated to the Kenneth L. Maddy Fund for equine health, 0.0003 multiplied by that amount shall be used for specified auditing and reimbursement costs, and 0.00165 multiplied by that amount shall augment the specified welfare fund and pension plans benefiting backstretch personnel.

Existing law provides that if the total amount paid to the state by racing associations and fairs pursuant to the Horse Racing Law is less than \$40,000,000 in any calendar year, all associations and fairs that conducted live racing during the year of shortfall shall remit to the state, on a pro rata basis according to the amount handled in-state by each association or fair, the amount necessary to bring the total amount paid to the state to \$40,000,000.

This bill would specify that market access fees from advance deposit wagering are not to be considered for purposes of those calculations.

Existing law provides for and regulates satellite wagering by eligible county fairs subject to specified conditions, if approved by the Department of Food and Agriculture and the California Horse Racing Board. Fairs in certain counties have separate authorizations to operate satellite facilities.

This bill would authorize the board to approve the Solano County Fair to operate a satellite wagering facility on the fairgrounds or on leased premises in Solano County, if the Solano County Fair ceases to conduct live horse racing at the site of its 2002 racing meeting in any subsequent year, as specified.

By authorizing additional wagering, this bill would increase the amount of continuously appropriated license fees collected as a percentage of wagering, thereby making an appropriation. The bill would also authorize the imposition of a state tax for the purposes of Article XIII A of the California Constitution, and thus would require for passage the approval of  $\frac{2}{3}$  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. 875 (AB 2060) Bates. County employees' retirement: death benefits.

The County Employees Retirement Law of 1937 provides that no amendment to that law shall affect the right to or amount of any retirement allowance payable to any member, or spouse or beneficiary of any member, who retired or died prior to the effective date of the amendment.

This bill would provide that, notwithstanding that provision, certain alternative death benefits may be made operative as of the date specified by the county board of retirement in its resolution making those benefits applicable in the county.

Under the County Employees Retirement Law of 1937, alternative death benefits may be payable to a surviving spouse provided, among other things, no other person has been designated in an order of a court in a domestic relations proceeding as a payee.

This bill would eliminate that proviso and would make other technical and clarifying changes.

Ch. 876 (AB 2125) Negrete McLeod. Workers' compensation: Lyme disease.

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, and establishes a disputable presumption in this regard.

This bill would provide that in the case of certain state law enforcement and California Conservation Corps personnel, the term "injury" also includes Lyme disease that develops or manifests itself during a period while the person is in that service.

Ch. 877 (AB 2131) Bogh. Workers' compensation: advanced disability pension benefits.

Existing workers' compensation law permits a city, county, special district, or harbor district that is a member of the Public Employees' Retirement System, is subject to the County Employees Retirement Law of 1937, or is subject to the Los Angeles City Employees' Retirement Systems, to make advanced disability pension payments to any local safety officer who meets certain criteria and is approved for a disability allowance.

Chapter 189 of the Statutes of 2002, commencing January 1, 2003, proposes to require these entities to make these advanced disability pension payments commencing no later than 30 days from the date of issuance of the employee's last regular payment for wages or salary, payment for specified benefits, or payment for sick leave, unless certain conditions exist.

Chapter 189 of the Statutes of 2002, commencing January 1, 2003, proposes to require these advanced disability pension payments to continue until the claimant is approved or disapproved for a disability allowance pursuant to final adjudication as provided by law.

This bill would, if the above requirements to commence January 1, 2003, become operative, specify that if an employee's disability application is denied, the local agency and the employee shall arrange for the employee to repay all advanced disability pension payments.

Ch. 878 (AB 2149) Chu. Unemployment insurance: disability benefits.

Existing law provides for the partial compensation, in a specified amount, for the wage loss suffered by eligible individuals unemployed because of sickness or injury, from the Unemployment Compensation Disability Fund, a special fund in the State Treasury that is continuously appropriated for these purposes. The fund consists, among other things, of contributions paid by workers subject to these provisions, at specified rates.

This bill would permit the state and the Trustees of the California State University to elect to become employers whose employees are eligible for payment of disability benefits from the Unemployment Compensation Disability Fund.

By increasing the pool of potential recipients of payments from, and potential contributors into, a continuously appropriated fund, this bill would result in an appropriation.

Ch. 879 (AB 2192) Chavez. Workers' compensation insurance: rating information.

Existing law authorizes a licensed rating organization to make available experience rating information in its records to insurers admitted to transact workers' compensation insurance if the insurer, agent, or broker submits a written request that meets certain requirements. Under existing law, a willful violation of these provisions is punishable as a misdemeanor offense.

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**NOTE:** Superior numbers appear as a separate section at the end of the digests.

This bill would provide that a licensed rating organization may not enter into a contract or agreement that prohibits information services companies in the business of publishing or providing experience rating information prior to a specified date from continuing to receive and provide that information.

Ch. 880 (SB 1411) Speier. Health care coverage: maternity services.

Existing law provides for the regulation of health care service plans by the Department of Managed Health Care and for the regulation of disability insurers by the Department of Insurance. Under existing law, a violation of the provisions governing health care service plans is punishable as a crime. Existing law prohibits a health care service plan and a disability insurer from imposing certain restrictions with respect to maternity benefits provided, respectively, under its plan contract or policy.

This bill would, effective July 1, 2003, prohibit a health care service plan and a disability insurer from imposing a copayment or deductible for health care or health insurance for specified maternity services that exceeds the most common amount of the copayment or deductible imposed for services provided for other covered medical conditions.

Because the bill would impose additional requirements on health care service plans, the 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. 881 (SB 1701) Peace. Tobacco taxes: tax stamps.

The Cigarette and Tobacco Products Tax Law requires that an appropriate stamp be affixed to, or that an appropriate meter impression be made upon, each package of cigarettes prior to distribution.

This bill would, as of January 1, 2005, require the State Board of Equalization to replace the stamps and meter impressions, currently required to be affixed to tobacco products, with a stamp or meter impression that can be read by a scanning or similar device, and encrypted with specified information.

Ch. 882 (AB 2612) Maldonado. Public employees: pension trusts.

Existing law provides that the legislative body of a local agency may establish a pension trust for the benefit of its officers and employees. Pursuant to these provisions, a county that has created a pension trust for its officers and employees may contract with the courts and other local agencies within the county to permit the officers and employees of the courts and local agencies to participate in the county's pension trust plan. These provisions also require the contracting court or local agency to determine if participation in the plan shall be optional or compulsory for its officers and employees.

This bill would delete that latter requirement.

Ch. 883 (AB 2766) Runner. Public employees' retirement: accumulated contributions.

Existing law provides members of certain public retirement systems, whose retirement benefits have vested, with the right, upon leaving service and entering the employment of a reciprocal retirement system within a specified timeframe, to leave accumulated contributions on deposit in the retirement fund, subject to specific limitations. Existing law also permits a former member of a public retirement system, under specified circumstances, to elect to redeposit in the retirement fund an amount equal to the accumulated contributions that he or she withdrew upon termination of employment.

This bill would expand those rights to provide a member of a county, city, or local agency retirement system, who is credited with less than the number of service years required for

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benefits to vest, with the right to elect to leave his or her accumulated contributions, as defined, on deposit in the retirement fund, subject to specified conditions. The bill would additionally grant a former member of one of those retirement systems who is or was engaged in active law enforcement or firefighting and prevention service, as specified, and who, for specified reasons, did not leave his or her accumulated contributions within the retirement fund, the right to redeposit those withdrawn contributions, if he or she is an active member of a specified reciprocal public retirement system at the time of redeposit.

The bill would set forth the findings and declarations of the Legislature and would make related, conforming changes.

Ch. 884 (AB 2780) Corbett. Private security services.

Existing law provides for the regulation of private patrol operators by the Bureau of Security and Investigative Services in the Department of Consumer Affairs.

Existing law provides that the Director of Consumer Affairs may establish procedures so that certain public agencies may file charges with the director alleging that a registered person, or person who has applied for registration with the bureau, fails to meet registration standards.

This bill would allow any person in the state to file a complaint with the director alleging a registered person or a person who applied for registration with the bureau fails to meet registration or licensure standards. The bill would also require the bureau to issue a response to the charging or complaining party in accordance with established procedures.

This bill would also make it a violation of Section 1102.5 of the Labor Code for a private patrol operator to discharge, demote, threaten, or otherwise discriminate against an employee in the terms and conditions of his or her employment, because that employee has disclosed information to a government or law enforcement agency relating to conduct proscribed by this law. The bill would provide that a private patrol operator would be liable to the injured party in an action for damages if the private patrol operator intentionally violated these provisions. The bill would authorize a person who has been discharged or discriminated against to bring a claim against the private patrol operator within 3 years of the date of the discharge, demotion, threat, or discrimination. The bill would specify that neither the department nor the bureau would be responsible for resolving the claims.

The bill would incorporate additional changes in Section 7581 of the Business and Professions Code proposed by AB 248 to be operative only if AB 248 and this bill are enacted and become effective on or before January 1, 2003, and this bill is enacted last.

Ch. 885 (AB 2837) Koretz. Safety in employment.

Existing law provides that the local registrar of births and deaths shall transmit each week to the State Registrar all original certificates accepted for registration by him or her during the preceding week.

In addition, this bill would require the local registrar of births and deaths to transmit a copy of each certificate of death for which the death has been marked as work related.

Under existing law, the Division of Occupational Safety and Health is not required to provide bilingual persons to assist in taking and investigating complaints, or to provide interpreters at hearings.

This bill would require the division to make all efforts to ensure that limited-English-proficient persons can communicate effectively with the division. The division would further be required to prepare a progress report containing specified information, by July 30, 2004, on the provision of information and services to non-English-speaking persons.

Existing law provides for a Bureau of Investigations in the Division of Occupational Safety and Health to direct investigations of specified employment accidents.

This bill would permit the Department of Industrial Relations, upon request by a county district attorney, to develop a protocol containing specified provisions for the immediate referral of cases by the bureau to the appropriate prosecuting authority.

Existing law requires an employer to immediately file a report to the division in every case involving a serious injury or illness, or death.

This bill would impose a civil penalty of not less than \$5,000 against any employer who fails to file a report as specified.

This bill would create in the General Fund the Worker Safety Bilingual Investigative Support, Enforcement, and Training Account (hereafter the account), to be expended by the department, upon appropriation, for employment safety purposes, as defined. The department would be authorized to receive and accept contributions for those purposes, to be immediately deposited in the account. The bill would prohibit the department from receiving or accepting a contribution made from proceeds of a judgment in certain criminal actions, relating to violations of the California Occupational Safety and Health Act of 1973.

Existing law requires a state, county, or local fire or police agency called to an industrial accident in which a serious injury or illness, or death occurs to report the accident to the nearest office of the division.

This bill would require that the division then notify the appropriate prosecuting authority of the accident.

Existing law provides that every employer, and every officer, management official, or supervisor having direction, management, control, or custody of any employment, place of employment, or employee is guilty of a misdemeanor if that person or entity, among other things, knowingly or negligently violates any standard, order, or special order, or any of certain provisions of law, or part thereof, authorized by the California Occupational Safety and Health Act of 1973, the violation of which is deemed to be a serious violation, as defined.

This bill would also provide that an employer, officer, management official, or supervisor who knowingly fails to report a death to the division or knowingly induces another to do so is guilty of a misdemeanor. This bill would prescribe a penalty of up to one year in jail, a fine of up to \$15,000, or both. If the violator is a corporation or a limited liability company, this bill would impose a fine of up to \$150,000.

By making certain violations of employee safety standards by employers subject to criminal penalties, 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.

This bill also makes technical, nonsubstantive changes to existing law.

#### Ch. 886 (AB 2880) Chavez. Private security services.

Existing law provides for the regulation of private security services by the Bureau of Security and Investigative Services in the Department of Consumer Affairs. Existing law requires a person who is registered as a security guard to complete a course of training on the power to arrest and requires that the course meet certain requirements, including that it be approximately 3 hours in length and that it cover specified subjects. Existing law exempts peace officers meeting certain criteria from this requirement.

This bill would make certain revisions to the course of training, including increasing the length to approximately 8 hours and revising the subjects that the course of training is required to cover.

This bill would require the department to develop and approve, by regulation, a standard course and curriculum for security officer skills training, and to consult with specified persons in formulating the regulations. Commencing July 1, 2004, the bill would require a security guard, other than a peace officer meeting certain requirements, to complete the course of training within a specified time period from the date that a registration card is

issued, would authorize licensees or department-approved organizations to administer, test, and certify the security officer skills course of training, and would require a course provider to issue a certificate upon satisfactory completion of either the power to arrest or the security officer skills course of training.

Existing law requires a licensee as a private patrol operator to be responsible for ascertaining that employees subject to registration are currently registered or have made proper application for registration. Existing law prohibits a licensee from failing to maintain an accurate and current record of proof of completion by each employee of the mandated course of training in the exercise of the power to arrest.

This bill would additionally require a licensee, commencing January 1, 2005, to be responsible for ascertaining that employees subject to registration have, in the preceding 12 months, completed a specified amount of dedicated review or practice of security officers training. The bill would also prohibit a licensee from failing to maintain an accurate and current record of proof of completion of the required security officers skills training and annual practice and review.

Existing law authorizes the Director of Consumer Affairs to deny, suspend, or revoke a private patrol operator license if it is determined that the licensee has violated any provisions of the Private Security Services Act.

This bill would exclude the assessment or payment of fines as provisions the violation of which would subject a licensee to this disciplinary action.

Existing law sets forth a security guard registration fee not to exceed \$40 and a security guard registration renewal fee not to exceed \$30.

This bill would instead require that the registration fee be \$50 and that the renewal fee be \$35. The bill would authorize the Director of Consumer Affairs to reduce temporarily these fees upon receipt of federal funds, provided that the funds received are for implementation of the act or enhancement of private security services in the state and are sufficient to justify the reduction.

The bill would incorporate additional changes in Sections 7583.2, 7583.6, and 7583.7 of the Business and Professions Code proposed by AB 248 and SB 1241, to be operative only if either or both of the other bills are enacted and become effective on or before January 1, 2003, and this bill is enacted last.

The increase in fees would increase the moneys deposited in the Private Security Services Fund, a continuously appropriated fund, for the purpose of licensing and regulation of private security services and would thereby make an appropriation.

#### Ch. 887 (SB 1911) Ortiz. Children's mental health.

Existing law establishes the State Department of Mental Health and creates various programs for children with mental health issues.

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. Among the benefits provided are mental health services for children.

This bill would require the State Department of Mental Health to develop, in consultation with prescribed entities, and submit to the Legislature by no later than 12 months after the department receives sufficient funds, an analysis, as prescribed, on the savings to the General Fund and to the county mental health system, and the increased federal funding and the improvements that could be realized to county mental health programs, foster care programs, juvenile justice programs, and local educational agency programs for the provision of mental health services, as specified, by applying for a federal medicaid waiver or by adopting a state option to provide home- and community-based services to children with mental health care needs, with respect to whom there has been a determination that, but for the provision of home- and community-based services, these children would require the level of care

provided in a hospital due to the severity of their mental health care needs, the cost of which could be reimbursed under the state plan.

The bill would specify that these provisions would only be implemented to the extent funding for this purpose is appropriated in the annual Budget Act or other statute, or the State Department of Mental Health has received private, nonstate donations for this purpose.

This bill would require the State Department of Mental Health to determine whether a home- and community-based services medicaid option or waiver would provide cost benefits to the General Fund and, if so, would authorize, but not require, the State Department of Health Services to submit to the appropriate federal agency a home- and community-based waiver application, or adopt a state home- and community-based services option, as appropriate, to provide services to the target population.

Ch. 888 (SB 1932) Vincent. California State Lottery.

The California State Lottery Act of 1984 prohibits the use of certain themes in lottery games, as specified.

This bill would delete the prohibition on the use of bingo themes in lottery games.

The Lottery Act provides that none of its provisions may be changed, except to further its purpose by a bill passed by a  $\frac{2}{3}$  vote of each house of the Legislature and signed by the Governor. This bill would declare that its provisions further the purpose of the act.

Ch. 889 (AB 2909) Wiggins. Public employees' retirement: contracting agencies.

Existing law authorizes the governing body of a public agency to ask the Board of Administration of the Public Employees' Retirement System for a quotation of the approximate contribution that would be required of the agency if it elected to participate in the system.

This bill would additionally authorize a recognized employee organization that represents employees of the public agency to ask for that quotation.

Existing law also authorizes a recognized employee organization that represents employees of a public agency to ask the board for a quotation of the approximate contribution that would be required of the agency if a specific change were made to the agency's contract with the system, if the organization pays for the quotation.

This bill would additionally authorize the governing body of the public agency to ask for that quotation and would eliminate the requirement that the employee organization pay for the quotation. The bill would require the governing body of the public agency to provide each employee organization representing employees that will be affected by a proposed participation or change with a copy of the quotation within 5 days of receipt of the quotation.

The bill would also require an employee organization to provide a public agency that will be affected by the proposed participation or change with a copy of a quotation within 5 days of receipt of a requested quotation.

The bill would also authorize the board to establish limits on the number of quotations it will provide for each contract and the fees, if any, to be assessed for each quotation provided.

Ch. 890 (AB 2929) Kehoe. Wage garnishment: unemployment compensation and disability overpayments.

Existing law provides a procedure for the state to follow to collect overpayments of unemployment compensation or disability benefits made to a person. Existing law requires the Director of Employment Development to enforce collection of any judgment seeking recovery of these overpayments.

Existing law provides that the levy of execution upon the earnings of an employee to satisfy a debt is to be made by service of an earnings withholding order upon the employer of the employee.

This bill would authorize the state to issue an earnings withholding order directly, without the use of a levying officer, for purposes of collecting overpayments of unemployment

compensation or disability benefits made to a person. The bill would require the earnings withholding order to be served by registered or certified mail, postage prepaid, with return receipt requested and would provide that service is deemed complete at the time the return receipt is executed by, or on behalf of, the recipient. The bill would provide for alternative enforcement of the earnings withholding order if the return receipt is not received.

Ch. 891 (SB 2065) Kuehl. Radioactive waste.

(1) Existing law, the Radiation Control Law, designates the State Department of Health Services as the agency responsible for the regulation of radiation control in the state, and imposes various duties on the department in connection with that designation, including developing programs for evaluating the health and safety hazards associated with using sources of ionizing radiation, licensing and regulating byproduct, source, and special nuclear materials, and adopting regulations relating to the control of sources of ionizing radiation. Existing law also requires the department to collect and disseminate information relating to the control of sources of ionizing radiation, as specified. A violation of the Radiation Control Law is a crime.

This bill would require the department to establish reporting procedures through a public hearing process for low-level radioactive waste (LLRW) and would require generators of LLRW to annually report specified information to the department, thereby imposing a state-mandated local program by creating a new crime. The bill would require the department to maintain a file of all LLRW transferred for disposal to a licensed LLRW disposal facility during the reporting period and a file on each generator's LLRW stored. The department would be required to prepare a report, including an annual set of tables summarizing data collected from the generators of LLRW. The bill would prohibit the department from making the report available to the public and would exclude the report from the operation of the California Public Records Act.

Under existing law, the fees, penalties, interest earned, and fines imposed under the Radiation Control Law and for the regulation of nuclear medicine and radiologic technology are deposited in the Radiation Control Fund in the State Treasury and the department is authorized to expend the money in the fund, upon appropriation by the Legislature, for the costs related to the enforcement of that law and for certain provisions regulating radiologic technology and nuclear medicine.

This bill would specify that the money in the fund is also available for expenditure by the department to implement the requirements of the bill.

The bill would require the department to implement the bill only to the extent that funding is appropriated for that purpose.

(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. 892 (SB 278) Machado. Public works project: Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002.

Existing law, with certain exceptions, requires the payment of not less than the general prevailing rate of per diem wages for work of a similar character in the locality in which a public works project is performed to all workers employed on that public works project. Existing law provides that the body awarding any contract for certain public works projects is prohibited from requiring the payment of the general prevailing rate of per diem wages if the awarding body elects to adopt and enforce a prescribed labor compliance program relating to the payment of general prevailing rate wages and related laws.

The Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002, if approved by the voters at the November 5, 2002, statewide general election, would

authorize, for the purposes of financing a safe drinking water, water quality, and water reliability program, the issuance of bonds in the amount of \$3,440,000,000.

This bill would require the body awarding any contract for a public works project financed with funds made available by the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002, if that initiative measure is approved by the voters, to adopt and enforce that above-mentioned labor compliance program for application to that public works project.

Ch. 893 (SB 1407) Burton. Workers' compensation.

Existing law requires a rating organization, by June 1 of each year, to notify the Governor and the Legislature that a report containing an analysis of all losses and expenses for the prior year by all insurers who are members of the organization is available upon request.

This bill would require a rating organization designated as the Insurance Commissioner's statistical agent to report to the commissioner by April 1, 2003, on the potential underreporting of workers' compensation exposure in the taxicab industry. The bill would require the rating organization to report to the Governor, the Legislature, and the commissioner by May 1, 2003, on its findings.

Ch. 894 (SB 1419) Alarcon. Personal services contracting: school and community college districts.

(1) Under existing law, the governing board of any school district is required to employ persons for positions not requiring certification qualifications, to be known as the classified service. Under existing law, the governing board of any community college district is required to employ persons for positions that are not academic positions, also to be known as the classified service. Each position in the classified service is required to have a designated title, a regular minimum number of assigned hours, a specific statement of duties, and a regular salary range.

This bill would permit and establish standards for the use of personal services contracts in school districts and community college districts notwithstanding the above-described law pertaining to classified service. Under the bill, personal services contracting would be permitted to achieve cost savings, or when (1) the contract would be for new functions that the Legislature mandates or authorizes be performed by independent contractors, (2) the services would not be available within the school or community college district or cannot be satisfactorily performed by district employees, (3) the services would be incidental to a purchase or lease contract, (4) the policy, administrative, or legal goals and purposes of the district could not be accomplished through the regular or ordinary hiring process, (5) the work would meet criteria for emergency appointment, (6) equipment, materials, facilities, or support services would be provided that could not feasibly be provided by the district, or (7) the services would be of an urgent, temporary, or occasional nature. The bill would operate prospectively.

To the extent that the bill would require school districts and community college districts to change their practices with respect to personal services contracting, 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. 895 (SB 1422) Burton. Private Investigator Act: licensure requirements.

The Private Investigator Act, among other things, imposes licensure requirements on any person who conducts an investigation, as defined. Existing law exempts certain specified persons from these requirements.

This bill would provide for an additional exception from these requirements for any labor-management committee, established pursuant to the federal Labor Management Cooperation Act of 1978, and its employees, if the committee performs functions authorized by the Labor Management Cooperation Act of 1978.

Ch. 896 (SB 1464) Soto. Public employees' health care benefits: employer contributions.

The Public Employees' Medical and Hospital Care Act provides for health benefits plans and contracts for public employees and sets forth the public employer's contributions to those plans, which contributions are deposited into 2 continuously appropriated funds. Pursuant to these provisions, the public employer's contribution for each employee or annuitant is required to be the amount necessary to pay the cost of enrollment for that employee or annuitant, including any family members enrolled in a health benefit plan, or if less, \$16 per month.

This bill would increase the above amount to \$97 per month over 5 years commencing on January 1, 2004, and would require that amount to be adjusted annually thereafter by the board to reflect any change in the medical care component Consumer Price Index. By increasing the contributions to continuously appropriated funds, the bill would make an appropriation.

Ch. 897 (SB 1507) Romero. Intermodal chassis.

Existing law authorizes an ocean marine terminal that receives and dispatches intermodal chassis, as defined, to conduct an intermodal roadability inspection program, as described, in lieu of other provisions that require every operator of certain types of vehicles to cause the vehicle to be inspected at least every 90 days, or more often to ensure safe operation. Existing law also specifies that it is a misdemeanor to operate an intermodal chassis on the highway other than to a place of repair, until all defects discovered during the inspection have been corrected.

This bill would require ocean marine terminals that conduct the intermodal roadability inspection program to sign, under penalty of perjury, that the inspection was performed. The inspection program would require, among other things, and subject to exception, that a citation issued for the violation of any state or federal law related to the defective condition of an intermodal chassis subject to inspection that is not owned by that motor carrier or commercial driver, be issued to the entity responsible for the inspection and maintenance of the intermodal chassis. The bill would require the California Highway Patrol to recommend that the Department of Motor Vehicles suspend the operator's motor carrier property permit if any inspection of the ocean marine terminal results in an unsatisfactory rating due to conditions presenting an imminent danger to the public or due to the operator's repeated failure to inspect and repair intermodal chassis, as specified.

Because this bill would create a new crime by requiring a signature under penalty of perjury, it would impose a state-mandated local program.

This bill would also provide that any driver who believes that an intermodal chassis is in an unsafe operating condition may request that the chassis be reinspected by the entity responsible for the inspection and maintenance of the chassis. The bill would also require that the request for reinspection, any corrective action taken, or the reason why corrective action was not taken be recorded in the intermodal chassis maintenance file. The bill would also provide that no commercial driver could be threatened, coerced, or otherwise retaliated against by any ocean marine terminal operator for contacting a law enforcement agency with regard to the physical condition of an intermodal chassis or for requesting that the intermodal chassis be reinspected or repaired.

Violation of these provisions would be an infraction pursuant to existing provisions of law. By 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. 898 (SB 1536) Soto. Public Employees' Medical and Hospital Care Act: wage claims.

(1) Existing law, the Public Employees' Medical and Hospital Care Act, requires the Board of Administration of the Public Employees' Retirement System to compile and provide specified data regarding health benefits plans, costs, utilization, and other matters relating to public employee health benefits coverage.

This bill would authorize the board to audit the books and records of employers to determine their compliance with the act and to enter into joint purchasing arrangements with public or private entities, subject to specified conditions.

(2) The Public Employees' Medical and Hospital Care Act provides that rates charged under any health benefits plan may be readjusted in subsequent terms based on past experience and benefit adjustments under the subsequent contract, as specified. Existing law also authorizes the Board of Administration to make provisions, as necessary, to reduce the impact of adverse selection that would affect health care plans because of enrollment of annuitants.

This bill would instead provide that the board has unlimited authority to enter into contracts with carriers providing compensation based on carrier performance or to credit premiums to employers for expenditures that are likely to improve employee health or otherwise reduce health care costs. The bill would also authorize the board to make provisions, as necessary, to reduce the impact of adverse selection because of the enrollment of annuitants, including reimbursement of Medicare late enrollment surcharges, as specified.

(3) Existing law requires contracting agencies to remit employer and employee contributions for health benefits to the Public Employees' Health Care Fund.

This bill would authorize assessment of interest and penalties, as specified, on contracting agencies who fail to remit those contributions when due, thereby making an appropriation.

(4) Under existing law, employer and employee contributions for health benefits are credited to the Public Employees' Health Care Fund or the Public Employees' Contingency Reserve Fund, both of which are continuously appropriated special funds. Under existing law, the Public Employees' Contingency Reserve Fund may be used to defray rate increases, reduce contributions, increase benefits, and pay administrative expenses, as specified. Under existing law, the Public Employees' Health Care Fund consists of, among other moneys, health plan premiums paid by public agencies.

The bill would revise and recast the provisions relating to the Public Employees' Contingency Reserve Fund by, among other things, eliminating the continuous appropriation of the fund, creating a continuously appropriated separate account within the fund for health benefit plans that the board has approved or that have entered into a contract with the board, and authorizing the use of a specified portion of the funds for cost containment programs and health benefits plan performance incentives, as specified. The bill would also create a continuously appropriated account in the Public Employees' Contingency Reserve Fund for health plan premiums paid by public agencies, and remove these premiums from the Public Employees' Health Care Fund. By changing the purpose for which the Public Employees' Contingency Reserve Fund may be used, the bill would make an appropriation. The bill would also create a separate account in the Public Employees' Contingency Reserve Fund for administrative expenses consisting of funds deposited pursuant to specified sections of law. The bill would permit money in this account to be expended pursuant to approval by the Department of Finance and the Joint Legislative

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**NOTE:** Superior numbers appear as a separate section at the end of the digests.

Budget Committee in the manner set forth for obtaining authorization for expenditures requiring a deficiency appropriation, as specified. The bill would revise the statement of legislative findings and declarations regarding the parties for whom the Public Employees' Health Care Fund is held in trust. The bill would also make conforming changes. The bill would also require the Board of Administration of the Public Employees' Retirement System to submit an annual report to the Joint Legislative Budget Committee concerning the utilization of funds for cost containment, as specified.

(5) Existing law authorizes contracting agencies subject to the Public Employees' Medical and Hospital Care Act to maintain another plan or program offering prepaid hospital and medical care for its employees in certain circumstances.

This bill would prohibit those contracting agencies from maintaining those other plans or programs, except that specified existing plans would be authorized to continue so long as they meet and maintain the minimum standards for approved health benefits plans prescribed by the board and subject to other specified conditions. The bill would also revise the procedures by which the board may terminate the participation of contracting agencies.

(6) Existing law establishes 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.

This bill would make those lien rights and procedures applicable to self-funded plans administered under the Public Employees' Medical and Hospital Care Act.

(7) Existing law authorizes the Labor Commissioner or his or her representatives to take assignments of certain claims for enforcement, including wage claims and incidental expense accounts and advances.

Existing law authorizes the State Department of Health Services, upon federal approval, to provide a supplemental rate adjustment to the Medi-Cal reimbursement rate for certain health care providers that have a collectively bargained contract or a comparable, legally binding, written commitment to increase salaries, wages, or benefits for nonmanagerial, nonadministrative, noncontract staff.

This bill would exclude those supplemental Medi-Cal reimbursement rate adjustments from the authority of the Labor Commissioner and his or her representatives to take assignments of wage claims and incidental expense accounts and advances for enforcement. This bill would vest enforcement of the supplemental rate adjustment provision with the State Department of Health Services.

#### Ch. 899 (SB 2093) Speier. Insolvency.

(1) Existing law provides for the regulation of insurers by the Insurance Commissioner. Existing law provides that every insurer desiring to reinsure the injury, disablement, or death portions of policies of workers' compensation insurance under the class of disability insurance shall maintain on file with the commissioner a bond, or a cash deposit in lieu of a bond, in favor of the commissioner as trustee for the beneficiaries of awards of compensation against the insurer, to the extent of that reinsurance. Existing law sets forth various requirements with respect to these provisions.

This bill would repeal these provisions and enact new provisions regulating insurers desiring to reinsure the injury, disablement, or death portions of policies of workers' compensation insurance under the class of disability insurance.

(2) Existing law provides for the regulation of title insurers and underwritten title companies by the Insurance Commissioner. Existing law provides that if an underwritten title company is placed into bankruptcy, receivership, or conservatorship by the commissioner and there is a shortage in a subescrow or escrow account, each title insurer operating under an underwriting agreement with the underwritten title company during the previous 6 months shall be liable for a proportionate share of the shortage.

This bill would also require an affected title insurer to be liable for a proportionate share of certain costs and expenses of the commissioner in administering the insolvency and in advancing funds from the Insurance Fund to temporarily cover a subescrow or escrow account shortage, which advances the bill would authorize. The bill would provide that a title insurer has a preferred claim for reimbursement of these payments from assets of the insolvent entity. The bill would enact other related provisions.

(3) This bill would make the operation of its provisions contingent upon the enactment of AB 2007.

Ch. 900 (SB 1637) Torlakson. Public employees: peace officers.

The Meyers-Milias-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. Under that act, the governing body of a public agency may not prohibit the right of its employees who are full-time peace officers to join or participate in employee organizations that are composed solely of peace officers, which concern themselves solely and exclusively with the wages, hours, working conditions, welfare programs, and advancement of academic and vocational training in furtherance of the police profession, and which are not subordinate to any other organization.

This bill would provide that an employee organization primarily comprised of peace officers that is a chapter of, or affiliated directly or indirectly in any manner with, a general nonprofit corporation formed for the specific and primary purpose to act as an employee organization for peace officers in this state that directly or indirectly represents less than 7,000 retired or active peace officers, that has not filed with the Secretary of State an agent of the employee organization who has been designated for purposes of service of process by the effective date of this provision is not qualified to be the exclusive or majority bargaining agent until January 1, 2007.

This bill also would prohibit any general nonprofit corporation formed for the specific or primary purpose to act as a recognized employee organization for peace officers in this state that directly or indirectly represents less than 7,000 retired or active peace officers, that has any affiliate, chapter, or member that has failed to file with the Secretary of State an agent who has been designated for purposes of service of process by the effective date of this provision, from establishing or recognizing any member, affiliate, or chapter that was not a bona fide member, affiliate, or chapter of the nonprofit corporation as of January 1, 2003, until January 1, 2007.

Ch. 901 (SB 1661) Kuehl. Disability compensation: family temporary disability insurance.

Existing law provides for the payment of disability compensation for the wage loss sustained by an individual unemployed because of sickness or injury, and finances that compensation by means of employee contributions at specified rates to the Disability Fund.

This bill instead would provide disability compensation for any individual who is unable to work due to the employee's own sickness or injury, the sickness or injury of a family member, or the birth, adoption, or foster care placement of a new child.

This bill would establish, within the state disability insurance program, a family temporary disability insurance program to provide up to 6 weeks of wage replacement benefits to workers who take time off work to care for a seriously ill child, spouse, parent, domestic partner, or to bond with a new child. This bill would provide the additional benefits through additional employee contributions. This bill would also authorize employers to require that employees utilize up to 2 weeks of earned but unused vacation leave prior to that employee's receipt of these additional benefits, as provided, and specify that these provisions may not be construed to relieve an employer of any collective bargaining duties. The bill would also make related, conforming changes in provisions relating to disability compensation. These

benefits would be payable for family temporary disability leaves that begin on and after July 1, 2004.

By providing for the deposit of additional moneys in the Disability Fund, a continuously appropriated special fund, for additional recipients of benefits from that fund, and for the expenditure of regulatory fee revenues for the administration of certain of its provisions, this bill would make an appropriation.

Existing law provides that it is unlawful to falsely certify the medical condition of any person in order to obtain disability benefits, to knowingly present a false statement in support of a claim for benefits, to knowingly solicit or receive any payment for soliciting a claimant to apply for disability insurance benefits, or to assist any person who engages in fraudulent or prohibited actions, as specified.

This bill would include family temporary disability insurance benefits within the disability benefits subject to the above proscriptions.

Because a violation of these provisions is a criminal offense, 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. 902 (SB 1801) O'Connell. Public employees' compensation.

(1) Existing law provides that a state employee who is a member of the California National Guard or a United States military reserve organization who elects a federally sponsored income protection program shall receive reimbursement for the costs of the insurance premium for a period not to exceed 365 days if he or she is ordered to serve on active duty on and after September 11, 2001, as a result of the War on Terrorism.

This bill would authorize the Governor to extend this benefit by executive order by up to 365 days.

(2) Existing law establishes the patrol member classification in the Public Employees' Retirement System for specified members of the Department of the California Highway Patrol and establishes the state miscellaneous member classification in the system for members employed by the state who are not subject to any other membership classification. Under existing law, retirement benefits of a patrol member of the system are based, in part, on the member's years of service credit, as defined, but may not exceed 90% of final compensation, as specified.

Under this bill, past state miscellaneous service performed by a current patrol member while he or she was a student at the Department of the California Highway Patrol's training school would be converted to patrol member service, as specified. The bill would require the department to notify the Board of Administration of the Public Employees' Retirement System of any department employee eligible for that conversion.

The bill would also provide that the service pension benefit for the California Highway Patrol Commissioner with respect to specified service may not exceed 100% of final compensation.

#### Ch. 903 (SB 1983) Soto. Teachers' Retirement Law.

(1) Existing law requires the Teachers' Retirement Board to administer and manage the investments of the Teachers' Retirement Fund.

This bill would authorize the board to make investments related to the planning, development, or acquisition of surplus real property owned by an employer, so long as the investment meets certain fiduciary standards.

(2) Existing law authorizes members of the Defined Benefit Program and the Defined Benefit Supplement Program of the State Teachers' Retirement Plan, prior to retirement, to

elect various alternative joint and survivor options providing actuarially modified retirement allowances.

This bill would revise the joint and survivor options available to those members under those programs. The bill would allow a member to designate multiple option beneficiaries, prior to the member's effective retirement date under the Defined Benefit Program, as specified. The bill would also require the Teachers' Retirement Board to evaluate on or before July 1, 2004, the existing options and annuities provided by the State Teachers' Retirement System and to adopt, as a plan amendment, appropriate changes to those options, as specified and subject to certain limitations. The bill would also prescribe procedures for designation of a new annuity beneficiary under the Defined Benefit Supplement Program if the designated annuity beneficiary predeceases the member.

(3) Under existing law, a retired member of the Teachers' Retirement Plan may perform specified types of service without reduction in his or her retirement allowance and without reinstatement if the compensation for that service, in any one school year, does not exceed \$22,000, adjusted annually by the Teachers' Retirement Board pursuant to the increase in a specified consumer price index.

Under this bill, that compensation limitation for any one school year would be \$22,000, adjusted annually by the Teachers' Retirement Board by the percentage increase in the average earnable salary of active members of the Defined Benefit Program, as specified.

(4) The bill would appropriate the sum of \$1,800,000 from the Teachers' Retirement Fund to the Teachers' Retirement Board to maintain and enhance customer service by the Teachers' Retirement System.

(5) The bill would also make technical, nonsubstantive changes to the Teachers' Retirement Law.

#### Ch. 904 (SB 1337) Vincent. Horse racing.

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. Existing law also requires that beneficiaries of these proceeds be exempt or entitled to exemption from state and federal income taxes, involved in specified beneficial activities, and approved by the California Horse Racing Board. Existing law also requires that at least 20% of the distribution from charity day racing go to charities associated with the horse racing industry.

This bill would provide that, in addition to the 20% of the distribution from charity day racing that is required to go to charities associated with the horse racing industry, another 5% of the distribution shall be provided to a welfare fund established for the benefit of horsemen and backstretch personnel, as specified, and another 5% of the distribution shall be provided to a nonprofit corporation assisting horsemen and backstretch personnel who are affected adversely as a result of alcohol or substance abuse. In addition, this bill would require that an additional 20% of the distribution from charity day racing, up to a maximum of \$2,000,000, shall be provided as an endowment for a nonprofit corporation or trust which assists disabled jockeys, as provided.

#### Ch. 905 (SB 2011) Burton. Judicial branch employees.

(1) Existing law governs the trial court employee personnel system.

The bill would revise existing provisions regarding trial court employees, employee transfers between trial courts and counties, agency shop provisions between a trial court and an employee organization, and trial court procedures concerning employee organizations. Among other changes, the bill would prohibit a trial court from offering to provide employees with benefits of any kind to induce employees to withdraw support from an employee organization, and would require a trial court to administer salary pay deductions for certain employees who join an employee organization and to provide certain personal

information regarding employees to the employee organization, except as specified. The bill would impose a state-mandated local program by imposing new duties on trial courts.

(2) Existing law requires every employer, except the state, to secure the payment of workers' compensation as provided by law. Existing law authorizes an employer, pursuant to this provision, to insure against liability in insurers duly authorized to write compensation insurance in the state or to secure from the Director of Industrial Relations a certificate of consent to self-insure.

This bill would provide that the state shall include the superior courts of the state for purposes of this provision. The bill would thereby except superior courts from the requirement to secure the payment of workers' compensation under these provisions.

(3) Existing law provides for the State Compensation Insurance Fund, which is authorized to transact workers' compensation insurance for California employers. Existing law provides for a board of directors of the fund, requires the appointment of a manager of the fund, and specifies the authority of the fund.

Existing law requires the trial courts to provide workers' compensation coverage for trial court employees under a workers' compensation program established, selected, or approved by the Administrative Office of the Courts.

This bill would create, commencing July 1, 2003, the Judicial Branch Workers' Compensation Fund for the purpose of funding workers' compensation claims for judicial branch employees. The bill would continuously appropriate the moneys in the fund without regard to fiscal years to be available for use by the Administrative Office of the Courts to pay workers' compensation claims of judicial branch employees and administrative costs, thereby making an appropriation.

(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.

#### Ch. 906 (AB 496) Koretz. Firearms.

Existing law provides that everyone is responsible for the result of willful acts and for injury to another occasioned by his or her want of ordinary care or skill in the management of his or her person or property, as specified.

This bill would additionally specify that the design, distribution, or marketing of firearms and ammunition is not exempt from the provisions described above. The bill would also make technical changes.

Existing law provides that no firearm or ammunition may be deemed defective in design for purposes of a products liability action, on the basis that the benefits of the product do not outweigh the risk of injury posed by the potential to cause serious injury, damage, or death when discharged, as specified.

This bill would repeal those provisions.

#### Ch. 907 (AB 1155) Dutra. Identity theft.

Existing law makes it a crime to manufacture, offer for sale, sell, or transfer a document that falsely appears to be a government-issued identification card or driver's license. In addition, existing law makes it a crime for a person to obtain the personal identifying information of another person without that person's authorization and to use that information for any unlawful purpose. Existing law also makes it a crime to conspire to commit any crime.

This bill would authorize a court to impose a fine of \$25,000 on a person who receives a felony conviction for conspiring to commit identity theft.

This bill would also make it a misdemeanor for a person to obtain, or assist another person in obtaining, a driver's license, identification card, vehicle registration certificate, or other official document issued by the Department of Motor Vehicles if the person has knowledge that the person obtaining the document is not entitled to it.

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. 908 (AB 1773) Wayne. Crime.

Existing law provides with respect to certain property crimes that occur in one jurisdictional territory and the property is taken to another jurisdictional territory, that jurisdiction of the offense is any court within either of those 2 jurisdictional territories or any contiguous territory, as specified.

This bill would also provide that the jurisdiction of a criminal action for unauthorized use of the personal identifying information of another is the county where the theft occurred or where the information was illegally used, and if multiple offenses of unauthorized use of personal identifying information occur in multiple jurisdictions, as specified, any one of those jurisdictions is a proper jurisdiction for all of the offenses.

This bill would provide that a court in which a complaint alleging multiple offenses of unauthorized use of personal identifying information occurring in multiple territorial jurisdictions has been filed shall hold a hearing to consider whether the matter should proceed in the county of filing or whether one or more counts should be severed, as specified. This bill would require the district attorney filing the complaint to present evidence to the court that the district attorney in each county where any of the charges could have been filed has agreed that the matter should proceed in the county of filing. Because this bill would increase the duties of prosecutors, this bill would impose a state-mandated local program.

This bill would state findings and declarations of the Legislature with respect to the effect of these provisions in reducing the number of separate prosecutions, which would, in turn, produce a cost savings to local governments and the courts.

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. 909 (AB 2080) Steinberg. Firearms: illegal trafficking.

Existing law defines various terms for the purpose of regulating firearms and other dangerous weapons.

This bill would define "gunsmith" for purposes of firearms regulation and firearms dealer licensure, as specified.

Existing law requires a licensed firearms dealer to comply with various requirements, including holding a federal firearms license.

This bill would require the Department of Justice to maintain certain records pertaining to licensed firearms dealers containing specified information.

Existing law charges the Department of Justice with various regulatory obligations relating to licensed firearms dealers.

This bill would, in addition, require the department to determine whether a person who holds a federal firearms license and is the intended recipient for firearms delivered from another holder of a federal firearms license, as specified, is properly licensed pursuant to state licensure provisions, and to provide to the inquiring party, a unique verification number to demonstrate verification of the intended recipient's state firearms licensure status has been confirmed. In the event the intended recipient is not properly licensed, the department would

be required to notify the inquiring party, and specified law enforcement authorities, as prescribed.

Existing law provides that no person who is a federally licensed firearms dealer, as specified, shall deliver, sell, or transfer a firearm to a person who is also federally licensed and whose licensed premises are located in this state unless the intended recipient presents proof of state licensure as a firearms dealer, or presents proof of exemption from that licensure requirement. Violation of these provisions is punishable as a misdemeanor or may be enhanced to a felony, as prescribed.

This bill would, in addition, commencing January 1, 2005, require that the person intending to deliver, sell, or transfer the firearms obtain from the department, prior to delivery, a unique verification number demonstrating that the person has verified with the department that the intended recipient is properly licensed pursuant to existing state requirements, as prescribed, and would require the person intending to deliver, sell, or transfer firearms to provide the unique verification number to the recipient along with the firearms upon delivery, as prescribed. Violation of these provisions would be punishable as a misdemeanor or could be enhanced to a felony, pursuant to existing provisions of law.

By expanding the scope of an existing crime, this bill would impose a state-mandated local program.

This bill would make additional conforming changes relative to information submitted to the department regarding firearms transactions.

Existing law specifies the purposes for which funds from the Dealers' Record of Sale Special Account of the General Fund, upon appropriation by the Legislature for expenditure by the Department of Justice, may be used.

This bill would provide that these funds may also be used, upon appropriation by the Legislature, to offset the costs incurred for the verification of licensure provisions described above.

This bill would require additional information regarding the licensure of firearms dealers to be submitted to the Department of Justice, as specified. Violation of these provisions would be an infraction. This bill would also delay all new duties imposed by this bill on the department related to this additional submitted information and related to dealer licensing and records until the time on or after January 1, 2004, when a specified financial contingency is met to the department's satisfaction.

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.

This bill would incorporate additional changes in Section 12071 of the Penal Code proposed by AB 2793 that would become operative only if AB 2793 and this bill are both chaptered and become effective on or before January 1, 2003, and this bill is chaptered last.

This bill would incorporate additional changes in Section 12076 of the Penal Code proposed by AB 2580, AB 2902, or both, that would become operative depending on the prior enactment of one or both of those bills and the chaptering of this bill last.

#### Ch. 910 (AB 2580) Simitian. Dangerous weapons.

Existing law requires that all sales, loans, or transfers of firearms, including those between private parties, be transacted through a law enforcement agency, or a licensed dealer. Those transactions involving a dealer require the delivery of the firearm to the dealer, who is then required to make specified inquiries and to deliver the weapon only upon satisfaction of specified requirements.

This bill would provide that a dealer who does not otherwise sell, transfer, or keep an inventory of handguns is not required to process private party transfers of handguns.

Existing law generally regulates various dangerous weapons, including short-barreled shotguns, short-barreled rifles, machine guns, assault weapons, and destructive devices.

This bill would require, in regard to those devices, that the Department of Justice would, for every person, firm, or corporation to whom a permit is issued relating to the device, annually conduct an inspection for security and safe storage purposes, and to reconcile the inventories of the devices, except as specified. The bill would also provide that, for a person, firm, or corporation with an inventory of fewer than 5 devices that require any Department of Justice permit, the department would conduct an inspection for security and safe storage purposes, and to reconcile inventories, once every 5 years, or more frequently if determined by the department, except as specified.

This bill would require the department to establish a schedule of fees to cover the costs of the inspection duties imposed on the department by this bill. This bill would provide that these fees shall be equitable and shall not exceed the costs of providing the required inspections. The bill would also indicate that the duties it imposes on the department are to be funded from those fees and, as may be needed, from a specified account.

This bill would incorporate additional changes in Section 12076 of the Penal Code proposed by AB 2080, AB 2902, or both, depending on the prior enactment of one or both of those bills and the chaptering of this bill last.

#### Ch. 911 (AB 2793) Pescetti. Firearms.

Existing law makes it a misdemeanor to manufacture or cause to be manufactured, import into the state for sale, keep for sale, offer or expose for sale, give, or lend any unsafe handgun, except as specified. Existing law additionally requires every person licensed to manufacture firearms pursuant to federal law who manufactures firearms in this state and every person who imports into the state for sale, keeps for sale, or offers or exposes for sale any firearm to certify under penalty of perjury that every model, kind, class, style, or type of pistol, revolver, or other firearm capable of being concealed upon the person that he or she manufactures or imports, keeps, or exposes for sale is not a prohibited unsafe handgun. Existing law exempts from these requirements certain pistols that are used in official Olympic-style international shooting competitions, as specified.

This bill would require the department to create a program to exempt new models of competitive firearms from the regulation of unsafe firearms. The exempt competitive firearms could be based on recommendations by USA Shooting consistent with the regulations contained in the USA Shooting Official Rules or could be based on the recommendation or rules of any other organization that the department deems relevant.

Existing law generally prohibits a firearms dealer, as defined, from delivering a handgun on or after January 1, 2003, unless the recipient performs a safe handling demonstration, as specified, with the handgun. The required demonstration includes a loading demonstration using a dummy round, the application of a firearm safety device, and for a semiautomatic pistol, a specified demonstration with the slide.

This bill would expand the type of "dummy round" that could be used in the loading and slide demonstrations. This bill would also exempt recipients from having to apply the firearm safety device as part of the safe handling demonstration if the gun being delivered is an Olympic competition pistol for which no firearms safety device, other than a cable lock that the Department of Justice has determined would damage the barrel of the pistol, has been approved, and the pistol is exempted from certain other requirements as a pistol that is used in official Olympic-style international shooting competitions.

Existing law requires any person who lawfully possesses an assault weapon, as defined, prior to specified periods, to register that weapon with the department, within a specified period of time. Existing law defines the term "assault weapon" by, among other things, designating a list of specified semiautomatic firearms and providing descriptive definitions concerning the capacity and function of the weapon. Existing law specifically exempts

certain pistols that are used in official Olympic-style international shooting competitions from the definition of "assault weapon."

This bill would require the department to create a program to exempt new models of competitive pistols that would otherwise be considered an "assault weapon" pursuant to these provisions from being classified as an "assault weapon."

This bill would incorporate additional changes in Section 12071 of the Penal Code proposed by AB 2080 that would become operative only if AB 2080 and this bill are both chaptered and become effective on or before January 1, 2003, and this bill is chaptered last.

Ch. 912 (AB 2902) Koretz. Unsafe handguns: testing.

Existing law requires testing of handguns to meet specified standards in order to determine if they are unsafe, as defined. Existing law provides that handguns that are not unsafe are required to be listed on a roster maintained by the Department of Justice.

This bill would authorize the Attorney General to annually retest up to 5% of the handguns listed on the roster to ensure compliance with other provisions of law.

This bill would make operation of these changes contingent upon an appropriation for those purposes from the Dealers' Record of Sale Special Account. This bill would make other technical and conforming changes.

This bill would incorporate additional changes in Section 12076 of the Penal Code proposed by AB 2080, AB 2580, or both, depending on the prior enactment of one or both of those bills and the chaptering of this bill last.

Ch. 913 (SB 682) Perata. Firearms.

Existing law provides that everyone is responsible for the result of willful acts and for injury to another occasioned by his or her want of ordinary care or skill in the management of his or her person or property, as specified.

This bill would additionally specify that the design, distribution, or marketing of firearms and ammunition is not exempt from the provisions described above. The bill would also make technical changes.

Existing law provides that a firearm or ammunition may not be deemed defective in design for purposes of a products liability action, on the basis that the benefits of the product do not outweigh the risk of injury posed by the potential to cause serious injury, damage, or death when discharged, as specified.

This bill would delete those provisions.

Ch. 914 (SB 247) Speier. Birth and death certificates: certified copies: access.

Existing law prescribes the information to be included on a certificate of death, and on a certificate of live birth, including specified medical and social information that is required to be kept confidential as to a birth record. Existing law requires a State Registrar, local registrar, or county recorder, upon request and payment of the required fee, to supply to any applicant a certified copy of the record of birth or death, except information in a birth record that is designated confidential.

This bill would provide that the State Registrar, local registrar, or county recorder may provide a certified copy of a birth or death record to an authorized person, as defined, who submits a statement sworn under penalty of perjury that the requester is an authorized person. Because the bill would expand the scope of the crime of perjury, the bill would impose a state-mandated local program. If a requester does not meet the requirements of an authorized person, this bill would require the State Registrar, local registrar, or county recorder to issue the certified copy of a birth or death record with a legend stating "INFORMATIONAL, NOT A VALID DOCUMENT TO ESTABLISH IDENTITY." This bill would provide that these provisions would become operative on July 1, 2003.

This bill would, commencing July 1, 2003, require that each certified copy of a birth or death record contain specified information and be printed on sensitized security paper with

specified features. This bill would also require the State Registrar, local registrars, county recorders, and county clerks to take precautions to ensure that the security paper is maintained under secure conditions.

This bill would require an applicant for a certified copy of a birth or death record to pay an additional fee of \$2 to be used for specified purposes, including developing safety and security measures to protect against the fraudulent use of birth and death records. This bill would provide that the fee would be reduced to \$1 on January 1, 2006.

This bill would require the State Registrar to appoint a vital records protection advisory committee to, among other things, study and make recommendations to protect individual privacy, inhibit identity theft, and prevent fraud involving birth and death certificates while still preserving access to those seeking it for legitimate purposes. The bill would require the State Registrar to appoint specified individuals to the committee for a term of 3 years, except as provided, on a staggered basis.

This bill would authorize the department to create an automated system to accomplish these provisions.

By imposing new duties on local officials, 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 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. 915 (SB 1386) Peace. Personal information: privacy.

Existing law regulates the maintenance and dissemination of personal information by state agencies, as defined, and requires each agency to keep an accurate account of disclosures made pursuant to specified provisions. Existing law also requires a business, as defined, to take all reasonable steps to destroy a customer's records that contain personal information when the business will no longer retain those records. Existing law provides civil remedies for violations of these provisions.

This bill, operative July 1, 2003, would require a state agency, or a person or business that conducts business in California, that owns or licenses computerized data that includes personal information, as defined, to disclose in specified ways, any breach of the security of the data, as defined, to any resident of California whose unencrypted personal information was, or is reasonably believed to have been, acquired by an unauthorized person. The bill would permit the notifications required by its provisions to be delayed if a law enforcement agency determines that it would impede a criminal investigation. The bill would require an agency, person, or business that maintains computerized data that includes personal information owned by another to notify the owner or licensee of the information of any breach of security of the data, as specified. The bill would state the intent of the Legislature to preempt all local regulation of the subject matter of the bill. This bill would also make a statement of legislative findings and declarations regarding privacy and financial security.

#### Ch. 916 (SB 1490) Perata. Department of Justice: records.

Existing law requires, among other duties, that the Department of Justice, through its DNA Laboratory, administer and manage the state's DNA database and databank identification program.

This bill would provide that the Department of Justice's DNA Laboratory would be known as the Jan Bashinski DNA Laboratory.

Existing law requires the Attorney General to maintain a registry of specified information concerning pistols, revolvers, and other firearms capable of being concealed upon the person, and to include in the registry specified data provided to the Department of Justice on the Dealer's Record of Sale. Existing law also permits specified state and local officers and officials to obtain information contained in the registry.

This bill would add city attorneys who are prosecuting a civil action, solely for use in prosecuting that action, to the list of officials who may obtain the registry information.

#### Ch. 917 (SB 1670) Scott. Firearm safety devices.

Existing law requires all firearms sold or transferred by a firearms dealer, to be accompanied by a firearms safety device that is listed on the Department of Justice's roster of approved firearms safety devices, as specified. However, existing law exempts firearm sales and transfers from this requirement, if the seller or transferee proves ownership of a gun safe that meets specified standards, as provided.

This bill would define "firearms safety device," "gun safe," and "long-gun safe" for purposes of those provisions.

Existing law requires the Department of Justice to compile, publish, and maintain a roster listing all of the safety devices that have been tested by a certified testing laboratory, have been determined to meet the department's standards for firearms safety devices and may be sold in this state.

This bill would, in addition, authorize the department to randomly retest unused samples of firearm safety devices listed on the roster obtained from sources other than directly from the manufacturer to ensure compliance with the requirements established by the department.

This bill would additionally require the firearms safety device included with or accompanying the firearm be identified on the roster as being appropriate for that firearm by reference either to the manufacturer and model of firearm, or to the physical characteristics of the firearm that match those listed on the roster for use with the device.

Existing law requires the department to develop a minimum safety standard for gun safes.

This bill would require long-gun safes kept for commercial sale or commercially sold, as specified, that do not meet those requirements to carry a warning label, as specified.

The bill would also make a technical change by deleting a duplicate provision.

This bill would also provide that it would be unlawful to keep for commercial sale, offer or expose for commercial sale, commercially sell, or for any person to distribute as part of an organized firearm safety program, with or without consideration, any firearms safety device that is not listed on the roster maintained by the department, or that does not comply with the standards for firearms safety devices adopted by the department.

This bill would provide that no long-gun safe could be manufactured in this state for sale in this state that does not meet the minimum safety standards, unless the safe is labeled with a specified warning by the manufacturer.

This bill would further provide that if any person keeps for commercial sale, offers or exposes for commercial sale, or commercially sells a long-gun safe that does not meet the minimum safety standards, and the long-gun safe does not have the required warning, or the person removes the warning label, the person is in violation of certain provisions of the bill.

Violation of the provisions specifying the unlawful or prohibited acts described above would be punishable by a civil fine of up to \$500, and additionally, for a 2nd violation within 5 years of a previous offense by a civil fine of up to \$1,000, and if the violation is committed by a licensed firearms dealer, by a temporary ineligibility to sell firearms, as specified. A violation within 5 years of 2 or more previous offenses would be punishable by a civil fine of up to \$5,000, and in the case of a licensed firearms dealer, by permanent ineligibility to sell firearms, as specified.

This bill would also provide that the Attorney General, a district attorney, or a city attorney may bring a civil action for a violation of the provisions of the bill, as specified.

Ch. 918 (AB 1694) Committee on Human Services. Foster care: recipients of aid: dependent children.

(1) Existing law generally regulates the licensure and operation of community care facilities, including foster family agencies, foster family homes, and foster care group homes, which provide residential care to children who have been adjudged dependents of the court and have been removed from the custody of their parents or guardians.

Existing law requires each county welfare director to ensure that the county licensing staff or placement staff conducts one or more in-home interviews with a prospective foster parent prior to the issuance of any foster family home license, to obtain specified information for use by the placement agency. Under existing law, in counties that have not contracted with the state to license foster family homes, the in-home interview is required to be done by the placement agency.

This bill would delete the latter requirement.

(2) Under existing law, when a child is taken into temporary custody under specified circumstances, an able and willing relative who so requests may be assessed for suitability to care for the child.

This bill would extend these provisions to specifically include an able and willing nonrelative family member, as defined, who requests to care for the child. The bill would also extend application of foster care training and orientation requirements applicable to relative caregivers to nonrelative extended family member caregivers, thereby creating a state-mandated local program.

(3) Under existing law, in lieu of a national check of fingerprint records conducted by the Federal Bureau of Investigation through the California Department of Justice, state agencies are required to contract with an independent vendor to conduct a national search of the individuals' criminal records, in connection with specified state licensing provisions, including licensing by the State Department of Social Services of foster family homes.

This bill would also apply the above requirement to the county welfare department in carrying out its approval authority for relative and nonrelative extended family member foster care placements. The bill would also make related changes.

(4) Under existing law, when a parent has voluntarily relinquished his or her child to the custody of the state, as specified, or when a child has been removed from a parent's or guardian's custody, the juvenile court is required to order the social worker to provide designated child welfare services. Existing law provides, however, that reunification services need not be provided to parents or guardians under certain circumstances, including when the parent or guardian has a history of drug or alcohol abuse, and has resisted treatment.

This bill would provide that in the above situation the court would be relieved of its obligation to order reunification services only if the treatment for drug or alcohol abuse under the above circumstances were court-ordered.

(5) Existing law requires the juvenile court to conduct specified periodic hearings reviewing the status of any dependent child of the court who has been removed from the custody of his or her parent or guardian, including a permanency hearing at which the court is required to determine a permanent plan for the child.

This bill would require the court to determine at the permanency hearing whether each youth 16 years of age and older has received services to assist him or her with the transition from foster care to independent living.

(6) Under existing law, each county is charged with the local administration of various public social services programs. Existing law generally prohibits the disclosure of information about public social services program applicants and recipients except under specified circumstances. Among these circumstances are where a warrant has been issued for the arrest of the applicant or recipient for the commission of a felony or a misdemeanor, in

which case an authorized employee of a county welfare department may disclose to any law enforcement agency the name, address, telephone number, birthdate, social security number, and physical description of the applicant for, or recipient of, public social services, upon the request of the law enforcement agency.

Under existing law, a county welfare department may disclose this information, and the physical whereabouts of the applicant or recipient, to a law enforcement agency in other circumstances, if federal approval is obtained.

This bill would repeal the latter provision described above concerning the physical whereabouts and other information about an applicant or recipient.

(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. 919 (AB 2075) Chavez. Probation costs.

In any case in which the defendant is convicted of an offense, existing law authorizes the court to make a determination of the ability of the defendant to pay all or a portion of certain costs that accrue to the county probation department. Those include the cost of probation, of conducting any presentence investigation, of preparing a specified presentence report, of conducting any preplea investigation, and of preparing a specified preplea report. Existing law requires the county probation department to make a recommendation to the court on the defendant's ability to pay these amounts, and the defendant can accept that finding or request a hearing.

This bill would extend these provisions to apply to the reasonable costs of other probation department activities, including pretrial monitoring, pretrial reports, and postsentence reports for defendants convicted of specified offenses or sets of offenses.

Under existing law, a court must order a defendant to pay that portion of those costs which is reasonable and compatible with the defendant's financial ability. Under existing law, the defendant's ability to pay is determined in part based on the probation costs chargeable to the defendant.

This bill would require the court also to consider the new probation costs described above when determining the defendant's ability to pay.

Because the county probation department would have to consider additional factors in making its recommendation on a defendant's ability to pay, this bill would impose a state-mandated local program.

This bill would repeal these changes to existing law on January 1, 2006.

This bill would declare the intent of the Legislature that this act increase local revenues by permitting courts to order defendants to repay specified local costs that are not currently subject to reimbursement.

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. 920 (AB 2279) La Suer. Minors: custody.

Existing law authorizes a peace officer to take into temporary custody, without a warrant, a minor who is in a hospital when the release of the minor to a parent poses an immediate danger to the child's health or safety.

This bill would enact a similar provision authorizing a peace officer to take into temporary custody a minor who is in a hospital if the release of the minor to a prospective adoptive parent poses an immediate danger to the minor's health or safety. The bill would also create a limited exception to this provision and to the provision described above if the minor is a newborn who tests positive for illegal drugs or whose birth mother tests positive for illegal drugs, the minor is the subject of a petition for adoption and an adoption placement agreement, and the release of the minor to a prospective adoptive parent or parents does not pose an immediate danger to the minor. The bill would include a statement of legislative findings and declarations regarding drug-exposed infants.

#### Ch. 921 (AB 2619) Strickland. Horse racing.

Existing law provides for the deduction of a portion of the proceeds of horse races as purses for the benefit of horsemen at the racing meeting, and provides for specific deductions from this portion for the benefit of owners' organizations, administrative expenses, and for other purposes as specified, depending on the type of horse race involved. In this connection, existing law provides that 1 $\frac{1}{2}$ % of this portion be deducted with reference to thoroughbred races held by any association other than a fair, with  $\frac{2}{3}$  of that amount going to the owners' association for administrative expenses and the other  $\frac{1}{3}$  going to the trainers' organization for administrative expenses. Existing law automatically repeals these provisions as of January 1, 2008, but replaces these provisions with alternate language that is identical except that only 1%, rather than 1 $\frac{1}{2}$ %, is to be divided between the owners' and trainers' organizations in connection with thoroughbred races held by any association other than a fair. Under existing law, "trainer" is defined for these purposes as a person currently licensed by the board as an owner and trainer or as a trainer.

This bill would change the definition of trainer for these purposes to mean a person currently licensed by the board as a trainer. This bill would repeal this change in definition on January 1, 2006.

Existing law provides for the recognition by the California Horse Racing Board of horsemen's organizations, including organizations solely representing owners and organizations solely representing trainers.

Existing law provides that each horsemen's organization, except an organization that solely represents owners or an organization that solely represents trainers shall provide for the representation of owners and trainers on its board of directors. Existing law provides that the bylaws of a horsemen's organization specify the composition of the board of directors, and that those bylaws, and changes to those bylaws, be approved by the Horse Racing Board.

This bill would allocate 3 positions on the board of directors of the organization representing thoroughbred owners for persons holding licenses as both owners and trainers, and for their spouses who are licensed as owners, as specified, and would make related and conforming changes. This bill would limit the board of the organization representing thoroughbred owners to 15 members of equal standing, as specified. This bill would repeal its provisions on January 1, 2006.

This bill would declare that it is to take effect immediately as an urgency statute.

#### Ch. 922 (AB 2931) Horton. Horse racing.

(1) Existing law permits racing associations, fairs, and the organization responsible for contracting with racing associations and fairs with respect to the conduct of racing meetings, to form a private, statewide marketing organization to market and promote thoroughbred and fair horse racing. Existing law requires the marketing organization to annually submit to the California Horse Racing Board a statewide marketing and promotion plan for thoroughbred

and fair horse racing. Existing law also specifies distributions to be distributed to the marketing organization for the promotion of thoroughbred and fair horse racing.

This bill would specify that the marketing organization may also obtain, provide, or defray the cost of workers' compensation coverage for stable employees and jockeys of thoroughbred trainers. This bill would require the marketing organization to annually submit a thoroughbred trainers' workers' compensation defrayal plan for thoroughbred and fair horse racing to the board. This bill would permit specified funds distributed to the marketing organization to be used to defray the cost of workers' compensation coverage for stable employees and jockeys of thoroughbred trainers.

(2) Existing law provides that when satellite wagering is conducted on thoroughbred races, an amount not to exceed 1.25 percent of the total amount handled by satellite wagering facilities shall be deducted, for specified purposes, from specified funds and distributed to an organization formed and operated by thoroughbred racing associations, fairs conducting thoroughbred racing, and the organization representing thoroughbred horsemen.

This bill would permit any amount up to an amount equal to the difference between the 1.25 percent of the total amount handled by satellite wagering facilities, and the amount actually deducted, not to exceed \$4,000,000 statewide annually, to be utilized to obtain, provide, or defray the cost of workers' compensation coverage for licensed thoroughbred stable employees and jockeys, and an amount not to exceed \$1,000,000 statewide annually, to be paid to a welfare fund established for the benefit of horsemen and backstretch personnel if a written agreement between the owners' organization and certain racing associations and fairs regarding the use of those funds is entered into, and the agreement is filed with the board. This bill would make that agreement binding on the owners' organization and all of the racing associations and fairs that conduct thoroughbred races in California. This bill would give the board the authority to enforce the agreement.

(3) Existing law requires specified sums to be paid to or for the benefit of horsemen at a racing meeting.

This bill would specify that paying those sums to or for the benefit of the horsemen at the racing meeting may include obtaining, providing, or defraying the cost of workers' compensation coverage for stable employees and jockeys of licensed trainers.

This bill would declare that it is to take effect immediately as an urgency statute.

#### Ch. 923 (AB 2384) Committee on Governmental Organization. Horse racing.

Existing law relating to harness races provides for the distribution of a portion of the parimutuel pool for purses, and provides for the allocation of the purse money. Under existing law, no horse owner's license or license to conduct a race meeting may be issued unless the applicant's liability for workers' compensation is secured. Existing law provides that any termination of liability coverage results in the immediate automatic suspension of the license during the period of that termination, and is also a ground for revocation of the license.

This bill would provide that, with respect to a harness race meeting, a portion of the money allocated for purses may be used to pay for obtaining, providing, or defraying the cost of workers' compensation coverage for stable employees and drivers of licensed standardbred trainers. The bill would require a written agreement, subject to the approval of the board, between the racing association that conducts the live harness race meeting and the organization representing the horsemen participating at the race meeting specifying the portion, if any, to be used for these purposes. It would require this portion to be jointly administered by the racing association and the organization representing the horsemen.

This bill also contains provisions incorporating amendments to Section 19613 of the Business and Professions Code proposed by AB 2619 and AB 2931 to become operative only if those two bills become effective on or before January 1, 2003, and (2) each of those bills amends Section 19613 of the Business and Professions Code, in which case the amendments of, or additions of, Section 19613 in AB 2619 and AB 2931 shall be repealed.

This bill would declare that it is to take effect immediately, as an urgency statute.

Ch. 924 (AB 2869) Horton. Horse racing.

Existing law permits mule races to be conducted by any county fair, district agricultural association fair, or citrus fruit fair, under specified circumstances. Existing law provides that a license to conduct a racing meeting granted to an association other than a fair shall be for only one type of racing, except where specified.

This bill would provide that a racing association licensed to conduct a live quarter horse racing meeting may also conduct mule racing at that meeting, with the approval of the California Horse Racing Board, and subject to other specified conditions.

Existing law requires thoroughbred racing associations to pay out certain percentages of the total amount handled, and of the portion deducted from the parimutuel pool, for license fees, purses, and commissions, as specified.

This bill would allow a thoroughbred racing association and the organization representing thoroughbred horsemen to agree to reduce the portion deducted from the parimutuel pool for purses and commissions provided that the change only affect funds available for purses and commissions. This bill would also provide that any collective bargaining agreement premised in part on the amount of commissions earned would continue to be calculated based on the amount of commissions that would have been earned had this provision not become law. It would make an agreement to reduce the portion deducted from the parimutuel pool for purses and commissions subject to the approval of the California Horse Racing Board, and would prohibit that approval unless notice has been given to any labor organization that could be affected by the agreement.

Ch. 925 (AB 2907) Cohn. Provider contracts.

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 health insurers by the Department of Insurance. Under existing law, a plan and a health insurer are prohibited from including certain provisions in a contract with a licensed health care practitioner regarding the practitioner's provision of care to an enrollee or insured.

This bill would prohibit provisions in a contract between a health care service plan or health insurer and a health care provider, as defined, that would allow the plan or insurer to unilaterally change a material term of the contract without meeting specified requirements, that would require the provider to accept additional patients, as specified, and that would pertain to other specified aspects of the provider's practice. The bill would provide that a contract violating any of these prohibitions would be void, unlawful, and unenforceable. The bill would also require the Department of Insurance to report annually to the Legislature and the Governor complaints it receives concerning these requirements and would require the Department of Managed Health Care to report annually to the Legislature and the Governor information it receives from plans concerning their dispute resolution mechanism.

By creating new prohibitions applicable to health care service plans, the violation of which would be 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. 926 (AB 2994) Wright. HIV reporting requirements.

Existing law establishes the federal Ryan White Comprehensive AIDS Resources Emergency (CARE) Act of 1990, as amended in 2000, which provides funds to all states to establish a comprehensive community-based continuum of care, including primary medical

care and support services for people with HIV infection and AIDS. This federal law requires a participating state to report certain information about HIV and AIDS, as specified. Noncompliance may result in ineligibility for federal funding.

This bill would require the State Department of Health Services, in consultation with various entities, to determine, no later than December 31, 2005, whether California's HIV reporting system has achieved compliance with standards and criteria necessary to ensure continued federal funding for California under that federal act, as specified. This bill would require the department to inform the appropriate committees of the Legislature of its findings by December 31, 2005, and to report to those entities all written communications from the Centers for Disease Control and Prevention that indicate that California's HIV reporting system has not or will not meet federal standards and criteria for an HIV reporting system pursuant to that act.

Ch. 927 (AB 3032) Committee on Judiciary. Child support enforcement.

Existing law requires each county to maintain a local child support agency for the purpose of establishing, modifying, and enforcing child support obligations. Existing law requires a local child support agency to obtain and send a completed state medical insurance form to the Department of Child Support Services in any action brought or proceeding instituted by the agency for the payment of child or spousal support. The local agency must also communicate with the Department of Child Support Services to determine whether there have been any lapses in health insurance coverage for public assistance applicants and recipients. Existing law also provides for state hearings for custodial or noncustodial parents who are dissatisfied with the local child support agency's resolution of a complaint, as specified.

Existing law also requires the Department of Child Support Services to collect information regarding child support enforcement and to report that information to the Legislature, as specified.

This bill would authorize an agency enforcing a support obligation to record a notice of support judgment. The bill would require a local child support agency to send the completed state medical insurance forms described above to, and, in order to determine whether there have been health insurance lapses, to communicate with, the State Department of Health Services, rather than the Department of Child Support Services. The bill would require a local child support agency to provide to a CalWORKs recipient or former recipient as to whom an assignment of his or her support rights is currently effective a notice of the amount of assigned support payments made on behalf of that recipient or former recipient or any other family member for whom public assistance is received. The bill would require a local child support agency to complete an administrative review of alleged arrearages within a specified timeframe. The bill would revise provisions governing the procedures for the conduct of state hearings for parents who are dissatisfied with the local child support agency's resolution of a complaint. The bill would revise the reporting requirements imposed on the Department of Child Support Services, as specified. The bill would also make technical and clarifying changes. By imposing additional duties on local agencies, 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. 928 (SB 398) Chesbro. Health care service plans: bankruptcy.

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**NOTE:** Superior numbers appear as a separate section at the end of the digests.

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the regulation and licensure of health care service plans by the Department of Managed Health Care and makes a violation of the act's provisions a crime. Under the act, a plan is required to demonstrate to the Director of the Department of Managed Health Care that it has a fiscally sound operation and adequate provision against the risk of insolvency. The act also requires a plan to provide notice of any material modification of its license to the director.

This bill would require a health care service plan, except in extraordinary circumstances, to meet and confer with the director at least 10 business days prior to filing a petition for bankruptcy. The bill would require in extraordinary circumstances, that the plan meet and confer with the department 24 hours before filing the petition. The bill would also require the plan to provide certain information requested by the director. The bill would also require the department to adopt regulations that establish an extended geographic accessibility standard for access to health care providers served by a health care service plan in counties with a population of 500,000 or less that have 2 or fewer health care service plans providing coverage to the entire county in the commercial market. The bill additionally would require a health care service plan at least 30 days prior to filing a notice of material modification to withdraw with the director, to hold a public meeting in a county with a population of 500,000 or less if the plan intends to withdraw from that county. Because the violation of these requirements would be punishable as 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. 929 (SB 1135) Polanco. Tissue banks.

Existing law provides for the licensure and regulation of tissue banks by the State Department of Health Services. Existing law authorizes the department to adopt rules and regulations governing the administration and enforcement of these provisions and permits regulations adopted by the department to include minimum standards for various aspects related to tissue banks.

This bill would require, rather than authorize, the department to adopt, on or before July 1, 2004, rules and regulations governing licensed tissue banks engaged in the collection of human musculoskeletal tissue, skin, and veins for transplantation in humans, and would require that the regulations be substantially based upon the criteria used by tissue bank trade associations in their respective accreditation processes. It would require, rather than permit, regulations adopted by the department, pursuant to the bill, to include minimum standards for various aspects related to tissue banks, and would also require the department, on or before July 1, 2003, to report to the appropriate policy and fiscal committees of the Legislature regarding the status of the proposed regulations.

#### Ch. 930 (AB 2912) Florez. Charter schools: funding.

Existing law requires the county superintendent of schools to determine a revenue limit for each school in the county pursuant to a prescribed formula, and requires, for purposes of that apportionment, that average daily attendance be calculated, as prescribed.

This bill would, notwithstanding any other provisions of law, make those provisions relating to the calculation of average daily attendance inapplicable for purposes of determining the base revenue limit or block grant average daily attendance for charter school pupils who reside in a school district in which all schools have been converted to charter schools and that elect not to receive funding under specified provisions, and would make conforming changes in related provisions.

#### Ch. 931 (SB 460) Ortiz. Lead abatement.

(1) The State Housing Law deems a building or portion thereof to be substandard if certain conditions exist.

This bill would deem a building or portion thereof to be in violation of the State Housing Law if it contains lead hazards, as specified, that are likely to endanger the health of the public or the occupants.

(2) The State Housing Law requires the housing department or, if there is no housing department, the health department, of every city, county, or city and county, or a specified environmental agency to enforce within its jurisdiction all of the State Housing Law, the building standards published in the State Building Standards Code, and other specified rules and regulations. A violation of the State Housing Law, related published building standards, or any other rule or regulation adopted pursuant to the law is a misdemeanor.

This bill instead would require the housing or building department or, if there is no building department, the health department, of every city, county, or city and county, or a specified environmental agency to enforce within its jurisdiction all of the State Housing Law, the building standards published in the State Building Standards Code, and other specified rules and regulations. It would authorize the State Department of Health Services to enforce the provisions relating to lead hazards if specified conditions are met. By creating a new crime and imposing additional duties upon local officials, this bill would impose a state-mandated local program.

(3) The State Housing Law requires the enforcement agency to institute any appropriate action or proceeding to prevent, restrain, correct, or abate the violation of the law, published building standards, specified rules and regulations, or nuisance. It also requires an enforcement agency, when it has determined that a building is a substandard building, to commence proceedings to abate the violation by repair, rehabilitation, vacation, or demolition of the building.

This bill would additionally require an enforcement agency, when it has determined that a building contains lead hazards, as described above, to commence proceedings to abate the violation by repair, rehabilitation, vacation, or demolition of the building.

(4) Existing law requires the State Department of Health Services to implement and administer a program that meets federal requirements regarding lead-based paint hazards, and requires the adoption of regulations regarding, among other things, the accreditation of providers of health and safety training to employees who engage in or supervise lead-related construction work.

This bill would make it a crime for a person to engage in specified acts relating to lead-related construction courses, and lead-related construction work, abatement, or lead hazard evaluation. It would also enact related inspection provisions.

The bill would also permit the department or a local enforcement agency, whenever it determines that a condition at a location or premises, or the activity of any person at the location or premises, is creating or has created a lead hazard at the location or premises, to order the owner of the location or premises to abate the lead hazard or to order the person whose activity is creating or has created the hazard, to cease and desist. It would make it unlawful to refuse to obey any order issued under this provision, with a violation of this requirement being an infraction punishable by a fine of not more than \$1,000.

(5) Under existing law, a portion of the moneys collected for criminal offenses constitute state penalties, a portion of which is retained by each county and a portion of which is deposited into the State Penalty Fund, to be allocated as prescribed.

This bill would provide instead that all state penalties collected for violations of the provisions described in (4) shall be deposited in the General Fund.

(6) Existing law requires all medical laboratories to report to the State Department of Health Services each detected case of a blood lead level that exceeds specified parameters.

This bill would revise and recast these reporting requirements.

(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.

Ch. 932 (SB 1397) Costa. Charter schools: funding.

Existing law authorizes a school district's revenue limit to be determined using either the current or prior fiscal year average daily attendance, whichever is greater. Under existing law, a charter school that was assigned a number by the State Board of Education before June 1, 1999, may choose to be funded for the 1999–2000, 2000–01, and 2001–02 fiscal years through the base revenue limit method or the block grant method.

This bill would authorize the revenue limit of an elementary school district to be determined using either the current or prior year second principal apportionment average daily attendance, whichever is greater, if all the schools in the district were converted to charter schools in the 2000–01 fiscal year and the district continued to be funded through the base revenue limit method.

Ch. 933 (AB 2412) Diaz. Enforcement of employees' access to payroll records.

Existing law provides that employers must furnish their employees with certain information regarding compensation and deductions therefrom. Existing law also provides that current or former employees of an employer have the right to inspect and copy these records.

This bill would require employers to comply with requests from current or former employees to inspect or copy these records within 21 calendar days from the date of the request. The bill would make a violation of this requirement an infraction, thereby imposing a state-mandated local program.

This bill also provides for a civil penalty against employers who fail to comply with requests to inspect and copy these records, and for injunctive relief to ensure compliance with employers' duties pursuant to current and former employees' payroll records.

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. 934 (AB 2895) Shelley. Private employment: working conditions.

Existing law provides that an employer may not require that an employee refrain from disclosing the amount of his or her wages, require an employee to sign a waiver denying him or her the right to disclose the amount of his or her wages, or discharge, formally discipline, or otherwise discriminate against an employee, for job advancement, who discloses the amount of his or her wages.

This bill would eliminate the requirement that the discharge, formal discipline, or discrimination must be for job advancement.

This bill would also provide for identical protections relating to disclosure of information about the employer's working conditions.

Ch. 935 (AB 14) Goldberg. School facilities.

(1) Existing law, the Leroy F. Greene School Facilities Act of 1998 (Greene Act of 1998), makes funding available to eligible school districts for various purposes related to school facilities, including construction and modernization.

This bill would specify that prescribed agencies are not “lead agencies” in this process for the purposes of the California Environmental Quality Act, would declare that the state special schools for the deaf and for the blind are eligible for modernization funding, and would make certain transitional changes regarding the funding of projects pursuant to subsequently approved state bonds.

(2) Existing law establishes, as a condition of receipt of state funding under the Greene Act of 1998, that the governing board of a school district comply with prescribed provisions relating to the environmental assessment of a proposed schoolsite prior to acquisition of the site, including, but not limited to, submission of the assessment, and related documents, through the State Department of Education to the Department of Toxic Substances Control for its review and approval.

This bill would, instead, require the submission directly to the Department of Toxic Substances Control, would require that notification be given to the State Department of Education and to the governing board of the school district if the Department of Toxic Substances Control determines that a preliminary endangerment assessment is needed, and would make related conforming and technical changes.

Existing law, the Greene Act of 1998, authorizes the board to provide additional funding to cover 50% of the evaluation and response costs related to hazardous materials on a proposed project site, not to exceed 50% of the result of subtracting the school district’s cost of the site from the appraised value of the site when the response action is complete, and provides a similar cap in the case of 100% hardship funding.

This bill would, instead, permit the board to provide additional funding for 50% of the evaluation and response cost as determined by the Department of Toxic Substances Control, pursuant to standards adopted by the board. The bill would, except in circumstances of extreme need, cap those costs at 50% of one and one-half times the appraised value of the uncontaminated site, would make similar adjustments in the case of hardship projects, permitting inclusion of those costs only if the State Department of Education certifies certain findings related to the project, and would make related and conforming changes.

(3) Existing law provides for submission to the voters of the Kindergarten-University Public Education Facilities Bond Acts of 2002 and 2004 which would, in part, authorize the issuance of bonds for the purpose of funding K-12 school facilities, including, but not limited to, charter school facilities pursuant to the Greene Act of 1998, as set forth in a subsequent act of the Legislature.

This bill would set forth the manner of funding charter school facilities under the Kindergarten-University Public Education Facilities Bond Act of 2002 including, among other provisions, that the State Allocation Board and the California School Finance Authority provide funding for charter school facilities projects. By increasing the related duties of school districts and chartering agencies, this bill would impose a state-mandated local program.

(4) Existing law establishes a mechanism for a school district governing board to render prescribed city or county ordinances inapplicable to school facilities.

This bill would prohibit a school district from rendering a city or county ordinance inapplicable to a charter school facility unless the facility is within the geographical jurisdiction of the school district.

(5) Existing law establishes the Homebuyer Down Payment Assistance Program to provide assistance in payment of the school facilities fee on an affordable housing development, to be funded with funds provided through the Housing and Emergency Shelter Trust Fund that are continuously appropriated for that purpose.

This bill would, instead, fund the program with funds provided through the Kindergarten-University Public Education Facilities Bond Acts of 2002 and 2004 if certain conditions occur, would continuously appropriate those funds for these purposes, and would make other technical and 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, 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.

(7) This bill would declare that its provisions are severable and that if any provision or application is held invalid, it shall not affect other provisions or applications of the bill that can be given effect.

#### Ch. 936 (AB 299) Rod Pacheco. Reporting requirements.

Existing law, the Child Abuse and Neglect Reporting Act, requires certain mandated reporters, including clergy members and family support officers, to report, as specified, incidents of child abuse or neglect of a person under the age of 18 years at least within 36 hours of receiving information on an incident. A failure to report as required is a misdemeanor.

The bill would, instead of family support officers, make local child support agency caseworkers mandated reporters.

This bill would allow a mandated reporter to include with this report any nonprivileged documentary evidence relating to the incident.

The bill would make any custodian of records of a clergy member a mandated reporter and would permit any clergy member or custodian of records for the clergy member to report, on or before January 1, 2004, a previously unreported incident of child sexual abuse that occurred prior to January 1, 1997, even if at the time of the report, the alleged victim is 18 years of age or older. The bill would provide that law enforcement agencies shall have jurisdiction to investigate these reports of child abuse. By imposing the reporting requirement on a new class of persons, 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.

The bill would declare that it is to take effect immediately as an urgency statute.

#### Ch. 937 (AB 629) Oropeza. Transportation.

Existing law requires, in the Santa Cruz Metropolitan Transit District, the Orange County Transportation Authority, the Alameda-Contra Costa Transit District, and the Santa Clara County Transit District, upon the adoption of a resolution, that the driver of a vehicle yield the right-of-way to a transit bus if, among other things, the bus is equipped with a yield right-of-way sign on its left rear, as specified. Existing law establishes a base fine of \$35 for a violation of these provisions. Existing law repeals these provisions on January 1, 2003.

This bill would extend the repeal date to January 1, 2004. Because a violation of these provisions is an infraction, this bill would create a new crime, thereby imposing a state-mandated local program.

Existing law makes it unlawful to operate any vehicle in violation of statutory equipment requirements.

This bill would require every transit bus operated by a motor carrier, whether that motor carrier is a private company or a public agency, that provides public transportation services to be equipped with a 2-way communication device, as defined, that enables the driver to contact the motor carrier in the event of an emergency. The bill would require the devices to

be maintained in good working order. Buses operated by or on behalf of a school district would be exempted.

The bill would also state the intent of the Legislature that the California Transportation Commission work with transportation agencies, and that transportation agencies make the purchase and maintenance of two-way communication devices a priority.

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. 938 (AB 630) Oropeza. Transportation: Los Angeles County Metropolitan Transportation Authority.

Existing law requires that the Los Angeles County Metropolitan Transportation Authority, at a minimum, reserve to itself exclusively, specified powers and responsibilities, including, among other things, the establishment of overall goals and objectives.

This bill would specify that the above responsibility as to the establishing of overall goals and objectives is to achieve optimal transport service for the movement of goods and people on a countywide basis. The bill would also make various findings regarding the terrorist attacks of September 11, 2001. The bill would require the authority to perform a security assessment in conjunction with other municipal operators in Los Angeles County to determine the safety and security measures required to protect their operations and passengers. By imposing this additional requirement on the authority, 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. 939 (AB 690) Wiggins. State Assistance Fund for Enterprise, Business, and Industrial Development Corporation.

Existing law defines "community development financial institution" for certain purposes related to taxation.

This bill would provide that the State Assistance Fund for Enterprise, Business, and Industrial Development Corporation (SAFE-BIDCO) meets the definition of community development financial institution for purposes of taxpayer eligibility for certain tax credits.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 940 (AB 1059) Keeley. Vessels.

(1) Existing law requires generally that any ordinance, law, regulation, or rule adopted by certain state or local entities relating to vessels pertain only to time-of-day restrictions, speed zones, special-use areas, and sanitation and pollution control.

This bill would require the Department of Boating and Waterways, upon request of the Director of Fish and Game, or his or her designee, to restrict or prohibit, based on the request, recreational vessel activity on waters of the state in general until January 1, 2004, and in Agua Hedionda Lagoon in San Diego County indefinitely, if that vessel activity would hinder or jeopardize efforts to control or eradicate *Caulerpa taxifolia*.

The bill would require that notice of the restriction or prohibition be posted conspicuously and, at a minimum, in areas where boats are launched into the waterway where the restriction or prohibition is in effect. The bill would subject the operator of a vessel who violates any

restriction or prohibition imposed pursuant to the bill to a fine of not more than \$250, thereby imposing 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.

Ch. 941 (AB 1163) Calderon. Water Replenishment District of Southern California.

(1) Existing law, the Water Replenishment District Act, authorizes the formation of water replenishment districts for the replenishment of groundwater within a district. The act requires the State Auditor to perform an audit with regard to the operations and management of the Water Replenishment District of Southern California and to submit a related report to the Legislature. The act provides that these provisions will be repealed on January 1, 2003.

This bill would require the State Auditor to submit its report to the Legislature not later than June 30, 2004. The bill would require the cost of the audit to be reimbursed by the district's ratepayers.

(2) The act prohibits the district from incurring any indebtedness on or after January 1, 2001, authorizes the district to increase its annual water replenishment district assessment under certain circumstances, and requires the district to pay for any capital project undertaken by the district with existing reserves or with funds generated from the imposition of its annual water replenishment assessment.

This bill would delete these provisions and would instead require the district to develop a 5-year capital improvement program in accordance with certain requirements. The bill would provide that these provisions will be repealed on January 1, 2005.

This bill would impose a state-mandated local program by imposing new duties on the district.

(3) The act requires the Central Basin Water Association and the West Basin Water Association to appoint 6 professionals with expertise relating to water to a technical advisory committee, and requires the district to consult with the technical advisory committee for certain projects relating to water quality improvement.

This bill would specify that capital improvement programs are included within those projects for which the district is required to consult with the technical advisory committee.

(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. 942 (AB 1227) Canciamilla. Minimum instructional time: penalty waiver.

Existing law authorizes the State Board of Education 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 those requirements, commencing not later than the year in which the waiver is granted.

This bill would authorize a waiver to be granted for fiscal penalties incurred as a result of a shortfall on instructional time in the 2000–01 fiscal year or thereafter only if the makeup minutes or days, or both, are commenced not later than the school year following the year in which the waiver is granted.

Ch. 943 (AB 1793) Migden. Education: physical education.

(1) Under existing law, the State Department of Education is required to exercise general supervision over the courses of physical education in elementary and secondary schools of the state, and to perform other duties related to physical education in the schools.

This bill would impose new duties on the department regarding physical education, including monitoring the number of hours of physical instruction offered to pupils in grades 1 to 12, inclusive.

(2) Under existing law, the State Board of Education is required to adopt statewide academically rigorous content standards, pursuant to the recommendations of the Commission for the Establishment of Academic Content and Performance Standards, in the core curriculum areas of reading, writing, mathematics, history/social science, and science.

This bill would require the State Board of Education to adopt model content standards, pursuant to recommendations developed by the Superintendent of Public Instruction, in the curriculum area of physical education.

(3) Under existing law, the Superintendent of Public Instruction is required to select not less than 10 percent of the school districts of the state to report compliance with the provisions relating to physical education requirements for grades 7 to 12, inclusive, and for elementary schools maintaining any of grades 1 to 8. Each school district selected by the superintendent to report is required to report its compliance with those provisions in the Coordinated Compliance Review.

This bill would instead make those reporting requirements applicable to the physical education requirements for grades 1 to 6, inclusive, and would make clarifying changes in related provisions.

#### Ch. 944 (AB 1895) Wright. Education: special education.

Existing law, the federal Individuals with Disabilities Education Act, requires that all individuals with disabilities residing in the state, regardless of the severity of their disabilities, and who are in need of special education and related services, be identified, located, and assessed as required by federal law.

This bill would prohibit an employee of a school district, county office of education, or a special education local plan area from directly or indirectly using or attempting to use the official authority or influence of the employee for the purpose of intimidating, threatening, or coercing a person, or attempting any of those actions against a person, for the purpose of interfering with the right of that person to assist a parent or guardian of a pupil with exceptional needs to obtain services or accommodations for that pupil.

#### Ch. 945 (AB 1962) Hollingsworth. Electronic communication.

Existing law relating to evidence in court actions and specified administrative proceedings defines evidence as including a writing, which is defined as handwriting, typewriting, printing, photostating, photographing, and every other means of recording upon any tangible thing, any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof.

The California Public Records Act, which requires each state and local agency to make its records open to public inspection at all times during office hours, with specified exemptions, defines public records as including any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics. The act defines a writing as handwriting, typewriting, printing, photostating, photographing, and every other means of recording upon any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums, and other documents.

This bill would define writing under these provisions to mean handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or

facsimile, and every other means of recording upon any tangible thing, any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored. By expanding the scope of public records that local agencies are required to make available for public inspection, this 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.

This bill would state that it is declaratory of existing law.

This bill would incorporate additional changes in Section 6252 of the Government Code proposed by AB 2937 that would become operative if both bills are enacted and this bill is enacted last.

Ch. 946 (AB 2390) Cedillo. Agricultural products commissions.

(1) Existing law relating to the unlawful possession of agricultural commodities provides that if for any reason an unlawfully possessed commodity that has been seized is not released to the rightful owner after being in the custody of the county agricultural commissioner for a specified amount of time, the commissioner may sell the commodity by public auction or by private sale at fair market value to a commercial packer of the commodity, and if any seized commodity remains unsold after being offered for sale, the commissioner may donate the commodity to a nonprofit charitable organization.

This bill would instead provide that the commissioner may either sell the commodity as specified above or, after 72 hours from the time of seizure, may donate the commodity to a nonprofit charitable organization. If donated, the commodity may not be sold by the receiving party.

(2) Existing law provides that if for any reason unlawfully possessed avocados that have been seized are not released to the rightful owner after being in the custody of the Secretary of Food and Agriculture for a specified amount of time, the secretary may sell the commodity by private sale at fair grower market value and if any seized avocados remain unsold after being offered for sale, the secretary may donate them to a nonprofit charitable organization.

This bill would instead provide that the secretary may either sell the avocados as specified above or, after 72 hours from the time of seizure, donate the avocados to a nonprofit charitable organization. If donated, the avocados may not be sold by the receiving party.

(2.5) Existing law establishes the Navel and Valencia Orange Advisory Commission, an inspection program relating to those oranges, and imposes certain assessments upon producers of those oranges, as specified. Existing law requires that the assessments be paid into the Food and Agriculture Fund, a continuously appropriated fund, and be expended only for purposes related to the administration of the inspection program. Violation of certain of these provisions is a misdemeanor pursuant to other provisions of law. Existing law also provides that these provisions will be repealed on January 1, 2003.

This bill would extend the operation of the above described provisions indefinitely. By extending the operation of the provisions imposing assessments that are to be deposited into a continuously appropriated fund, this bill would make an appropriation. By extending these provisions of law, the violation of which is an offense, this bill would impose a state-mandated local program.

(3) Existing law provides that there is, within state government, the California Avocado Commission.

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**NOTE:** Superior numbers appear as a separate section at the end of the digests.

This bill would change the composition of the commission to eliminate requirements for commission membership that require its members be affiliated with cooperatives handling avocados, and to make related changes.

(4) Existing law provides for the establishment of a California Avocado Commission for specified purposes.

This bill would expand and clarify those purposes.

(5) Existing law defines the term “distributor” as any person who engages, in this state, in the operation of selling, marketing, or distributing avocados which he or she has produced or purchased or acquired from a producer, or which he or she is marketing on behalf of a producer, whether as owner, agent, employee, broker, or otherwise, as a distributor; and the term “handler” as any person engaged, within this state, as a distributor in the business of distributing avocados or any person engaged as a processor in the business of processing avocados. Existing law makes reference to a distributor collecting, or making payment to the commission of, assessments to be used by the commission to defray its operating costs, provides that all assessments shall be paid to the commission by the handler first handling avocados, and provides that failure of a handler to pay any assessment as specified subjects the individual handler or the director or officer of a corporate handler to liability in the form of a penalty and interest, as specified.

This bill would replace the reference to “distributor” in the above described provisions with a reference to “handler,” and would expand the group of individuals and entities subject to the above liability for failure to collect or pay the assessment to include limited liability companies and managers and members of corporations or limited liability companies. The bill would make conforming changes to related provisions.

(6) Existing law describes 5 districts with specified boundaries and requires the commission to draw new district lines if the poundage in any existing district varies by more than 10% from the pro rata poundage, as defined.

This bill would instead require the commission to establish 5 districts within the state, each representing approximately 20% of the avocado production in California, would, beginning in the 2000–01 marketing season, require those districts to be reapportioned as set forth above every 5th year.

(7) Existing law provides that if a handler from any cooperative handling avocados or a handler who is not within any cooperative handling avocados markets 30% or more of the volume of avocados in the preceding marketing season, as annually determined by the secretary, that handler may nominate and elect one handler member to the commission.

This bill provides instead that any handler that handles 30% or more of the volume of avocados in the preceding marketing season may appoint one handler member to the commission.

(8) Existing law provides that a person nominated for election to the commission as (a) an independent producer or grower, or (b) a cooperative producer, must sign a sworn statement stating that he or she marketed at least 75% of his or her fruit in the preceding crop year through other than a membership agreement with a cooperative handler.

This bill would eliminate this requirement.

(9) Existing law provides that the commission has the power to conduct and contract with others to conduct scientific research, including the study, analysis, dissemination, and accumulation of information obtained from the research or elsewhere respecting the inventory, marketing, and distribution of avocados.

This bill would provide that the results of any research conducted by or on behalf of the commission may be used by the commission in any way it deems appropriate, and notwithstanding any other provision of law, may be maintained in confidence by the commission and not disseminated to any person not subject to the provisions relating to the California Avocado Commission. The bill would also require the commission to provide the secretary, on an annual basis, a summary of the programs, activities, and costs under review for the next marketing season.

(10) Existing law makes it a misdemeanor for one engaged in the shipping of avocados or in the wholesale or retail trade of avocados to fail or refuse to furnish to the commission or its duly authorized agents, upon request, information concerning the name and address of the persons from whom he or she has received avocados and the quantity and inventory, by variety, of the avocados.

This bill would delete the above offense and provide instead that it is a misdemeanor to willfully fail to render or furnish a report, statement, or record required by the commission. By revising an existing crime, this bill would impose a state-mandated local program.

(11) Existing law provides that the commission shall adopt regulations for the purpose of according individuals aggrieved by its actions or determinations an informal hearing before the commission or before a committee of the commission designated for that purpose, as specified.

This bill would instead require the commission to establish procedures with respect to aggrieved individuals, and would make various revisions to the provisions relating to those hearings.

(12) The bill would make various changes to provisions relating to the commission and its membership; the continued operation, or suspension of operation, of the provisions relating to the commission; and assessments. The bill would also make various technical, nonsubstantive, and clarifying changes to the above and related provisions.

(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.

#### Ch. 947 (AB 2397) Correa. Vehicles.

Existing law provides that it is unlawful for a lessor-retailer to sell a vehicle without a lessor-retailer license or temporary permit. Existing law prohibits lessor-retailers from engaging in certain practices, as specified.

This bill would add various other acts, the commission of which, by a licensed lessor-retailer, would be a crime.

Existing law provides that no person shall act as a motor vehicle dealer without having first been issued a license or temporary permit by the Department of Motor Vehicles. Existing law provides that no holder of this license shall disseminate or make any statement which is untrue or misleading that he or she knows or reasonably should know is untrue, or make any statement as part of a plan or scheme with the intent not to sell any vehicle or service so advertised at the price stated. Existing law provides that a licensee shall not advertise a vehicle for sale without identifying it, nor shall he or she exclude that certain fees will be added to the advertised price, as specified.

This bill would provide that vehicle identification must include the model, and model-year, as specified. With respect to the requirement to include information about additional fees, this bill would remove handbills from the definition of advertisement. This bill would restrict the use of the terms “no downpayment” and “zero downpayment” as specified. This bill would also prohibit the use of a picture in connection with an advertisement of the price of a specific vehicle or class of vehicles that depicts a vehicle with optional equipment or a design not offered at the advertised price.

This bill would also add various other acts, the commission of which, by a holder of a dealer’s license, would be a crime.

This bill would state the intent of the Legislature that on and after the operative date of these provisions, various sections of the California Code of Regulations shall have no force and effect, as specified.

By creating new crimes and expanding the scope of various 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. 948 (AB 2457) Frommer. Rental car agencies.

Existing law prohibits an automobile rental agency from renting or leasing a motor vehicle unless the agency discloses both orally and in writing to the customer that the collision damage waiver protection may be duplicative of coverage the customer currently has through his or her automobile insurance policy.

This bill would, until January 1, 2006, make inoperative the requirement that the rental agency notify the customer about the possibility of this duplicate coverage and instead require, during that period, oral notice to be given to all renters who are not participants in the rental company's membership program.

Existing law regulates an automobile 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 the notice to a renter regarding financial responsibility and optional damage waivers. Existing law provides that a waiver of these provisions is void and unenforceable as contrary to public policy.

This bill would until January 1, 2006, provide an exception to this provision with respect to renters who are members of the rental company's membership program, as defined, if specified conditions are met.

Ch. 949 (AB 2469) Dickerson. Regional water management groups.

Existing law requires urban water suppliers, as defined, to prepare urban water management plans to facilitate long-term resource planning to ensure adequate water supplies to meet existing and future demands for water.

This bill would revise provisions proposed to be added to the Water Code by SB 1672, which would become operative only if SB 1672 is chaptered and becomes effective on or before January 1, 2003, and this bill is chaptered last. The bill would authorize a regional water management group to prepare and adopt a regional plan in accordance with certain procedures, that addresses programs, projects, reports, or studies relating to water supply, water quality, flood protection, or related matters over which a local public agency that is a participant in that group has authority to undertake.

Ch. 950 (AB 2525) Jackson. Accessible voting systems.

Existing law requires the Secretary of State to establish the specifications and the regulations governing voting machines, voting devices, and any software used, including the programs and procedures for vote tabulating and testing. The Secretary of State may not approve any voting system that does not fulfill statutory and regulatory requirements.

This bill would impose a state-mandated local program by requiring the Secretary of State to adopt rules and regulations governing any voting technology and systems used by the state or any political subdivision that provide blind and visually impaired individuals with access that is equivalent to that provided to individuals who are not blind or visually impaired. It would require the Secretary of State to obtain recommendations from representatives of blind consumer organizations, experts in accessible software and hardware design, and other individuals or organizations the Secretary of State deems appropriate.

This bill would further impose a state-mandated local program by requiring that at each polling place at least one voting unit approved by the Secretary of State provide access to individuals who are blind or visually impaired.

This bill would provide that a local agency is not required to comply with this requirement unless sufficient funds are available to implement that provision. It would provide that funds

received from the proceeds of the Voting Modernization Bond Act of 2002, from federal funds made available to purchase new voting systems, or from any other source except the General Fund, shall be used for that purpose.

This bill would authorize any person injured by a violation of the requirements of this bill to maintain an action for injunctive relief, within specified time limits.

The bill would not apply to voting by absentee ballot.

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. 951 (AB 2567) Committee on Business and Professions. State Agencies: reports: public contracts: acquisitions of goods and services.

Existing law authorizes any state agency, that receives delegated authority from the Department of General Services to acquire, without prior approval, materials, supplies, and equipment, to make specified purchases, including acquisitions not exceeding \$15,000 from vendors not listed on price schedules in specified circumstances, and from vendors at a price lower than state warehouse prices.

Existing law also requires the Department of General Services, on July 1 of each year, to establish the minimum dollar level below which a state agency has the authority to acquire goods without prior approval from the department. The current established minimum dollar level is set at \$25,000.

This bill would apply this annually established limit, in lieu of the current \$15,000 threshold, to acquisitions from vendors not listed on price schedules and from vendors at a price lower than state warehouse prices, made by any state agency that has been delegated authority to make specified purchases without prior approval from the Department of General Services.

Existing law requires the Department of General Services to make a written report to the Governor, embracing a record of the complete transaction of the Office of State Printing for the preceding fiscal year.

This bill would eliminate that reporting requirement.

Existing law requires various state agencies and officers to report to the Director of General Services and to the Chairperson of the Joint Legislative Budget Committee on their use of goods and services, as specified.

This bill would eliminate that reporting requirement.

Existing law authorizes 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, for purposes of this authority, require the term "small business" to be defined by each local agency, and would also reduce, as specified, maximum contract value limits with respect to the awarding of state contracts, under certain authority, to small businesses, microbusinesses, or disabled veteran businesses.

Ch. 952 (AB 2574) Harman. Arbitration: conflicts of interest.

Existing law provides that in any arbitration pursuant to an arbitration agreement, if a person is to serve as a neutral arbitrator, the proposed neutral arbitrator is required to disclose

all matters that would cause a person aware of the facts to reasonably entertain a doubt that the proposed neutral arbitrator would be able to be impartial, as specified.

This bill would prohibit a private arbitration company from administering a consumer arbitration, or providing any other services related to a consumer arbitration, if the company has, or within the preceding year has had, a specified financial interest, in any party or attorney for a party. The bill would impose similar limitations on the provision of services by private arbitration companies based on the financial interests of any party or attorney for a party in the private arbitration company. The bill would state that its provisions become operative on January 1, 2003.

Ch. 953 (AB 2631) Matthews. Resources.

(1) Existing law requires each state agency to prepare an annual report containing information regarding consulting service contracts entered into during the previous fiscal year. Existing law requires state agencies to submit the report to specified entities within 30 working days after the end of the previous fiscal year. Existing law further requires the Department of General Services, 60 days after the close of the fiscal year, to furnish to those entities a list of the agencies that have not submitted the required report.

This bill would require state agencies to submit the report within 60 working days after the end of the previous fiscal year and would require the Department of General Services to furnish a list of the agencies that have not submitted the required report within 120 working days after the close of the fiscal year. This bill would additionally require the Department of General Services to annually submit to specified entities a report describing the information furnished pursuant to the provisions described above.

(2) Existing law requires the Director of Forestry and Fire Protection to report to the State Board of Forestry and Fire Protection and the Legislature by January 1 of each year regarding the enforcement of, and the penalties and fines collected pursuant to, various statutes.

This bill would require the report by January 15 of each year.

(3) Existing law provides for the establishment of state seashores within the state park system. Existing law requires the Department of Parks and Recreation to recommend to the Governor and the Legislature for inclusion in the annual Budget Bill land acquisitions for the establishment of additional state seashores or as additions to existing state seashores.

This bill would delete the latter requirement.

(4) Existing law grants the Department of Parks and Recreation exclusive jurisdiction with respect to property salvage and recovery operations in and upon lands of the state park system. Existing law requires the department to file an annual report with the Legislature, as prescribed, on any operations that have been undertaken during the previous year, the results of those operations, the permits that are pending and under consideration, and the extent of the public interest in those operations.

This bill would delete the latter requirement.

(5) Existing law authorizes the Department of Parks and Recreation to provide hostel facilities in state park system units, as specified, and to acquire land for, develop, and maintain recreational trails to and between units.

Existing law required the Department of Parks and Recreation to submit to the Legislature by February 1, 1975, a preliminary plan for the development of hostel facilities and the establishment of recreational trails. Existing law authorizes the Legislature to comment on the submitted plan by concurrent resolution.

This bill would delete the latter provisions.

(6) Existing law authorizes the Director of Parks and Recreation to contract for the construction for the preservation and restoration of the Leland Stanford Mansion State Historical Park and related facilities using a design-build process and requires the director to submit a related report to the Joint Legislative Budget Committee, as specified.

This bill would delete the latter requirement.

(7) Existing law requires the Department of Parks and Recreation to submit a plan to the Legislature by January 15, 1977, for the protection and management of the Mendocino Woodlands Outdoor Center.

This bill would delete that obsolete provision.

(8) Existing law requires that on and after July 1, 1994, the California Conservation Corps be designated a performance budget department, as specified. Existing law additionally contains a request by the Legislature that the Governor issue an Executive Order establishing performance goals for the corps, as specified.

This bill would delete those provisions.

(9) Existing law establishes the Collins-Dugan California Conservation Corps Reimbursement Account and authorizes the Department of Finance to loan money to the fund, as specified.

This bill would make a technical nonsubstantive change to those provisions.

(10) Existing law requires the California Conservation Corps to cooperate with, and seek the cooperation of the Private Industry Council of the local service delivery area, as specified, to secure employment and training services for corpsmembers. Existing law authorizes those employment and training services to include those provided under the federal Job Training Partnership Act.

This bill would instead require the California Conservation Corps to cooperate with, and seek the cooperation of, state and local workforce investment boards and youth councils designated pursuant to the federal Workforce Investment Act.

Ch. 954 (AB 2678) Aanestad. Public employees' retirement: death benefits.

The Public Employees' Retirement Law prescribes benefits that are payable to the surviving spouse of a member who, at the time of death, had attained the minimum age for voluntary service retirement. Those benefits are applicable to the employees of a contracting agency only after the contracting agency has amended its contract to be subject to those benefits.

This bill would authorize Butte County to amend its contract on or before February 1, 2003, to authorize the surviving spouse of a member to receive specified additional death benefits if the member was eligible to retire and was a public safety officer killed in the line of duty between July 26, 2001, and February 1, 2003.

Ch. 955 (AB 2683) Canciamilla. California Bay-Delta Authority Act.

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.

SB 1653 of the 2001-02 Regular Session would enact the California Bay-Delta Authority Act and would establish the California Bay-Delta Authority in the Resources Agency.

This bill would revise provisions proposed to be added by SB 1653 relating to proposed budgets of implementing agencies, the powers and duties of the authority, and the staff of the authority. These provisions would become operative only if this bill and SB 1653 are both chaptered and become effective on or before January 1, 2003, and this bill is chaptered last.

Ch. 956 (AB 2704) Aroner. Flood damage reduction and urban creek restoration.

Existing law authorizes the Director of Water Resources to establish a program of flood control and urban creek restoration, consisting of the development of the capability by the Department of Water Resources to respond to requests from local agencies and organizations for planning and design assistance for low-cost and effective urban creek protection, restoration, and enhancement.

This bill would recast this provision to instead provide for a program of flood damage reduction and urban creek restoration to be known as the Urban Streams Restoration

Program that would consist of 2 components with the first component the same as existing law except the planning and design assistance would be for efficient and effective protection, restoration, and enhancement. The bill would provide that the second component of the program consist of, to the extent that funds are provided, a process for awarding competitive grants. The bill would revise the described activities to include adaptive management, as defined, necessary to meet flood damage reduction and flood plain acquisition, ecological, urban fisheries restoration, and recreation objectives.

The bill would require the department to maintain a balance in allocating the money annually available for grants to small urban creek restoration projects, as defined, and large urban stream restoration projects, as defined. The bill would also authorize the department to adopt regulations that define adaptive management, to establish criteria to fund projects, and to amend or utilize existing regulations for approving competitive grants. The department would be required to annually make available to the public, in a form that is readily accessible, information regarding the status of funds appropriated for these purposes and projects that received grants.

Ch. 957 (AB 2717) Hertzberg. Water: desalination: report. <sup>2</sup>

(1) The Cobey-Porter Saline Water Conversion Law authorizes the Department of Water Resources, either independently or in cooperation with public or private entities to conduct a program of investigation, study, and evaluation in the field of saline water conversion, to provide assistance to persons or entities seeking to construct desalination facilities, and after submission of a written report and upon appropriation from the Legislature, to finance, construct, and operate saline water conversion facilities.

This bill would require the department, not later than July 1, 2004, to report to the Legislature, on potential opportunities and impediments for using seawater and brackish water desalination, and to examine what role, if any, the state should play in furthering the use of desalination technology. The bill would require the department to convene a Water Desalination Task Force, comprised of representatives from listed agencies and interest groups, to advise the department in carrying out these duties and in making recommendations to the Legislature.

(2) Under existing law, the Bosco-Keene Renewable Resources Investment Fund is established for certain purposes.

This bill would appropriate \$600,000 from the Bosco-Keene Renewable Resources Investment Fund to the department for the purpose of establishing the Water Desalination Task Force and preparing the report required by the bill.

Ch. 958 (AB 2727) Keeley. State Coastal Conservancy: coastal zone land.

(1) Existing law establishes the State Coastal Conservancy with prescribed powers and responsibilities for implementing a program of agricultural land protection, area restoration, and resource enhancement within the coastal zone, as defined. The conservancy is authorized to acquire fee title, development rights, easements, and other interests in designated lands located in the coastal zone, subject to specified conditions.

Existing law authorizes the conservancy to enter into options to purchase land provided the cost of the option does not exceed \$100,000 and the Legislature makes funds available for the specified purpose. Those options include the option to purchase lands included in a coastal restoration project, coastal resource enhancement project, or urban waterfront project when necessary to reserve those lands during the preparation of the plan and acquisition proceedings.

This bill would revise and recast those provisions and provide that those options may not exceed \$600,000.

This bill would additionally authorize the conservancy to enter into an option to acquire interests in real property in connection with a public access project under the same conditions described above.

(2) Existing law authorizes the conservancy, as part of an approved coastal resource enhancement project, to fund up to 40% of any state agency land acquisition costs and up to 100% of any local agency land acquisition costs.

This bill would delete the above limitation and instead authorize the conservancy to fund all or part of the costs of land acquisition.

(3) Existing law provides that after the conservancy approves a local coastal restoration project or a local coastal enhancement project, the conservancy may provide up to \$100,000 of the cost of preparing the plans for the project.

This bill would instead authorize the conservancy to fund up to \$300,000 of the cost of preparing those plans.

(4) Existing law generally authorizes federal, state, and local public agencies or nonprofit organizations to acquire lands designated as significant coastal resource areas held by the conservancy for public purposes indicated in prescribed programs or plans that are consistent with the California Coastal Act of 1976. Existing law prohibits the conservancy from holding the lands described above for more than 10 years from the time of acquisition.

This bill would revise the acquisition procedures and authorize the conservancy to place permanent restrictions on the acquired land, limiting use to the acquisition purposes.

(5) This bill would authorize the conservancy to fund and undertake plans and feasibility studies for the purpose of implementing the provisions governing the conservancy.

(6) This bill would permit the conservancy to accept subscriptions and nonpolitical advertising for its publications and to accept proceeds related to each. The bill would require the proceeds to be deposited into the State Coastal Conservancy Fund.

(7) This bill would additionally make conforming changes to related definitions and provisions of law.

#### Ch. 959 (AB 2832) Shelley. Voter information: privacy.

Existing law requires that a state or local initiative petition contain, prior to the portion of the petition for voters' signatures, a specified statement in 12-point type that the petition may be circulated by a paid signature gatherer or a volunteer, and that the signer has a right to ask.

Existing law makes it a misdemeanor to knowingly and willfully permit the signatures on an initiative petition for any purpose other than qualification of the petition for the ballot, except as specified.

This bill would require that, immediately following the statement referred to above, an additional statement be printed in 12-point type, as specified, that the use of the signer's signature for any purpose other than qualification of this measure for the ballot is a misdemeanor, and that complaints about the misuse of the signer's signature may be made to the Secretary of State's office.

Existing law provides that a person may not be registered as a voter except by affidavit of registration. It requires that the form of the registration affidavit contain all the information required to register the affiant as an elector, and that it be included as part of a voter registration card. Existing law makes it a misdemeanor to use or permit the use of voter registration information for any purpose not permitted by law.

This bill would require that the form of the affidavit of registration also contain, at the top of the card, a statement that the use of voter registration information for commercial purposes is a misdemeanor, and any suspected misuse should be reported to the office of the Secretary of State, as specified, as well as a fraud hotline telephone number maintained by the Secretary of State at which the public may report suspected fraudulent activity concerning misuse of voter registration information.

This bill would further require that any online or downloadable voter registration form maintained on the Web site of the Secretary of State's office include a statement that the use of voter registration information for commercial purposes is a misdemeanor, and any suspected misuse should be reported to the office of the Secretary of State, as specified.

This bill would require the Secretary of State to appoint a task force of 7 members who have experience in campaigns, administration of elections, public interest organizations, law enforcement, and other relevant backgrounds to study and recommend to the Secretary of State appropriate standards for safeguarding voter file information in view of the different database formats and security procedures used by the various counties. It would require the task force to file its report with the Secretary of State and the Legislature no later than January 1, 2004.

This bill would require the Secretary of State to adopt uniform guidelines based upon the recommendations in the report filed by the task force not later than January 1, 2005.

This bill would require any person or committee who purchases data from a voter file and who uses any or all of that data to provide services to a candidate or another committee to include at the appropriate location in a contract for services a specified notice in bold type that state law prohibits the use of voter registration information for commercial purposes.

Existing law imposes various requirements concerning the circulation of initiative petitions, and prohibits, subject to misdemeanor penalties, the use of signatures on an initiative petition for a purpose other than qualification of the proposed measure for the ballot.

This bill would require the proponents of an initiative measure to ensure that any person, company, or other organization that is paid, or who volunteers, to solicit signatures to qualify the proposed measure for the ballot receive instruction on the requirements and prohibitions imposed by state law with respect to circulation of the petition and signature gathering thereon, with an emphasis on the prohibition on the use of signatures on an initiative petition for a purpose other than qualification of the proposed measure for the ballot.

This bill would require each proponent of an initiative measure to execute and submit, along with the request for a title and summary for the proposed measure, a signed statement, as specified, acknowledging that it is a misdemeanor under state law to knowingly or willfully allow the signatures on an initiative petition to be used for any purpose other than qualification of the proposed measure for the ballot, and certifying that he or she will not knowingly or willfully allow the signatures for the initiative to be used for any purpose other than qualification of the measure for the ballot.

This bill would require the person, company official, or other organizational officer who is in charge of signature gathering, prior to allowing any person to circulate an initiative petition for signatures, to execute and file a similar statement with the proponents. It would also require each circulator, prior to soliciting signatures on an initiative petition, to execute and submit to the person, company official, or other organizational officer who is in charge of signature gathering, a similar statement.

This bill, by requiring the proponents' certified statement required by this bill to be kept on file by the agency authorized to prepare the title and summary for the proposed initiative measure, would impose a state-mandated local program.

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, 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. 960 (AB 2851) Cogdill. Community facilities districts.

(1) Existing law, the Mello-Roos Community Facilities Act of 1982, authorizes the formation of community facilities districts and the issuance of bonds and levying of special taxes to finance designated public and utility facilities and services.

This bill would require any community facilities district formed after January 1, 1992, to prepare an annual report, if requested by a person who resides in or owns property in the district, containing specified financial information and to make it available to the public upon request. The bill would authorize the district to charge a fee for the report to cover the costs of the report. By imposing additional duties on districts created on or after January 1, 1992, the bill would constitute 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. 961 (AB 2867) Kehoe. Joint powers agency: San Diego.

Under existing law, if authorized by their governing bodies, 2 or more public agencies may enter into a joint powers agreement to exercise jointly any power common to the contracting agencies.

This bill would authorize the Redevelopment Agency of the City of San Diego, the Housing Authority of the City of San Diego, the San Diego Housing Commission, the San Diego Unified School District, and the City of San Diego to enter into a joint powers agreement to create and operate a joint powers agency known as the San Diego Model School Development Agency, with all of the powers of a redevelopment agency, housing authority, the city, the school district, and a joint powers agency, to acquire property, and to construct, improve, and finance one or more schools, housing projects, parks, recreational facilities, and any other facilities reasonably necessary for their proper operation.

Ch. 962 (AB 2888) Strom-Martin. Fishing.

(1) Existing law, until January 1, 2007, establishes the Commercial Salmon Trollers Advisory Committee to recommend programs and a budget from the Commercial Salmon Stamp Account to the Department of Fish and Game.

This bill would authorize the committee to recommend to the Director of Fish and Game that a nonprofit organization or the California Salmon Council be authorized to create or contract to create salmon or salmon fishing artwork and other materials based on that artwork, including a stamp, and offer those items for sale to the public during 2003 and thereafter, for the purpose of augmenting funding for the Commercial Salmon Trollers Enhancement and Restoration Program established under existing law.

The bill would prohibit the committee from recommending a nonprofit organization or the California Salmon Council, as specified, unless all of certain conditions are met.

The bill would authorize the director, upon receiving the recommendation of the committee, and upon finding that there will be no new costs to the department, to authorize the recommended entity to create or contract to create salmon or salmon fishing artwork and other materials based on that artwork, including a stamp, and offer those items for sale to the public, for the specified purposes.

The bill would prohibit any person or entity, including any nonprofit organization, from using the name of the Commercial Salmon Stamp, the Commercial Salmon Trollers Advisory Committee, or the Commercial Salmon Trollers Enhancement and Restoration Program for the sale of artwork and other materials, unless that person or entity has been approved by the director under these provisions for that purpose. Because a violation of this prohibition would be a misdemeanor under other provisions of existing law, the bill would establish a state-mandated local program by creating a new crime.

The approval of the director under these provisions would be for one year, after which the approval could be renewed for an additional year, upon recommendation of the committee.

The bill would require that proceeds from the sales of artwork and other materials sold under these provisions, after deduction of all reasonable costs borne by the nonprofit organization or the California Salmon Council for creation of the artwork and conducting

the sales, be deposited in the Commercial Salmon Stamp Account, a continuously appropriated account in the Fish and Game Preservation Fund. By requiring a new source of revenue to be deposited in a continuously appropriated fund, the bill would make an appropriation.

(2) Existing law requires each commercial fisherman or his or her designee, who transports, causes to be transported, or delivers to another person for transportation, any fish, except herring, taken from the waters of this state or brought into this state in fresh condition, to fill out a transportation receipt according to the instructions and on forms provided by the department at the time the fish are brought ashore.

This bill would authorize any fisherman's retail licensee who is selling his or her fish to a licensed receiver to use a transportation receipt to transport those fish to the licensed receiver, who would be required to complete a landing receipt for those fish. The bill would prescribe the information required to be included in the transportation receipt. Because a violation of these provisions would be a misdemeanor under other provisions of existing law, the bill would establish a state-mandated local program by expanding the scope of an existing crime.

(3) Existing law requires the names used in certain landing receipts for designating the species of fish dealt with to be those in common usage, unless otherwise designated by the department.

This bill would make that requirement applicable also to the names used in transportation receipts, and would modify various other requirements relating to transportation receipts. Because a violation of these provisions would be a misdemeanor under other provisions of existing law, the bill would establish a state-mandated local program by expanding the scope of an existing crime.

(4) Existing law requires that a drift gill net shark and swordfish permit be issued to any prior permittee who possesses a valid drift gill net shark and swordfish permit issued under existing law, but only if the permittee meets certain requirements, including that during one of the 2 immediately preceding permit years, the permittee either have landed at least 2,500 pounds of swordfish or 1,000 pounds of shark or have landed shark or swordfish for which the permittee was paid at least \$1,000.

This bill, instead of the specified condition, would provide that any person holding a valid drift gill net shark and swordfish permit on or after January 1, 2000, who did not make, on or after January 1, 2000, the minimum landings specified above, is eligible for the specified permit when that person meets all other qualifications for the permit.

(5) Existing law continuously appropriates the money in the Fish and Game Preservation Fund to the department and the commission to carry out the Fish and Game Code.

By imposing new duties on the department and the commission, the bill would make an appropriation.

(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) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 963 (AB 2936) Aroner. Local government: fees.

Existing law requires fees charged by a local agency for specified purposes to not exceed the estimated reasonable cost of providing the service for which the fee is charged, unless a question regarding the amount of the fee charged in excess of this cost is submitted to, and approved by,  $\frac{2}{3}$  of the electors.

This bill would authorize these fees to include costs reasonably necessary to prepare and revise the plans and policies that a local agency is required to adopt before it can make any necessary findings and determinations.

Ch. 964 (AB 2969) Florez. Corporations.

Existing law provides exemptions from state usury provisions for loans that meet certain requirements, with specified financial statements as necessary evidence. The financial statements are required to meet specified requirements, including being prepared (1) in accordance with generally accepted accounting principles and, if the entity has consolidated subsidiaries, on a consolidated basis, and (2) in accordance with the rules and requirements of the Securities Exchange Commission.

This bill would instead require the financial statements to meet one of the above requirements, rather than both of those requirements.

Existing law prohibits a person from offering or selling securities in certain manners unless the security is qualified for sale or unless the security or transaction is exempted or not subject to qualification.

This bill would make nonsubstantive changes to these provisions.

Ch. 965 (AB 3025) Committee on Transportation. Public works: environmental enhancement projects.

(1) Existing law declares the Legislature's intent to allocate \$10,000,000 annually to the Environmental Enhancement and Mitigation Program Fund to be used for making grants to local, state, and federal agencies or to nonprofit entities to undertake environmental and mitigation projects relating to transportation facilities. Existing law requires the Department of Transportation to extend the completion date for specified mitigation projects to June 30, 2002.

This bill would require the department to extend the completion date for the Ueda Parkway Off-Road Recreation and Environmental Enhancement Project and the Eastern Sierra Interagency Visitor Center Environmental Enhancement and Mitigation Project to June 30, 2007. The bill would require the department to extend the completion date for the Cambria Community Services District and Dry Creek Parkway projects to June 30, 2004.

(2) The State Contract Act authorizes the Department of General Services to make partial payments for the mobilization costs of a contract subject to the act, not to exceed specified percentages of the original contract amount.

This bill would revise the partial payment amounts and limits with respect to projects over water requiring marine access, and which have a contract amount greater than \$25,000,000.

(3) Existing law provides for creation of a system of California historic parkways that are part of the state highway system.

This bill would designate a portion of State Highway Route 163 in San Diego County as a California historic parkway.

(4) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 966 (AB 3042) Wayne. Natural resources: California Tahoe Conservancy: Parks Project Revolving Fund: expenditures.

(1) Existing law establishes the California Tahoe Conservancy as a state agency within the Resources Agency and authorizes the conservancy to select and acquire real property or interests therein in the name of and on behalf of the state for the purposes of protecting the natural environment, providing public access or public recreational facilities, preserving wildlife habitat areas, or providing access to or management of acquired lands. The conservancy is authorized to award grants to local public agencies, state agencies, federal agencies, and nonprofit organizations for these purposes.

This bill would additionally authorize the conservancy to award grants to federally recognized Indian tribes and the Tahoe transportation district, as specified.

(2) Existing law vests with the Department of Parks and Recreation control of the state park system, and provides funds for the support and administration of the department, and specified park construction development, repair, and improvement projects.

This bill would establish the Parks Project Revolving Fund in the State Treasury, and would require, upon the approval of the Department of Finance, except as provided, the transfer to, or deposit in, the fund of all money appropriated, contributed, or made available from any source, including sources other than state appropriations, for expenditure on work within the powers and duties of the department with respect to the construction, alteration, repair, and improvement of state park facilities, as specified.

The bill would make money transferred from state sources for major construction available without regard to fiscal years and irrespective of specified limitations for encumbrance, thereby, making an appropriation.

These provisions would become inoperative on a date that is 3 years after the date that Section 5018.1 of the Public Resources Code is repealed, and would be repealed on the following January 1.

Ch. 967 (SB 238) Kuehl. County of Los Angeles: parks.

Existing law grants the property known as Schabarum Regional Park to the County of Los Angeles for use as a public park and recreation area, provided park improvements conform to specified requirements.

This bill would authorize the County of Los Angeles to construct and operate a public library in that park.

Ch. 968 (SB 1093) Costa. Recreational water use: Sly Park Recreational Area.

Existing law, with certain exceptions, prohibits bodily contact with water in a reservoir in which water is stored for domestic use.

This bill would exempt from this prohibition recreational activity in which there is bodily contact with water by any participant in Sly Park Reservoir provided that specified conditions are satisfied.

The bill would require the El Dorado Irrigation District to file a report concerning implementation of the provisions of the bill, with the State Department of Health Services by January 1, 2005, this constituting 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. 969 (SB 1384) Costa. Governance.

(1) Existing law prescribes the apportionment for the net operating expenses of a local agency formation commission among the county and the cities and special districts within the county.

This bill would revise the method of calculating independent special district revenues in order to determine independent special districts' apportionments of the net operating expenses of a commission, and would provide that no independent special district shall be apportioned a share of more than 50% of the total independent special districts' share of the commission's operational costs without the consent of the district. The bill would provide, with respect to a district formed under the Local Health Care District Law that operates a hospital, that the district may not be apportioned any share until the fiscal year following positive net revenue, as defined, or, if the district has filed for and is operating under federal bankruptcy, until the fiscal year after its discharge from bankruptcy.

(2) 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, including demand factors affecting the supplier's water management planning, existing and planned sources of water available to the supplier in 5-year increments to 20 years or as far as data is available,

a description of the reliability of the water supply and vulnerability to seasonal or climatic shortage, and an urban water shortage contingency analysis.

This bill would require urban water suppliers that rely upon a wholesale agency for a source of water, to provide the wholesale agency with water use projections from that agency for that source of water in 5-year increments to 20 years or as far as data is available. The wholesale agency would be required to provide information to the urban water supplier for inclusion in the urban water supplier's plan that identifies and quantifies, to the extent practicable, existing and planned sources of water available from the wholesale agency to the urban water supplier over the same 5-year increments, and during various water-year types.

(3) 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 to public agency supplies, 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 5 specified school districts in specified amounts for the purposes of financing domestic water system improvement projects to meet state and federal drinking water standards.

(4) This bill would declare that it is to take effect immediately as an urgency statute.

#### Ch. 970 (SB 1415) Perata. San Francisco Bay Area Rapid Transit District.

Existing law authorizes the San Francisco Bay Area Rapid Transit District to acquire, construct, own, operate, control, or use rights-of-way, rail lines, bus lines, stations, platforms, switches, yards, terminals, parking lots, and any and all other facilities necessary or convenient for rapid transit service within or partly without the district, as specified. 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 exempts from the requirement specified discretionary projects, including specific actions necessary to prevent or mitigate an emergency.

The bill would include in those exempt actions, until June 30, 2005, the San Francisco Bay Area Rapid Transit District's seismic retrofit work on any existing structures or facilities, as specified, necessary for rapid transit service if the district conducts 3 workshops and other outreach efforts to ensure public awareness of the proposed seismic retrofit work prior to commencement of construction.

#### Ch. 971 (SB 1468) Knight. General plans: military facilities.

(1) The Planning and Zoning Law requires that a city or county general plan consist of various elements, including, among other things, land use, circulation, housing, open space, and conservation elements, which are required to meet specified requirements.

This bill would require the land use element to consider the impact of new growth on military readiness activities carried out on military bases, installations, and operating and training areas, when proposing zoning ordinances or designating land uses covered by the general plan for land or other territory adjacent to those military facilities, or underlying designated military aviation routes and airspace. The bill would, with respect to the open-space element, define open-space land to include areas adjacent to military installations, military training routes, and restricted airspace.

The bill would also require the circulation element to consist of the general location and extent of existing and proposed military airports and ports. The bill would also provide that a city or county is not required to comply with these provisions until a specified agreement is entered into between the federal government and the state to fully reimburse all claims approved by the Commission on State Mandates and paid by the Controller that cities and counties would be eligible to file as a result of the enactment of this bill and until the city's

or county's next general plan revision. It would make these provisions inoperative on the January 1 following the date that this agreement is terminated.

By increasing the duties of local agency officials, the bill would impose a state-mandated local program.

(2) Existing law establishes the Governor's Office of Planning and Research as the comprehensive state planning agency, responsible for long-range planning with responsibilities to, among other things, provide planning assistance to city and county planning agencies. The office is required to develop and adopt guidelines for the preparation and content of the mandatory elements required in city and county general plans.

This bill would require the office, on or before January 1, 2004, if sufficient federal funds become available, to prepare and publish an advisory planning handbook for local officials, planners, and builders, and to develop and adopt guidelines that, among other things, explain how to reduce land use conflicts between the effects of civilian development and military readiness activities carried out on specified military installations and areas.

(3) Existing law requires the California Public Utilities Commission to formulate a comprehensive land use plan that provides, among other things, for the orderly growth of public airports and the area surrounding the airport that is within the jurisdiction of the commission. The plan may include the area within the jurisdiction of the commission surrounding any federal military airport.

This bill instead would require that the area within the jurisdiction of the commission surrounding any military airport be included in the plan, and would require that the plan be consistent with the safety and noise standards in the Air Installation Compatible Use Zone prepared for that military airport. The bill would also require that a county's general plan and any applicable specific plan be consistent with these safety and noise standards in each county where an airport land use commission does not exist, but where there is a military airport.

(4) This bill also would incorporate additional changes in Section 65040.2 of the Government Code proposed by AB 2175, to be operative if AB 2175 and this bill are both enacted and become effective on or before January 1, 2003, and this bill is enacted last.

This bill also would incorporate additional changes in Section 65560 of the Government Code proposed by AB 3057, to be operative if AB 3057 and this bill are both enacted and become effective on or before January 1, 2003, and this bill is enacted last.

(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. 972 (SB 1480) Speier. 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 defines relevant terms.

This bill would revise certain definitions of the act.

Existing law provides that the annual permit fee for each advertising sign or structure is \$20.

This bill would instead require the Director of Transportation of the State of California to set the annual permit fee and would prohibit the fee from exceeding the department's reasonable costs, including indirect costs, for providing services and enforcing regulations for which the fee is charged. The bill would prohibit the fee from exceeding \$100, as adjusted.

Existing law provides that the permit fee for each advertising sign or structure that an applicant has placed or maintained without a valid, unrevoked, and unexpired permit is \$95.

This bill would instead authorize penalties in the amount of \$100 for an advertising display placed or maintained without a valid permit in a location that conforms to applicable provisions, and in the amount of \$10,000 plus \$100 per each day a display is placed or maintained after receiving notice if the advertising display is placed or maintained in a location that does not conform to applicable provisions and is not removed within 30 days of written notice from the department or the city or county with land use jurisdiction over the property on which the display is located.

Existing law requires that an applicant for a permit offer evidence that the owner or other person in control or possession of the property upon which the location is situated has consented to the placing of the advertising display.

This bill would require evidence of consent to be in writing and would also require an applicant to offer written evidence that the city or county with land use jurisdiction over the property has consented to the placing of the advertising display.

This bill would require the department, at the request of the city or county with land use jurisdiction over the property, to reserve a location for an applicant for a limited time in advance of receiving evidence of written consent. The bill would also authorize a city or county with land use jurisdiction over the property to adopt an ordinance that establishes standards for the spacing and sizes of advertising displays that are more restrictive than those imposed by the state.

A violation of the Outdoor Advertising Act is a misdemeanor. Because this bill would change the scope of a crime by changing the definition of a landscaped freeway, it would change the definition of a crime and 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. 973 (SB 1540) Alpert. Sea urchins.

Existing law provides for various commissions to promote the marketing and production of agricultural or seafood commodities.

This bill would create the California Sea Urchin Commission in state government, with a prescribed membership detailed in the bill, and would specify the powers, duties, and responsibilities of the commission in carrying out the bill. The commission would be authorized to approve payment of a stipend to commission members, as specified, and to consult with the Director of Fish and Game regarding the administration and enforcement of the bill's provisions. The commission would also be authorized to carry out programs of education, public information, promotion, marketing, and research relating to sea urchins. The bill would authorize the commission to levy an assessment, as specified, on sea urchin divers and handlers, and would authorize the expenditure of those funds for purposes of carrying out the bill. The bill would require the Secretary of Food and Agriculture to review the annual budget and expenditures of the commission to ensure that only reasonable and necessary administrative costs are paid for the proper operation of the commission's activities. The bill, except as necessary to conduct an election, would not become operative until the divers or handlers of sea urchins, by referendum, vote in favor of the bill, as prescribed. The bill would also provide for the suspension of the operation of its provisions and for concluding the operations of the commission. The bill would make rendering or furnishing false reports, secreting, destroying, or altering records, failing to furnish a report, or failing or refusing to furnish to the commission information concerning the name and address of persons from whom sea urchins are received or to whom they are provided, a misdemeanor. This bill would make other conforming changes.

By authorizing the creation of new crimes if the commission is formed, 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. 974 (SB 1607) Committee on Governmental Organization. State property.

Existing law requires the Department of General Services to perform various functions and duties with respect to state property. The proceeds of certain sales made or rents received that are deposited in the General Fund under specified provisions of law are available for appropriation to the department for the care, maintenance, and improvement of certain real property that is under the jurisdiction of, or being administered by, the department, or for specified associated payments.

Existing law requires all proceeds from the lease of armories to be deposited in the Armory Fund, to be available, upon appropriation by the Legislature, for the maintenance, acquisition, or construction of armories.

This bill would authorize the Director of General Services to exchange, lease, or transfer specified parcels of state property, including specified armory property. This bill would require the net proceeds of any armory property to be deposited into the Armory Fund, the net proceeds from a specified lease to the City of Los Angeles to be deposited in the State Highway Account in the State Transportation Fund, and the net proceeds from the disposition of any other parcels to be deposited into the General Fund, to be available for appropriation to the department in accordance with the provisions governing appropriations concerning property under its jurisdiction or administration. It would also require the reservation of mineral rights, as specified.

This bill would also rescind the authority of the director to sell, lease, exchange, or transfer other specified parcels of state property.

Ch. 975 (SB 1622) Murray. Parks and recreation: California Youth Soccer and Recreation Development Program: urban parks: Ballona Creek.

(1) Existing law establishes the California Youth Soccer and Recreation Development Program in the Department of Parks and Recreation to provide assistance to local agencies and community-based organizations with regard to funding, and fostering the development of, new youth soccer, baseball, and basketball recreation opportunities in the state. Existing law requires the department to report to the Assembly Committee on Budget and the Senate Committee on Budget and Fiscal Review on the need for soccer and baseball fields and basketball courts in the state and related facilities, and to coordinate with local agencies and community-based organizations to identify those areas in the state where there is a shortage of appropriate recreational facilities, as provided.

This bill would expand the purposes of the program to include funding and fostering softball recreation opportunities in the state, would require the department to report to those legislative committees after awarding those grants, and would eliminate the requirement that the department coordinate with local agencies and community-based organizations. The bill would require that administrative expenses be paid from funds authorized for the program, and would specify that the program would be implemented only upon appropriation of sufficient funds for this purpose.

(2) The State Urban Parks and Healthy Communities Act authorizes the department to expend moneys in the State Urban Parks and Healthy Communities 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 school-age children. The act requires the Director of Parks and Recreation, in consultation

with the State Department of Education, to develop guidelines for curriculum for outdoor education using state conservancy properties in existence on January 1, 2002.

This bill, instead, would require the director, in consultation with State Department of Education, to develop a competitive grant program to assist state parks, state conservancies in existence as of January 1, 2003, and urbanized and heavily urbanized local agencies and community-based organizations within those jurisdictions working in collaboration, to provide outdoor educational opportunities to children.

(3) The State Urban Parks and Healthy Communities Act requires the department to give special consideration to projects that wholly or partly replace an area of blight or that contribute significantly to the economic revitalization to the immediate community. The act requires that a Member of the Legislature first nominate a program or project in order for that program or project to qualify as an eligible program or project under the act.

This bill would delete those provisions. The bill would make various other changes affecting the administration of the programs and projects funded under the act, as provided.

The bill would require that all funds appropriated to the department pursuant to the act be encumbered within 3 years of the date of the appropriation, and expended within 8 years of the date of the appropriation. The bill would provide that any grants to state or local agencies, nonprofit organizations, or community groups, on or after January 1, 2003, pursuant to the act be contingent upon a future appropriation in the annual Budget Act.

(4) Existing law establishes the Baldwin Hills Conservancy, prescribes the functions and duties of the conservancy, and establishes the governing board of the conservancy. The board is required to perform a study relating to Ballona Creek, develop a proposed map for that area, and provide a report to the Legislature on those activities by January 1, 2003.

This bill would change the date the report is required to be provided to the Legislature to January 1, 2004.

#### Ch. 976 (SB 1759) Johannessen. Public works: local agencies.

Existing law requires public entities to comply with certain procedures in soliciting and evaluating bids and awarding contracts for the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement. Existing law authorizes specified state agencies, cities, and counties to implement alternative procedures for the awarding of contracts on a design-build basis.

This bill would authorize, until January 1, 2006, certain cities to enter into design-build contracts with a cost of at least \$5,000,000, according to specified bidding and contracting procedures.

The bill would require each contract to contain a provision prohibiting alteration of the performance criteria and design standards of any project without the prior written approval of the plans by the city.

The bill would also require the Legislative Analyst to report to the Legislature on the use of design-build contracting.

The bill would make a finding that a special law is necessary and that a general law cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances of these cities.

This bill would declare that it is to take effect immediately as an urgency statute.

#### Ch. 977 (SB 1858) Knight. Veterans affairs: administration.

Under existing law, the California Veterans Board consists of 7 members, all of whom are veterans. The Inspector General for Veterans Affairs provides ongoing and independent advice to the board. The Chief Administrative Officer of the Department of Veterans Affairs is the Secretary of Veterans Affairs.

This bill would require one member of the board to have an accounting or auditing background, as specified. The bill would also allow the inspector general and the board access to the documents and employees of the department. The bill would require the

secretary to conduct audits, as specified by statute, on internal controls, and to provide those audits to the inspector general.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 978 (SB 1896) Peace. San Diego County Regional Airport Authority.

(1) Existing law establishes the San Diego County Regional Airport Authority as a local entity of regional government with jurisdiction throughout the County of San Diego, and requires that the authority adopt a comprehensive airport land use plan for that county and coordinate the airport planning of public agencies. Existing law requires the authority to study and plan any improvements, expansions, or enhancements for the regional airport system in San Diego County. Existing law provides for a permanent authority board consisting of 9 members appointed by specific appointing authorities with 3 members of that board serving as an executive committee. Existing law provides a structure of the authority, requires the San Diego Unified Port District (port) to transfer the San Diego International Airport to the authority on December 2, 2002, assigns various powers and duties to the authority regarding the establishment and operation of airports within the county, including the requirement that the authority assume trusteeship of airport lands and exercise the power to issue bonds with interest thereon being tax free. Existing law provides for a transition plan and provides for an interim executive director until January 6, 2003. Existing law authorizes the authority to issue revenue bonds in accordance with existing statutes.

This bill would substantially revise the duties of the authority including, but not limited to, requiring the authority to implement, as well as study and plan, any improvements, expansions, or enhancements at existing and future airports under its jurisdiction. This bill would revise the appointing authorities to the board and would provide that the executive committee is responsible for overseeing the implementation of the administrative policy of the authority but would prohibit the executive committee from being included in the direct operation of the airport or in the chain of command for emergency purposes. The bill would require the appointment of the initial executive committee members on or before December 5, 2002, to be seated by December 16, 2002, and would establish the base salary of committee members to be commensurate with that of superior court judges in the County of San Diego. The bill would extend the term of office of the interim executive director until January 6, 2004, or until the time that a permanent executive director is appointed, whichever occurs first. The bill would also require the authority to adopt a comprehensive plan on the future of San Diego's regional international airport and the authority would be required to submit the particular airport site recommendation in the form of a local ballot proposition to the San Diego County Registrar of Voters for placement on either the November 2, 2004, or the November 7, 2006, countywide election ballot.

The bill would recast the provisions governing the transfer of real and personal property by the port to the authority including specifically described real properties that are not to be transferred and specifically described real properties that are to be transferred.

The bill would require the port, rather than the authority, to retain trusteeship of the lands underlying the airport, consistent with the State Lands Commission's requirement and would require the port to execute a described 66-year lease with the authority. The bill would require the transfer of the San Diego International Airport to be completed on or after December 16, 2002, rather than on December 2, 2002, subject to specific terms of transfer including, among other things, the services of port employees, including the Harbor Police. The bill would provide for the lead agency status with regard to the California Environmental Quality Act during the transfer period and would provide for the transfer from the port to the authority of a noise variance issued by the Department of Transportation.

The bill would require the port to fund the authority from airport operation revenues for not less than \$1,000,000 each year until that time that the transfer of the airport and assorted revenue sources have been completed.

The bill would recast the provisions governing the issuance of revenue bonds by the authority, including refunding bonds.

The bill would delete the tax-exempt interest provisions and would prohibit any other agency from applying for grants for funding airport facilities in San Diego County unless the application is first approved by the authority.

The bill would prohibit an employee of the port from suffering loss of employment or reduction in wages or benefits as a result of the enactment of the San Diego County Regional Airport Authority Act. The bill would permit employees of the authority to be eligible for retirement benefits under the California Public Employees' Retirement System, and, where permitted by the law governing that system, to receive full reciprocity with public employees' retirement systems in which they previously participated.

The bill would make technical, conforming changes.

To the extent that additional duties would be placed upon the authority, the port district, and other entities of local government, the bill would impose a state-mandated local program.

The bill would provide that its provisions are severable.

(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.

(3) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 979 (SB 1918) Torlakson. Vehicles: electric personal assistive mobility devices.

(1) Existing law regulates the use and operation of vehicles, including 2-wheeled, electric propelled devices such as scooters. Under existing law, among other requirements, a motorized scooter is required to be equipped with a specified type of braking system and, if operated on a highway in darkness, with specified lamps for visibility.

This bill would establish regulations regarding the use of electric personal assistive mobility devices. The term "electric personal assistive mobility device" or "EPAMD" would be defined as a self-balancing, nontandem, 2-wheeled device, that can turn in place, designed to transport only one person at a maximum speed of less than 12.5 miles per hour, as specified. This bill would also specify that "pedestrian" includes a user of an electric personal assistive mobility device. An electric personal assistive mobility device would be required, among other things, to be equipped with front, rear, and side reflectors, a system that enables the driver to bring the device to a controlled stop, lamps for nighttime visibility, and a sound emitting device. This bill would also provide that local authorities may adopt ordinances with respect to the time, place, and manner of operation of electric personal assistive mobility devices, as specified, and that state agencies may limit or prohibit the time, place, and manner of their use on state property. The bill also makes findings regarding the advantages of electric personal assistive mobility devices in promoting productivity, minimizing environmental impacts, and facilitating better use of public ways. The bill would provide that its provisions shall not become operative until March 1, 2003, and shall remain in effect only until January 1, 2008, and as of that date are repealed. Because a violation of these provisions would be a crime, 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. 980 (SB 1937) Costa. Digital Arts Studio Partnership Demonstration Program Act.

Existing law sets forth the duties of the Arts Council in promoting the arts in the state.

This bill would enact the Digital Arts Studio Partnership Demonstration Program Act, to require the council to administer the Digital Arts Studio Partnership Demonstration Program, by designating 3 voluntary pilot digital arts studio partnerships in the state, for the purpose of providing digital media arts training to youths aged 13 to 18 years, inclusive. It would require the council to convene a meeting of specified entities to review and make recommendations on a model curriculum and state standards for digital media arts recommended by consortia associated with each partnership.

This bill would require the council to administer federal, local, or private moneys received by the Digital Arts Studio Partnership Demonstration Program Fund, which would be established by the bill. Private moneys received by the fund would be continuously appropriated to the council. The council would be required to submit specified reports on the program to the Legislature.

This bill would specify that its provisions shall only be implemented to the extent that private, federal, or local funds are available for those purposes, and would repeal these provisions as of January 1, 2006.

Ch. 981 (SB 1961) Polanco. Local government assessments.

Existing law, as set forth in Article XIII C of the California Constitution, requires voter approval, as specified, of any general or special tax that a local government proposes to impose, extend, or increase.

Existing law also prescribes specific procedures for notice, protest, and hearings for the levying of new or increased assessments by local government agencies on real property, including state property, that receives a special benefit pursuant to Article XIII D of the California Constitution. These statutory procedures supersede other statutory provisions applicable to the levying of these assessments and are subject to the approval process set forth in Section 4 of Article XIII D of the California Constitution.

This bill would require the Department of General Services to develop compliance standards in the State Administrative Manual (SAM) to inform owners of state property of their duties and responsibilities pursuant to these provisions.

Ch. 982 (SB 556) Costa. Agriculture: cooperative agreements.

Existing law allows the Secretary of Food and Agriculture to enter into cooperative agreements with individuals and public and private entities for specified purposes.

This bill would allow the secretary to enter into cooperative agreements with private and specified state and federal entities for the purpose of administering conservation, environmental enhancement, disaster assistance, compensation, indemnification, economic assistance, education, market promotion, research, and similar programs that promote and enhance agriculture. The bill would provide that grant awards shall be made by the Department of Food and Agriculture, as specified, and that the procedures, forms, and guidelines for grant programs are exempt from procedural requirements applied to the adoption of rules and regulations.

Existing law requires the State Board of Food and Agriculture to advise the Governor and the secretary as to how the agricultural industry and the consumer of agricultural products can best be served by the Department of Food and Agriculture.

This bill would require the board to make recommendations to the secretary regarding cooperative agreements involving the marketing of agricultural commodities in foreign countries.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 983 (AB 52) Wiggins. Agricultural land preservation: appropriation.<sup>3</sup>

(1) Existing law provides for the protection of public grazing lands.

This bill would establish the California Environmental Quality Improvement Revolving Loan Program within the Department of Conservation to provide loans to farmers to carry out practices approved for cost-share payments under the federal Environmental Quality Incentive Program. The bill would prescribe categories of loans that would be available under the program, and procedures for making those loans. This program would be repealed January 1, 2008.

This bill would also establish the Agricultural Protection Planning Grant Program within the department, to provide planning grants to improve the protection of agricultural lands and grazing lands, including oak woodlands and grasslands. The program would authorize a local government entity, nonprofit organization, authority, or joint powers authority to apply for a grant under the program, to be used for the protection of agricultural lands and grazing lands, including oak woodlands and grasslands, and would prescribe requirements and procedures for applying for such a grant.

This bill also would establish the Coastal Farmland Preservation Program, which would require the State Coastal Conservancy and the department to enter into a memorandum of understanding to ensure that the program is a coordinated effort and meets the goals of coastal farmland preservation and the California Farmland Conservancy Program Act. The bill would require that funds appropriated for purposes of the program be expended in accordance with specified requirements.

The bill would require the State Coastal Conservancy, the Wildlife Conservation Board, and the department, at the earliest possible time, to jointly prepare a single document describing programs within these entities that protect agricultural lands and grazing lands, including oak woodlands and grasslands, as specified.

(2) SB 984 of the 2001–02 Regular Session would establish the Rangeland, Grazing Land, and Grassland Protection Program and would appropriate funds from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 (Proposition 40) to protect those lands through the acquisition of conservation easements. Other provisions of the bill would specify that the expenditure of any bond funds for the purpose of that program may only be expended to cover the costs of construction or acquisition of capital assets.

This bill would repeal the latter limitation.

(3) The California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 (Proposition 40) authorizes the expenditure of \$75,000,000 of the proceeds from bonds issued and sold pursuant to the act for grants for the preservation of agricultural lands and grazing lands, including oak woodlands and grasslands.

This bill would appropriate \$9,600,000 of those proceeds from the bond act for the California Environmental Quality Improvement Revolving Loan Program and the Coastal Farmland Preservation Program established pursuant to the bill, and the Oak Woodlands Conservation Act, in accordance with a specified schedule.

Ch. 984 (SB 984) Costa. Rangeland, Grazing Land, and Grassland Protection Act.

Existing law provides for grazing rights on public land.

This bill would enact the Rangeland, Grazing Land, and Grassland Protection Act, which would establish a program to protect California's rangeland, grazing land, and grasslands through the use of conservation easements for specified purposes relating to the conservation and protection of rangeland, grazing land, and grassland in the state. The program would

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**NOTE:** Superior numbers appear as a separate section at the end of the digests.

provide for grants for the acquisition of conservation easements to protect, restore, or enhance rangeland, grazing land, or grassland, or to sustain the character of specified property, and would establish criteria and procedures for the award of those grants.

The bill would authorize the Wildlife Conservation Board to adopt guidelines to implement the program, including procedures and a schedule for submittal of applications for grants, and requirements that ensure that the conservation easements are monitored not less than every 2 years. The bill would permit the board to coordinate the program with the Oak Woodlands Conservation Act.

The bill would appropriate \$19,200,000 from funds made available pursuant to the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Bond Act of 2002 (Proposition 40) to the board for the purpose of the bill. The bill would prohibit the board from expending more than 5% of the funds derived from the proceeds of bonds and appropriated by the bill for associated programmatic costs.

Ch. 985 (AB 858) Wiggins. Salmon and steelhead: effect of reduced waterflow.

The existing Salmon, Steelhead Trout, and Anadromous Fisheries Program Act requires the Department of Fish and Game, with the advice of the Committee on Salmon and Steelhead Trout and the Commercial Salmon Trollers Advisory Committee, to prepare and maintain a detailed and comprehensive program for the protection and increase of salmon, steelhead trout, and anadromous fisheries.

This bill would require the department, subject to the availability of funds, to contract with the University of California to conduct a study of the effects that reduced waterflows at the mouths and upstream estuaries of certain rivers selected by the department would have on existing salmon and steelhead populations and on existing or prospective salmon and steelhead population restoration or reintroduction programs.

The bill would require the department to limit its selection to rivers that are within the combined river systems that drain to the ocean from and including the Russian River System northward to the California-Oregon border and that are the subject of an application that has been filed with the State Water Resources Control Board to appropriate water in an amount that equals more than 3 cubic feet per second or more than 500 acre feet per annum of storage.

The bill would require the findings of the study to be a factor in any decision of the board to approve or deny an application to appropriate water from any river selected for the study. The bill would prohibit the board from approving that application until after the study has been completed, if the application involves the delivery of water, by means other than a pipeline or aqueduct, to any place of use that is outside the combined river systems that drain to the ocean from and including the Russian River Systems northward to the California-Oregon border.

These provisions would apply to the university only if the Regents of the University of California, by resolution, make them applicable to the university.

Ch. 986 (AB 879) Keeley. Vehicle registration fees: law enforcement: crime prevention programs.

Existing law provides for the imposition of a \$1 fee, upon adoption of a resolution by a county board of supervisors, as specified, in addition to other specified vehicle registration fees, on certain vehicles, as specified. Existing law also imposes in addition to that fee, a \$2 service fee on all commercial vehicles, as specified, upon implementation of the permanent trailer identification plate program, as specified. Existing law provides that in regard to these fees, the money generated by these fees and paid to the Controller is continuously appropriated, without regard to fiscal years, for disbursement by the Controller to each county that has adopted a resolution as described above, as specified, and that the money so disbursed may only be used for specified purposes related to law enforcement.

Existing law also provides that the fees imposed by these provisions shall remain in effect only for a period of 5 years from the date that the actual collection of the fee commences.

This bill would instead repeal these provisions as of January 1, 2006.

By extending existing provisions of law providing for disbursements from a continuously appropriated fund, this bill would make an appropriation.

The bill would require every county collecting this fee to issue a fiscal yearend report to the Controller, as specified. Failure to timely issue the report would result in suspension of the fee for one year for that county, as specified. The bill would also provide that if funds from this fee are not expended or encumbered by a county by the close of the fiscal year, the fee would be suspended for that county for one year, as specified. The bill would require an annual report on revenue and expenditure in regard to the fee by the Controller to the Legislature, as specified.

Ch. 987 (AB 1173) Keeley. Air pollution: indoor air pollution.

Under existing law, the State Air Resources Board is the state agency charged with coordinating efforts to attain and maintain ambient air quality standards. Existing law requires the state board to identify toxic air contaminants that are emitted into the ambient air of the state. Existing law also requires the state board to adopt airborne toxic control measures to reduce the emissions of toxic air contaminants from nonvehicular sources.

This bill would require the state board, by January 1, 2004, in consultation with the State Department of Health Services, the Office of Environmental Health Hazard Assessment, the State Energy Resources and Development Commission any other state agency the state board determines appropriate, affected indoor emission sources, and interested members of the public, to provide a report to the Legislature summarizing the best scientific information available on indoor air pollution, the potential adverse effects of indoor air pollution on public health in the state, readily available information about the effects of existing regulations, and current industry practices in mitigating those exposures, and listing the biological and radiological substance work performed by other state and federal entities. The bill would require the state board to contract with the National Academy of Sciences, the University of California, the California State University, or a similar institution of higher learning with scientific expertise, or with a scientist or group of scientists of comparable stature that is recommended by the President of the University of California, to conduct an external peer review of the report. The bill would require that peer review process to be completed, and the state board to present and review the contents of the report at a public meeting, prior to the state board providing the report to the Legislature.

Ch. 988 (AB 1412) Wright. Career education.

Existing law sets forth the required course of study for schools maintaining grades 7 to 12, inclusive, including, but not limited to, courses in vocational-technical education.

This bill would provide that the term “vocational-technical education” shall have the same meaning as “career technical education.”

Existing law requires the Superintendent of Public Instruction to coordinate the development of certain model curriculum standards regarding high school graduation requirements and for a vocational education course of study. Existing law also requires the superintendent to develop curriculum standards for education courses and adopt those standards by May 1, 1991.

This bill would extend the time for adoption of the curriculum standards to January 1, 2005, and would require the superintendent to work with an advisory group with a specified membership in developing the standards. This bill would state the intent of the Legislature that school districts not be required to make curriculum changes pursuant to these or related provisions.

Existing law, known as the Donahoe Higher Education Act, sets forth, among other things, the missions and functions of California’s public and independent segments of higher education, and their respective institutions of higher education. Provisions of the act apply to the University of California only to the extent that the Regents of the University of

California, by appropriate resolution, act to make a provision applicable. Among other things, the act sets forth legislative intent relating to admission to the University of California and the California State University.

This bill would require the California State University, and would request the University of California, to establish model uniform academic standards, develop, by January 1, 2006, a speedy process whereby high schools may obtain approval of their courses as satisfying specified admissions requirements, and develop a simple procedure to evaluate a career technical education course that is submitted by one high school that identifies it as a duplicate of a course offered by another high school that is approved by, and satisfies the admission criteria of, the university, with the duplicate course being approved to the same extent as the original.

Ch. 989 (SB 1934) McPherson. Career technical education.

(1) Existing law requires the Superintendent of Public Instruction to coordinate the development, on a cyclical basis, of model curriculum standards for a career technical education course of study necessary to assist school districts with those requirements. Existing law requires the standards for a career technical education course of study to be adopted no later than May 1, 1991.

This bill would instead require the adoption of those standards for career technical education by June 1, 2005, and would require the Superintendent of Public Instruction, upon adoption of the model curriculum standards by the State Board of Education, to develop a model curriculum framework for implementation of career and technical education no later than June 1, 2006, as specified. The bill would require the superintendent to develop the curriculum framework in consultation and coordination with an advisory group, as specified, and would prescribe related matters, including that adoption of the model curriculum framework by local educational agencies would be voluntary.

(2) Existing law requires school districts maintaining any of grades 7 to 12, inclusive, to offer to all otherwise qualified pupils in those grades a course of study that provides an opportunity for those pupils to attain entry-level employment skills in business or industry upon graduation from high school.

This bill would encourage school districts to provide all pupils with a rigorous academic curriculum that integrates academic and career skills, incorporates applied learning in all disciplines, and prepares all pupils for high school graduation and career entry.

(3) The bill would provide that implementation may only be with federal funds that are available for the purposes set forth in the bill.

Ch. 990 (AB 1855) Steinberg. Criminal history information.

Existing law provides that agencies responsible for determining the character and fitness of a person applying for employment or a license, or as a volunteer, within a human services field in which he or she would be involved in the care and security of, or would have supervisory or disciplinary power over, members of vulnerable populations, including children, the elderly, or the mentally impaired, may request, and the Department of Justice shall provide, the criminal history information of those applicants or volunteers, as specified, with respect to certain enumerated offenses.

This bill would provide that this information may also be provided in the case of individuals applying to become volunteers who would transport persons who are impaired by drugs or alcohol. This bill would also make various changes to the list of offenses about which the Department of Justice would be permitted to provide information and the time period after the commission or incarceration for commission of these offenses during which the Department of Justice would be permitted to provide the information, as specified.

This bill would incorporate certain changes made by SB 900 that would become operative if both bills are enacted and this bill is enacted after SB 900.

Ch. 991 (AB 1990) Liu. Forfeiture.

Existing law, known as the California Control of Profits of Organized Crime Act, provides for the forfeiture of assets of any person convicted of engaging in a pattern of criminal profiteering activity, as defined, and includes within that definition, any person convicted of engaging in a pattern of criminal gang activity, as specified.

This bill would delete the authority subjecting persons convicted of engaging in a pattern of criminal gang activity to the forfeiture provisions, and instead, revise that provision to apply to persons committing certain offenses in connection with participation in a criminal gang, as specified, or committing certain felonies subject to enhanced sentences under the criminal gang provisions, as specified.

Ch. 992 (AB 2166) Lowenthal. Hazardous waste: used oil recycling: transportation: household hazardous waste: liability.

(1) Existing law requires used oil to be managed as a hazardous waste, unless the used oil meets specified requirements. A violation of the laws regulating used oil is a crime.

This bill would require a hazardous waste transporter who transports used oil to provide a written acknowledgment to each generator of used oil from whom the transporter receives used oil. The bill would exempt a transporter from this requirement if the used oil will be transported to a specified authorized facility. The bill would provide that a person who makes a material misrepresentation implementing these requirements is in violation of the hazardous waste control laws. Since a violation of the bill's new requirements concerning the transportation of used oil would be a crime, the bill would impose a state-mandated local program.

(2) The existing Carpenter-Presley-Tanner Hazardous Substance Account Act imposes liability for hazardous substance removal or remedial actions and requires the Department of Toxic Substances Control to adopt, by regulation, criteria for the selection and for the priority ranking of hazardous substance release sites for removal or remedial action under the act. The act requires that the costs incurred by the department to carry out the act be recoverable from the liable person. Existing law prohibits a public agency operating a household hazardous waste collection program, a person operating such a program under a written agreement with a public agency, or, a person operating a certified used oil collection center, from being held liable in such a cost recovery action with regard to waste properly handled and transported to a treatment or disposal facility. Existing law also provides for the apportionment of costs and expenditures under the act and allows a person who has incurred removal or remedial action costs to seek indemnity or contribution from other liable persons.

This bill would additionally prohibit such a public agency or person from being held liable in an action seeking contribution or indemnity from any person who is liable under the act and would additionally include, in the immunity provision, any waste that has been transported to a storage facility. The bill would also correct obsolete references.

(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. 993 (AB 2308) Chavez. Solid waste: inert waste.

(1) The 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 county and city and county to prepare and submit to the board a countywide integrated waste management plan that includes, among other things, all city source reduction and recycling elements submitted to the county and the county's source reduction and recycling element. Each city or county source reduction and recycling element is required to include an implementation schedule that shows, among other things, a goal to divert 50% of all solid waste through source reduction, recycling, and

composting activities. 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 require a jurisdiction, as defined, to deduct, from the amount of disposed waste that is required to be included in that annual report submitted to the board, inert waste removed from the solid waste stream and not disposed of in a solid waste landfill in accordance with specified requirements, commencing with the report submitted for the year 2001. The bill would require a jurisdiction to make a specified identification in its annual report. The bill would require the board to verify whether the deduction is consistent with specified requirements and would require the board to approve the deduction made by the jurisdiction upon making this verification. The bill would specify a procedure if the board does not approve the deduction. The bill would impose a state-mandated local program by imposing new requirements upon local agencies with regard to the annual solid waste diversion report.

The bill would also specify procedures for a jurisdiction regarding the deduction of tonnage from a jurisdiction's base-year.

These provisions would be repealed on the January 1 following the operative date of any regulation adopted by the board that meets specified requirements.

(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. 994 (AB 2312) Chu. Environmental justice: grant program.

Existing law requires the California Environmental Protection Agency to develop policies, and implement and coordinate various activities for boards, departments, and offices within the agency relating to environmental justice.

This bill would establish the Environmental Justice Small Grant Program under the jurisdiction of the agency. The bill would require the agency to award grants on a competitive basis to nonprofit entities, as defined, and federally recognized tribal governments, for certain, listed purposes. The bill would require the agency to adopt regulations to implement the grant program. The bill would require the agency to review, evaluate, and select grant recipients, and screen grant applications to ensure that they meet the requirements of the bill. The bill would limit the maximum amount of a grant to \$20,000, and would prohibit an individual from receiving a grant. These provisions would be implemented only during fiscal years for which an appropriation is provided for these purposes in the annual Budget Act or in another statute.

Ch. 995 (AB 2351) Canciamilla. Water quality: civil liability.

(1) Existing law, the Porter-Cologne Water Quality Control Act, with certain exceptions, subjects persons who violate various provisions of the act or the federal Clean Water Act to certain civil penalties, including a mandatory minimum penalty of \$3000 for the first serious violation, as defined, and each additional serious violation in any 6-month period. The act, under certain circumstances, authorizes the State Water Resources Control Board or a California regional water quality control board, in lieu of assessing the penalty applicable to the first serious violation, to elect to require the discharger to spend an amount equal to the penalty for a supplemental environmental project in accordance with the enforcement policy of the state board and any applicable guidance document or to develop a pollution prevention plan.

This bill, instead, with certain exceptions, would require the imposition of the \$3000 minimum penalty for each serious violation. The bill would authorize the state board or a regional board, in lieu of assessing that mandatory minimum penalty and with the concurrence of the discharger, to direct a portion of the penalty amount to be expended on a supplemental environmental project.

(2) The act requires the state board and the regional boards, for the purposes of carrying out these civil liability provisions, to construe a single operational upset that leads to simultaneous violations of more than one pollutant parameter as a single violation.

This bill would require those agencies, for the purposes of imposing certain mandatory minimum penalties, to treat a single operational upset in a wastewater treatment unit that treats wastewater using a biological treatment process as a single violation, if certain requirements are met.

(3) The act provides that the requirements relating to the imposition of mandatory minimum penalties do not apply to certain types of violations.

This bill also would make mandatory minimum penalties inapplicable to violations caused by the operation of a new or reconstructed wastewater treatment unit during a defined period of adjusting or testing, not to exceed 90 or 30 days, as applicable, if certain requirements are met.

(4) This bill would incorporate additional changes in Section 13385 of the Water Code, proposed by AB 1969, to be operative only if AB 1969 and this bill are both chaptered and become effective on or before January 1, 2003, and this bill is chaptered last.

Ch. 996 (AB 2359) La Suer. Criminal law: destructive devices.

Existing law prohibits the possession of specified destructive devices and requires that any prohibited destructive device be surrendered to the Department of Justice. The department must destroy the device so as to render it unusable and unrepairable as a destructive device.

This bill would allow any prohibited destructive device to be surrendered to the sheriff or chief of police, in addition to the department, if the sheriff or chief of police has elected to perform services related to the removal of destructive devices. The bill would require the sheriff or chief of police to destroy the device so as to render it unusable and unrepairable as a destructive device.

Ch. 997 (AB 2473) Simitian. Gift certificates: bankruptcy.

Existing law generally provides that it is unlawful for any person or entity to sell a gift certificate to a purchaser containing an expiration date, and provides that a gift certificate sold without an expiration date is valid until redeemed or replaced.

This bill would provide that a gift certificate constitutes value held in trust by the issuer of the gift certificate on behalf of the beneficiary of the gift certificate, and that the value represented by the gift certificate belongs to the beneficiary, or his or her legal representative to the extent provided by law, and not to the issuer. The bill would require the issuer of a gift certificate who is in bankruptcy to continue to honor a gift certificate issued prior to the date of the bankruptcy filing. The bill would prohibit the terms of a gift certificate from making its redemption or other use invalid in the event of a bankruptcy. The bill would specify that it does not alter the terms of a gift certificate or require an issuer to perform specified acts.

Ch. 998 (AB 2474) Simitian. Automotive products.

Existing law requires the Department of Food and Agriculture to establish specifications for engine coolants or antifreeze that promote the public safety in the operation of motor vehicles.

This bill would require any engine coolant or antifreeze sold in this state after January 1, 2004, that is manufactured after July 1, 2003, and that contains more than 10% ethylene glycol, to include denatonium benzoate at a minimum of 30 parts per million as a bittering agent so as to render it unpalatable, or another equivalent aversive agent. The bill would require manufacturers and packagers of these products to maintain records and to furnish specified information to any member of the public upon request.

The bill would also provide that a manufacturer, distributor, recycler, or seller of an automotive product that is required to contain an aversive agent under these provisions is not

liable to any person for any personal injury, death, or property damage that results from the inclusion of denatonium benzoate in ethylene glycol antifreeze, with specified limitations.

Ch. 999 (AB 2481) Frommer. Underground storage tanks: unified program agencies: Porter-Cologne Water Quality Control Act: administrative civil penalties: drinking water: enforcement.

(1) Existing law generally regulates the storage of hazardous substances in underground storage tanks and requires underground storage tanks that are used to store hazardous substances and that are installed after January 1, 1984, to meet certain requirements, including that the primary containment be product tight and that the tank's secondary containment meet specified standards. These requirements are required to be implemented by the local agency. Under existing law, with specified exceptions, no person may own or operate an underground storage tank containing hazardous substances unless a permit for its operation has been issued. Existing law requires a permit issued for a petroleum underground storage tank system that meets specified requirements to include an upgrade compliance certificate and no person may deposit petroleum into an underground storage tank system unless the underground storage tank system meets those described requirements. A person depositing petroleum into an underground storage tank system is required to verify that the system meets those requirements by taking certain actions, including viewing the upgrade compliance certificate.

Existing law defines the term "product tight," for purposes of those requirements, as being impervious to the substance that is contained, so as to prevent the seepage of the substance from the primary containment and specifies that to be product tight, the tank not be subject to physical or chemical deterioration by the substance which it contains over the useful life of the tank. Existing law requires all tank integrity tests conducted with regard to these tanks to be performed by a tank tester with a valid tank testing license. Existing law requires owners or operators of an underground storage tank system with a single-walled component that is located within 1,000 feet of a public drinking water well to implement a program of enhanced leak detection or monitoring.

Under the existing Barry Keene Underground Storage Tank Cleanup Trust Fund Act of 1989, owners and operators of petroleum underground storage tanks are required to take corrective action to an unauthorized release of petroleum, including requirements for the preparation of a work plan. The act provides for the issuance of a specified closure letter relative to the completion of an investigation and corrective action for a petroleum underground storage tank. The board is authorized to suspend corrective action at a site, except for emergency sites.

This bill would revise and recast the provisions regulating the storage of hazardous substances in underground storage tanks and would make conforming changes in that regard. The bill would revise the definition of "product tight" to delete the reference to seepage from the primary containment and would delete the requirement that the tank not be subject to physical or chemical deterioration over the useful life of the tank. The bill would also define the term "compatible" for purposes of that act. The bill would exclude unburied fuel piping connected to an emergency generator tank, as defined, from the definition of underground storage tank.

The bill would require the owner or operator of a single-walled tank system to take appropriate actions if the results of an enhanced leak detection test indicate that any component of the underground storage tank system is leaking liquid or vapor, to correct the leakage, and retest the system. The bill additionally would require all other owners and operators of an underground storage tank system that is located within 1,000 feet of a public drinking water well to test the system once using enhanced leak detection before January 1, 2005, and if the results of the enhanced leak detection test indicate that any component of the underground storage tank system is leaking liquid or vapor, the owner or operator would be required to take appropriate actions.

The bill would establish requirements for each underground storage tank installed on or after July 1, 2003, including a requirement that the system be tested utilizing a specified method when the tank is installed. The bill would define "product tight," for purpose of those requirements, to mean impervious to the liquid and vapor of the substance that is contained.

The bill would delete the provisions requiring an upgraded certificate of compliance and would instead authorize a local agency, upon the discovery of a significant violation of any requirement that poses an imminent threat to human health or safety, to affix a red tag, in plain view, to the fill pipe of the noncompliant underground storage tank system. The bill would also establish a procedure for the issuance of a notice of significant violation by a local agency and would allow a local agency to affix a red tag if the owner or operator does not correct the violation, as specified. The bill would prohibit any person from depositing petroleum into, and would prohibit the owner or operator of a facility from depositing or allowing the deposit of petroleum into, an underground storage tank system that has a red tag affixed to its fill pipe. The bill would require the owner or operator of an underground storage tank with a specified spill containment structure to annually test the spill containment structure to demonstrate that it is capable of containing the substance until it is detected and cleaned up.

The bill would require a tank tester who conducts or supervises a tank or piping integrity test to prepare a report detailing the results of the tank test and to maintain a record of the report for at least three years, in a specified manner.

The bill would expand the corrective action requirements and related provisions for petroleum underground storage tanks to apply those requirements to all underground storage tanks and would make conforming changes. The bill would impose a civil penalty upon any person who violates a corrective action requirement.

The bill would prohibit a person who purchases or acquires real property on which an underground tank is located from being reimbursed for a claim, except under specified conditions.

Since the bill would impose new requirements upon local agencies with regard to the regulation of underground storage tanks, the bill would impose a state-mandated local program.

(2) Existing law, until January 1, 2004, requires the Trade and Commerce Agency to conduct a program to make loans to small businesses to upgrade, replace, or remove petroleum underground storage tanks to meet applicable local, state, or federal standards and to take corrective actions, and to conduct a grant program to assist small businesses to comply with the requirements regarding petroleum underground storage tanks and tanks with single-walled components that are located, as specified. Existing law specifies eligibility requirements for grant applicants and provides that the minimum amount of those grants is \$3,000.

This bill would revise the requirements for issuance of a grant, would increase the minimum amount of the grant to \$10,000, and would authorize the grant funds to be used for specified requirements imposed by the bill.

(3) Under the Porter-Cologne Water Quality Control Act, the State Water Resources Control Board and the California regional water quality control boards are among the principal agencies with authority over water quality. Under the act, persons discharging waste are required to file with the appropriate regional board a report of the discharge and the discharge is subject to waste discharge requirements prescribed by that regional board. Under the act, persons are prohibited from initiating a new discharge of waste, or making any material changes in any discharge of waste, prior to the filing of the waste discharge report, and after the filing of that report unless waste discharge requirements have been prescribed or, under certain circumstances, 120 days have elapsed since the filing of that report. The act authorizes the regional boards to waive these requirements as to a specific discharge or type of discharge, for not more than 5 years, if the waiver is not against the public interest. Under

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**NOTE:** Superior numbers appear as a separate section at the end of the digests.

these provisions, a waiver that was in effect on January 1, 2000, remains valid until January 1, 2003, unless the regional board terminates the waiver.

This bill would instead provide that a waiver for onsite sewage treatment systems that is in effect on January 1, 2002, shall remain valid until June 30, 2004 unless the regional board terminates the waiver prior to that date.

(4) Existing law authorizes the executive officer of a regional board to issue a complaint for an administrative civil penalty under the Porter-Cologne Water Quality Control Act. The act authorizes the complaint to be served by personal notice or certified mail and requires that a hearing be conducted before at least a 3-member panel of the regional board not later than 60 days from the date the party is served. The act requires that orders imposing administrative civil liability be served by personal service or registered mail. The act also authorizes the state board to issue administrative civil liability for a violation of a waste discharge requirement.

This bill would revise the procedures for the service of a complaint for that penalty and the conduct of a hearing by the state board to instead require that the hearing before the regional board be conducted not later than 90 days from the date the party is served and would delete the requirement that the hearing be conducted before a 3-member panel of the regional board. The bill would instead authorize a complaint and an order to be served by certified mail or in any manner in which a summons may be served. The bill would require, in a proceeding before the state board to impose administrative civil liability for a violation of a waste discharge requirement, that the executive director of the state board issue the complaint, and that a hearing be held within 90 days of the date the party has been served.

(5) The existing Financial Assurance and Insurance for Redevelopment Program (FAIR) requires the Secretary for Environmental Protection to solicit proposals for a package of environmental insurance products from insurance companies through a competitive bidding process. The insurance company selected by the secretary is required to offer a prenegotiated package of environmental insurance products to any interested recipient of a loan under the Cleanup Loans and Environmental Assistance to Neighborhoods (CLEAN) Program, which provides loans to finance the performance of actions necessary to respond to the release or threatened release of hazardous material on an eligible property, and to any other person who conducts a response action in the state. Existing law provides that if the insurance company selected to provide prenegotiated environmental insurance products under the FAIR program terminates its contract or otherwise becomes unable to honor written policies, the FAIR program does not require the state to honor those policies or to pay any claims made on those policies.

This bill would, instead, provide immunity to the California Environmental Protection Agency, the secretary, the state, their respective employees and agents, and any of the state's other political subdivisions or employees thereof, for acts or omissions in implementing the FAIR program, the acts or omissions by an insurance company selected under the FAIR program, and any acts or omissions by any person that purchases a prenegotiated environmental insurance product. The bill would specify that this immunity includes, but is not limited to, immunity if the insurance company cancels, rescinds, or otherwise terminates its contract with the secretary, fails, for any reason, to compensate an insured for a loss covered by a policy, or delays payment to an insured, or otherwise breaches a duty or covenant. The bill also would provide that the agency, the secretary, the state, their respective employees and agents, in implementing the FAIR program, may not be construed to be an insurer, an insurance agent, an insurance solicitor, or an insurance broker; be construed to be transacting insurance; or be required to obtain a license or other authorization pursuant to specified provisions regulating insurance.

(6) 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, pursuant to a specified order of priority, to aid owners and operators of petroleum underground storage tanks who take corrective action to clean up unauthorized releases from those tanks.

This bill would additionally authorize the money in the fund to be expended to pay for expenditures by the board associated with discovering violations of, and enforcing, or assisting in the enforcement of, the requirements regulating petroleum underground tanks.

(7) Existing law requires the Secretary for Environmental Protection to adopt regulations and implement a unified hazardous waste and hazardous materials management regulatory program. A city or local agency that meets specified requirements is authorized to apply to the secretary to implement the unified program, and every county is required to apply to the secretary to be certified to implement the unified program.

This bill would define the term "minor violation," for purposes of the unified program, as the failure of a person to comply with any requirement or condition of any applicable law, regulation, permit, information request, order, variance, or other requirement, whether procedural or substantive, of the unified program that the Unified Program Agency (UPA) is authorized to implement or enforce pursuant to the program, excluding certain types of violations. The bill would repeal this definition on January 1, 2006.

This bill would authorize a unified program agency, if it determines that a person has committed, or is committing, a violation of any requirement that the UPA is authorized to enforce or implement pursuant to the unified program, to issue an administrative enforcement order requiring that the violation be corrected and imposing an administrative penalty. The bill would specify procedures for the conduct of a hearing, upon the request of a person served with an order, pursuant to one of 2 specified hearing processes, 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.

This bill would require all administrative penalties collected from actions brought by a UPA to be paid to the UPA that imposed the penalty, and to deposit the penalties into a special account that would be required to be expended to fund the activities of the UPA in enforcing the unified program.

This bill would require an authorized representative of the UPA, who, in the course of conducting an inspection, detects a minor violation, to issue a notice to comply detailing the violation, thereby imposing a state-mandated local program by imposing new duties upon local agencies. The bill would require a person who receives a notice to comply to take specified actions within 30 days from the date of the notice and would provide that a false certification that a violation has been corrected is punishable as a misdemeanor, thereby imposing a state-mandated local program by creating a new crime. The bill would provide that a notice to comply is the only means by which a UPA may cite a minor violation.

The bill would repeal the provision requiring the enforcement of minor violations in this manner on January 1, 2006.

(8) Existing law requires businesses that handle hazardous materials to prepare a business plan and submit an annual inventory form to the administering agency. Existing law specifies procedures for the imposition of civil and administrative penalties for a violation of those provisions and requires the civil penalties collected to be apportioned in a specified manner, including \$200 for deposit in the Hazardous Materials Enforcement and Training Account, 75% to the administering agency, to reimburse specified local agencies for expenses, and 25% to the principal agency that assisted the administering agency. Existing law provides for the imposition of civil penalties upon stationary sources with regard to the program to prevent accidental releases of regulated substances.

This bill would require the issuance of an enforcement order or the imposition of an administrative penalty by an administering agency to instead be conducted using the

procedures established by the bill. The bill would also repeal those provisions requiring the apportionment of the civil penalty. The bill would require the issuance of enforcement orders or administrative penalties for a violation of the accidental release prevention program to be conducted using the procedures established by the bill.

(9) Existing law provides that the repeal of the Drinking Water Treatment and Research Fund on January 1, 2002, did not terminate any rights, obligations or authorities, or any provisions necessary to carry out these rights or obligations and the filing and payment of claims in the fund, until the moneys in the fund are exhausted. Existing law requires the State Water Resources Control Board to annually transfer \$5,000,000 from the Underground Storage Tank Cleanup Fund to the Drinking Water Treatment and Research Fund to be expended for specified purposes when a public drinking water well has been contaminated by an oxygenate and there is substantial evidence that a release has occurred from an underground storage tank.

This bill would reestablish the Drinking Water Treatment and Research Fund in the State Treasury and would continuously appropriate the money in the fund to the State Department of Health Services to make payments to public water systems for the costs of treating contaminated groundwater and surface water for drinking water purposes, investigating contamination, and acquiring alternate drinking water supplies. The bill would also authorize the department to expend not more than \$1,000,000 for research into treatment technologies and to pay the department's administrative costs, as specified. The bill would allow the department to make payments for treatment, investigation, or alternative water supplies without requiring the public water system to first incur expenditures, if the department makes a specified determination. The bill would also specify that these payments for treatment, investigation, or providing alternative water supplies may be made without regard to when the contamination occurred and would require the department, when evaluating these claims submitted for payment, to consider the findings of a specified report. The bill would provide for the repeal of the Drinking Water Treatment and Research Fund, except for specified rights and obligations, on January 1, 2010.

The bill would require a public water system that determines that an oxygenate is detected at any level in groundwater supplies utilized by the public water system for drinking water purposes to notify the State Department of Health Services and a California regional water quality control board. The state department or a regional board would be required to determine whether to shut down or curtail the use of a well within 30 days following receipt of this notification from a public water system.

(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 specified reasons.

#### Ch. 1000 (AB 2486) Keeley. Environmental prosecution.

Under existing law, there are various specialized hazardous materials enforcement and training programs. In particular, existing law provides for special local toxics prosecution projects funded by grants from the Director of Toxic Substance Control. In addition, money has been provided in the Budget Act for several years for an environmental circuit prosecutor through the Secretary of the California Environmental Protection Agency.

This bill would recast the provisions concerning training and prosecution assistance programs for hazardous materials law enforcement to reflect a broader focus on environmental law. It would move responsibility for these programs from the Department of Toxic Substances Control and its director to the California Environmental Protection Agency and its secretary. It would create an account into which funds for these programs are directed, and would transfer a specified portion of the balance of the existing account currently funding these programs to the new account on a specified date. This bill would provide the Commission on Peace Officer Standards and Training 12 months to develop or

review and certify specified environmental law training programs. It would remove specification from the course of instruction for public prosecutors which is required to be developed and implemented by the California District Attorneys Association, and recast the description of the enforcement investigative personnel for whom that association is to develop and implement a course or courses of instruction.

This bill would repeal other existing provisions providing grants for the development by one or more statewide organizations with specified qualifications of another training program, and would repeal the provisions authorizing the awarding of grants for special local toxics prosecution projects. This bill would codify the Environmental Circuit Prosecutor Project, intended to discourage environmental law violations, with a fair, uniform, and effective statewide prevention, enforcement, and prosecution program, and to better integrate environmental prosecution into the criminal justice system, as specified. This bill would require the Secretary of the California Environmental Protection Agency to award project grants from the new account to the California District Attorneys Association for the purpose of the day-to-day operations of the program and would specify the division of funds provided to various aspects of the new program. This bill would require a report to the Governor and the Legislature, which is currently required concerning special local toxics prosecution projects, be provided instead concerning the environmental prosecution projects funded by this bill, and it would reduce the scope of that report.

Under existing law, businesses are required to have response plans for releases of specified hazardous materials, and are required to provide an annual inventory of hazardous materials handled, as specified. A portion of the civil and criminal penalties assessed for violations of these laws are made available for expenditure on the toxics training and prosecution projects described above.

This bill would discontinue the expenditure of a portion of each penalty assessed for these purposes.

Ch. 1001 (AB 2637) Cardoza. Air pollution: enhanced motor vehicle inspection and maintenance program: San Francisco Bay Area Basin.

(1) Existing law establishes the governing body of the Bay Area Air Quality Management District and requires a city selection committee organized in each county within the district to either make the appointments to the board in some instances, or in other instances, submit recommendations for appointments to the board.

This bill would permit certain board members to designate a deputy to act on their behalf on the bay district board or any of its committees.

(2) Existing law establishes an enhanced motor vehicle inspection and maintenance program (Smog Check II), administered by the Department of Consumer Affairs, in which vehicles are tested and repaired by licensed smog check stations. Existing law prescribes the area of the state in which the program is to be implemented, requires vehicles subject to the program to have a biennial inspection, and requires the department to ensure reductions in emissions as required by federal law. Existing law authorizes the department to establish a network of privately operated test-only stations, and requires the department, if it increases the capacity of the program for testing at test-only stations, to afford stations that are licensed and certified, as specified, the opportunity to perform the required inspections.

This bill would establish an enhanced smog check program in the San Francisco Bay Area Basin. The bill would require the department to commence operation of that program in that basin after the department determines that an adequate number of test-only stations, test and repair stations, referee services, and other facilities and equipment necessary to provide reliable and convenient service to vehicle owners subject to the program exist in that basin. The bill would require the board to submit, by January 1, 2004, for peer review a specified study produced by the University of California at Riverside and commissioned by the Bay Area Air Quality Management District, and any other available scientifically credible evidence, to determine the impact of the enhanced motor vehicle inspection and maintenance

program on Contra Costa County and surrounding areas. The bill would require the board to suggest mitigation measures, as specified, to the Legislature and to the respective air quality districts, if the peer review concludes that the program in the urbanized areas of the San Francisco Bay Area Basin results in adverse ozone and other air quality impacts in Contra Costa County or parts of Solano, San Joaquin, Alameda, and Santa Clara Counties.

Existing law requires all motor vehicles powered by internal combustion engines that are registered within an area designated for program coverage to be required biennially to obtain a certificate of compliance or noncompliance, except for, among other vehicles, prior to January 1, 2003, any motor vehicle manufactured prior to the 1974 model-year and, on and after January 1, 2003, any motor vehicle that is 30 or more model-years old. Existing law authorizes the department, by regulation, to increase that exemption to include any motor vehicle up to 6 or less model-years old.

This bill would exempt from that biennial certification requirement any vehicle up to 6 model-years old, unless the State Air Resources Board finds that providing an exception for those vehicles will prohibit the state from meeting the requirements of the federal Clean Air Act. Since, under other statutes, a violation of these requirements would be a crime, this bill would impose a state-mandated local program.

Existing law requires the department to develop a program for the voluntary certification of licensed smog check stations, or authorizes the department to accept a smog check certification program proposed by accredited industry representatives, known as a “gold shield” program, for the purposes of providing consumers, whose vehicles fail an emissions test at a test-only facility, an option of services at a single location to prevent the necessity for additional trips back to the test-only facility for vehicle certification.

This bill would require the department, as soon as is practicable, but not later than January 1, 2004, to adopt regulations that apply to all enhanced areas of the state, and permit any vehicle that fails a required smog test at a test-only facility or is identified as a gross polluter to be repaired, retested, and certified at such a “gold shield” facility.

Existing law authorizes the department to conduct a pilot program to allow vehicles initially identified as gross polluters to be repaired and issued a certificate of compliance by a licensed and certified smog check station.

This bill would require the department to implement that program on a permanent basis.

Existing law, until January 1, 2005, requires that, on or after July 1, 1998, in the event that the smog impact fee imposed for purposes of the program is ruled unconstitutional by an appellate court or the California Supreme Court, or if the state is in any manner prevented by either of these courts from imposing or collecting the fee, specified actions take place with respect to the imposition of motor vehicle fees.

This bill would extend the operative date of those provisions to January 1, 2010.

(3) This bill would only become operative if the petitioners in specified pending litigation are granted a motion to withdraw from the case, with prejudice, and the petitioners file a certified copy of that order with the Secretary of State.

(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) Existing law creates the Vehicle Inspection and Repair Fund in the State Treasury, and requires all fees and revenues derived pursuant to the motor vehicle inspection and automotive repair programs in the state to be deposited in the fund.

This bill would appropriate \$5,000,000 from the fund to the department for distribution to the Bureau of Automotive Repair for costs associated with the implementation of the Smog Check II program in the San Francisco Bay Area Basin.

Ch. 1002 (SB 1453) Alpert. Pupil records: California longitudinal pupil achievement data system.

(1) Existing law requires the California School Information Services Program administrator to submit to the State Board of Education a plan to administer, coordinate, and manage the development and implementation of an electronic statewide school information system to address current problems of information exchange. Existing law states that one of the missions of the California School Information Services Program is to assist local education agencies to transmit state and federal reports electronically to the State Department of Education.

This bill would make a local education agency participating in the California School Information Services Program eligible to receive one-time funding for startup costs.

(2) Existing law establishes the Standardized Testing and Reporting (STAR) Program under which each school district, charter school, and county office of education is required 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 Superintendent of Public Instruction to apportion funds appropriated to enable school districts to use the English language development test to identify limited-English-proficient pupils, to determine their level of English language proficiency, and to assess their progress in acquiring the skills of listening, reading, speaking, and writing English. Existing law requires, commencing with the 2003–04 school year and each school year thereafter, 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.

This bill would require that the State Department of Education contract for the development of proposals that will provide for the retention and analysis of longitudinal pupil achievement data on the STAR and English language development tests and the high school exit examination. The bill would require the department to convene an advisory board to establish privacy and access protocols, provide general guidance, and make recommendations on desirable data elements. The bill would require local education agencies and charter schools to retain certain individual pupil records in order to comply with federal law, thereby imposing a state-mandated local program. The bill would also require the department to contract with a consultant for independent project oversight and would require the consultant to submit written reports twice annually.

The bill would authorize the State Department of Education from \$6,880,000 appropriated and made available pursuant to the Budget Act of 2002 for the establishment of a longitudinal database, and for data collection requirements of the federal No Child Left Behind Act of 2001, pursuant to legislation enacted in the 2001–02 Regular Session, to use up to \$6,000,000 for the development and implementation of the California longitudinal pupil achievement data system established pursuant to this bill and to expend up to \$880,000 and the remaining funds for purposes of collecting or reporting data necessary to meet the requirements of the federal No Child Left Behind Act of 2001. The bill would make release of the appropriated funds contingent on the Department of Finance's approval of an expenditure plan.

(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. 1003 (SB 1542) Escutia. Solid waste management: environmental justice.

(1) The existing California Integrated Waste Management Act of 1989 requires the California Integrated Waste Management Board to develop a model countywide or regional siting element and a model countywide or regional agency integrated waste management plan that will establish prototypes of the content and format that counties or regional agencies may use in meeting the requirements of the act.

This bill would require the board, on or before April 1, 2003, and using existing resources, to provide local jurisdictions and private businesses with information and models to assist with consideration of environmental justice concerns, as defined, when complying with certain requirements relating to development and revision of countywide siting elements for solid waste disposal facilities.

The bill would require that countywide siting elements submitted or revised on or after January 1, 2003, include a description of the actions taken by the city or county to solicit public participation by the affected communities, including, but not limited to, minority and low-income populations. To the extent that this requirement would impose additional duties upon local governments, the bill would establish a state-mandated local program.

(2) Existing law requires the Secretary for Environmental Protection to convene an advisory group to assist a specified working group established under existing law, by providing recommendations and information to, and serving as a resource for, the working group. The secretary is required to appoint members to the advisory group according to certain categories.

This bill would revise the appointment categories to include an additional representative from a small business, a representative from a federally recognized Indian tribe, and two representatives from environmental justice organizations.

(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. 1004 (SB 1684) Polanco. Redevelopment: hazardous substance releases.

The existing Polanco Redevelopment Act authorizes a redevelopment agency, until January 1, 2004, to take any action that the 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, subject to specified conditions. Existing law immunizes an agency that remedies or removes a hazardous substance release, pursuant to those provisions, from liability under specified state laws, and authorizes the recovery of cleanup and remedial costs from the liable party. Existing law specifies that these immunity and recovery provisions apply only to remedial or removal actions commencing before January 1, 2004.

Existing law, after January 1, 2004, requires that the department or regional board approve the actions taken by the redevelopment agency and does not provide the agency with immunity for those actions.

This bill would delete the January 1, 2004, repeal date specified above, thereby extending the operation of those provisions indefinitely, and would repeal the provision that would otherwise take effect on that date. The bill would also repeal the provision limiting the immunity and recovery provisions to remedial and removal actions commencing before January 1, 2004.

#### Ch. 1005 (SB 1884) Speier. Dietary supplements.

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.

This bill would prohibit the sale of dietary supplements containing ephedrine group alkaloids or steroid hormone precursors unless the product label of these products includes certain statements regarding content and warning statements regarding the use of the product.

This bill would make it a misdemeanor for any manufacturer, wholesaler, retailer, or other person to sell, transfer, or otherwise furnish a dietary supplement containing ephedrine group alkaloids or steroid hormone precursors to a person under 18 years of age. Because the bill would create a new crime, it would impose a state-mandated local program. The bill would

exempt a retail establishment that meets certain conditions from criminal liability under 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.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 1006 (SB 1948) Figueroa. Dietary supplements: warning labels and advertisements.

Existing law, the Sherman Food, Drug and Cosmetics Law, provides for the regulation of various subjects relating to the processing, labeling, advertising, and sale of food, drugs, and cosmetics, as defined, under the administration and enforcement of the State Department of Health Services. Under existing law, any person who violates any of these provisions, or any regulation adopted pursuant thereto, if convicted, is subject to imprisonment, or a fine, or both. Existing applicable federal law includes dietary supplements, as defined, within the definition of food for these purposes.

This bill would require that any warning label on products defined as dietary supplements pursuant to specified federal law, that are manufactured or distributed in the state, shall be clear and conspicuous. The bill would provide that it shall be implemented to the extent permitted by federal law.

The bill would provide that its provisions shall not limit or restrict any rights, remedies, or duties otherwise applicable by law. The bill would provide that violation of its provisions by any person, as defined, constitutes an infraction, punishable by specified fines.

By changing the definition of a crime and by creating a new 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. 1007 (AB 2321) Hertzberg. Tort Claims Act: judiciary.

The existing Tort Claims Act provides for the liability and immunity of a governmental entity for its acts or omissions that cause harm to persons. Existing law provides that any claim for money or damages against the state is required to be presented to the State Board of Control within a specified period of time. Other provisions of existing law have renamed the State Board of Control, the Victim Compensation and Government Claims Board.

This bill would require, instead, in the case of a claim against a judicial branch entity, as defined, or a judge of one of those entities, that the Judicial Council act on the claim in accordance with the procedure that the Judicial Council would provide by rule of court. The bill would specify certain means of presentation and service of a claim against a judicial branch entity or one of its judges. The bill would authorize the Judicial Council to settle, adjust, or compromise any pending action arising out of the activities of a judicial branch entity or judge thereof, and to authorize the Controller to draw a warrant for payment of any final judgment or settlement based on claims arising out of the activities of a judicial branch entity. The bill would also require the Administrative Director of the Courts to report to the Judicial Council concerning any action the administrative office of the courts takes or proposes to take to prevent the future occurrence of circumstances similar to those upon which the claim was based.

This bill would also amend the references to the State Board of Control in the Tort Claims Act to instead refer to the Victim Compensation and Government Claims Board.

Ch. 1008 (AB 3028) Committee on Judiciary. Court procedures.

(1) Existing law authorizes a person who has suffered harassment, as defined, to seek a temporary restraining order and an injunction prohibiting the harassment. Existing law authorizes the court, on a showing of good cause, to issue a temporary restraining order which protects other named family or household members who reside with the person.

This bill also would authorize the court to issue an injunction which protects other named family or household members who reside with the person who is being subject to harassment under those circumstances.

(2) Under existing law, any employer, whose employee has suffered unlawful violence or a credible threat of violence from any individual, that can reasonably be construed to be carried out or to have been carried out at the workplace, may seek a temporary restraining order and an injunction on behalf of the employee prohibiting further unlawful violence or threats of violence by that individual. Existing law authorizes the court, on a showing of good cause, to issue a temporary restraining order which protects other named family or household members who reside with the person.

This bill also would authorize the court to issue an injunction which protects other named family or household members who reside with the person who is being subject to that violence under those circumstances.

(3) Existing law authorizes referees to hear trials in specified instances. Existing law requires the Judicial Council to collect information and report to the Legislature by January 1, 2003, regarding fees paid by the parties for the use of referees.

This bill would extend the reporting requirement to July 1, 2003.

(4) Existing law provides for the service of a responsible party if service of a subpoena is to be made on a minor.

This bill would also require service of the subpoena to be made upon the designated agent for service at the county child welfare department or probation department if the minor meets specified criteria.

(5) Under existing law, in effect until January 1, 2003, the members of the board of directors of a for-profit corporation, nonprofit public benefit corporation, nonprofit mutual benefit corporation, and nonprofit religious corporation may participate in a meeting through use of electronic video screen communication or similar communications equipment, as long as certain conditions are met such as all members participating in the meeting are able to communicate with all other members concurrently, and participation in a meeting under these circumstances constitutes presence in person at that meeting.

This bill would extend the operation of these provisions to January 1, 2004.

(6) Existing law requires a report of a child custody evaluator to be filed with the clerk of the court in which a contested custody or visitation rights hearing will be conducted and served on the parties and their attorneys at least 10 days before the hearing.

This bill also would require that report to be served on any counsel appointed, as specified, for the child.

(7) Existing law establishes the Trial Court Trust Fund, and provides for the apportionment of the moneys in these funds.

This bill would authorize the Judicial Council to direct payment or reimbursement, or both of actual costs from the Trial Court Trust Fund for trial court programs, contract costs, and other services to one or more participating courts upon appropriation of funding for these purposes in the annual Budget Act, as specified. The bill would also require the Judicial Council to file specified reports and establish certain procedures in this regard.

(8) Existing law provides for the retirement of judicial employees, as specified.

This bill would provide that if the Chief Justice of the California Supreme Court, by formal action, determines that because of an impending curtailment of, or change in the manner of performing, judicial branch services, the best interests of the state would be served by encouraging the retirement of judicial branch state employees from the Administrative Office of the Courts, the Supreme Court, the Courts of Appeal, or the Habeas Corpus Resource Center and the sufficient economies could be realized to offset any costs to the

judicial branch resulting from this action, an additional two years of service shall be credited to the affected members if specified conditions exist.

(9) Existing law establishes a salary increase for presiding judges of superior courts with 4 or more judges. Under the Constitution, laws that set the salaries of elected state offices constitute appropriations.

This bill would make an appropriation by establishing a 2% salary increase, operative January 2, 2003, for presiding judges of superior courts with 2 or 3 judges.

(10) Existing law provides that any officer whose office is created by the California Constitution and who is made a member of a state board, commission, or committee, or of the governing body of any state agency or authority may designate a deputy of his or her office holding a specified position to act as the member in the constitutional officer's place and stead, to all intents and purposes as though the constitutional officer were personally present. Existing law expressly provides the circumstances under which the Lieutenant Governor, Attorney General, and Superintendent of Public Instruction may designate a deputy of his or her office for that purpose.

This bill would expressly provide that the Chief Justice of the California Supreme Court may designate a judge or employee of a state court or an employee of the Administrative Office of the Courts to act as a deputy for those purposes.

(11) Under existing law, a majority of the judges of a superior court may order sessions of the court to be held at any place where a municipal court holds sessions within the county or, in a county in which there is no municipal court, where there is a court facility.

This bill instead would require each trial court to determine the number and location of sessions of the court, taking into consideration the employees and facilities of the court. The bill would authorize the session to be held outside the county of the court under certain circumstances.

(12) Existing law requires a county to assess the parent, parents, or other person charged with the support and maintenance of a proposed ward of the juvenile court, and the guardian, proposed guardian, or the estate of the proposed ward, for county expenses for any investigation or review conducted by the court investigator, probation officer, or domestic relations investigator.

This bill would require a court or a county to make that assessment with respect to the ward or proposed ward, and specify that the court may order reimbursement to the court or to the county in the amount of the assessment, unless the court finds that all or any part of the assessment would impose a hardship on the ward or the ward's estate.

(13) Existing law requires each county to assess each conservatee in the county for any investigation or review conducted by a court investigator at county expense with respect to that person, but specifies that the court may order reimbursement to the county for the cost of the investigations, unless the court finds that all or any part of the assessment would impose a hardship on the estate.

This bill would transfer this duty to the court and would make related changes.

(14) Existing law requires that any amount otherwise owing to a county pursuant to Article XIII B of the California Constitution and related statutory provisions for costs incurred by the county for the costs of investigation or review by court investigators be reduced by the amount of any assessments actually collected during the fiscal year.

This bill would delete this provision.

(15) By requiring new duties of the courts, the bill would impose a state-mandated local program.

(16) Existing law provides that after a petition has been filed to declare a child a dependent child of the juvenile court, and after a petition has been filed to declare a child a ward of the juvenile court, the court may issue ex parte orders enjoining any person from molesting, attacking, threatening, sexually assaulting, stalking, or battering the child, among other things.

Existing law provides that if a temporary restraining order is granted without notice, the matter is required to be made returnable on an order requiring cause to be shown why the order should not be granted, on the earliest day that the business of the court will permit, but not later than 15 days or, if good cause appears to the court, 20 days from the date the temporary restraining order is granted. Existing law authorizes the court, on the motion of the person seeking the restraining order, or on its own motion, to shorten the time for service on the person to be restrained of the order to show cause.

This bill would permit the court, upon its own motion or the filing of an affidavit by the person seeking the restraining order, to find that the person to be restrained could not be served within the time required by law and to reissue an order previously issued and dissolved by the court for failure to serve the person to be restrained.

(17) 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. 1009 (AB 2030) Goldberg. Protective orders: fees.

Existing law prohibits the imposition of a fee for filing a petition that alleges that a person has inflicted or threatened violence against the petitioner, or stalked the petitioner, or acted or spoken in any other manner that has placed the petitioner in reasonable fear of violence, and that seeks a protective or restraining order or injunction restraining stalking or future violence or threats of violence, in any action seeking a temporary restraining order and injunction prohibiting harassment.

This bill would provide that upon application of the petitioner, there is no fee for the service of process of a protective order, restraining order, or injunction if that order or injunction is based upon specified acts or threats. The bill would impose duties on the Judicial Council to prepare and develop application forms to assist petitioners in obtaining and serving these orders.

Existing law provides that no fee may be charged for filing an application, a responsive pleading, or an order to show cause to obtain, modify, or enforce a protective order issued in connection with a proceeding involving domestic violence, marital dissolution, or a child custody matter, among other things.

This bill would prohibit a fee from being charged for filing a subpoena in connection with those applications, pleadings, or orders.

Existing law permits the sheriff or marshal, in connection with the service of process of notices, to require that all fees that a public agency or other person or entity is required to pay be prepaid prior to the performance of the official act, with certain exceptions.

This bill would exempt from this prepayment requirement, a fee for the service of process of a protective order, restraining order, or injunction involving stalking, credible threats of violence resulting from a threat of sexual assault, domestic violence, marital dissolution, or a child custody matter. The bill would permit the sheriff, marshal, or constable to submit a billing to the superior court for the payment of fees in a manner prescribed by the Judicial Council.

The changes made by this bill would be operative only until January 1, 2007.

#### Ch. 1010 (SB 1396) Dunn. Judicial security.

The California Rules of Court, as adopted by the Judicial Council, provide a framework for the operation of the courts, including the respective costs deemed necessary for court security. Existing law requires the sheriff's office or marshal's department of any county to provide court security services.

This bill would enact the Superior Court Law Enforcement Act of 2002, which would require the sheriff or marshal and presiding judge of any county to develop a court security plan to be utilized by the court, as specified, and require the sheriff or marshal to provide specified information to the court by April 30 of each year, with actual court security allocations subject to the approval of the Judicial Council. The bill would require the superior court and the sheriff or marshal of any county to enter into an annual or multiyear memorandum of understanding specifying the level of court security services, costs of services, and terms of payment, and permit the court to contract for those services, as specified. The bill would permit, if no agreement is reached, the court, sheriff, or marshal to request mediation assistance, as specified, for a period of 45 days. The bill would further permit the court to use court attendants, as defined. The bill would also define related terms, declare the intent of the Legislature to modify Function 8 of Rule 810 of the California Rules of Court, and impose various duties on the Judicial Council.

Existing law requires a sheriff to attend all superior courts within the county, whenever required, as specified, and obey all lawful orders and directions of the courts. Existing law, as of July 1, 1998, and under specified circumstances, requires a sheriff to provide court security.

This bill would revise and recast those provisions, and require a sheriff to attend a noncriminal, nondelinquency action, under a specified circumstance. The bill would permit the use of court attendants, as defined, in a court hearing those actions.

This bill would impose additional duties on local employees, 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 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. 1011 (SB 2021) Committee on Business and Professions. Business and Professions.

(1) Existing law, the Speech-Language Pathologists and Audiologists Licensure Act, provides that, until July 1, 2004, the Speech-Language Pathology and Audiology Board is under the jurisdiction of the Medical Board of California. Existing law authorizes the board to impose fees for specified services that are deposited into the Speech-Language Pathology and Audiology Board Fund, a continuously appropriated fund.

This bill would remove the board from the auspices of the Medical Board of California and would place the board within the Department of Consumer Affairs. The bill would extend this board to July 1, 2005. The bill would require the department to enforce and administer the board functions. The bill would additionally authorize the board to impose a fee for issuing a license status and history certification letter. Because the bill would lead to an increase of fees that would be deposited into the continuously appropriated Speech-Language Pathology and Audiology Board Fund, the bill would make an appropriation.

(2) Existing law, the Occupational Therapy Practice Act, authorizes the licensing and regulation of occupational therapists by the California Board of Occupational Therapy. Existing law provides that a person who meets the qualifications to be admitted to the examination for licensure or certification and is waiting for the announcement of the results

of the next examination may practice under the direct supervision of a licensee. Existing law additionally authorizes the board to impose fees for specified services, which are deposited into the Occupational Therapy Fund. Existing law authorizes the board to take disciplinary action against a licensee.

This bill would additionally authorize a person to practice under the direct supervision of a licensee if the individual was waiting to take the first available examination or had just taken the examination and was waiting for its results. The bill would authorize the board to charge an application fee of up to \$50, which would be deposited into the Occupational Therapy Fund. The bill would make other conforming changes.

(3) Existing law, the Nursing Practice Act, provides for the licensing and regulation of registered nurses by the Board of Registered Nursing. Existing law also authorizes the board to take disciplinary action against a licensee. Existing law provides that a licensee may participate in an alcohol or drug diversion program, provided the licensee complies with certain conditions.

This bill would authorize the board to accept the surrender of a license through a settlement agreement in lieu of a formal pleading when the surrender is based upon a mental or physical illness of a licensee that is affecting his or her ability to safely practice nursing. The bill would additionally provide that the stipulated agreement be a form of discipline, and would allow the licensee to petition the board for license reinstatement after one year from the effective date of the board's decision to accept the stipulated agreement. The bill would require the board, under certain circumstances, to report the name and license number of a licensee who is denied admission to the drug or alcohol diversion program to the board's enforcement program.

(4) Existing law provides for the licensing and regulation of hearing aid dispensers by the Hearing Aid Dispensers Bureau. Existing law authorizes the bureau to employ personnel necessary to carry out bureau functions except for inspections or investigations which are required to be made by personnel from the department's Division of Investigations. Existing law allows the bureau to impose fees for the issuance of a replacement license when the original license is lost or when the licensee changes his or her name. These fees are deposited into the continuously appropriated Hearing Aid Dispensers Fund.

This bill would authorize the bureau to employ personnel to conduct inspections and investigations. The bill would additionally authorize the bureau to impose fees for issuing a replacement license. Because this would lead to additional fees being deposited into the continuously appropriated Hearing Aid Dispensers Fund, the bill would make an appropriation.

(5) Existing law requires the Dental Board of California, by August 1, 2002, to contract and submit a completed followup study to the Legislature regarding, among other things, staffing requirements for the board's enforcement program, the use of peace officers, trends in board reported dental-related crimes, and recommendations for improving the board's enforcement program.

This bill would extend the submission date for this study to December 31, 2003.

Ch. 1012 (SB 2025) Committee on Business and Professions. Professions and vocations.

(1) Under existing law, specified persons are required to file a report, designated as an "805 report," with the Medical Board of California if a peer review body takes one of several specified actions against a physician and surgeon licensed by that board. Existing law requires the board to establish a pilot program of early detection of potential quality problems and to report its findings on these matters to the Legislature before April 1, 2003.

This bill would change this reporting date to April 1, 2004.

Existing law requires designated persons to file an 805 report if a licentiate resigns, requests a leave of absence, or withdraws or abandons an application to obtain or renew staff

privileges or membership after notice of an investigation or impending denial or rejection of the application.

This bill would instead require that the 805 report be filed if the licentiate takes any of those specified actions after notice of an impending investigation or denial or rejection of the application.

(2) Existing law provides for the Joint Legislative Sunset Review Committee, which is authorized to act until January 1, 2004. Existing law provides for, within the Board of Consumer Affairs, the existence of (a) the Board of Psychology, which is repealed January 1, 2006, (b) the Veterinary Medical Board, which is repealed January 1, 2005, (c) the Board of Behavioral Sciences, which is repealed January 1, 2006, (d) the California Architects Board, which is repealed January 1, 2005, (e) the Board for Professional Engineers and Land Surveyors, which is repealed January 1, 2005, (f) the Board for Geologists and Geophysicists, which is repealed on January 1, 2006, (g) the Court Reporters' Board of California, which is repealed January 1, 2006, and, (h) the Structural Pest Control Board, which is repealed January 1, 2006. Existing law provides that these boards are subject to the review of the Joint Legislative Sunset Review Committee upon their repeal. Existing law also requires the Joint Legislative Sunset Review Committee to hold hearings during the interim recess of 2003 on the need to continue the existence of the Osteopathic Medical Board of California.

This bill would extend the repeal dates for the boards by one year. The bill would also extend the time by which the Joint Legislative Sunset Review Committee is required to hold hearings on the Osteopathic Medical Board of California to the interim recess of 2004.

(3) The Osteopathic Medical Board of California is required to prepare an analysis and submit a report to the Joint Legislative Sunset Review Committee on or before September 1, 2003.

The bill would extend the date by which the board is required to submit the report to September 1, 2004.

(4) This bill would incorporate additional provisions to Section 473.15 of the Business and Professions Code, to take effect if both this bill and SB 1954 are enacted and become effective on or before January 1, 2003, and this bill is enacted last.

(5) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 1013 (SB 2026) Committee on Business and Professions. Professions and vocations.

(1) Existing law provides for the licensure and regulation of marriage and family therapists by the Board of Behavioral Sciences.

This bill would change references to the obsolete term "marriage, family, and child counselor" to "marriage and family therapist" and would also change references to the term "Board of Behavioral Science Examiners" to "Board of Behavioral Sciences." The bill would make other related changes.

(2) Existing law, the Professional Engineers Act, regulates the licensing and regulation of professional engineers. The act prohibits and makes it a misdemeanor to use certain engineering titles without being registered as such, and provides that an engineer-in-training certificate does not authorize a person to use those titles. The act also subjects a person who violates certain misrepresentation provisions in connection with the offer or performance of engineering services for the repair of damage to a residential or nonresidential structure caused by a natural disaster for which a state of emergency is proclaimed by the Governor to certain fines and imprisonment.

This bill would include in the prohibitions against the unauthorized use of specified titles the title of "soil engineer," and would make such a misrepresentation a misdemeanor. The bill would provide that an engineer-in-training certificate does not authorize a person to use that title. The bill would also, with regard to the fines and penalties for misrepresentations in connection with services for damage caused by natural disaster, remove the requirement

that the disaster be natural, and would instead apply them to any disaster for which a state of emergency is proclaimed by the Governor.

By expanding the titles that a person is prohibited from using without licensure, the violation of which is a crime, the bill would impose a state-mandated local program.

(3) Existing law provides a “Good Samaritan” immunity with respect to liability in negligence for personal injury, wrongful death, or property damage for an engineer who voluntarily and without compensation provides structural inspection services at the scene of a declared national, state, local emergency caused by earthquake, flood, riot, or fire, at the request of certain public officials.

This bill would expand the immunity to apply to any declared national, state, or local emergency.

(4) Existing law provides for the regulation of locksmiths by the Bureau of Security and Investigative Services in the Department of Consumer Affairs. Existing law exempts certain people from the provisions regarding locksmiths.

This bill would also exempt from the provisions a new motor vehicle dealer or an employee of a new motor vehicle dealer acting within the scope of employment at the dealership.

(5) Existing law, the Contractors’ State License Law, provides for the licensure and regulation of contractors by the Contractors’ State License Board. The registrar is the executive officer who carries out the board’s administrative duties and tasks delegated by the board and who is authorized to issue a citation for a violation of specified provisions that may result in the assessment of a civil penalty.

Existing law authorizes the board to hire licensed professionals for site investigations of consumer complaints and specifies what type of contracts a general contractor may undertake while acting as a subcontractor. Existing law exempts certain contractors from testing for a specialty contractors’ license and provides that the registrar may continue investigating a contractor if the contractor’s license has expired or has been suspended. Existing law additionally authorizes the registrar to renew a license that has been expired for up to 3 years if the appropriate form is filed and fee is paid to the board and prohibits the current annual cost index adjustment from taking effect until the registrar performs the necessary calculations.

This bill would authorize the board to contract with other professionals, including interpreters, manufacturer’s representatives, and accountants when conducting an investigation or prosecuting a licensee. The bill would specify that a general contractor may subcontract with an appropriately licensed contractor. The bill would provide that the registrar would have jurisdiction over a contractor even if the contractor’s license has been canceled or forfeited by operation of law, and would revise the type of actions that constitute a course of disciplinary action. The bill would also remove the exemption from testing for a specialty contractor’s license. The bill would authorize an automatic adjustment to the current annual cost index March 1 of each year. The bill would make conforming changes.

(6) Existing law repeals the Structural Fumigation Enforcement Program on July 1, 2003. This bill would extend that program to July 1, 2006.

(7) Existing law, the Professional Land Surveyors’ Act, provides for the licensure and regulation of professional land surveyors by the Board for Professional Engineers and Land Surveyors. Existing law prohibits a person from using certain terms to describe his or her professional activity unless the person has a valid land surveyors’ license. Existing law requires a county recorder to provide a survey preparer with specified data within 10 days of filing a survey. Existing law provides that a violation of the act is a crime.

This bill would prohibit a person from using the term “geomatics engineer” unless the person has a valid land surveyors’ license. The bill would require a county recorder to provide a survey preparer with specified data within 10 days of filing a survey only if the survey preparer provides the recorder with a postage-paid, self-addressed envelope. The bill would make conforming changes.

By expanding the use of prohibited terms used to identify land surveyors, the violation of which is a crime, the bill would impose a state-mandated local program.

(8) Existing law, the Uniform Controlled Substances Act defines Schedule IV drugs to include narcotic drugs, depressants, and stimulants as drugs containing certain quantities of specified substances. Existing law makes the unauthorized possession, use, and sale of these drugs unlawful, as specified.

This bill would expand the definition of narcotic drugs to include a drug containing butorphanol. The bill would expand the definition of depressants to include drugs containing Clobazam, Estazolam, Halazepam, Midazolam, Nitrazepam, Zaleplon, and Zolpidem. The bill would expand the definition of stimulants to include drugs containing Mezendol and Modafinil.

By increasing the number of drugs that are classified as Schedule IV drugs, this bill would impose a state-mandated local program.

(9) Existing law requires that controlled substances be stored in a warehouse licensed by the California State Board of Pharmacy, with specified exceptions. Existing law sets forth licensure and regulation requirements for licensed warehousemen.

This bill would delete these provisions.

(10) Existing law provides that a patient or patient representative is entitled to inspect patient records upon presenting a written request to a health care provider and payment of reasonable clerical costs.

This bill would include physical therapists in the definition of health care providers for these purposes.

(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. 1014 (SB 2083) Polanco. English language learners.

(1) Existing law relating to English language education for immigrant children, with certain exceptions, requires that all children in California public schools be taught English by being taught in English, and in particular, requires that all children be placed in English language classrooms.

This bill would enact the English Learner and Immigrant Pupil Federal Conformity Act (the act) to ensure that instructional services are provided to pupils with limited English proficiency and immigrant pupils in conformity with federal requirements that are designed to ensure that all pupils have reasonable access to educational opportunities with regard to English and other core curriculum areas of instruction. New duties imposed on school districts by this bill would result in a state-mandated local program.

This bill would authorize a local education agency to form a consortium with one or more other local educational agencies or one or more other local educational agencies, in collaboration with an institution of higher education, community-based organization, or a state education agency to apply for federal Title III funds.

(2) The bill would provide that federal funds appropriated in the Budget Act of 2002 pursuant to the federal No Child Left Behind Act of 2001 are to be used for purposes of this act.

(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 state.

Ch. 1015 (AB 55) Shelley. Corporations: disclosure statements.

Existing law, the General Corporation Law, requires a domestic corporation and a foreign corporation to file statements with the Secretary of State disclosing specified information concerning its operation biennially.

This bill would require the statement to instead be filed annually. The bill would specify additional information that a publicly traded corporation is required to include in these statements. The bill would make the information contained in the statements open to public inspection and would require the Secretary of State, prior to December 31, 2004, to make this information available on an online database. The bill would also require a corporation to pay a \$5 disclosure fee when filing the statement in addition to any other fees required. The bill would specify the use of this fee, including the deposit of one-half of the fee revenue into the Victims of Corporate Fraud Compensation Fund, which would be established by the bill. The bill would require the Secretary of State to administer the fund and to adopt regulations regarding its administration and the eligibility of victims to receive compensation.

Ch. 1016 (AB 857) Wiggins. Infrastructure planning: priorities and funding.

(1) Existing law requires the Governor, in conjunction with the Governor's Budget, to submit annually to the Legislature a proposed 5-year infrastructure plan containing specified information concerning infrastructure needed by state agencies, schools, and postsecondary educational institutions and a proposal for funding the needed infrastructure.

This bill would clarify the information that is required to be included in a proposal for funding state infrastructure identified in the 5-year plan.

(2) Existing law requires the Governor to prepare and cause to be maintained, reviewed, and revised a comprehensive State Environmental Goals and Policy Report.

This bill would require any revision to the report on and after January 1, 2004, to provide that the goals are consistent with state planning priorities, and would require a state agency that requests infrastructure to specify how that infrastructure is consistent with those priorities. This bill would define those priorities, which relate to infrastructure that supports infill development and redevelopment, cultural and historic resources, environmental and agricultural resources, and efficient development patterns.

(3) Existing law establishes proceedings for the mediation and resolution of land use disputes and makes those proceedings applicable to specified actions filed prior to January 1, 2002.

This bill would extend that date to January 1, 2006.

Ch. 1017 (AB 1421) Thomson. Mental health: involuntary treatment.

Existing law, the Lanterman-Petris-Short Act, makes provision for the involuntary treatment of any person with a mental disorder who, as a result of the mental disorder, is a danger to others or to himself or herself, or is gravely disabled.

This bill, until January 1, 2008, would enact the Assisted Outpatient Treatment Demonstration Project Act of 2002, which would create an assisted outpatient treatment program for any person who is suffering from a mental disorder and meets certain criteria. The program would operate in counties that choose to provide the services.

The program would involve the delivery of community-based care by multidisciplinary teams of highly trained mental health professionals with staff-to-client ratios of not more than 1 to 10, and additional services, as specified, for persons with the most persistent and severe mental illness. This bill would specify requirements for the petition alleging the necessity of treatment, various rights of the person who is the subject of the petition, and hearing procedures. This bill would also provide for settlement agreements as an alternative to the hearing process. This bill would provide that if the person who is the subject of the petition fails to comply with outpatient treatment, despite efforts to solicit compliance, a licensed mental health treatment provider may request that the person be placed under a 72-hour hold based on an involuntary commitment.

This bill would also require each county operating an outpatient treatment program pursuant to the bill to provide certain data to the State Department of Mental Health, and would impose requirements upon the department to report to the Legislature, as specified.

The bill would also require the department to develop a specified training and education program for use in counties participating in the program pursuant to the bill.

Ch. 1018 (AB 1698) Committee on Judiciary. Legal assistants.

Existing law defines and regulates the activities of a legal document assistant and unlawful detainer assistant. Existing law requires a legal document assistant or unlawful detainer assistant to register in the county in which his or her principal place of business is located and restricts the type of information that he or she may provide for compensation. Existing law exempts from this regulation certain persons, including immigration consultants, registered process servers, and providers of services that are regulated by federal law. Existing law prescribes minimum qualifications to register as a legal document assistant or unlawful detainer assistant.

Existing law requires an applicant for registration as a legal document assistant or unlawful detainer assistant to be denied if, among other things, the applicant has suffered certain criminal convictions. Existing law requires each county to maintain a register of legal document assistants and unlawful detainer assistants. Existing law proscribes certain fraudulent conduct by a legal document assistant or unlawful detainer assistant. Existing law makes a violation of certain of its provisions by a legal document assistant or unlawful detainer assistant a misdemeanor.

Existing law provides for the repeal of these provisions on January 1, 2003, or the date the Director of the Department of Consumer Affairs suspends those requirements, whichever first occurs.

This bill instead would make these requirements operative indefinitely. By extending indefinitely the definition of a crime and the registration of legal document assistants duties and unlawful detainer assistants applicable to counties, 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. 1019 (AB 1969) Bill Campbell. Water quality: civil liability.

(1) Existing law, the Porter-Cologne Water Quality Control Act, with certain exceptions, subjects persons who violate various provisions of the act or the federal Clean Water Act to civil penalties, including a mandatory minimum penalty of \$3,000 for the first serious violation and each additional serious violation in any period of 6 consecutive months, except that if no serious violation has occurred in the prior 6 months, the state board or regional board, in lieu of assessing the penalty applicable to the first serious violation, may elect to require the discharger to spend an amount equal to the penalty for a supplemental environmental project in accordance with the enforcement policy of the state board and any applicable guidance document, or to develop a pollution prevention plan. Existing law also provides that a mandatory minimum penalty of \$3,000 be assessed for each violation whenever the person meets certain requirements four or more times in any period of 6 consecutive months. Existing law provides that those penalties do not apply to a violation of an effluent limitation where the waste discharge is in compliance with either a cease and desist order if the cease and desist order or time schedule order is issued on or after July 1, 2000, and prescribes the actions that the discharger is required to take in order to correct the violations and the regional board finds that the discharger is not able to consistently comply with one or more of the effluent limitations established in the waste discharge requirements applicable to the waste discharge.

This bill would permit the regional board to find that the discharger is not able to consistently comply with one or more of the effluent limitations established in the waste discharge requirements applicable to the waste discharge if the discharger is a publicly owned treatment works located in Orange County that is unable to meet effluent limitations for biological oxygen demand, suspended solids, or both, because the publicly owned treatment works was previously operating under modified secondary treatment requirements, voted on July 17, 2002, to not apply for a renewal of the modified secondary treatment requirements, and is in the process of upgrading its treatment facilities to meet the secondary treatment standards.

(2) 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 wastewater by publicly owned treatment works in accordance with the federal national pollutant discharge elimination system (NPDES) permit program and the Porter-Cologne Water Quality Control Act.

This bill, on and after the date determined by the Santa Ana Regional Water Quality Control Board, or January 1, 2013, whichever is earlier, would require all wastewater discharged by the Orange County Sanitation District into the Pacific Ocean to be subject to at least secondary treatment requirements of federal law, and any more stringent requirements determined to be appropriate by the state board or that regional board. The waste discharge requirements established by the bill for the district 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.

(4) This bill would incorporate additional changes in Section 13385 of the Water Code, proposed by AB 2351, to be operative only if AB 2351 and this bill are both enacted and become effective on or before January 1, 2003, and this bill is enacted after AB 2351.

(5) This bill would declare that it is to take effect immediately as an urgency statute.

#### Ch. 1020 (AB 312) Strom-Martin. Public education.

(1) Under the Bagley-Keene Open Meeting Act, a state agency is required to provide notice of a meeting to any person who requests it at least 10 days in advance of the meeting. The notice is required to include a specific agenda that contains a brief description of the items of business to be transacted or discussed.

This bill would require that when the board provides information to subscribers on its Internet site, concerning an agenda item, that it provide the same information that is otherwise provided to board members, and would prescribe related matters.

(2) Existing federal law, the No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.), requires, as a condition of receipt of certain federal funds, that states meet various requirements including, at a minimum, proficiency on challenging state academic achievement standards and state academic assessments.

This bill would establish a 15-member liaison team, appointed as specified, to advise the Superintendent of Public Instruction and the State Board of Education on all appropriate matters related to the implementation of the federal No Child Left Behind Act of 2001, would require the State Department of Education staff to assist the liaison team, and would prescribe other, related matters.

The bill would require the State Department of Education to establish a Statewide System of School Support to provide a statewide system of intensive and sustained support and technical assistance for school districts and county offices of education with schools in need of improvement. The bill would require that system to be composed of regional consortia that work collaboratively with school districts and county offices of education to meet the needs of schools and school districts in need of improvement, would prescribe the order of priority

in which support would be provided under that program, and would prescribe other, related matters.

(3) Existing law, the Public Schools Accountability Act of 1999, establishes the Public Schools Performance Accountability Program that consists of the state Academic Performance Index, the Immediate Intervention/Underperforming Schools Program, and the Governor's High Achieving/Improving Schools Program. Existing law authorizes invited schools that score below the 50th percentile on specified achievement tests to receive planning grants under the Immediate Intervention/Underperforming Schools Program. Under the Immediate Intervention/Underperforming Schools Program, a school that has not met its growth targets 24 months after receiving grant funding under that program is required to be deemed a low-performing school, and may be, among other things, placed under the management of designated entities, or may be required to enter into a contract with a school assistance and intervention team for purposes of implementing the recommendations contained in the report prepared by that team for purposes of school improvement.

This bill would require the State Department of Education to allocate the amount appropriated by Schedule 4 of Item 6110-123-0001 of Section 2.00 of the Budget Act of 2002 for purposes of corrective actions undertaken at schools in need of improvement and the amount of \$29,086,000 from the amount appropriated by Schedule 1 of Item 6110-136-0890 of Section 2.00 of the Budget Act of 2002 for purposes of Title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. Sec. 6301 et seq.) to school districts and county offices of education, for expenditure during the 2002–03 fiscal year, (1) to provide \$150 per pupil for each pupil in a school that is required to enter into a contract with a school assistance and intervention team, (2) to provide an \$150 per pupil for each pupil in a school that is managed by an entity designated to manage a low-performing school under the Immediate Intervention/Underperforming Schools Program, (3) to provide funding for the support of each entity that is assigned to manage a low-performing school, (4) to provide \$75,000 for the support of each school assistance and intervention team assigned to an elementary or middle school and \$100,000 for each team assigned to a high school that enters into a contract with a school district under the Immediate Intervention/Underperforming Schools Program and would authorize such a school to receive up to \$125,000, if the State Department of Education determines that additional funding is justified, (5) to provide \$7,500,000 to the State Department of Education for purposes of the Statewide System of School Support established by the bill, (6) to provide \$75,000 to each regional consortium established by the Statewide System of School Support established by the bill, that has at least one school that has been identified as being in need of corrective action under the federal No Child Left Behind Act of 2001, and would prescribe related matters.

The bill would also transfer \$1,500,000 from Schedule 1 of Item 6110-123-0890 of Section 2.00 of the Budget Act of 2002 to Item 6110-001-0890 of Section 2.00 of the Budget Act of 2002 for purposes of state operations costs related to the bill.

The bill would state that 36 months after the Superintendent of Public Instruction undertakes certain specified actions at a state-monitored school or requires a school to contract with a school assistance and intervention team, that a school would no longer be eligible to receive funding under the Immediate Intervention/Underperforming Schools Program.

(4) The bill would declare that it is to take effect immediately as an urgency statute.

#### Ch. 1021 (AB 428) Shelley. State Supplementary Program.

Existing law provides for the State Supplementary Program for the Aged, Blind and Disabled (SSP), which requires the State Department of Social Services to contract with the United States Secretary of Health and Human Services to make payments to SSP recipients to supplement supplemental security income (SSI) payments made available pursuant to the federal Social Security Act.

Under existing law, benefit payments under the SSP program are calculated by establishing the maximum level of nonexempt income and federal (SSI) and state (SSP) benefits for each category of eligible recipient. The state SSP payment is the amount, when added to the nonexempt income and SSI benefits available to the recipient, that would be required to provide the maximum benefit payment.

Existing state law provides for the annual adjustment, on a calendar year basis, of the total level of combined state and federal benefits as established by statutory schedule and adjusted to reflect prior adjustments to reflect changes in the cost of living, as defined. Under existing law, any increase in state funds necessary to defray the cost of a cost-of-living adjustment in SSI/SSP payments is offset to the extent of any cost-of-living increase provided under federal law.

Existing law has provided that with respect to certain calendar years there shall be no cost-of-living adjustment to the payment schedules, but specifies that with respect to those calendar years, there shall be a pass-along of the increase in federal SSI benefits.

This bill would, commencing with the 2004 calendar year, provide, in any calendar year in which no cost-of-living adjustment is made to the combined SSI/SSP benefit, that there shall be a pass-along of any cost-of-living increase in federal SSI payments.

#### Ch. 1022 (AB 444) Committee on Budget. Human services.

Existing law requires the Department of Child Support Services to pay to each county a child support incentive payment to encourage child support enforcement efforts. Existing law requires the department to pay an additional incentive, from specified county collections, to the counties with the 10 best performance standards in certain child support-related activities.

This bill would suspend, for the 2002–03 fiscal year, the operation of the provision requiring the payment of this additional incentive.

Existing law requires the Department of Community Services and Development to administer the California Community Services Block Grant Program. Existing law provides for the designation of community action agencies and requires that each agency that qualified under specified minimum funding guidelines receive a minimum level of \$160,000 annually.

This bill would, instead, establish a formula for calculating the minimum level of funding. The bill would also provide that all eligible entities currently in good standing in the California Community Services Grant Program shall receive an increase in funding for the 2002 program year that is proportionate to the increase provided in the 2002 calendar year federal Community Services Block Grant to the state.

Existing law, the California Child Day Care Center Act, establishes certain requirements for child day care facilities, with certain exceptions.

This bill would include schoolage child care centers within the scope of the exceptions to those requirements.

Existing law requires that a site visitation be made at least annually to each licensed day care center.

This bill would provide that a site visitation shall be made to schoolage child day care centers at least triennially.

Existing law requires that the State Department of Social Services shall make unannounced spot visits to 20% of all licensed child care centers.

This bill would exclude schoolage child care centers from that requirement.

The Comprehensive Drug Court Implementation Act of 1999 requires the county alcohol and drug administrator and the presiding judge in a county to develop and submit a comprehensive multiagency drug court plan for implementing cost-effective local drug court systems.

This bill would state the intent of the Legislature that the State Department of Social Services, within its available resources, conduct an independent evaluation of a model

program in San Diego County that provides substance abuse treatment to parents who are involved in dependency court cases.

The Drug Court Partnership Act of 1998 establishes a competitive grant program to which county alcohol and drug program administrators may submit grant requests to the State Department of Alcohol and Drug Programs as part of multiagency plans that identify the resources and strategies needed for effective drug court programs. This act specifies the components of these submitted plans, and defines standards for the awarding of grants. The act also requires the department, together with the Judicial Council, to submit specified reports to the Legislature relating to the evaluation and analysis of the grant program.

This bill would repeal the Drug Court Partnership Act of 1998 on January 1, 2004, and would establish the Drug Court Partnership Act of 2002, to be administered by the department for the purpose of providing grants to assist drug courts that accept only defendants who have been convicted of felonies and placed on probation on the condition that they participate in the drug court program.

This bill would require the program to be designed and implemented by the department and the Judicial Council. The bill would specify the use of grant funds under the program, and would require the department to submit annual reports to the Legislature regarding the cost savings of the program, as specified.

This bill would state legislative intent that the program be funded by an appropriation in the annual Budget Act, and would limit the department's program administrative costs to 5% of funds appropriated for purposes of the act.

Existing law, commencing January 1, 2008, limits the use of any general acute care hospital building that is determined to be a potential risk of collapse or pose significant loss of life to nonacute care hospital purposes, and authorizes a delay in the deadline upon a demonstration by the owner that compliance would result in a loss of health care capacity that may not be provided by other general acute care hospitals within a reasonable proximity.

This bill would require a hospital requesting an extension of the deadline to state why the hospital is unable to comply with the deadline requirements, and would require the establishment of a procedure to be followed before a deadline extension grant is made.

Existing unemployment insurance law provides unemployment compensation benefits to eligible unemployed individuals.

This bill would provide that an unemployed individual shall not be disqualified for benefits solely on the basis that he or she is a student.

This bill would also require the Employment Development Department to convene a committee comprised of specified representatives to conduct a study of the state's Unemployment Trust Fund to evaluate the merits of both pay-as-you-go and counter-cyclical funding methods, and to transmit the results of the study to the Legislature on or before December 31, 2003.

Existing law authorizes the Legislature to appropriate \$61,500,000 from the Employment Training Fund in the Budget Act of 2001 to fund the local assistance portion of welfare-to-work activities under the CalWORKs program.

This bill would authorize the Legislature to appropriate \$30,000,000 in the Budget Act of 2002 from the Employment Training Fund to fund the local assistance portion of welfare-to-work activities under the CalWORKs program.

Existing law requires the Director of Employment Development to employ a staff of job agents sufficient to provide direct service to all persons enrolled in the job training and placement program in each economically disadvantaged area.

This bill would repeal that requirement and would make conforming changes.

Existing law requires the Department of Child Support Services to authorize the quarterly transfer of any portion of an amount equivalent to the "state share of collections" attributable to the enforcement of parental fiscal liability and requires the department to authorize the transfer of any portion of that amount for any particular fiscal year exceeding \$3,750,000 to the Treasurer for deposit in the Foster Children and Parent Training Fund.

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**NOTE:** Superior numbers appear as a separate section at the end of the digests.

This bill would refer instead to an amount equivalent to the net state share of foster care collections and would limit to \$3,000,000, commencing with the 2002–03 fiscal year, the amount that may be transferred to the fund in any fiscal year.

Existing law requires the California Health and Human Services Agency Data Center to implement a statewide automated welfare system for specified public assistance programs.

This bill would require the data center and the State Department of Social Services, in consultation with specified entities, including the Interim Statewide Automated Welfare System (ISAWS) Consortium, to develop a plan for migration of the ISAWS Consortium counties to one or more statewide automated welfare system consortia.

Under existing law, whenever any person has by means of false statement or representation or, by impersonation or other fraudulent device, obtained or retained aid under public social service program provisions for himself or herself or for a child not in fact entitled thereto, the person obtaining this aid shall be punished according to a schedule related to the amount of benefits received.

This bill would, instead, require that these crimes be committed willfully and knowingly, with the intent to deceive, and would also include the failure to disclose a material fact within the crimes subject to these criminal penalties.

By changing the definition of a crime, 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 California Work Opportunity and Responsibility to Kids (CalWORKs) program.

Existing law provides for the CalWORKs program, under which each county provides cash assistance and other benefits to qualified low-income families and individuals who meet specified eligibility criteria.

Existing law continually appropriates money from the General Fund to pay for a share of aid grant costs under the CalWORKs program.

Existing law establishes maximum aid grant amounts to be provided under the CalWORKs program, and provides, with certain exceptions, that the aid grant amounts shall be adjusted annually to reflect any increases or decreases in the cost of living. It provides, however, that in any fiscal year commencing with the 2001–02 fiscal year through the 2003–04 fiscal year, when there is an increase in tax relief in the vehicle license fee, then the cost-of-living increase in CalWORKs maximum aid payment levels shall occur, and, with respect to any of those fiscal years where there is no vehicle license fee tax relief, any maximum aid payment level cost-of-living increase shall be suspended.

This bill would specify that notwithstanding the limitations on CalWORKs cost-of-living adjustments during the 2001–02, 2002–03, and 2003–04 fiscal years, a cost-of-living adjustment to maximum aid payment levels shall be made for the 2002–03 fiscal year, to become operative June 1, 2003. By increasing the maximum aid payment levels under the CalWORKs program, for which a continuing appropriation is made to pay a share of those costs, this bill would result in an appropriation.

Because each county is required to administer the CalWORKs program, and pay for a portion of CalWORKs aid grant and administrative costs, the bill would create a state-mandated local program.

This bill would also revise CalWORKs requirements applicable to overpayments and underpayments of aid and would specify that any CalWORKs aid overpayment shall not be based on any difference between actual payments and the amount that would have been paid if no county error occurred or the recipient had timely reported as required. It would also exclude CalWORKs program recipients from certain excess property limitations. By imposing limitations upon the criteria for determining overpayments, and by modifying eligibility criteria with respect to property, the bill would authorize additional CalWORKs aid grant payments, thus resulting in an appropriation. Because each county is required to

administer the CalWORKs program, and pay for a portion of CalWORKs aid grant and administrative costs, the bill would create a state-mandated local program.

This bill would revise CalWORKs recipient reporting requirements. It would also require that counties make eligibility determinations based on a quarterly system, rather than a monthly system, and would provide for the implementation of a prospective budgeting system, to be applied on a quarterly basis.

This bill would provide that a recipient's eligibility shall not be redetermined for a quarter if the recipient provides information that would revise eligibility in the third month of any quarter, but would apply the changes to the following quarter. By applying the provisions for the redetermination of eligibility for aid payments for the payment during the quarter following the month for which information affecting eligibility applies, this bill would result in additional aid payments not permitted under existing law, thereby resulting in an appropriation.

Because each county is required to administer the CalWORKs program, and pay for a portion of CalWORKs aid grant and administrative costs, the bill would create a state-mandated local program.

Existing law provides for the Food Stamp Program, under which food stamps are allocated by each county in accordance with federal requirements.

Existing law provides, however, that, to the extent permitted by federal law, the department shall conform food stamp requirements to CalWORKs reporting requirements.

This bill would provide that, to the extent permitted by federal law, the department shall conform food stamp requirements to the CalWORKs reporting and budgeting requirements provided for in this bill.

Because each county is required to administer the Food Stamp Program, the bill would constitute a state-mandated local program.

The bill would make the CalWORKs budgeting and reporting provisions and Food Stamp Program provisions operative, as prescribed, upon a declaration of the State Director of Social Services that federal Food Stamp Program waivers have been granted.

Under existing law, with respect to an individual under the age of 18 years who is pregnant or has a dependent child in his or her care, income of the parent or parents of the individual is not deemed to be available to the individual for purposes of determining CalWORKs eligibility or grant level. Existing law requires the Director of Social Services to obtain any necessary federal waiver to implement these provisions, unless the federal waiver process is repealed or modified so as to make a waiver unnecessary.

This bill would delete the prohibition against deeming a parent's income available to an individual in the above circumstances, for purposes of determining CalWORKs eligibility or grant level, and would also delete the related waiver provisions. The bill would authorize the department to implement these provisions through an all county letter, or similar instructions from the director.

Existing law provides for the State Supplementary Program for the Aged, Blind and Disabled (SSP), that requires the State Department of Social Services to contract with the United States Secretary of Health and Human Services to make payments to SSP recipients to supplement Supplemental Security Income (SSI) payments made available pursuant to the federal Social Security Act.

Existing law provides for the annual adjustment of benefits under the SSP program based on changes in the cost of living, with certain exceptions, and specifies that the adjustment of the benefits shall become effective January 1 of each year.

This bill would delay the implementation of the annual 2003 calendar year cost-of-living adjustment of benefits under the SSP program until July 1, 2003.

Existing law requires that specified necessary supportive services be made available to any participant in welfare-to-work activities under the CalWORKs program. Under existing law, these supportive services include paid child care, in accordance with specified conditions.

This bill would require all CalWORKs applicants and recipients to be provided with written notice at the time of application and when they sign an original or amended welfare-to-work plan of the availability of paid child care. The bill would specify the contents of the notice to be provided, and would require the applicant or recipient to sign an acknowledgment of receipt of the child care notice required by the bill. The bill would limit payment for child care services to those services provided 30 or fewer days prior to the recipient's initial request for payment, when the written notice required by the bill has been provided. By imposing new duties on county welfare departments, this bill would create a state-mandated local program.

Existing law requires each county to develop a plan that describes how the county intends to deliver the full range of activities and services necessary to move CalWORKs recipients from welfare to work, and requires the plan to include a plan for the development of mental health employment assistance services.

This bill would authorize counties to participate in a pilot program to set aside a specific amount of funds appropriated by the Legislature to cover the costs of CalWORKs mental health employment assistance services for utilization as part of a Medi-Cal mental health managed care program. By revising the purposes for which appropriated funds may be used, this bill would result in an appropriation.

Existing law continuously appropriates money from the General Fund for the payment of benefits under the CalWORKs program.

Existing state law provides for the Aid to Families with Dependent Children-Foster Care (AFDC-FC) program, pursuant to which certain needs of eligible children in foster care are provided.

Existing law establishes a schedule of payments for providers of foster care.

This bill would revise the schedule of foster care provider payments to increase the level of payments for group home providers.

Existing law continuously appropriates funds for payments for foster care providers, and, by increasing the level of payments for foster care providers, this bill would increase the amount of funds continuously appropriated for that purpose, and would result in an appropriation.

Existing law requires that as a condition of receiving the AFDC-FC rate for a group home or foster family agency, the provider shall submit a financial audit to the State Department of Social Services.

This bill would revise the schedule of required financial audits and would require the dependent to terminate the rate of a provider who fails to submit a copy of its most recent financial audit, as prescribed.

Existing law imposes sanctions for the receipt of aid paid under the CalWORKs program, and provides that each county shall receive 25% of the actual state share of savings, including federal funds under the TANF program resulting from the detection of fraud.

This bill would provide, instead, that each county shall receive 12.5% of the amount of aid under the CalWORKs program that is repaid or recovered by a county resulting from the detection of fraud.

Existing law provides, until September 1, 2003, for the establishment of an hourly rate for supported employment services provided to clients receiving individualized services and for the reduction of that rate by the percentage necessary to ensure that projected total General Fund expenditures and reimbursements for habilitation services and vocational rehabilitation supported employment services do not exceed the General Fund and reimbursement appropriations for those services in the annual Budget Act. Existing law requires the Department of Rehabilitation to annually make 3 projections of General Fund expenditures and reimbursements.

This bill would reduce the number of projections of General Fund expenditures and reimbursements the department is required to make to 2 and specify that they shall be in a form and timeframe as determined by the Department of Finance.

Existing law establishes the hourly rates of reimbursement of providers of supported employment services provided for adults with developmental disabilities, and specifies the method of calculating the rates.

This bill would revise that method of calculating the rate for work activity programs, would increase the rate for supported employment and group services, and would require the department to suspend, for one year, rate adjustments for work-activity program services.

Existing law provides for the determination of the maximum allowable reimbursement rates for Medi-Cal drug treatment programs.

This bill would revise the method of making this determination for the 2005–06 fiscal year and subsequent fiscal years.

Existing law requires the Department of Child Support Services to provide payments to the local child support agency of \$50 per case for obtaining 3rd-party health coverage or insurance of beneficiaries.

This bill would limit that requirement to transfer those funds to the Treasurer by requiring that the authorization shall be made to the extent that funds are appropriated in the annual Budget Act.

Existing law states the intent of the Legislature to provide funds, through a single allocation of state and federal funds, to counties for the support of administrative activities undertaken by counties for the provision of benefits under the CalWORKs program and to provide work activities and supportive services in order to carry out the purposes of the program.

This bill would provide, for the 2002–03 fiscal year only, that the single allocation shall include an adjustment in the amount of \$128,000,000 of funds appropriated in the Budget Act, according to a methodology determined by the department.

Existing law requires provision of specified adult protective services on the state and local levels, including requiring each county to establish an emergency response adult protective services program to provide in-person response to reports of abuse of an elder or dependent adult. Existing law requires an immediate response to certain reports of abuse, and requires a 10-day response to reports of abuse in other circumstances, unless the county determines and documents that the elder or dependent adult in question is not in imminent danger or that a 10-day response is not necessary, as specified.

Existing law sets forth the criteria for county evaluations of abuse reports under these circumstances, and requires these criteria to be followed until specified criteria and standards are developed.

Existing law requires the State Department of Social Services to annually report to the Legislature regarding the number of cases determined not to require an immediate or 10-day in-person response, and the disposition of those cases.

This bill would delete the above requirement that the department report to the Legislature. The bill would also delete the criteria for the county's evaluation of the necessity for a 10-day response with respect to reports of abuse in a long-term care or residential care facility, and would delete a documentation requirement. This bill would instead require the State Department of Social Services to develop guidelines for implementation of the above requirements and any applicable documentation requirements.

Existing law authorizes the County of Los Angeles to pursue the development and evaluation of a pilot Internet-based health and education passport system for children in foster care. Under existing law, authorization for the pilot project is contingent on obtaining federal approval of the pilot project by January 1, 2003.

This bill would extend the date by which the county is required to gain federal approval for the pilot project to January 1, 2004.

Existing law imposes sanctions for the receipt of aid paid under the CalWORKs program, and provides that each county shall receive 25% of the actual state share of savings, including federal funds under the TANF program resulting from the detection of fraud.

Existing law states the intent of the Legislature to conform state statutes to the federal Adoption and Safe Families Act of 1997, and to reinvest any incentive payments received through implementation of the federal act into the child welfare system in order to provide increased postadoption social services, as needed, to families with adopted children from the public foster care system.

This bill would revise that statement of intent to state the intent of the Legislature to reinvest any incentive payments received through implementation of the federal act into the child welfare system in order to provide adoption services.

Existing law contains various programs for job training and employment investment. Among other things, provisions are made for local workforce investment boards. In addition, a California Workforce Investment Board has been established in accordance with federal law.

This bill would also require the California Workforce Investment Board to convene a one-stop data stakeholder's group by January 1, 2003, to discuss and make findings as to specified matters relating to one-stop centers and to report those findings to the Joint Legislative Budget Committee.

Existing law, the Habilitation Services Program, which is administered by the Department of Rehabilitation, provides for reimbursement of various employment-related services for persons with developmental disabilities.

This bill would modify reimbursement rate, service delivery, and other Habilitation Services Program provisions.

Existing law, the Budget Acts of 1998, 1999, and 2001, provides that certain funds appropriated to the State Department of Social Services for local assistance for CalWORKs services shall be for payment of county incentives to move CalWORKs recipients to employment.

This bill would prohibit any additional use of those funds for county incentives, as specified.

Under existing law, the State Department of Social Services generally administers the CalWORKs program.

This bill would require the department to convene a working group, with specified membership, to discuss policy changes and other issues relating to the federal TANF program, and the CalWORKs program. The bill would require the working group to meet at least 3 times during the fall of 2002, and to produce specified documents. This bill would require the department to report to the Legislature regarding the outcome of the working group.

Under existing law, the State Department of Alcohol and Drug Programs administers various grant programs under which grants are provided to counties for alcohol and drug abuse services.

The bill would require the State Department of Alcohol and Drug Programs to apply for specified federal State Incentive Grant funds.

This bill would provide that the provisions of this act are severable.

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. 1023 (AB 593) Oropeza. State government.

(1) This bill would amend and supplement the Budget Act of 2002 by providing for various reductions in appropriations contained in that act.

(2) Existing law, with certain exceptions, requires the Controller, commencing July 1, 2001, to abolish any state position that was vacant continuously for 6 consecutive monthly pay periods during the period between July 1 and June 30 of the preceding fiscal year. Existing law also requires that positions that were continuously vacant for 6 consecutive monthly pay periods during a fiscal year because of a hiring freeze in effect during part or all of that period be abolished unless the Director of Finance is notified of the need for, and approves of, the continuance of the positions.

This bill would require at least 1,000 positions in state government to be abolished, not later than June 30, 2004, by the Director of Finance, according to specified criteria, and a report to the Joint Legislative Budget Committee and the Joint Legislative Audit Committee, as specified.

(3) This bill would provide that total expenditure authorizations from the General Fund for the 2003–04 fiscal year shall be limited to the total revenues to the General Fund for the 2003–04 fiscal year.

(4) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 1024 (AB 692) Aroner. Human services.

(1) Existing law, operative upon the receipt of specified federal funds for the purpose of the establishment of an individual development account project, provides for the establishment of a program that is consistent with the requirements of federal law, to be known as the California Savings and Asset Project. The Governor is required to designate an agency or department to administer the project.

This bill instead would establish an individual development account program to be known as the California Savings and Asset Project, to be administered by the Employment Development Department through a contract with a qualified nonprofit facilitator, as defined, according to specified criteria. It would require that these provisions become operative upon an appropriation of funds by the Legislature, or the allocation of existing specified federal funds by the Governor, for the purpose of establishing the project. This bill would make various conforming changes.

(2) 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 California Work Opportunity and Responsibility to Kids (CalWORKs) program.

Under the CalWORKs program, each county provides cash assistance and other benefits to qualified low-income families and individuals who meet specified eligibility criteria.

Existing law requires an annual redetermination of eligibility for benefits under the CalWORKs program, and, in addition to the requirement for the annual redetermination of eligibility, requires the State Department of Social Services to establish regulations consistent with federal law to implement a recipient periodic reporting system for use in determining monthly eligibility and the amount of the grant.

This bill would additionally require a recipient to report certain changes to the county orally or in writing within 10 days of the change.

Because each county is required to administer the CalWORKs program, this bill would create a state-mandated local program.

(3) Existing law provides for the State Supplementary Program for the Aged, Blind and Disabled (SSP), which requires the State Department of Social Services to contract with the United States Secretary of Health and Human Services to make payments to SSP recipients to supplement supplemental security income (SSI) payments made available pursuant to the federal Social Security Act.

Under existing law, benefit payments under the SSP program are calculated by establishing the maximum level of nonexempt income and federal (SSI) and state (SSP) benefits for each category of eligible recipient. The state SSP payment is the amount, when added to the nonexempt income and SSI benefits available to the recipient, that would be required to provide the maximum benefit payment.

Existing state law provides for the annual adjustment, on a calendar year basis, of the total level of combined state and federal benefits as established by statutory schedule and adjusted to reflect prior adjustments to reflect changes in the cost of living, as defined. Under existing law, any increase in state funds necessary to defray the cost of a cost-of-living adjustment in SSI/SSP payments is offset by any cost-of-living increase provided under federal law.

This bill would delay the implementation of the annual 2003 calendar year state cost-of-living adjustment of benefits under the SSP program until June 1, 2003, but would provide that the SSP payment schedules shall include the pass-along of any federal cost-of-living increases in federal SSI benefits in that period.

(4) Existing law provides for the Food Stamp Program, under which food stamps are allocated by each county in accordance with federal requirements.

Existing law provides, however, that, to the extent permitted by federal law, the department shall conform food stamp requirements to CalWORKs reporting requirements.

This bill would provide that, to the extent permitted by federal law, the department shall conform food stamp requirements to certain CalWORKs reporting and budgeting requirements.

Because each county is required to administer the Food Stamp Program, the bill would constitute a state-mandated local program.

The bill would provide that the food stamp and CalWORKs provisions shall become operative only if AB 444 becomes operative.

(5) Existing law provides for the enactment of an annual Budget Act for the usual and ordinary expenses of government.

This bill would revise a provision of AB 425, which proposes to enact a Budget Act for the 2002–03 fiscal year, that limits certain federal penalty allocations in implementing child support services. This revision would become operative only if AB 425 becomes operative.

(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, 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. 1025 (AB 1984) Steinberg. After school programs: high school pupils.

Existing law establishes the Before and After School Learning and Safe Neighborhoods Partnerships Program to create incentives to establish locally driven before and after school enrichment programs for pupils in kindergarten and grades 1 to 9, inclusive.

This bill would establish the 21st Century High School After School Safety and Enrichment for Teens program to create incentives for establishing locally driven after school enrichment programs for high school pupils in the hours after the regular schoolday. The bill would require the State Department of Education to select a minimum of 10 programs to receive funding, would set forth guidelines for operating the programs, and would prescribe application requirements and selection criteria.

This bill would require the department to implement the program only to the extent that federal funds are appropriated for the program. The bill would state the intent of the Legislature that available federal funds be appropriated annually for the program through the

annual Budget Act. The bill would authorize a successful applicant to receive a 5-year grant, subject to annual reporting and recertification requirements.

Ch. 1026 (AB 2217) Strom-Martin. Education: Quality Education Model.

Under existing law, the Superintendent of Public Instruction is required to coordinate the development of model curriculum standards and to design and implement a statewide pupil assessment program involving systematic achievement testing of pupils in kindergarten and grades 1 to 12, inclusive.

This bill would establish the California Quality Education Commission for the purpose of developing, evaluating, validating, and refining a quality education model, as specified, for prekindergarten through grade 12. The bill would require the commission to report its findings and recommendations to the Governor and the Legislature no later than 12 months after the commission first convenes. Upon delivery of the report, the bill would require the commission to continue as a standing commission with specified responsibilities.

The bill would repeal the provisions of the bill as of January 1, 2008.

Ch. 1027 (AB 2334) Nakano. Alcoholic beverages.

Existing law permits the Department of Alcoholic Beverage Control, under certain conditions, to revoke or suspend the licenses granted to alcoholic beverage licensees.

This bill would authorize the department to revoke or suspend an alcoholic beverage license, if the licensee, or the agent or employee of the licensee, violates a specified provision of statutory law relating to the furnishing of drug paraphernalia.

Ch. 1028 (AB 2531) Steinberg. School accountability: pupil performance.

Existing law, the Public Schools Accountability Act of 1999, requires the Superintendent of Public Instruction, with approval of the State Board of Education, to develop the Academic Performance Index (API), consisting of a variety of indicators, to be used to measure performance of schools. The act requires the Superintendent of Public Instruction to develop, and the State Board of Education to adopt, expected annual percentage growth targets for all schools based on their API baseline score and prescribes a minimum percentage growth target annually.

This bill would establish the High School Pupil Success Act, to provide grants and consultation to school districts with high schools, pursuant to a request for proposals process, to develop a reform and redesign plan for their high school systems to raise pupil achievement. The bill would be administered by the Superintendent of Public Instruction and the Secretary for Education, in consultation with an advisory committee made up of representatives of the State Department of Education, the State Board of Education, the California School Boards Association, the Association of California School Administrators, teacher associations, the California Parent Teacher Association, the California County Superintendents Educational Services Association, and others appointed by the Secretary for Education. The bill would appropriate \$100,000 from the General Fund to the Superintendent of Public Instruction for purposes of the program. The appropriation would be included in the amounts appropriated by the state for purposes 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. The provisions of the bill would become inoperative on January 1, 2010.

Ch. 1029 (AB 2868) Wright. Personal information reporting.

(1) Existing law relating to defamation provides that libel is a false and unprivileged written publication that injures the reputation, and that slander is a false and unprivileged publication, orally uttered, that injures the reputation, as specified. Existing law makes privileged, and therefore protected from the threat of civil action, certain publications and communications, including those communications regarding job performance and qualifications, as specified.

**NOTE:** Superior numbers appear as a separate section at the end of the digests.

This bill would revise the provisions concerning the privileged character of communications regarding job performance and qualifications to specify their application to applicants for employment and to authorize a current or former employer, or the employer's agent, to answer whether or not the employer would rehire a current or former employee.

(2) Existing law establishes 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 information in specified instances, and establishes requirements for unblocking information after an allegation of identity theft.

This bill would exclude from these provisions a consumer reporting agency that acts only as a reseller of credit information, as specified, and that does not maintain a permanent database of credit information from which new credit reports are produced.

(3) Existing law requires an investigative consumer reporting agency to keep a copy of an investigative consumer report for at least 3 years.

This bill would reduce the period of time the report must be made available to the consumer to 2 years after the report is provided.

(4) Existing law prohibits an investigative consumer reporting agency from making or furnishing an investigative consumer report containing specified items of information, except where the report is used in the underwriting of life insurance, as specified.

This bill would provide an additional exception to the above-described prohibition on specified items of information when an employer is explicitly required by a governmental regulatory agency to check for records that investigative consumer reports are prohibited from containing when the employer is reviewing a consumer's qualification for employment.

(5) Existing law requires an investigative consumer reporting agency to require that prospective users of information identify themselves and to certify the purposes for which the information sought will be used. Existing law further requires an investigative consumer reporting agency to keep a record of the purposes for which information is sought. Existing law provides that an investigative consumer reporting agency that violates these and other specified provisions is liable to the affected consumer for not less than \$25,000, in addition to liability for actual damages or \$10,000, whichever is greater, as specified, reasonable attorneys' fees, costs of the action, and punitive damages, in the discretion of the court, when the violation is willful or grossly negligent.

This bill would permit an investigative consumer reporting agency to assume that the purpose for which a user seeks information remains the same as that which a user has previously stated. The bill would require the investigative consumer reporting agency to inform the user that the user is obligated to notify the agency of any change in the purpose for which information will be used. The bill would also limit the liability of an investigative consumer reporting agency as described above, to an amount not less than \$25,000, reasonable attorneys' fees, and the costs of the action, as specified.

(6) Existing law requires an investigative consumer reporting agency to promptly notify a consumer, as specified, when information deleted from a consumer's file is reinserted, and requires the agency to provide a notice to the consumer stating that the consumer has a right to a reinvestigation of the information and to add a statement to the file, as specified.

This bill would provide an exception to the notice regarding reinvestigation of the information and the right to add a statement when the reinsertion results from the resolution of a prior dispute, and was made at the request of, or with the prior approval of, the consumer.

(7) Existing law requires an investigative consumer reporting agency to provide certain notices to specified parties who have received, in the prior 2 years, an investigative consumer report regarding a consumer when information is deleted from a consumer's file or following the filing of a specified dispute regarding the information, unless the consumer explicitly requests this notification not be given.

This bill would provide that the notifications described above be furnished, instead, to any person specifically designated by the consumer.

(8) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 1030 (AB 1068) Wright. Personal information.

(1) The Consumer Credit Reporting Agencies Act regulates consumer credit reporting agencies and the manner in which these agencies assemble and evaluate consumer credit information, as specified. Existing law prohibits the sale of a consumer debt if the file of the consumer is blocked, as specified, or if the consumer provides in writing that the debt is not his or her obligation due to identity theft. Existing law exempts from those prohibitions the sale of a debt to a subsidiary or affiliate of the creditor.

This bill would revise and recast those provisions, and define the term “debt collector.” The bill would additionally require, for continual exemption from those prohibitions, that a subsidiary or affiliate not take any action to collect on the debt.

(2) Existing law establishes a process by which any person who uses a consumer credit report in connection with a credit transaction is required to verify the address of the consumer, confirm that the transaction is not the result of identity theft, and verify the identity of the consumer, under specified circumstances.

This bill would delete those provisions and establish a different process by which any person who uses a consumer credit report in connection with the approval of credit based on an application for an extension of credit is required to make verifications and confirmations, under specified circumstances. The bill would require a creditor to provide written notice to a victim of identity theft of his or her rights, pursuant to specified provisions. The bill would exempt certain entities, as specified, from certain notice requirements. The bill would also exclude from these provisions a United States Army or Air Force post office address or a United States Fleet post office address.

(3) Existing law requires that a person that procures or causes to be prepared an investigative consumer report in connection with the underwriting of insurance or for employment purposes other than suspicion of wrongdoing meet specified conditions, including, but not limited to, the name and address of the agency conducting the investigation, the nature and scope of the investigation, and information on consumer inspection.

This bill would impose further requirements on the recipient of an investigative consumer report, as specified, unless the report is procured or caused to be prepared by an employer for employment purposes due to suspicion of wrongdoing or misconduct.

(4) Existing law establishes a process by which a consumer may dispute the accuracy of information in a consumer credit report. Existing law requires an investigative consumer reporting agency to make reinvestigations, as specified, and, if information is deleted or modified, to notify the appropriate source from which the disputed information was obtained and the consumer.

This bill would provide that notification to the consumer need not provide the identity of the source of the disputed information.

(5) Existing law requires an investigative consumer reporting agency to attach notices as cover sheets to any report, in at least 16-point type, setting forth disclosures and warnings, as specified, and to send a copy to the subject of the report.

This bill would require those notices to be placed on the first page of an investigative consumer report in 12-point boldface type, including a notice providing that information generated as a result of identity theft, including evidence of criminal activity, may be inaccurately associated with the subject of the report. The bill would also delete the copy requirement.

(6) Existing law permits an investigative consumer reporting agency to prepare an investigative consumer report for various purposes and entities.

This bill would provide that if an investigative consumer report results in the denial of a specified insurance policy or the increase of the hiring of a dwelling unit, the user of the report is to notify the consumer of that adverse action and the name and address of the agency that made the report.

(7) Existing law provides that any person that collects consumer information, without the services of an investigative consumer reporting agency, provide that information to the consumer, as specified.

This bill would instead require that any person that collects or receives consumer information for employment purposes that constitute matters of public record, as defined, to provide that information on no more than one occasion to the consumer in a specified form. The bill would require that any person prior to taking adverse action in response to that information give the consumer a copy of the public record. The bill would also require that person to provide specified information on any job application form, or any other written form, to permit a consumer to waive his or her right to receive that information, except as specified.

(8) Existing law requires an employer to make employee personnel records available for review, with specified exceptions, and permits an employer or employment agency to obtain employee information without the use of an investigative consumer reporting agency. Existing law generally provides that attorney-client communications and attorney work product are privileged, with exceptions.

This bill would declare that these provisions are unaffected by the bill.

(9) Existing law prohibits 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 exempt any financial institution from that prohibition until July 1, 2003, for specified purposes.

(10) This bill would provide that the requirement that a creditor is to provide written notice to a consumer identified as a victim of identity theft of his or her rights is to become operative 90 days after the effective date of this measure.

(11) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 1031 (AB 2997) Committee on Budget. Parks and recreation and coastal protection: grants.

(1) The existing Roberti-Z'berg-Harris Urban Open-Space and Recreation Program Act provides for grants to cities, counties, and districts to supplement, but not supplant, local expenditures for park and recreation areas or facilities. The act provides, with respect to grant moneys received for high priority park and recreation projects that satisfy the most urgent park and recreation needs, that local matching money is not required with respect to an applicant that has urgent unmet needs for recreational lands and lacks the financial resources to acquire recreational lands, as determined pursuant to a formula set forth in regulations adopted by the Director of Parks and Recreation after a public hearing.

This bill would provide that local matching money shall not be required with respect to an applicant that has urgent unmet needs for recreational lands or facilities, and lacks the financial resources to acquire or develop recreational lands or facilities.

(2) Existing law requires that 50% of the amount of funds received by the state pursuant to Section 8 (g) of the federal Outer Continental Shelf Lands Act over the amount received in the 1996 calendar year be available, on an annual basis, for appropriation to the Secretary of the Resources Agency for grants to coastal counties and cities pursuant to the Coastal Resources and Energy Assistance Act (CREA).

This bill would prohibit the allocation, for the 2002-03 fiscal year, of those federal funds received by the state to or by the secretary for grants to coastal counties and cities pursuant to the CREA.

The bill would repeal this provision on January 1, 2004.

- (3) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 1032 (AB 3005) Committee on Budget. Education.

(1) Existing law, the California High School Coaching Education and Training Program, encourages the California Interscholastic Federation to establish a statewide panel for purposes of implementing the program, subject to funds being appropriated for that purpose.

This bill would further condition implementation of the program on funds being appropriated for that purpose in the annual Budget Act.

(2) Existing law requires the governing board of a school district to notify, as prescribed, the parent or guardian of all pupils registered in schools of the district of the availability of rules of the district pertaining to pupil discipline. Existing law requires each public school to adopt, every 4 years, rules and procedures on school discipline and requires the school to solicit the participation, views, and advice of representatives of parents, teachers, school administrators, school security personnel, and pupils.

This bill would delete these required actions and would instead authorize school districts and schools to take these actions at their discretion.

(3) Existing law provides funding to school districts for the purpose of establishing and implementing school development plans.

This bill would repeal the provisions of law regarding school development plans.

(4) Existing law provides for the establishment of resource agencies and consortia.

This bill would repeal the provisions of law regarding resource agencies and consortia.

(5) Existing law, until July 1, 2003, authorizes the governing board of a school district to accept the interdistrict transfer of pupils. If a school district accepts these transfers, existing law requires a school district to follow certain procedures. Existing law authorizes the parent or guardian of a pupil who is prohibited from transferring to appeal the decision to the county board of education.

This bill would make following the procedures regarding the interdistrict transfer optional for school districts and would delete the right of a parent or guardian to appeal a school district's negative decision regarding an interdistrict transfer.

(6) Existing law, which sunset on June 30, 1995, provided for demonstration programs in intensive instruction. Existing law requires that funding for a sunset program continue for the general purposes of that program.

This bill would repeal those programs and the sunset provision.

(7) Under existing law, when elections are consolidated, the governing body ordering consolidation may provide for the expenses of the election.

This bill would prohibit the cost to administer absentee ballots from being prorated to a school district where issues and elective offices related to school districts are included on a ballot election with noneducation issues and elective offices. The bill would require the Commission on State Mandates to delete school districts, county boards of education, and community college districts from the list of eligible claimants in the Parameters and Guidelines for the Absentee Ballot Mandates.

(8) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 1033 (AB 3009) Committee on Budget. Personal income and corporation taxes: credits: energy surcharge.

(1) The Natural Heritage Preservation Tax Credit Act of 2000 requires the Wildlife Conservation Board to implement a program under which property, as defined, may be contributed to the state, any local government, as defined, or to any nonprofit organization designated by a local government, based on specified criteria, in order to provide for the protection of wildlife habitat, open space, and agricultural lands.

The Personal Income Tax Law and the Bank and Corporation Tax Law authorize a credit against the taxes imposed by those laws in an amount equal to 55% of the fair market value of any qualified contribution, as defined, contributed during the taxable year pursuant to the

Natural Preservation Tax Credit Act of 2000, as provided. The total amount of tax credits that may be awarded in the fiscal years 2001–02, 2002–03, 2003–04, and 2004–05 is limited to \$100,000,000, as provided.

This bill would suspend the award of tax credits in the 2002–03 fiscal year.

(2) The Energy Surcharge Law imposes a surcharge on the consumption of electrical energy purchased from an electric utility at a rate fixed by the State Board of Equalization, as specified.

This bill would, with respect to electrical energy purchased from an electric utility on or after January 1, 2003, require that the rate not exceed \$0.0003 per kilowatt-hour, or a lower rate fixed by the Energy Commission at a public meeting held each November for the following calendar year.

(3) This 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  $\frac{2}{3}$  of the membership of each house of the Legislature.

This bill would take effect immediately as a tax levy.

#### Ch. 1034 (SB 199) Torlakson. Pollution control: grants and loans.

Existing law authorizes the California Pollution Control Financing Authority to finance various pollution control projects to control and eliminate pollution hazards to the environment. The authority is empowered, among other things, to provide grants and loans to any city or county to assist California neighborhoods suffering from high poverty or unemployment levels, or from low-income levels, to assist cities and counties in developing and implementing growth policies and programs that reduce pollution hazards and the degradation of the environment, or to promote infill development to revitalize these communities. The authority, or any other agency implementing a loan program pursuant to an interagency agreement with the authority, is authorized to adopt emergency regulations relating to the loans. The Office of Administrative Law is required to consider the adoption of the regulations to be necessary for the immediate preservation of the public peace, health and safety, and general welfare and the regulations are required to be repealed 180 days after their effective date, unless the adopting authority or agency complies with the rulemaking provisions of the Administrative Procedure Act.

Existing law prohibits the authority from awarding more than \$2,500,000 of these grants and loans.

This bill would include, within the provisions governing the adoption of emergency regulations, the adoption of emergency regulations relating to those grants and would increase the amount of those grants and loans that the authority is authorized to award to \$5,000,000.

#### Ch. 1035 (SB 1310) Alpert. School accountability: sanctions.

(1) Existing law establishes the Public Schools Accountability Act of 1999 which contains the Immediate Intervention/Underperforming Schools Program (IIUSP) and the High Priority Schools Grant Program for Low Performing Schools and requires the Superintendent of Public Instruction to develop an Academic Performance Index (API) to measure the performance of schools and to develop expected annual percentage growth targets for all schools based on their API baseline score.

Existing law requires the API to consist of a variety of indicators currently reported to the State Department of Education including, but not limited to, the results of achievement tests and high school exit examinations, and provides that only the test scores of pupils who were enrolled in a school district in the prior fiscal year may be included in the test results reported in the API.

This bill would instead provide that only the test scores of pupils who were counted as part of a school district's enrollment in the October California Basic Educational Data System's

data collection for the prior fiscal year and were continuously enrolled during that year may be included in the test results reported in the API.

(2) Existing law requires the test scores of pupils who are in the first year of enrollment in a high school district, but who, in the prior year, were enrolled in an elementary school district that normally matriculates to the high school district, to be included in the API.

This bill would repeal these provisions.

(3) Existing law deems a school that does not meet its growth targets within prescribed periods and fails to show significant growth to be a low-performing school and subjects that school to various sanctions, including the assumption by the Superintendent of Public Instruction of all the legal rights, duties, and powers of the governing board with respect to that school, reassignment of the principal, and other specified actions.

This bill would recast the various sanctions and would use the term state-monitored school for schools failing to meet growth targets within the prescribed period and failing to show significant growth. When a school is deemed to be a state-monitored school, the bill would require the governing board of the school district to inform the parents and guardians of pupils enrolled at that school that it is a state-monitored school and that it is subject to certain sanctions. The bill would specify additional requirements relating to an entity chosen to assume the management of a school, including requiring the school district to pay the costs of the entity chosen to assume management of the school.

The bill would set deadlines regarding the sanctions applied to state-monitored schools, allow the Superintendent of Public Instruction to place a trustee at a state-monitored school, and specify the duties and obligations of the school district with regard to a state-monitored school. The bill would specify how a state-monitored school would be relieved from the sanctions and would specify sanctions to which a schoolsite would be subject if a management team, trustee, or a school assistance and intervention team is assigned to a schoolsite fails to assist the school in making significant growth on the Academic Performance Index 36 months after it is assigned to the schoolsite. The bill would require the Superintendent of Public Instruction to annually withhold 20% of its contractual obligation to a management team or trustee until the superintendent is satisfied that the management team or trustee has met the contractual obligation to improve pupil learning.

Ch. 1036 (SB 1478) McPherson. Community learning center program.

Existing law establishes the Before and After School Learning and Safe Neighborhoods Partnerships Program to create incentives to establish locally driven before and after school enrichment programs for pupils in kindergarten and grades 1 to 9, inclusive.

This bill would state the intent of the Legislature that federally-funded 21st Century Community Learning Centers complement the existing Before and After School Learning and Safe Neighborhoods Partnerships Program by utilizing the existing funding provided under that existing program, and to provide the local flexibility needed to implement the federal 21st Century Community Learning Centers program through direct grants. The bill would, in accordance with the 21st Century Community Learning Centers program contained in the federal No Child Left Behind Act of 2001, allocate funds appropriated in Item 6110-197-0890 of Section 2.00 of the Budget Act of 2002 as follows, in order of priority: (1) \$1,000,000 to the State Department of Education for purposes of providing technical assistance, evaluation, and training services related to the 21st Century Community Learning Centers program; (2) up to \$3,500,000 to programs serving middle and elementary school pupils for the purpose of providing equal access to, and participation in, community learning center programs, as specified; (3) up to \$1,000,000 for direct grants for providing family literacy services to specified schoolsites; and (4) \$2,500,000 to be allocated on a priority basis for grants to community learning center programs serving high school pupils and middle and elementary pupils. The bill would prescribe other requirements related to the allocation of funds, including that grant awards be restricted to those applicants that propose primarily to serve pupils that attend schools identified as Title I schoolwide programs under

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**NOTE:** Superior numbers appear as a separate section at the end of the digests.

federal law. The bill would also include a statement that the provisions of the bill would only become operative to the extent that federal funds are made available for these purposes.

Ch. 1037 (SB 1595) Escutia. Pupils: English learners.

Existing law gives the parents and guardians of pupils enrolled in public schools the right to be informed by the school and to participate in the education of their children and specifies the information they have a right to receive and the ways they may participate in the education of their children. Among the parental rights listed in a particular provision are the right to be informed in advance about school rules, attendance policies, dress codes, and procedures for visiting the school.

This bill would add disciplinary rules and procedures and retention and promotion policies, which are provided for in other provisions of existing law, to the list of things about which parents have a right to be informed. The bill would add to the list of rights the right to be notified, as early in the school year as practicable, and as required by existing law, if their child is identified as being at risk of retention and of their right to consult with school personnel responsible for a decision to promote or retain their child and to appeal a decision to retain or promote their child.

The bill would provide that a parent or guardian's lack of English fluency does not preclude a parent or guardian from exercising the rights guaranteed by existing law, would specify that a school district take all reasonable steps to ensure that parents and guardians who speak a language other than English are notified, as required by existing law, of the rights and opportunities available to them pursuant to existing law, and would list rights and opportunities available to parents and guardians of pupils who speak a language other than English.

Ch. 1038 (SB 1821) Dunn. Assisted housing.

(1) Existing law prescribes the notices that an owner of governmentally assisted housing is required to give tenants prior to the anticipated date of termination of a subsidy contract, termination of rental restrictions, or prepayment of the mortgage on an assisted housing development. Existing law also prohibits the owner from terminating a subsidy contract, prepaying the mortgage, or disposing of the property if that would result in the termination of low-income use restrictions unless designated entities have been given an opportunity to purchase the property.

This bill would require those notices to be given prior to the expiration, as specified, rather than prior to the termination of rental restrictions. The bill would prohibit the owner from disposing of the property if that would result in the expiration of low-income use restrictions unless those designated entities have been given an opportunity to purchase the property. The bill would provide that these provisions would not become operative if both this bill and SB 1468 are enacted and become effective and both bills amend these provisions.

(2) Existing law specifies a maximum aggregate of \$2,250,000,000 of revenue bonds that a city or county may issue for the financing of multifamily rental housing pursuant to specified provisions of law.

This bill would repeal that provision.

(3) Existing law establishes provisions known as the Special Occupancy Parks Act that are to become operative January 1, 2003, except as specified, and requires the Department of Housing and Community Development to adopt implementing regulations by October 30, 2002.

This bill would delay that operative date until January 1, 2004, and require those regulations to be adopted by October 30, 2003.

(4) The bill would make a nonsubstantive conforming change.

Ch. 1039 (SB 1925) Sher. California Environmental Quality Act: exemptions.

Existing law, the 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, as defined, or to adopt a negative declaration if it finds that the project will not have that effect, unless the project is exempt from the act.

CEQA provides for various exemptions from the requirements of the act relating to housing, including exemptions for agricultural housing, affordable housing projects in urbanized areas, as defined, and projects in the central business district in the City of Oakland.

This bill would recast, recodify, and consolidate those exemptions. The bill would revise the definition of an urbanized area for purposes of those provisions to include any incorporated city with a population of at least 100,000 persons or an incorporated city of less than 100,000 persons if the population of that city and not more than 2 contiguous incorporated cities combined equals at least 100,000 persons. An urbanized area would also be defined to include any unincorporated area that is completely surrounded by one or more incorporated cities that meet specified population criteria or that is located within an urban growth boundary, as defined, and has an existing residential population of at least 5,000 person per square mile, if the board of supervisors with jurisdiction over the unincorporated area has previously issued a finding that the general plan, zoning ordinance, and related policies and programs applicable to the area are consistent with specified compact development principles, and the board of supervisors had previously submitted a draft of that finding to the Office of Planning and Research at least 30 days prior to issuing a final finding, and allowed the office 30 days to submit comments on the draft finding.

The bill would also provide an exemption from CEQA for any residential project located on an infill site within an urbanized area that meets specified criteria.

The bill would prohibit the division of a project into smaller projects to qualify for one or more exemptions from CEQA.

Ch. 1040 (AB 1788) Reyes. University of California: cardcheck agreements.

Existing law establishes the University of California under the administration of the Regents of the University of California.

This bill would require a service contractor of the university, as defined, to enter into a cardcheck agreement, as defined, with any labor organization that requests the agreement for the purpose of seeking to represent the service contractor's employees. The bill would require the university to include in any service contract, as defined, a provision requiring any service contractor to abide by the requirements imposed by the bill.

The bill would be applicable to the university only to the extent that the regents act, by resolution, to make it applicable.

Ch. 1041 (AB 2006) Cedillo. Local public employees: health benefit plans.

Existing law requires the governing body of a public agency and boards and commissions designated by law or by the governing body to give reasonable written notice, except in cases of emergency, as specified, to each recognized employee organization affected of any ordinance, rule, resolution, or regulation directly relating to matters within the scope of representation proposed to be adopted by the governing body or the designated boards and commissions.

This bill would prohibit the governing body of a public agency with a population in excess of 4,000,000 or the board and commission of such a public agency from discriminating against employees by removing or disqualifying them from a health benefit plan, or otherwise restricting their ability to participate in a health benefit plan, on the basis that the employees have selected or supported a recognized employee organization. These provisions would be retroactive to July 1, 2001.

Ch. 1042 (AB 2410) Frommer. Employment: motion picture industry.

(1) Existing law specifies the duties of the California Film Commission.

This bill would require the commission to release annually the number of motion picture starts that occurred within the State of California.

(2) Existing law establishes the Employment Development Department in the California Health and Human Services Agency and vests the department with specified duties and responsibilities.

This bill would require the department, in consultation and coordination with the film and movie industry, the Technology, Trade, and Commerce Agency, and the California Film Commission, to research and maintain data on film industry employment, to determine the economic impact of the film industry, to monitor film industry employment and activity and competing states and countries, to examine the ethnic diversity and representation of minorities in the entertainment industry, to review the effect of federal, state, and local laws on the filmed entertainment industry, and to report that information to the Legislature biannually, provided that funds are appropriated by the Legislature in the annual Budget Act for these purposes.

Ch. 1043 (AB 2444) Dutra. State special schools and diagnostic centers: salaries.

Existing law requires the State Department of Education to fix the compensation of officers, teachers, and employees of the state special schools and diagnostic centers.

This bill would require the State Personnel Administration to consider making salaries for teachers, specialists, and administrators of the state special schools and diagnostic centers competitive with the salaries of similarly qualified school teachers, specialists, and administrators who are employed by the encompassing school districts.

Ch. 1044 (AB 2477) Steinberg. State employees: excluded and exempt employees: salaries and benefits.

Existing law provides that the Department of Personnel Administration shall establish and adjust salary ranges for each class of position in the state civil service subject to any merit limits contained in the California Constitution. Existing law further provides that these salary ranges shall be based on the principle that like salaries shall be paid for comparable duties and responsibilities and that the department, in establishing or changing these ranges, consider the prevailing rates for comparable service in other public employment and in private business.

This bill would establish the State Excluded and Exempt Employees Salary-Setting Task Force, to consist of no more than 12 participants, as specified, to create a new process to address the status of salary and benefit levels of excluded and exempt employees, as defined, and to recommend that process to the Governor and the Legislature prior to July 1, 2004. The bill would require the task force, in preparing its recommendations, to consider the cost of living as reflected in specified indices, the compensation paid to comparable occupations or benchmark classes in California cities, counties, and special districts, the University of California System, the California State University, the federal government, and the private sector, the wages, benefits, and other compensation paid to rank-and-file state employees under approved memoranda of understanding, and excluded employee salaries, benefits, and other compensation items.

The bill would make the provisions governing the task force inoperative as of June 30, 2005, and would repeal these provisions on January 1, 2006.

Ch. 1045 (AB 2549) Nation. Public employees' retirement: part-time employees.

The Public Employees' Retirement Law excludes from membership in the system specified persons, including part-time employees serving on less than a full-time basis, unless specified circumstances are satisfied. Pursuant to these provisions, a temporary faculty member of the California State University who works 2 consecutive semesters or 3 consecutive quarters at half time or more, subject to certain teaching requirements and

limitations, and who is not otherwise excluded, is entitled to membership at the start of the next consecutive semester or quarter if the appointment requires half-time service or more.

This bill would also provide that temporary faculty members, who work 2 consecutive semesters or 3 consecutive quarters at a minimum teaching load of 6 weighted units, are entitled to membership in the Public Employees' Retirement System on or after July 1, 2004, pursuant to the above provisions, if agreed upon pursuant to a collective bargaining agreement or otherwise authorized by the trustees of the university, as specified.

Existing provisions of the Public Employees' Retirement Law continuously appropriate the money in the Public Employees' Retirement Fund.

This bill would expand eligibility for membership in the system and would result in increased contributions to the fund, thereby making an appropriation.

Ch. 1046 (AB 2883) Aroner. Higher education labor relations: University of California and Hastings College of the Law: impasse procedures.

Existing law establishes the University of California, and provides for its administration by the Regents of the University of California. Existing law, known as the Higher Education Employer-Employee Relations Act, contains provisions relating to employer-employee relations between the State of California and the employees of state institutions of higher education, including the various campuses of the University of California and the California State University, as well as the Hastings College of the Law. These provisions assign major responsibilities for implementation to the Public Employment Relations Board.

Under the act, an impasse is defined as a situation where the parties have reached a point in meeting and conferring at which their differences in positions are such that further meetings would be futile. Existing law sets forth procedures for an impasse situation, including the appointment of a mediator and the appointment of a factfinding panel in the event that the appointment of a mediator does not resolve a dispute.

This bill would require, with respect to a dispute relating to the faculty, as defined to mean teachers employed to teach courses and authorize the granting of credit for the successful completion of courses and to exclude employees whose employment is contingent on their status as students, and librarians of the University of California or the Hastings College of the Law, and in the event of the appointment of a factfinding panel under the act and the absence of an agreement within a 10-day period after the submission to the parties of the findings and recommendations of the panel, the Regents of the University of California or the Directors of the Hastings College of the Law, as appropriate, to make these findings and recommendations available to the public. The bill would express the intent of the Legislature that the regents or the directors, as appropriate, act upon the findings and recommendations of the panel at an open and public meeting within 90 days of their submission to the parties by the panel.

Ch. 1047 (SB 371) Escutia. Courts: interpreters.

Existing law sets forth the provisions and procedures governing employer-employee relations for the trial courts, as specified.

This bill would establish the Trial Court Interpreter Employment and Labor Relations Act setting forth provisions and procedures governing the employment and compensation of certified and registered trial court interpreters, and court interpreters pro tempore, employed by the trial courts, as specified.

The bill would impose a state-mandated local program by requiring new duties of the trial courts with respect to employer-employee relations regarding court interpreters.

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. 1048 (SB 972) Costa. Public works: prevailing wages.

Existing law defines a project as a "public work" if the project involves construction, alteration, demolition, installation, or repair work that is done under contract and paid for in whole or in part out of public funds, as specified. Existing law generally requires that not less than the general prevailing rate of per diem wages, as specified, be paid to workers engaged in a public work, as defined, but excludes certain types of housing projects from these requirements.

This bill would exclude from the requirements of public works and prevailing wage laws the construction, expansion, or rehabilitation of privately owned residential projects that are self-help housing projects, operated on a not-for-profit basis as housing for homeless persons, or that provide for housing assistance.

This bill would specify that this provision and amendments made by a prior statute do not preempt local ordinances requiring the payment of prevailing wages on housing projects.

This bill would also make technical, nonsubstantive changes.

Ch. 1049 (SB 1580) Burton. Teachers' Retirement Board.

Under existing law, the State Teachers' Retirement System and the State Teachers' Retirement Plan are administered by the 12-member Teachers' Retirement Board, as specified.

This bill would, operative January 1, 2004, revise the composition of the membership of the board, as specified. The bill would also provide for the election or appointment of those members, and specify the terms and qualifications of those members who do not serve ex officio.

Ch. 1050 (SB 1629) Soto. Emergency services: training.

Existing law, the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act, requires the Emergency Medical Services Authority to adopt standards for a statewide scope of practice to be used for the training and certification testing of Emergency Medical Technician-Paramedic (EMT-P) personnel.

This bill would authorize, to the extent permitted by federal law and upon appropriation, the Director of Finance to transfer to the Emergency Medical Services Authority any moneys in the Federal Trust Fund if the money is made available by the United States for expenditure by the state for purposes consistent with the implementation of the bill. This bill would provide for the allocation of funds to the California Fire Fighter Joint Apprenticeship Program to offset the cost of paramedic training course development, to enter into certain reimbursement contracts with eligible state and local agencies that may contract with educational institutions for the delivery of paramedic training, and to allocate grants to state and local agencies to defray the cost of providing paramedic training for fire service personnel.

The bill would also authorize the authority to recover administrative costs for the bill from specified funds transferred pursuant to the bill, to the extent permitted by federal law.

Ch. 1051 (SB 1992) Perata. Public safety: gas appliances.

Existing law relating to state building standards and seismic safety requires the installation of earthquake sensitive or excess flow gas shutoff devices in specified buildings, and generally regulates the manufacture and sale of these devices. Existing law requires the State Architect to certify specified gas shutoff devices that are activated by motion or phenomena other than motion, as specified.

This bill would require the Department of Housing and Community Development, in consultation with the Office of the State Architect and the State Fire Marshal to consider

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whether to propose for adoption and approval by the Building Standards Commission, in the code adoption cycle that begins after January 1, 2003, the requirement that seismic gas shutoff devices or excess flow gas shutoff devices, installed on customer-owned gas piping, be installed in all or a portion of dwelling units, motels, hotels, and lodgishouses.

Ch. 1052 (AB 3041) Committee on Natural Resources. Environmental quality: use of State Clearinghouse by lead agencies.

(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 (EIR) 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. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment, if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA also requires any draft EIR, EIR, or negative declaration prepared pursuant to CEQA be prepared directly by, or under contract to, a public agency, and requires the lead agency to circulate draft documents that reflect its independent judgment to appropriate state agencies for review. CEQA defines a responsible agency as a public agency other than a lead agency that has responsibility for carrying out or approving a project, and existing guidelines adopted by the Office of Planning and Research define a trustee agency as a state agency that has jurisdiction by law over natural resources affected by a project that are held in trust for the people of the state. Existing guidelines require each lead agency to submit draft EIRs and negative declarations to the State Clearinghouse in order to be distributed to applicable state agencies for review, and require each lead agency to submit not less than 10 copies of draft EIRs and negative declarations to the State Clearinghouse, unless the State Clearinghouse approves a lower number in advance.

This bill would require any mitigated negative declaration prepared pursuant to CEQA to be prepared directly by, or under contract to, a public agency. The bill would require each lead agency to submit a sufficient number of copies of a draft EIR, proposed negative declaration, or proposed mitigated negative declaration to the State Clearinghouse for review and comment by state agencies, and to submit a copy of that document in an electronic form, if a state agency is the lead agency, a responsible agency, trustee agency, or otherwise has jurisdiction over the project, or if the project is of statewide, regional, or areawide environmental significance. By imposing additional duties on local lead agencies, 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.

Ch. 1053 (AB 15) Harman. Land use: business license.

Existing law authorizes the legislative body of a city for incorporated areas or county for unincorporated areas to enact an ordinance that provides for the licensure of a massage business. This authorization does not apply to cosmetologists, barbers, or persons licensed to practice any healing art pursuant to specified provisions.

This bill would include chiropractors among the persons for whom the authorization does not apply and would provide that the above described authorization does apply to an independent contractor of any of these persons if the independent contractor is engaged in, or is purported to be engaged in, the business of massage.

Ch. 1054 (AB 700) Simitian. Personal information: privacy.

Existing law regulates the maintenance and dissemination of personal information by state agencies, as defined, and requires each agency to keep an accurate account of disclosures made pursuant to specified provisions. Existing law also requires a business, as defined, to take all reasonable steps to destroy a customer's records that contain personal information when the business will no longer retain those records. Existing law provides civil remedies for violations of these provisions.

This bill, operative July 1, 2003, would require a state agency, or a person or business that conducts business in California, that owns or licenses computerized data that includes personal information, as defined, to disclose in specified ways, any breach of the security of the data, as defined, to any resident of California whose unencrypted personal information was, or is reasonably believed to have been, acquired by an unauthorized person. The bill would permit the notifications required by its provisions to be delayed if a law enforcement agency determines that it would impede a criminal investigation. The bill would require an agency, person, or business that maintains computerized data that includes personal information owned by another to notify the owner or licensee of the information of any breach of security of the data, as specified. The bill would state the intent of the Legislature to preempt all local regulation of the subject matter of the bill. This bill would also make a statement of legislative findings and declarations regarding privacy and financial security.

Ch. 1055 (AB 1381) Florez. Postsecondary education: Governor's Scholarship Programs.

Existing law establishes the Governor's Scholarship Programs, under which qualified pupils may receive a Governor's Scholars or Governor's Distinguished Mathematics and Science Scholars award for attaining specified scores on portions of the statewide achievement tests administered under the Standardized Testing and Reporting Program. In order for a pupil to be eligible for a scholarship award, the pupil is required, among other things, to have been enrolled at a California public school for at least 12 consecutive months immediately preceding the administration of the statewide achievement test.

This bill would additionally allow a pupil to be eligible for a Governor's Scholars award or Governor's Distinguished Mathematics and Science Scholars award if the pupil has been enrolled at a California public school for at least 110 days of the school year in which the test is administered and at least 110 days of the school year immediately preceding the administration of the test.

Ch. 1056 (AB 1795) Reyes. Kerman Unified School District.

Existing law requires the Kerman Unified School District and other school districts to pay a fiscal assessment for audit exceptions with respect to independent study apportionments made to the school district. Existing law gives school districts no less than 4 years, nor more than 8 years, to complete the payment.

This bill would, notwithstanding existing law, extend the maximum repayment period for the Kerman Unified School District to 11 years.

This bill would make legislative findings and declarations regarding the need for special legislation.

Ch. 1057 (AB 1868) Koretz. Controlled substances: nuisance abatement.

(1) Existing law provides that every building or place used for the purpose of specified unlawful transactions involving controlled substances is a nuisance and if the existence of the nuisance is shown to the satisfaction of a court, the court shall allow a temporary writ of injunction to abate and prevent the continuance of the nuisance.

This bill would provide that a court may issue a temporary restraining order or injunction to enjoin subsequent owners, commercial lessees, or agents who acquire the building or place where the controlled substances nuisance exists with notice of the order or injunction, specifying that the owner of the property subject to the temporary restraining order or

injunction shall notify any prospective purchaser, commercial lessee, or other successor in interest of the existence of the order or injunction, and of its application to successors in interest, prior to entering into any agreement to sell or lease the property. The bill would provide that the order or injunction shall not constitute a title defect, lien, or encumbrance on the real property.

(2) Existing law sets forth various remedies available to a court in a controlled substances nuisance abatement action, including ordering the owner to make cosmetic improvements to the property.

This bill would add to the list of remedies available to a court in a controlled substances nuisance abatement action that of ordering the nuisance defendant to reside in the property until the nuisance is abated, as specified.

(3) Existing law provides that a court may assess a civil penalty not to exceed \$25,000 against a controlled substances nuisance defendant, as specified.

This bill would provide that one-half of the civil penalties collected shall be deposited in the Restitution Fund, the proceeds of which shall be available only upon appropriation by the Legislature to indemnify crime victims who file claims for pecuniary losses they suffer as a direct result of criminal acts, and the other half shall be paid to the city in which the judgment was entered or to the treasurer of the county in which the judgment was entered.

(4) Existing law provides that every building or place used for the purpose of illegal gambling, as defined, lewdness, assignation, or prostitution is a nuisance with respect to which the county district attorney is required, and a city attorney of an incorporated city is authorized, to maintain an action to abate the nuisance.

This bill would provide instead and in addition that the county district attorney and the city attorney of any city and county are authorized to maintain an action to abate a gambling or prostitution nuisance.

(5) Existing law provides that if the existence of a gambling or prostitution nuisance is shown to the satisfaction of a court, the court shall allow a temporary writ of injunction to abate and prevent the continuance of the nuisance.

This bill would provide that a temporary restraining order or injunction may enjoin subsequent owners, commercial lessees, or agents who acquire the building or place where the gambling or prostitution nuisance exists with notice of the order or injunction, specifying that the owner of the property subject to the temporary restraining order or injunction shall notify any prospective purchaser, commercial lessee, or other successor in interest of the existence of the order or injunction, and of its application to successors in interest, prior to entering into any agreement to sell or lease the property. The bill would provide that the order or injunction shall not constitute a title defect, lien, or encumbrance on the real property.

(6) Existing law provides that if the existence of a gambling or prostitution nuisance is established in a nuisance abatement action, the court, in lieu of ordering the building or place where the gambling or prostitution nuisance exists closed, may order the person who is responsible for the existence of the nuisance to pay damages, as specified, to be deposited in the Restitution Fund, as specified.

This bill would require that damages be paid to the city or county in whose jurisdiction the nuisance is located.

This bill would additionally provide that the court may assess a civil penalty not to exceed \$25,000 against any and all defendants, based upon the severity of the nuisance and its duration. The bill would provide that one-half of the civil penalties collected shall be deposited in the Restitution Fund, and the other half shall be paid to the city in which the judgment was entered or to the treasurer of the county in which the judgment was entered.

Ch. 1058 (AB 1994) Reyes. Charter schools: operation.

(1) Existing law requires the governing board of each school district to approve an annual statement of all receipts and expenditures for the district for the preceding fiscal year with the county superintendent of schools.

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**NOTE:** Superior numbers appear as a separate section at the end of the digests.

This bill would require each charter school to approve that statement and submit it to the entity that approved the charter school and would make other, related changes, thereby imposing a state-mandated local program.

(2) The Charter Schools Act of 1992 authorizes a limited number of charter schools to operate in the state each school year, and, for purposes of implementing that provision, requires the State Board of Education to assign a number to each charter petition that it grants under the act.

This bill would require that each number assigned by the state board, on or after January 1, 2003, correspond to a single petition that identifies a single charter school. The bill would provide that schoolsites shall not be considered separate schools if they share a common educational program.

(3) Existing law permits the governing board of a school district to approve a charter school to operate independently from the existing school district structure as a method of accomplishing, among other things, improved pupil learning. Under the act, if the governing board of a school district denies a petition for the establishment of a charter school, the petitioner may elect to submit the petition for the establishment of a charter school to either the county board of education or directly to the State Board of Education. The act does not expressly authorize a school district to approve a petition for a charter school that would operate outside the boundaries of the school district. Under the act, a petition for the establishment of a charter school is required to describe specified elements, including, among others, the educational program of the school and information on the facilities to be used by the charter school.

This bill would require, except as specified, that each petition for the establishment of a charter school that is submitted to a chartering agency, or for which a renewal is sought, on or after January 1, 2003, identify a single charter school and would specify the geographic and site requirements for the establishment of a charter school. The bill would modify the process by which a petitioner appeals the denial of a charter petition, to require a petitioner to appeal to a county office of education before appealing to the State Board of Education.

The bill would require the petition for the establishment of a charter school to describe how a charter school that will serve high school pupils will inform parents about the transferability and eligibility of courses to other public high schools and to meet college entrance requirements, the procedures to be used if the charter school closes, and would prescribe related matters.

(4) The act requires a charter school to respond promptly to all reasonable inquiries, including, but not limited to, inquiries regarding its financial records, from its chartering authority or from the Superintendent of Public Instruction and to consult with the chartering authority or the Superintendent of Public Instruction regarding those inquiries.

This bill would grant general authority to the county superintendent of schools to monitor the operations of a charter school located within that county, to conduct an investigation into the operations of that charter school, based on parental complaints or other information that justifies the investigation, and would limit the liability of a county superintendent of schools when conducting those activities. The bill would, in addition, require a charter school to consult with the county office of education regarding inquiries.

(5) Existing law authorizes a petition to be submitted directly to a county board of education for a charter school that will serve pupils for whom the county office of education would otherwise be responsible for providing direct education and services.

This bill would also authorize a county board of education to approve a charter for the operation of a charter school that would operate at multiple sites throughout the county. The bill would prescribe the petition and approval process for such a school, the applicable requirements for operation, and other related matters.

(6) The bill would authorize a petition for the operation of a charter school to be submitted directly to the State Board of Education, would authorize the state board to approve a petition

for a charter school that would operate at multiple sites throughout the state, and would prescribe related matters.

(7) The bill would require that a charter school that is granted a charter from the governing board of a school district or from a county office of education after July 1, 2002, and commences providing educational services to pupils on or after July 1, 2002, locate within the geographic and site limitations specified in the act, except as specified, and would prescribe related matters.

(8) The act provides that average daily attendance may not be generated by a pupil who is not continuously enrolled in public school and who makes satisfactory progress toward a high school diploma.

This bill would declare that these conditions do not apply to certain specified charter schools.

(9) The act requires the Superintendent of Public Instruction, in the 1999–2000, 2000–01, and 2001–02 fiscal years, to make apportionments to a charter school that elects not to be funded pursuant to the block grant funding model set forth in the act in each fiscal year that the charter school so elects.

This bill would require the Superintendent of Public Instruction to make those apportionments in a school district in which all schools have been converted to charter school in each fiscal year that a charter school so elects.

(10) The act requires that a charter school in its first year of operation be eligible to receive funding for an advanced apportionment based on an estimate of average daily attendance for the current fiscal year, approved as specified.

This bill would authorize a charter school in its first year of operation to commence instruction within the first 3 months of the fiscal year beginning July 1 of that year, would make a charter school ineligible for an apportionment for a fiscal year in which instruction commenced after September 30 of that fiscal year, and would prescribe related matters.

(11) By imposing new duties on school districts county offices of education, and charter schools, 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. 1059 (AB 2055) Robert Pacheco. Attorney work product.

(1) Under existing law, an attorney's work product, material prepared by or for a lawyer for planned or pending litigation, is generally exempt from discovery or compelled disclosure unless a court finds prejudice to a party seeking discovery or injustice. Under existing law, the work product protection for an attorney's impressions, conclusions, opinions, or legal research or theories is complete. However, existing law places certain matters outside of the work product rule, as where work product is relevant in an action between an attorney and client, or when the State Bar is investigating an attorney discipline case, as provided. Under existing law, although attorneys suspected of criminal activity are not entitled to the protection of the work product doctrine directly, they are obligated to assert it on behalf of their clients, when appropriate.

This bill would eliminate the protection of work product in existing law when a lawyer is suspected of knowingly participating in a crime or fraud in any official investigation or proceeding or action brought by a public prosecutor in the name of the People of the State of California, if the services of the lawyer were sought or obtained to enable or aid anyone to commit or plan to commit a crime or fraud.

(2) Under existing law, when records are to be seized from an attorney pursuant to a search warrant, a procedure involving the appointment of a special master, an opportunity for the attorney to object to the release of the records, and an in camera review of the records must be followed. Under existing law, there are various specified limitations of time after which crimes may not be filed against defendants. Existing law permits those times to be extended for various specified reasons.

This bill would extend any limitation of time for filing charges as to a crime, the proof of which depends substantially upon any evidence seized from an attorney under a warrant, by the amount of time it takes to resolve any claims of privilege or work product, as specified.

(3) Attorney work product and attorney-client privilege can both be asserted when records are to be seized from an attorney pursuant to a search warrant. The burden of proof for release of evidence otherwise protected by the attorney-client privilege is that the party opposing the privilege, generally the prosecutor, must establish a prima facie case of fraud, and a reasonable relationship between the fraud and the attorney-client communication. However, case law provides that it is the burden of the party asserting the work product privilege to prove that the material in question is work product, and therefore protected.

This bill would specify that burden of proof, and require a court to deny any work product claim where there is probable cause to believe that a lawyer is engaging or has engaged in criminal activity relating to seized documents unless it is established at the hearing that the services of the lawyer were not sought or obtained to facilitate a crime or fraud.

(4) This bill would also provide, with regard to the provisions concerning the special master procedure and the work product protections, that nothing in those provisions of law is intended to limit an attorney's ability to request an in camera hearing, as approved in a specified Supreme Court case.

(5) This bill would incorporate additional amendments to Section 1524 of the Penal Code as proposed by SB 1637 and SB 1980, contingent upon the prior enactment of one or both of those bills.

(6) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 1060 (AB 2295) Oropeza. School-sponsored athletic programs: State Department of Education: California Postsecondary Education Commission: report.

Existing law prohibits public funds from being used in connection with any athletic program, conducted under the auspices of a school district governing board or any student organization within the district, that does not provide equal opportunity to both sexes for participation and for use of facilities.

This bill would require the State Department of Education and the California Postsecondary Education Commission jointly to contract with an independent evaluator for the preparation of a report on interscholastic athletics in this state to be submitted to the Legislature no later than January 1, 2004. The bill would require that the report include the findings of the independent evaluator relating to the percentage of participating women athletes, the percentage of funding, the percentage of scholarships, and the overall level of compliance with relevant federal law by educational institutions in the state, as well as the recommendations of the department and the commission with respect to improvement. The bill would require the independent evaluator to study these issues as they relate to secondary schools and as they relate to the public segments of higher education in the state. The bill would specify topics to be included in the report. The bill would provide that its implementation is subject to the provision of funds for its purposes in the Budget Act of 2002 or in another statute enacted during the 2001–02 Regular Session.

Ch. 1061 (AB 2330) Migden. Landlord and tenant.

(1) Existing law regulates the amount of security a landlord may demand or receive pursuant to a rental agreement for residential property to be used as a dwelling. It limits that amount to 2 months' rent for unfurnished residential property, and to 3 months' rent for

furnished residential property, in addition to rent for the first month, as specified. Existing law defines security for these purposes. Existing law permits landlords to apply security only if reasonably necessary for specified purposes, and prohibits the application of security for defective conditions that preexisted the tenancy or for ordinary wear and tear. Existing law requires a landlord to furnish to the tenant, within 3 weeks of vacating the premises, a copy of an itemized statement indicating the security received and the disposition of the security, as specified.

This bill would redefine security to include any charges imposed at the beginning of tenancy, excepting application screening fees, and would specifically include within the definition costs associated with processing a new tenant and costs associated with cleaning the property, as specified. The bill would require the landlord under specified circumstances to notify the tenant in writing of the tenant's option to request an initial inspection and the tenant's right to be present at the inspection. If the tenant requests an initial inspection, the bill would require the landlord to make that inspection prior to a final inspection, after the tenant vacates, and to provide the tenant with an itemized list of potential deductions from the security, as specified. The bill would require that the tenant have the opportunity to remedy identified deficiencies, as specified, during the period following the initial inspection until the end of the tenancy. The bill would change the amount of statutory damages for certain violations from \$600 to twice the amount of the security.

(2) Existing law regulates the times and circumstances under which a landlord may enter a tenant's dwelling.

This bill would permit a landlord to enter a tenant's dwelling for the purpose of making an inspection related to the application of a tenant's security to repairs and cleaning.

(3) This bill would incorporate changes to Section 1954 of the Civil Code made by SB 1403 to become operative only if both bills are chaptered and this bill is chaptered last.

Ch. 1062 (AB 1866) Wright. Housing: density bonuses.

(1) The Planning and Zoning Law requires the housing element of the general plan of a city or county, among other things, to identify adequate sites for housing, including rental housing, factory-built housing, and mobilehomes, and to make adequate provision for the existing and projected needs of all economic segments of the community. That law permits the Department of Housing and Community Development to allow a city or county to identify adequate sites by a variety of methods.

This bill would authorize the department to also allow a city or county to identify sites for 2nd units based upon relevant factors, including the number of 2nd units developed in the prior housing element planning period.

(2) The Planning and Zoning Law authorizes a local agency to provide by ordinance for the creation of 2nd units on parcels zoned for a primary single-family and multifamily residence, as prescribed.

This bill would require, when a local agency receives its first application on or after July 1, 2003, that the application shall be considered ministerially without discretionary review or hearing, notwithstanding other laws that regulate the issuance of variances or special use permits.

The bill would authorize a local agency to charge a fee to reimburse the agency for costs it incurs as a result of these provisions.

(3) The Planning and Zoning Law also requires, when a developer of housing proposes a housing development within the jurisdiction of the local government, that the city, county, or city and county provide the developer with incentives or concessions for the production of lower income housing units within the development if the developer meets specified requirements. Existing law requires the local government to establish procedures for carrying out these provisions.

This bill would revise those provisions to refer to an applicant who proposes a housing development and would recast them to, among other things, revise criteria for making written

findings that a concession or incentive is not required, add criteria for continued affordability of housing in a condominium project, authorize an applicant to request a meeting on its proposal for a specific density bonus, incentive, or concession or for the waiver or reduction of development standards, and exempt developments meeting certain affordability criteria from specified laws. By increasing the duties of local public officials, the bill would impose a state-mandated local program.

The bill would also authorize an applicant to initiate judicial proceedings if the city, county, or city and county refuses to grant a requested density bonus, incentive, or concession in violation of these provisions, and would require the court to award the plaintiff reasonable attorney's fees and costs of suit. It would authorize a local agency to charge a fee to reimburse it for costs that it incurs as a result of these provisions.

(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. 1063 (AB 2338) Papan. Satellite wagering.

Existing law provides for and regulates satellite wagering by eligible county fairs subject to specified conditions, if approved by the Department of Food and Agriculture and the California Horse Racing Board. Fairs in certain counties have separate authorizations to operate satellite facilities.

This bill would authorize the San Mateo County Fair to operate a satellite wagering facility on the fairgrounds or on leased premises in San Mateo County, if the racing association licensed in the year 2002 to conduct thoroughbred race meetings there is not so licensed in any subsequent year, and if approved by the board, as specified. This satellite racing facility would be required to make specified distributions to the same beneficiary that received those distributions in 2002 from the San Mateo County Fair and the racing association licensed in 2002 to conduct thoroughbred race meetings in San Mateo County.

Existing law provides for the San Mateo County Fair to conduct races with board approval at any location if Bay Meadows closes.

This bill would specify that if the racing association licensed in the year 2002 to conduct a thoroughbred race meeting there is not licensed to do so in any subsequent year, the fair could conduct its racing dates at a facility operated by a thoroughbred racing association or fair licensed to conduct a meeting in the northern zone, as specified.

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. The bill would also authorize the imposition of a state tax for the purposes of Article XIII A of the California Constitution, and thus would require for passage the approval of  $\frac{2}{3}$  of the membership of each house of the Legislature.

#### Ch. 1064 (AB 2442) Keeley. Child abuse.

Existing law establishes the Child Abuse and Neglect Reporting Act (CANRA), which requires specified persons to make a report to any police department or sheriff's department, county probation department, or county welfare department whenever the mandated reporter, in his or her professional capacity or within the scope of his or her employment, has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. Existing law also requires the Department of Justice to act as a repository of all reports of child abuse and severe neglect submitted by mandated reporters to police and sheriff's departments, county probation departments, and

county welfare departments. Existing law requires the Department of Justice to maintain and continually update an index of these reports designated the Child Abuse Central Index. The agencies submitting reports are responsible for their accuracy, completeness, and retention in the index; the department is responsible for ensuring that the index accurately reflects the reports it receives from the submitting agencies.

This bill would create a task force for the purpose of reviewing the Child Abuse and Neglect Reporting Act and the Child Abuse Central Index. The task force would be chaired by a designee of the Attorney General and be comprised of 16 members who would serve at the pleasure of their respective appointing authority without compensation, except for reimbursement for necessary expenses. This bill would provide that the task force would meet at least once every 2 months and on or before January 1, 2004, report its findings and recommendations to the Governor, the Attorney General, the Speaker of the Assembly, and the Senate Committee on Rules. This bill would specify that these provisions shall remain operative only until March 1, 2004.

Ch. 1065 (AB 2495) Correa. Mobilehomes.

Existing law authorizes certain factory-built housing, mobilehomes, manufactured homes, or multiunit manufactured housing to be affixed to a foundation system within a mobilehome park if the installation conforms to the rules of the mobilehome park, the installation is approved, as specified, and no single structure exceeds 2 stories in height or contains more than 4 dwelling units.

This bill would delete the requirement that no single structure contain more than 4 dwelling units. The bill would provide that the number of dwelling units per structure for any manufactured home or mobilehome consisting of 2 or more dwelling units, or multiunit manufactured housing, sited in a mobilehome park on or after January 1, 2003, shall conform to a zone designation or conditional use permit that currently applies to the park or an amended or new zone designation or conditional use permit that is additionally granted to the park. The bill would make other, technical, nonsubstantive changes.

Ch. 1066 (AB 2583) Chu. Postsecondary education: sexual assault.<sup>4</sup>

Existing law, known as the Donahoe Higher Education Act, sets forth, among other things, the missions and functions of California's public and independent segments of higher education, and their respective institutions of higher education. Among other things, the act requires the governing board of each community college district, the Trustees of the California State University, the Regents of the University of California, to the extent the regents make the act applicable, and the governing board of independent postsecondary institutions, as defined, to adopt rules requiring each of their respective campuses to enter into written agreements with local law enforcement agencies that clarify operational responsibilities for investigations of Part I violent crimes, as defined, occurring on each campus.

The act also requires the governing board of each community college district, the Trustees of the California State University, the Board of Directors of the Hastings College of the Law, and the Regents of the University of California, to the extent the regents make the act applicable, to each adopt, and implement at each of their campuses or other facilities, a written procedure or protocols to ensure, to the fullest extent possible, that students, faculty, and staff who are victims of sexual assault, as defined, committed at or upon grounds of, or upon off-campus grounds or facilities maintained by the institution, or upon grounds or facilities maintained by affiliated student organizations, receive treatment and information.

This bill would establish a 15-member California Campus Sexual Assault Task Force, and provide for the appointment of those members and their duties. The bill would require the task force, assisted by an entity selected through a competitive bidding process, to gather data about sexual assault issues from the various campuses of the University of California, the California State University, and the California Community Colleges, and from a sample of

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**NOTE:** Superior numbers appear as a separate section at the end of the digests.

the private institutions of higher education in the state. The bill would require the task force to submit a report incorporating this data to the Legislature on or before April 1, 2004.

The bill would require the Office of Criminal Justice Planning to administer the task force and to administer the competitive bidding process used to select the data gathering entity. The bill would appropriate \$125,000 from the General Fund to the Office of Criminal Justice Planning for expenditure for the support of the task force until December 31, 2004, and for the other purposes of the bill. The provisions of the bill would be repealed as of January 1, 2005, unless a later enacted statute deletes or extends that date.

Ch. 1067 (AB 2750) Wesson. Adult education: classes in correctional facilities.

Existing law limits increases in funding for schools or classes for adults in correctional facilities offered by school districts and county boards of education to 2.5% per fiscal year unless the Legislature approves a greater increase for a fiscal year in the annual Budget Act.

This bill would permit increases in the maximum average daily attendance calculations for schools and classes for adults in correctional facilities, as prescribed.

Ch. 1068 (AB 2842) Harman. Depositions: recordings.

Under existing law, a person who is not a party to an action may be compelled to provide discovery in the action by means of a deposition subpoena. Existing law provides that a deposition subpoena that commands only the attendance and testimony of the deponent is required to specify certain information, including whether the deposition will be recorded by videotape.

This bill also would require the deposition subpoena to specify whether the deposition will be recorded by audio or video technology or whether the deposition will be conducted using instant visual display.

Existing law provides that any party may obtain discovery by taking in California the oral deposition of any person after having served written notice to the deponent, as specified. Existing law requires the deposition notice to include, among other things, any intention to record the testimony by videotape and any intention to record the testimony by stenographic method through the instant visual display of the testimony.

This bill would revise that provision to instead require the deposition notice to include any intention by the party noticing the deposition to record the testimony by video technology and any intention to record the testimony by stenographic method through the instant visual display of the testimony.

Existing law provides that the deposition is required to be conducted under the supervision of an officer who is authorized to administer an oath. Existing law prohibits a deposition officer from suspending the taking of testimony without stipulation of the party conducting the deposition and the deponent, unless any party attending the deposition demands that suspension for certain reasons.

This bill would instead provide that the deposition officer may not suspend the taking of testimony without the stipulation of all parties present, except as specified. The bill would also authorize any party attending the deposition, including the deponent, to demand the deposition officer to suspend taking testimony, as specified.

Existing law provides that unless the court issues an order to the contrary, a copy of a transcript videotape or other recording of the testimony at the deposition, if still in the possession of the deposition officer, is required to be made available to any person requesting a copy upon payment of a reasonable charge.

This bill would revise that provision to require that unless the court issues an order to the contrary, a copy of a transcript of the deposition testimony, or audio or video recording of the deposition testimony made by, or at the direction of, any party, if still in the possession of the deposition officer, is to be made available to any person requesting a copy upon payment of a reasonable charge.

Existing law regulates the stenographic recording of depositions, including recording by audiotape or videotape, as specified and requires that the deposition notice include specified information, including any intention to record the testimony by audiotape or videotape in addition to the stenographic method, and any intention to record the testimony by instant visual display of the testimony.

This bill would specify that any party or attorney requesting the provision of the instant visual display of deposition testimony or rough draft transcripts, shall pay the reasonable cost of those services, which may be no greater than the costs charged to any other party or attorney.

This bill would incorporate additional changes in Section 2025 of the Code of Civil Procedure, proposed by AB 421 that are not otherwise in conflict, to be operative only if AB 421 and this bill are both chaptered and become effective on or before January 1, 2003, and this bill is chaptered last.

Ch. 1069 (AB 2859) Aroner. School finance.

(1) Existing law requires the Superintendent of Public Instruction and the Director of Finance to establish a repayment plan for funds that a local education agency received on the basis of average daily attendance, or other data, that did not comply with statutory or regulatory requirements that were conditions of the apportionments. Existing law authorizes the Controller to withhold the disallowed amount from a school district's next principal apportionment.

This bill would reallocate specified amounts withheld from the Berkeley Unified School District's 2000-01 and 2001-02 principal apportionments and the district's 2002-03 first principal apportionment to the Kern County Office of Education for use by the County Office Fiscal Crisis and Management Assistance Team for purposes of conducting specified assessments and improvement plans, this constituting an appropriation. This bill would impose a state-mandated local program by requiring the County Office Fiscal Crisis and Management Assistance Team to prepare the assessments and improvement plans and by requiring the Berkeley Unified School District, commencing with the 2003-04 fiscal year and continuing through the 2004-05 fiscal year, to allocate a specified sum, in accordance with a specified schedule, to implement the improvement plans. The bill would require an additional amount to be withheld from the district's 2005-06 first principal apportionment if a certain sum is not expended for purposes consistent with the improvement plans.

(2) Existing law provides that whenever a person has rendered service in a position requiring certification qualifications for a period of service during which the person did not have a valid credential, the rendering of service shall be deemed legal if the Commission for Teacher Preparation and Licensing approves the service.

This bill would provide that, except as specified above, for the fiscal year 2001-02 and any fiscal year thereafter in which a person renders service as a teacher in kindergarten or any of grades 1 to 12, inclusive, who does not have a valid certification document, the school district or county office of education in which the person is employed shall be assessed a penalty, calculated pursuant to a specified formula.

(3) This bill would provide that for the 2000-01 school year every person employed by the Emery Unified School District as a teacher in kindergarten or any of grades 1 to 12, inclusive, shall be deemed to have possessed a valid certification document and received specified training.

(4) The bill would make certain findings and declarations regarding the Berkeley Unified School District and the Emery Unified School District and the inapplicability of a general statute within the meaning of Section 16 of Article IV of the California Constitution.

(5) 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 for that fiscal year.

(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, 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. 1070 (AB 2913) Firebaugh. Bracero workers: statute of limitations.

Existing law establishes certain statutes of limitations, which require actions to be brought within specified periods of time. Existing law establishes special statutes of limitations for particular actions, including those relating to claims of Holocaust victims and World War II slave labor and forced labor victims.

This bill would provide that a bracero, as defined, or an heir or beneficiary of a bracero, may bring an action in a court of competent jurisdiction relative to a claim arising out of a failure to pay savings fund amounts deducted from bracero wages between 1942 and 1950. The bill would provide that an action shall not be dismissed for failure to comply with the otherwise applicable statute of limitation, provided the action is commenced on or before December 31, 2005.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 1071 (SB 1818) Romero. Employment laws: enforcement actions.

Existing law provides protections, rights, and remedies to persons who have applied for employment, or persons who are employed, in this state pursuant to provisions in the Civil Code, the Government Code, the Health and Safety Code, and the Labor Code.

This bill would make a legislative finding and declaration that all protections, rights, and remedies available under state law, except as prohibited by federal law, are available to individuals regardless of immigration status who have applied for employment, or who are or who have been employed, in this state. The bill would further find and declare that for the purposes of enforcing state labor, employment, civil rights, and employee housing laws, a person's immigration status is irrelevant to the issue of liability and no inquiry shall be permitted into a person's immigration status except when necessary to comply with federal immigration law.

This bill would add similar provisions to the Civil Code, the Government Code, the Labor Code, and the Health and Safety Code relative to enforcement actions relating to the rights of employees.

Ch. 1072 (AB 2928) Matthews. Counties.

(1) Existing law establishes the office of Marshal of Merced County and specifies the duties of the sheriff in that county.

This bill would permit the Board of Supervisors of Merced County to abolish, by ordinance, the office of Marshal of Merced County and establish a court security division in the sheriff's department in that county, as specified.

Ch. 1073 (AB 2937) Shelley. Public records: entities.

(1) The California Public Records Act establishes the right of every person to inspect and obtain copies of public records not exempt from disclosure from specified state and local agencies. The act defines local agency to include, among other things, specified nonprofit entities that are legislative bodies of a local agency for purposes of open meeting requirements.

This bill would delete nonprofit from this definition.

(2) The Ralph M. Brown Act generally requires that the meetings of legislative bodies of local agencies be conducted openly. The act defines legislative body as including, among

other things, a board, commission, committee, or other multimember body that governs a private corporation or entity that either is created by the elected legislative body in order to exercise authority that may lawfully be delegated to it or receives funds from a local agency and the membership of whose governing body includes a member of the legislative body of the local agency appointed to that governing body as a full voting member by the legislative body of the local agency, as specified.

This bill would specifically include within the definition of legislative body a board, commission, committee, or other multimember body that governs a limited liability company, as specified.

This bill would incorporate additional changes in Section 6252 of the Government Code proposed by AB 1962 that would become operative if both bills are enacted and this bill is enacted last.

Ch. 1074 (AB 2972) Aroner. Discrimination: homeless youth.

(1) Existing law prohibits discrimination on the basis of age 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.

This bill would specify that the provision of housing for homeless youth, as defined, is authorized by the state, and shall not be considered age discrimination, notwithstanding any provision of state law or of local ordinances.

(2) Existing law establishes the Emergency Housing and Assistance Program and prohibits the program from conflicting with the federal Steward B. McKinney Homeless Assistance Act. It also requires the Department of Housing and Community Development to adopt regulations regarding the administration of the program and prohibits these provisions from being construed to preclude a provider of emergency shelter or transitional housing from restricting occupancy on the basis of sex or, in the case of an emergency shelter or transitional housing offered exclusively to persons 24 years of age or younger, on the basis of age.

The bill would make a conforming change.

Ch. 1075 (SB 21) Escutia. Lead-safe schools.

Under existing law, known as the Lead-Safe Schools Protection Act, the State Department of Health Services is required to conduct a sample survey of public elementary schools, public preschools, and public day care facilities for the purpose of developing risk factors to predict lead contamination in those public schools.

Existing law, the Class Size Reduction Kindergarten-University Public Education Facilities Bond Act of 1998, provides for the issuance, pursuant to the State General Obligation Bond Law, of state general obligation bonds in an amount not to exceed \$9,200,000,000, exclusive of refunding bonds, to provide aid to school districts, county superintendents of schools, and county boards of education in accordance with prescribed provisions, including, but not limited to, the Leroy F. Greene State School Facilities Act of 1998.

This bill would authorize state modernization funding for the identification, assessment, control, management, or abatement of lead. The bill would require any application for modernization funding after January 1, 2004, to certify that it has considered the potential for the presence of lead-containing materials in the modernization project and will follow all relevant standards.

The bill would authorize the use of school district deferred maintenance funds for the inspection, identification, sampling, analysis, control, management, and removal of lead-containing material.

Ch. 1076 (SB 170) Escutia. Insurers: data call: enforcement.

Existing law provides for regulation of insurers by the Insurance Commissioner. Existing law requires insurers issuing certain types of insurance policies to provide data to the Department of Insurance on request.

This bill would authorize the department to impose a civil penalty on any person subject to these data call provisions that fails to comply with the data call request.

Ch. 1077 (SB 174) Kuehl. Mediation proceedings.

Existing law governs mediation proceedings for child custody and visitation issues, including the notice of mediation. These provisions also authorize a mediator to make specified recommendations to a court regarding custody investigations and protective orders if the parties have not reached agreement as a result of the mediation proceedings. Existing law also authorizes a mediator to submit a recommendation to the court regarding the custody of or visitation with the child. Existing law provides that these provisions do not prohibit a mediator from recommending to the court that counsel be appointed to represent a minor child. In making this recommendation, existing law requires the mediator to inform the court of the reasons why it would be in the best interest of the minor child to have counsel appointed.

This bill would enact alternative provisions applicable to courts in 4 or more counties selected by the Judicial Council, as specified, that would become operative only upon the appropriation of funds in the annual Budget Act, as specified. The bill would authorize a selected court to voluntarily adopt a confidential mediation program that would prohibit the mediator from making a recommendation as to custody or visitation to anyone other than the disputing parties, except as specified. These alternative provisions would also authorize a mediator to report to the court whether total or partial agreement is reached in mediation. The alternative provisions would also provide that the mediator may not inform the court of the reasons why it would be in the best interest of the minor child to have counsel appointed when making that recommendation to the court. The bill would also make related, conforming changes.

Ch. 1078 (SB 330) Morrow. Interstate Compact for the Supervision of Adult Offenders.

Existing law adopts the Interstate Compact for the Supervision of Adult Offenders, which, among other things, requires the creation of a state Council for Interstate Adult Offender Supervision.

This bill would, in addition, revise the selection of the commissioner representing California on the Interstate Commission for Adult Offender Supervision, revise the appointment of members of the council, and require the council to make a report, not later than July 1, 2005, as specified, in regard to the implementation of the Interstate Compact, and the organization of certain supervisory entities pursuant to the Interstate Compact. The bill would make additional technical changes.

Ch. 1079 (SB 1244) Figueroa. Professions and vocations.<sup>5</sup>

(1) Existing law provides for the licensing and regulation of various professions and vocations by specified boards within the Department of Consumer Affairs. Existing law authorizes a board to designate an executive officer.

This bill would authorize the Director of Consumer Affairs to appoint an interim executive officer if a new board replaces an existing or previous board. The bill would provide that the interim executive officer would serve temporarily until the new board appoints a permanent executive officer.

(2) Existing law provides for the professional review of specified healing arts licentiates through a peer review process. Existing law provides for a peer review study by the Medical Board of California which is required to contract with the Institute for Medical Quality for the study. The institute is required to submit a written report of its findings and

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recommendations to the Medical Board of California and to the Legislature by November 1, 2002. Existing law provides for disciplinary actions by the boards and commissions within the Department of Consumer Affairs. Existing law authorizes the imposition of a requirement that a licentiate found in violation of the licensing law pay the costs of investigation and enforcement, and provides that payment be deposited into the appropriate fund.

This bill would extend the deadline for the written report to the Legislature to November 1, 2003. The bill would also authorize the board to expend, for purposes of the peer review study, the first \$300,000 deposited into the Contingent Medical Board Fund in the 2002-03 fiscal year that are derived from licentiates' paying the costs of investigation and enforcement of the licensing laws.

Because the bill would authorize the expenditure of money in the Contingent Medical Board Fund for a new purpose, the bill would make an appropriation.

(3) Existing law provides for the licensure of occupational therapists and the certification of occupational therapy assistants by the California Board of Occupational Therapy. The board is authorized, after a hearing meeting certain requirements, to deny a license or certificate to an applicant for licensure or to suspend or revoke the license or certificate of, or place on probation, reprimand, censure, or otherwise discipline, a licensee or certified person.

This bill would delete the provisions authorizing censure or other discipline of a licensee or certified person by the board. The bill would instead specify disciplinary methods and application, define unprofessional conduct, and authorize a holder of a license to petition the board for reinstatement or for modification of a penalty.

(4) Existing law establishes the California Board of Accountancy in the Department of Consumer Affairs for the purpose of licensing and regulating public accountants.

Existing law sets forth certain education requirements for license applicants, and requires that the education meet certain criteria, including that it be from a university, college, or other institution of learning accredited by a regional institutional agency meeting specified requirements.

This bill would require that the university, college, or institution be degree granting, and would allow it to be accredited by either a regional or national accredited agency meeting specified requirements.

(5) Existing law provides for the certification and regulation of shorthand reporters and for the regulation of shorthand reporting corporations by the Court Reporters Board. Under existing law, shorthand reporting corporations are professional corporations, governed generally under the Moscone-Knox Professional Corporations Act, that render professional services through certified shorthand reporters. Existing law authorizes the board between January 1, 2001, and July 1, 2002, to examine, evaluate, and investigate complaints against shorthand reporting entities, as defined, for the purpose of determining the necessity to register these entities and requires the board to report its findings in this regard to the Legislature on or before July 1, 2002.

This bill would extend the board's authorization to examine, investigate, and evaluate complaints to January 1, 2004. The bill would specify that partnerships, unincorporated associations, and limited liability companies are entities for the purpose of qualifying as shorthand reporting entities. The bill would extend the board's reporting deadline to January 1, 2004.

Existing law requires an applicant for a certificate as a shorthand reporter to file an application at least 45 days before the date set for the licensing examination.

This bill would delete the 45-day deadline and instead authorize the board to set the deadline by regulation.

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. Existing law, effective January 1, 2004, changes the time period to require that

the applicant satisfy these requirements within the 3-year period immediately preceding the date of his or her application

This bill would remove the time limit for fulfilling the requirements.

(6) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 1080 (SB 1405) O'Connell. Paraprofessionals: instructional aides.

Existing law provides that no person shall be initially assigned to assist in instruction as an instructional aide, as defined, or to assist in instruction as a teacher aide for kindergarten and grades 1 to 12, inclusive, unless the person has demonstrated proficiency in basic reading, writing, and mathematics skills up to or exceeding that required for high school seniors, as provided.

This bill would apply those requirements to paraprofessionals and would define paraprofessional to include an instructional aide or a teacher aide. The bill would set forth qualifications for paraprofessionals consistent with the federal No Child Left Behind Act of 2001. The bill would impose a state-mandated local program by imposing new duties on school districts to comply with the requirements 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.

This bill would provide that no reimbursement is required by this act for a specified reason.

Ch. 1081 (SB 1624) Romero. Educational facilities: 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, faculty and staff housing, 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.

This bill would authorize the authority to make up to a total of \$2,000,000 in grants in aid to private colleges to provide a program of academic assistance to high school pupils attending a qualified school, as defined, in accordance with prescribed selection criteria. This provision would be repealed as of January 1, 2009.

Because this bill would authorize the authority to expend funds for new purposes, it would make an appropriation.

Ch. 1082 (SB 1732) Escutia. Court facilities.

Existing law provides that no county is responsible for funding court operations, as defined, but that each county is responsible for providing necessary and suitable court facilities. Existing law authorizes counties to impose a specified penalty assessment on fines, penalties, and forfeitures collected by the courts for certain criminal offenses and a specified surcharge on parking penalties, to be used for courthouse construction, criminal justice facilities construction, automatic fingerprint identification funding, forensic laboratory funding, emergency medical services funding, and DNA identification funding. Certain counties are also authorized to surcharge civil filing fees for courthouse construction.

This bill would enact the Trial Court Facilities Act of 2002, revising the provisions governing courthouse construction. The bill would provide for a Court Facilities Dispute Resolution Committee to, among other things, hear and determine specified disputes in relation to the construction or transfer of court facilities, membership and financing to be determined, as specified. The bill would provide for the transfer of the responsibility of a county to provide necessary and suitable court facilities by authorizing the transfer of that responsibility from a county to the Judicial Council pursuant to an agreement to be negotiated between a county and the Judicial Council, as specified, between July 1, 2003,

and June 30, 2007. Among other things, the bill would require new duties of the Judicial Council, the Administrative Office of the Courts, and the Department of Finance. In this regard, the bill would impose a state-mandated local program by expanding various duties of a county with respect to court facilities.

This bill would establish the Court Facilities Trust Fund to be financed by specified payments by each county, and the State Court Facilities Construction Fund to be financed by specified state court construction penalty assessments, parking surcharges, and filing fee surcharges on civil actions, as specified. The bill would also establish the Transitional State Court Facilities Construction Fund to finance certain court facilities transferred to the Judicial Council pursuant to the bill, together with the reduction of a specified portion of penalty assessments imposed by the county.

This bill would further declare that a specified provision would become operative only upon the enactment of another specified provision or provisions, and become inoperative, as provided.

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. 1083 (SB 1771) Alarcon. University of California: curriculum and research on diversity: institute.

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.

This bill would request the Regents of the University of California to identify those resources and efforts that currently exist, at a statewide level, within the university for the development and coordination of curriculum and research on diversity in order to accomplish certain goals, and to report these findings and related recommendations to the Legislature on or before March 1, 2003.

Ch. 1084 (SB 1915) Alarcon. Deferred maintenance.

Existing law authorizes the governing board of a school district to establish a restricted deferred maintenance fund, provides for the deposit of prescribed local funds, and provides for the deposit of matching state funds.

Existing law requires the Superintendent of Public Instruction to certify whenever, in any given fiscal year, a school district has budgeted prescribed amounts in its deferred maintenance fund.

This bill would delete this requirement.

Existing law requires the State Allocation Board to apportion to school districts the state matching funds for deferred maintenance, and establishes the maximum required local deferred maintenance budget, on the basis of the school district's current-year revenue limit average daily attendance.

This bill would, instead, base those calculations upon the school district's second prior fiscal year revenue limit average daily attendance, would require the allocation to be made after December 1 of each fiscal year, and would make conforming changes.

Ch. 1085 (SB 1950) Figueroa. Healing arts.

(1) Existing law, the Medical Practice Act, creates the Medical Board of California within the Department of Consumer Affairs. Under the act, the board, consisting of 19 members, is responsible through its Division of Licensing for the licensure of physicians and surgeons

and for fixing the amount of the initial and biennial licensure fee at a sum not to exceed \$600. The act provides for the deposit of the fees into the Contingent Fund of the Medical Board of California, which is continuously appropriated. The act makes the practice of medicine without a license issued by the division punishable as a misdemeanor offense. The act additionally makes the board responsible through its Division of Medical Quality, consisting of 12 members, for the regulation of the practice of physicians and surgeons. Under the act, the board is authorized to employ an executive director and other assistance in discharging its duties. Under existing law, the act's provisions creating the board and authorizing it to employ this assistance become inoperative on July 1, 2003, and are repealed on January 1, 2004.

This bill would extend the dates on which these provisions become inoperative and are repealed to July 1, 2005, and January 1, 2006, respectively. The bill would increase the membership of the board and its Division of Medical Quality by 2 and would require the Director of Consumer Affairs to retain, prior to March 31, 2003, an enforcement program monitor who would evaluate the board's disciplinary system for a period of 2 years and report his or her findings to the Legislature, the board, and the Department of Consumer Affairs.

This bill would authorize the board to increase the initial license fee and biennial renewal fee, to an amount not to exceed \$610. By providing for an increase in licensure fees paid into a continuously appropriated fund, the bill would thereby make an appropriation. The bill would also revise certain licensure provisions pertaining to out-of-state practitioners and would allow a physician and surgeon whose license has been expired for less than 5 years and who meets specified criteria, to obtain licensure without paying fees that would otherwise be associated with issuance of the license. The bill would additionally include mental illness as a basis for participation in a diversion program and would revise other diversion program requirements.

This bill would, with respect to disciplinary actions, require any proposed decision or decision issued in those proceedings finding that the physician and surgeon has engaged in specified sexual activity to contain an order revoking his or her license. The bill would require the board to prioritize its investigative and prosecutorial resources in a specified manner and would require the board and the enforcement program monitor to report in its annual report certain information regarding priority cases. The bill would require that complaints involving quality of care contain certain information and be subject to specified expert review before being referred for further investigation. The bill would also authorize certain penalties against a licensee who has entered into a stipulation for disciplinary action. The bill would make a person who conspires with or aids or abets another in the unlicensed practice of medicine guilty of a public offense and would increase the punishment that may be imposed for the commission of this offense by allowing imprisonment in the state prison, by increasing the allowable term of imprisonment in a county jail, and by increasing the maximum amount of the fine.

Because the bill would create a new crime and would increase the allowable term of imprisonment in a county jail, it would impose a state-mandated local program.

(2) The Medical Practice Act provides for licensure of the practice of midwifery by the board's Division of Licensing and requires that the licensed midwife practice under the supervision of a licensed physician and surgeon.

This bill would require the board to adopt regulations defining the appropriate standard of care and level of supervision required for the practice of midwifery.

(3) Existing law, the Physician Assistant Practice Act, creates the Physician Assistant Committee within the Medical Board of California that, in conjunction with the board, licenses and regulates the practice of a physician assistant. The provisions creating the committee become inoperative on July 1, 2003, and are repealed on January 1, 2004. Under the act, a physician may supervise no more than 2 physician assistants at any one time except as specifically provided.

This bill would extend the dates on which these provisions become inoperative and are repealed to July 1, 2007, and January 1, 2008, respectively. The bill would authorize the committee, under the name of the board, to issue a probationary license to practice, subject to particular terms and conditions. The bill, until July 1, 2007, would also authorize a physician who provides services in a medically underserved area, as defined, to supervise not more than 4 physician assistants.

(4) Existing law requires every professional liability insurer to report either to the Medical Board of California or to the Osteopathic Medical Board of California any settlement over \$30,000, and any arbitration award in any amount of a malpractice claim or action against a licensee of that board. Under existing law, a physician and surgeon who is uninsured is required to report this information to his or her licensing board, and a failure to comply with this requirement is punishable as a public offense. Existing law also requires the Medical Board of California and the California Board of Podiatric Medicine to disclose to an inquiring member of the public specified information concerning the practice status of their licensees, and the Medical Board of California is additionally required to post this sort of information regarding its licensees on the board's Internet Web site.

This bill would require a professional liability insurer to report a civil judgment in any amount in a malpractice action, whether or not the judgment was subsequently vacated by a settlement, if the judgment is not reversed on appeal and would include this information, as well as other specified data, among the items that the Medical Board of California and the California Board of Podiatric Medicine are required to disclose to an inquiring member of the public. The bill would specify the type of settlements the boards are required to disclose to the public and the manner of disclosure and would also make the Osteopathic Medical Board of California subject to these public disclosure requirements. The bill would require the Medical Board of California to post on its Internet Web site specified information regarding licensees, including the material that it is required to disclose to any inquiring member of the public. The bill would specify that these materials are not a part of the central file maintained by the board for each of its licensees and would provide specified time periods for which the information would remain posted on the board's Internet Web site before being removed. The bill would require the boards to develop certain regulations regarding disclosure, and to notify the licensee and allow for the correction of inaccuracies. The bill would require reports of malpractice settlements or arbitration awards to contain the specialty or subspecialty of the physician and surgeon involved.

The bill would expand the types of settlements that an uninsured physician and surgeon is required to report to his or her licensing board. Because the failure to include those settlements would be punishable as a public offense, the bill would impose a state-mandated local program.

(5) Existing law establishes a Medical Quality Hearing Panel within the Office of Administrative Hearings, consisting of administrative law judges with specified medical training. Under existing law, the provisions creating the panel and determining its functions become inoperative and are repealed on January 1, 2003.

This bill would delete the inoperative and repeal date from these provisions.

(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. 1086 (SB 2010) Alpert. Community renewal.

Existing law designates the California Tax Credit Allocation Committee as the state's housing credit agency for the purpose of the federal Internal Revenue Code.

This bill would designate the committee as the state's commercial revitalization agency for the purpose of federal law, and require the committee to develop and implement a plan to allocate commercial revitalization expenditure amounts. For that purpose, the bill would

create the Community Revitalization Fee Fund in the State Treasury, and moneys in the fund would be available to the committee upon appropriation by the Legislature. These provisions would be repealed on January 1, 2010.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 1087 (SB 2029) Alarcon. Teacher certification: district interns.

Existing law authorizes the Commission on Teacher Credentialing, as a pilot program, to issue district intern certificates authorizing persons employed by the Los Angeles Unified School District to provide classroom instruction to pupils with mild and moderate disabilities in special education classes. Under existing law, prior to assignment to teach pupils with disabilities, persons holding district intern certificates are required to teach one complete school year in a general education program, as specified.

This bill, instead, would authorize the commission until January 1, 2008, to issue those district intern certificates to persons employed by any school district. The bill would eliminate the requirement that a district intern teach one complete school year in a general education program, and instead, would require a school district's professional development plan for district interns teaching in special education programs to include, among other things, training and fieldwork in instructional practices and procedures and pedagogy of general education programs and special education programs.

This bill would require the commission to prepare and submit a report to the Legislature on or before January 1, 2007, that summarizes the regulations adopted by the commission to expand statewide the issuance of those district intern certificates, and that evaluates the effectiveness of persons that hold those certificates.

Ch. 1088 (AB 925) Aroner. Employment of persons with disabilities.

Existing law contains various programs to assist persons with disabilities to obtain employment.

This bill would require the California Health and Human Services Agency and the Labor and Workforce Development Agency, using existing resources, to create a sustainable, comprehensive strategy to accomplish various goals aimed at bringing persons with disabilities into employment.

The bill would require the Governor to rename and authorize the existing California Governor's Committee on Employment of Disabled Persons, as the "California Governor's Committee on Employment of People with Disabilities," would require the committee to be established in the Labor and Workforce Development Agency, and would specify the membership and duties of the committee.

The bill would also require the committee, to the extent that funds are available, to make grants to counties and local workforce investment boards in order to develop local strategies for enhancing employment opportunities for people with disabilities, and to fund comprehensive local and regional benefits planning and outreach programs to assist persons with disabilities in removing barriers to work.

Existing law contains various programs for job training and employment investment. Among other things, provisions are made for local workforce investment boards. In addition, a State Workforce Investment Board has been established in accordance with federal law.

This bill would require each local workforce investment board to establish at least one comprehensive one-stop career center and would impose various requirements related to ensuring that those one-stop centers provide universal access to services pursuant to the federal Workforce Investment Act of 1998 for persons with disabilities.

The bill would also require that, if permitted by federal law, the California Workforce Investment Board and local workforce investment boards include persons with disabilities.

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.

Existing law specifies procedures under which personal care services meeting certain conditions, when provided to a categorically needy person, as defined, are a covered Medi-Cal benefit to the extent federal financial participation is available. Under existing law, these provisions become inoperative on July 1, 2002, and as of January 1, 2003, are repealed.

This bill would require these personal care services to include services in the recipient's place of employment, under specified conditions. By expanding the scope of personal care services, the bill would create a state-mandated local program. The bill would also delete the inoperative and repeal dates described above, thereby making these Medi-Cal benefit coverage provisions operative on and after January 1, 2003.

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. 1089 (AB 1140) Thomson. Nursing: workforce planning.

Existing law, the Nursing Practice Act, provides for the licensure and regulation by the Board of Registered Nursing of the practice of registered nurses. Under existing law, all moneys received pursuant to the provisions of this act are deposited into the Board of Registered Nursing Fund, which is continuously appropriated.

This bill would require the board to obtain workforce data from its licensees for purposes of work force planning and produce reports on the issue at least biennially. The bill would authorize the board to expend the sum of \$145,000 from the Board of Registered Nursing Fund for this purpose. Because the bill would authorize the expenditure of revenues in a continuously appropriated fund for a new purpose, it would make an appropriation. The bill would require the board to implement these provisions before July 1, 2003.

Ch. 1090 (AB 1858) Hollingsworth. County Sexual Assault Felony Enforcement Team Program.

Existing law provides for the development of a course of training for district attorneys in the investigation and prosecution of sexual assault cases in order to encourage the establishment of sex crime prosecution units in district attorneys' offices throughout the state. Existing law further provides for a statewide sexual habitual offender program in order to identify, locate, apprehend, and prosecute sexual habitual offenders.

This bill would provide, in addition, that any county may establish and implement a sexual assault felony enforcement (SAFE) team program. The members of the team would be specified federal, state, and local law enforcement officers and agents. The objectives of the program would be to: (1) identify, monitor, arrest, and assist in the prosecution of habitual sexual offenders who violate the terms and conditions of their probation or parole, who fail to comply with registration requirements, or who commit new sexual assault offenses; (2) collect data to determine if the proactive law enforcement procedures adopted by the program are effective in reducing violent sexual assault offenses; and (3) develop procedures for operating a multijurisdictional regional task force.

Ch. 1091 (AB 2018) Nakano. Public safety: communication system.

Existing law provides for the coordination of state and local public safety agencies and emergency response teams to respond to emergencies. Existing law administered by the Federal Communications Commission authorizes public safety agencies or entities to operate radio communication systems on specified frequencies of the radio spectrum and directs states to oversee interoperability of public safety spectrum. The existing Public Safety

Radio Strategic Planning Committee, which consists of representatives of specified state agencies, was established in recognition of the need to improve existing public radio systems and to develop interoperability among public safety departments.

This bill would provide that the committee shall have primary responsibility in state government for developing and implementing a statewide integrated public safety communication system for state government agencies that facilitates interoperability and other shared uses of public safety spectrum with local and federal agencies, consistent with decisions and regulations of the Federal Communications Commission. The bill would require the committee to consult with specified organizations and entities and require each of these organizations or entities to designate a representative to work with the committee to develop agreements for interoperability or other shared use of public safety spectrum with a local or federal agency. This bill would require the committee to determine which agencies need new or upgraded communication equipment, with consideration of a specified technical standard, in order to enter into an agreement for interoperability or other shared use of public safety spectrum and to establish a program for equipment purchase. This bill would require the committee to report to the Legislature, no later than January 1, 2004, on its progress in implementing these provisions.

Ch. 1092 (AB 2211) Horton. Study: community impact statements.

Existing law provides that the victim of any crime, or the parents or guardians, if the victim is a minor, or the next of kin if the victim has died, have the right to reasonably express his, her, or their views concerning the crime, the person responsible, and the need for restitution.

This bill would require the Judicial Council to conduct a study of the potential effects of, implementation issues surrounding, and alternatives to, a policy requiring courts to consider community impact statements, as specified.

Ch. 1093 (AB 2314) Thomson. Nursing education.

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. 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, by September 1, 2005, the Chancellor of the California Community Colleges to encourage community college districts, and the Chancellor of the California State University to require campuses of the California State University, to standardize all nursing program prerequisites on a statewide basis. The bill would require the Chancellor of the California Community Colleges to encourage community college districts to negotiate and implement articulation agreements with campuses of the California State University to which they send a significant number of nursing students, and require the Chancellor of the California State University to require the campuses of the university that maintain nursing education programs to negotiate and implement articulation agreements with community college districts from which they receive a significant number of nursing students. The bill would require the Chancellor of the California Community Colleges and the Chancellor of the California State University to implement the recommendations of the Intersegmental Major Preparation Articulated Curriculum (IMPAC) project not later than September 1, 2004.

Ch. 1094 (AB 2504) Jackson. Judges: arbitration.

Existing law sets forth the grounds for the required disqualification of a judge, as specified.

This bill would require the disqualification of a judge who has a current arrangement concerning prospective employment or other compensated service as a dispute resolution neutral, as defined, or is participating in, or, within the last two years, has participated in, discussions regarding such prospective employment or other service, and further, specified conditions apply.

Existing law requires a proposed neutral arbitrator in an arbitration pursuant to an arbitration agreement to disclose, among other things, the existence of grounds for the required disqualification of a judge.

This bill require disclosure of whether or not an arrangement or discussion described above applies.

Ch. 1095 (AB 2506) Steinberg. State Teachers' Retirement System: investment products.

Existing law creates the State Teachers' Retirement System (STRS) as a unit within the State and Consumer Services Agency to administer a retirement program for public school teachers, teachers in schools supported by the state, and other persons employed in connection with the schools. STRS is managed by the Teachers' Retirement Board.

This bill would require the board to establish a registration process for vendors seeking to offer retirement investment products to employees of all local school districts, community college districts, and county offices of education. The bill would require the initial registration process to be completed by July 1, 2004. The bill would require the board to provide those entities access to an impartial information bank to compare the registered vendors and the investment options being offered. The bill would require registration to be offered once annually and that vendors renew their registration at least every 5 years. The bill would establish requirements for the amendment of information required by the vendors. The bill would permit the board to remove a vendor from the registry, as specified. The board would be required to provide registry information and objective investment performance information on the Internet. The bill would require the actual costs associated with the establishment and administration of the investment registration process and the provision of the information bank to be borne equally by the registered vendors, as specified.

The bill would provide immunity to the board, STRS, and its officers and employees from liability for information in the bank and actions of the registered vendors. The bill would restrict the forwarding of consideration for unregistered retirement investment products, as specified, and would limit employee selection of investment products, as specified. The bill would prohibit specified personnel from receiving consideration for promoting a particular vendor's products. The bill would enact other related provisions.

Ch. 1096 (AB 2532) Rod Pacheco. Textbook weight.

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 require the State Board of Education, on or before July 1, 2004, to adopt maximum weight standards for elementary and secondary school textbooks.

Ch. 1097 (AB 2578) Shelley. Contracts: breach of confidentiality: proprietary information.

Existing law provides for the prosecution of specified criminal actions against persons in violations of public contracts.

This bill would provide that it is a misdemeanor for a contracting party to intentionally disclose any proprietary information, as defined, obtained during the negotiation, execution, or performance of a contract with a state agency or the Independent System Operator when the contracting party knew or should have known that the disclosure was likely to cause harm.

This bill would, by expanding the definition of a crime, 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. 1098 (AB 2816) Shelley. Workers' compensation: contractors: temporary labor.

Existing workers' compensation law generally requires employers to secure the payment of workers' compensation for injuries incurred by their employees that arise out of or in the course of employment. Recovery under workers' compensation law is the sole and exclusive remedy of an employee or his or her dependents against the employer. The failure to secure workers' compensation as required by the workers' compensation law is a misdemeanor.

Existing law, the Contractor's State License Law, provides for the regulation of licensed contractors.

This bill, for purposes of the workers' compensation law, would provide that when a contractor enters an agreement with a temporary employment agency, employment referral service, labor contractor, or other similar entity for the entity to supply the contractor with an individual to perform acts or contracts under the contractor's license and the contractor is responsible for supervising the individual, the temporary employment agency, employment referral service, labor contractor, or other similar entity shall pay workers' compensation premiums, in accordance with specified criteria, and shall be solely responsible for the individual's workers' compensation. This bill would also require these entities to report to insurers certain information pertaining to these workers and the licensed contractors to whom these workers are provided, and allow these entities to pass through costs incurred as a result of this bill to licensed contractors.

This bill would require the contractor to notify the entity that is supplying the temporary worker pursuant to these provisions when the temporary worker is being used on a public works project or the contractor reassigns the temporary worker to a position other than the classification to which the worker was originally assigned.

Ch. 1099 (AB 2817) Maddox. Sex education: course content.

Existing law sets forth specified criteria that are required to be included in the content of sex education courses if those courses are offered.

This bill would require, as an additional course criteria, sex education classes to advise pupils of specified provisions of law relating to parents and others who voluntarily surrender physical custody of a minor child 72 hours old or younger at a hospital emergency room or other designated location without being subject to criminal prosecution for certain crimes.

Ch. 1100 (AB 2849) Washington. Classified school employees.

(1) Existing law requires the governing board of a school district or the personnel commission in a school district that has adopted the merit system to classify all employees and positions not requiring certification qualifications. These employees and positions are known as the classified service. Existing law exempts part-time playground positions from the classified service.

This bill would instead provide that part-time playground positions are not part of the classified service unless the employee in the position is otherwise employed in a classified position. The bill would also prohibit a school district from reducing the hours of, or terminating, as a result of the implementation of the bill, a classified employee who was assigned to a part-time playground position.

(2) This bill would incorporate additional changes to Section 45103 of the Education Code proposed by AB 500, to be operative only if this bill and AB 500 are both enacted and become effective on or before January 1, 2003, and this bill is enacted last.

Ch. 1101 (AB 2915) Wayne. Arbitration.

Existing law regulates the conduct of arbitration proceedings, providing for, among other things, the powers and duties of a neutral arbitrator or arbitrators, the appointment of times and places for hearings, the exchange of witness lists, and the right of representation by counsel.

This bill would prohibit a neutral arbitrator or private arbitration company from administering any consumer arbitration that requires a nonprevailing consumer who is a party to the arbitration to pay the opposing party's costs or fees. The bill would require a private arbitration company to waive the fees and costs of arbitration, exclusive of arbitrator fees, for an indigent consumer, as defined. The bill would also require a private arbitration company to provide written notice to any consumer of the right to obtain a fee waiver, as specified, and to keep specified information concerning a consumer confidential, with certain exceptions.

Ch. 1102 (SB 105) Burton. Services: blind: visually impaired: deaf: hard of hearing.

Existing law provides for the Department of Rehabilitation, which administers various programs and services for disabled persons, including the blind and visually impaired.

This bill would establish the Division of Services for the Blind and Visually Impaired and the Deaf and Hard of Hearing, would establish the responsibilities of the division, would require the director of the division to report to the Legislature and the Governor on programs administered by the division, would require the director to appoint a Blind Advisory Committee and a Deaf Advisory Committee to advise the director on certain issues, and would make related and conforming changes.

This bill would incorporate additional changes in Section 11135 of the Government Code, proposed by AB 3035, to be operative only if AB 3035 and this bill are both chaptered and become effective January 1, 2003, and this bill is chaptered last.

Ch. 1103 (SB 621) Costa. Water bonds.

Under existing law, various bond acts have been approved by the voters to provide funds for water projects, facilities, and programs. The Costa-Machado Water Act of 2000 authorizes, for the purposes of financing a safe drinking water, water quality, watershed protection, and flood protection program, the issuance of bonds in the amount of \$1,970,000,000, of which \$60,000,000, upon appropriation by the Legislature to the Department of Water Resources, is required to be expended by the department for grants for infrastructure rehabilitation projects.

This bill would appropriate \$2,100,000 from bond funds made available to the department for infrastructure rehabilitation projects for allocation to the Tulare County Water Works District No. 1 and the Alpaugh Irrigation District for the repair and replacement of domestic water supply and treatment systems owned and maintained by those districts. The bill would require those districts to complete a feasibility study to be approved by the department before allocation of the funds.

The bill would additionally appropriate \$1,000,000 from those bond funds for allocation to Madera County for the repair and replacement of domestic water supply and treatment systems for the Oakhurst area.

Ch. 1104 (SB 1164) Sher. Local coastal programs: costs.

Existing law provides that litigation costs incurred by a local government as a result of the operation of a certified local coastal program may be reimbursed under certain conditions.

This bill would permit litigation costs to be paid to the local government prior to the time that a final judgment is rendered in an action if the Attorney General has intervened in support of the local government's position, the amount paid does not exceed \$500,000, and the amount paid is equal to or greater than 5% of the local government's general revenues as published in the most recent version of "Cities Annual Report" by the Controller. The bill would require that payment of prejudgment costs comply with procedures established by the Executive Director of the Coastal Commission in consultation with the Attorney General, and that the local government reimburse the state from any costs it recovers after a final judgment is rendered in the action.

Ch. 1105 (SB 1391) Burton. Criminal procedure.

Under existing law, pretrial discovery in criminal cases is governed by a detailed statutory scheme, but discovery issues in postconviction habeas corpus proceedings are decided largely on a case-by-case basis.

This bill would require that discovery materials to which a defendant would have been entitled at the time of trial be made reasonably accessible to the defendant if he or she has been sentenced to death or life in prison without the possibility of parole and files a specified motion or writ of habeas corpus that makes a specified showing. This bill would require a defendant be given access to physical evidence only upon a separate court finding, as specified, and would specify that the only means of obtaining access to physical evidence for postconviction DNA testing is through other specified procedures.

By authorizing the court to require local agencies to provide access to physical evidence under certain circumstances, this bill would impose a state-mandated local program.

Under existing law, although persons not presently restrained of liberty may seek certain types of relief from the disabilities of a conviction, the writ of habeas corpus is generally not available to them. A writ of habeas corpus generally will not issue unless all other remedies at law are exhausted, and must be filed within a reasonable time, as provided.

This bill would create an explicit right for a person no longer unlawfully imprisoned or restrained to prosecute a motion to vacate a judgment based on newly obtained evidence of fraud or misconduct by a government official, as specified. The right would extend for one year from the later of the effective date of the bill or the date that the moving party discovered, or could have discovered with the exercise of due diligence, additional evidence of the misconduct or fraud by a government official beyond the moving party's personal knowledge.

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. Existing law, to be repealed by its own terms on January 1, 2003, requires that DNA evidence secured in connection with a criminal case be retained by an appropriate governmental entity, and may be disposed of only at specified times and under specified conditions.

This bill would eliminate the repeal of these provisions relating to the retention of DNA evidence.

By requiring local authorities to maintain DNA evidence that would otherwise be subject to disposal after January 1, 2003, 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. 1106 (SB 1312) Peace. Public safety.

(1) Existing law provides for the coordination of state and local public safety agencies and emergency response teams to respond to emergencies. Existing law administered by the Federal Communications Commission authorizes public safety agencies or entities to operate radio communication systems on specified frequencies of the radio spectrum and directs states to oversee interoperability of public safety spectrum.

This bill would provide that, of the amounts received from the federal government for homeland security and appropriated in the Budget Act of 2002, not more than \$15,000,000 may be allocated to the security advisor to the Governor for disbursement to state and local government public safety agencies to procure and operate specified radio equipment. It would require each state and local government public safety agency that receives these funds to provide an annual report to the Legislature, as specified.

(2) Existing law requires every dealer, manufacturer, importer, and exporter of any destructive device, or any motion picture or television studio using destructive devices in the conduct of its business, to obtain a permit for the conduct of that business from the Department of Justice. Existing law requires each applicant for a permit to pay an application fee not to exceed the application processing costs of the Department of Justice. Existing law limits the rate at which this fee may increase.

This bill would require the department to annually conduct an inspection, for security and safe storage purposes, and with specified exceptions, of every person, firm, or corporation to whom a permit is issued for destructive devices. The bill would allow the department to set a permit fee sufficient in amount to cover processing costs and the costs of required departmental inspections.

This bill would specify that the cost of these inspections are to be funded through the inspection fees and, if necessary, and only until January 1, 2006, through the Dealers' Record of Sale Special Account.

This bill would provide that its provisions relating to the operation and funding of inspections for holders of permits for destructive devices would only become operative if AB 2580 is enacted and this bill is enacted after AB 2580.

Ch. 1107 (SB 1471) Romero. Sick leave.

Existing law requires an employer who provides sick leave to employees, as defined, to permit an employee to use sick leave to attend to an illness of a child, parent, spouse, or domestic partner. An employer is prohibited from retaliating against an employee who uses sick leave for this purpose. An employee aggrieved by a violation of this law may recover legal and equitable relief from his or her employer.

This bill would provide that if an employer maintains an absence control policy that counts sick leave used to attend to an illness of a child, parent, spouse, or domestic partner as a basis for discipline, demotion, discharge, or suspension, the policy would be a per se violation of the law, entitling an employee working under the policy to appropriate relief.

Ch. 1108 (SB 1977) Johannessen. Bank and corporation taxes: reorganizations.

The Bank and Corporation Tax Law provides that certain provisions of federal law, relating to corporate distributions and adjustments, including distributions, liquidations, and reorganizations, apply for purposes of determining the tax under the state law, except as otherwise specified.

This bill would provide that the contribution or other transfer of assets from a mutual water company that is federally tax exempt, but that is a taxable entity under California law, to a community service district is not a transfer subject to tax under that law.

This bill would take effect immediately as a tax levy.

Ch. 1109 (SB 2055) Sher. Subdivisions.

(1) Under the Subdivision Map Act, a local agency may, prior to January 1, 2003, approve or approve conditionally an environmental subdivision, which is defined as a subdivision of land for biotic and wildlife purposes, if the local agency finds that specified conditions have been met.

This bill would extend the authority of a legislative body to approve or conditionally approve an environmental subdivision through December 31, 2004.

(2) The Subdivision Map Act also authorizes local legislative bodies to regulate, by ordinance, the design and improvement of subdivisions for which a tentative and final map or parcel map is required. The act also defines "design" to include such other specific physical requirements in the plan and configuration of the entire subdivision as may be that are necessary to ensure consistency with, or implementation of, the general plan or any applicable specific plan.

This bill would revise this definition to include a reference to the requirement that the design and improvement of the subdivision be consistent with the general plan or any specific plan.

(3) The Subdivision Map Act also provides that a local agency is not required to disapprove either a tentative or final map solely on the basis that the reasonable public access required by the act is not provided through or across the subdivision itself, if the local agency makes a finding that the reasonable public access is otherwise available within a reasonable distance from the subdivision.

This bill would also require the local agency to identify the location of the reasonable public access.

(4) The bill would also make other technical, nonsubstantive changes to these provisions.

(5) This bill would also amend Section 65041.1 of the Government Code as proposed to be added by AB 857 to make clarifying changes, to be operative only if AB 857 is enacted and becomes effective on or before January 1, 2003.

#### Ch. 1110 (SB 2073) Johannessen. Vehicle dealers: bonds.

Existing law requires an applicant for a vehicle dealer's license to procure and file with the Department of Motor Vehicles a bond executed by an admitted surety in the amount of \$10,000. An applicant for a remanufacturer's license is required to file a bond in the amount of \$25,000.

Senate Bill 1458 would increase the amount of the dealers's bond and the remanufacturer's bond to \$50,000, except the bond amount of dealer who deals exclusively in motorcycles would remain at \$10,000.

This bill would provide that the bond amount of a dealer who sells vehicles on a wholesale basis only, and who sells fewer than 25 vehicles per year, shall be \$10,000. This bill would provide that this provision shall become operative only if both this bill and SB 1458 are enacted.

#### Ch. 1111 (AB 2289) Kehoe. Common interest developments.

(1) The Davis-Stirling Common Interest Development Act defines and regulates common interest developments and permits the association that manages the development to levy assessments to fulfill its obligations under the act, but also prohibits certain actions.

This bill would prohibit an association from denying an owner physical access to his or her separate interest, except pursuant to an order of a court or an order pursuant to a final and binding arbitration decision.

(2) Existing law permits any member of the association of a common interest development to attend meetings of the board of directors of the association, except when the board adjourns to executive session to consider litigation, matters relating to the formation of contracts with 3rd parties, member discipline, or personnel matters.

This bill would revise the matters that the board may consider in executive session to include meeting with a member, upon the member's request, regarding the member's

payment of assessments. This bill would require that matters discussed in executive sessions be noted in the minutes of the immediately following meeting open to the entire membership. The bill would also revise notice provisions regarding the times and places of board meetings.

(3) Existing law requires an association to prepare and distribute to its members specified documents, including documents related to the association's budget, finances, and policies and practices in enforcing lien rights or other legal remedies for default in payment of its assessments against its members.

This bill would require an association to deliver a specific notice to each member of the association regarding assessments and foreclosure.

(4) Existing law provides that a regular or special assessment of the association, late charges, reasonable costs of collection, and interest, as specified, are a debt of the owner of the separate interest at the time the assessment or other sums are levied, and are a lien on the owner's separate interest when the association records a specified document and follows a specified process. Existing law permits the association to enforce the lien in any manner permitted by law including a sale by a trustee, also known as a nonjudicial foreclosure.

This bill would require that an association that fails to comply with that specified process, prior to placing a lien, recommence the notice process at the expense of the association. This bill also requires that parties recording liens against separate interests in error follow a timely procedure for recording a lien release, as specified.

(5) Existing law requires an association to provide notice to its members by first-class mail of any increase in the assessments within a specified timeframe. Existing law permits the association to recover various costs, fees, and interest in collecting a delinquent assessment.

This bill would clarify the timeframe in which notice is required, and the amount of interest the association is permitted to recover, as specified.

(6) Existing law provides a specified process for disputes related to association assessments, including an exception to that process if the owner of the separate interest chooses to pay certain charges and mail a written notice that the amount is paid under protest. Under this exception, the association is required to inform the owner of his or her right to resolve the dispute through alternative dispute resolution.

This bill would require, as a condition for the exception to apply, that only reasonable fees and charges be paid, including reasonable attorney's fees not to exceed \$425.

(7) Existing law further requires an association to notify an owner of record of the penalty procedures and provide an itemized statement of charges.

This bill would require, for liens created on and after January 1, 2003, that an association, 30 days prior to placing a lien on the separate interest of the owner of record, to notify the owner by mail of the association's collection and lien procedures, as specified, and of the owner's right to request a meeting before the board of directors to discuss amounts constituting the owner's debt that are in dispute or delinquent, and any payment plan proposed by the owner, as specified. The bill would require the board, under specified circumstances, to respond in writing to an owner's dispute of a debt when an owner submits a written explanation to the board, and would require the board to meet with a homeowner to discuss a payment plan, as specified. The bill would except owners of time-share projects, time-share estates, and time-share uses from the right to submit a payment plan to the board and meet with the board to discuss that plan. The bill would also make conforming changes.

(8) This bill would incorporate additional changes in Section 1368 of the Civil Code proposed by AB 643, to be operative if AB 643 and this bill become effective on or before January 1, 2003, and this bill is enacted last.

Ch. 1112 (AB 746) La Suer. Nonresident petitioners: adoption.

Existing law provides that a prospective adoptive parent may file a petition for an agency adoption or an independent adoption of a child in the county in which the petitioner resides.

This bill would further provide that if the petitioner is not a resident of this state, he or she may file a petition for an agency adoption or an independent adoption in the county in which the birth parent or birth parents resided when the relinquishment of parental rights for purpose of adoption was signed, or in the county in which the birth parent or birth parents resided when the adoption placement agreement was signed or the county in which the placing birth parent or birth parents resided when the petition was signed, respectively. The bill would, in the instances in which the petitioner is the resident of another state, require that an updated and current homestudy report, conducted and approved by a licensed adoption agency or other authorized resource in the state in which the petitioner resides, be reviewed and endorsed by the State Department of Social Services, as specified.

Ch. 1113 (AB 2072) Mountjoy. Open meetings: closed sessions: security.

The Bagley-Keene Open Meeting Act requires, with specified exceptions for authorized closed sessions, 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 also authorize a state body, until January 1, 2006, to hold closed sessions to consider matters posing a threat or potential threat of criminal or terrorist activity against the personnel, property, buildings, facilities, or equipment, including electronic data, owned, leased, or controlled by the state body, where disclosure of these considerations could compromise or impede the safety or security of the personnel, property, buildings, facilities, or equipment, including electronic data, owned, leased, or controlled by the state body.

This bill would provide that, notwithstanding any other provision of law, a state body may meet in a closed session under these provisions upon a  $2/3$  vote of the members present at any regular or special meeting. It would require the body, after meeting in closed session under these provisions, to reconvene in open session and report that a closed session was held pursuant to these provisions, the general nature of the matters considered, and whether any action was taken in closed session, and to submit written notification of these matters to the Legislative Analyst, who would be required to retain the notification for no less than 4 years.

Ch. 1114 (SB 1298) Ortiz. Public health emergencies: state aid: local health administration.

Existing law provides for the allocation of state aid to the administrative bodies of qualifying local health departments according to a specified formula. Among other things, the formula provides for a minimum basic allotment to each local health jurisdiction of \$100,000, or \$0.212426630 per capita, whichever is greater, with the balance allotted on a per capita basis. Existing law specifies the purposes for which the allocated funds may be used.

This bill would revise the purposes for which the allocated funds may be used.

Ch. 1115 (AB 3036) Corbett. Guardianship.

(1) Existing law provides for the establishment of guardianships.

This bill would require the court, to the extent resources are available, to implement procedures to ensure that every guardian annually completes and returns a status report. The bill would require the form to include a specified statement. The bill would provide that a guardian who willfully submits any material information required by the form which he or she knows to be false is guilty of a misdemeanor. By creating a new crime, the bill would impose a state-mandated local program.

The bill would require the clerk of the court to mail to the guardian one month prior to the date the status report is required to be returned a blank status report form and a notice informing the guardian that he or she is required to complete and return the status report. The bill would provide for the confidentiality of the report. The bill would require the court to attempt to obtain the information required in the report from the guardian or from other sources if the status report is not completed and returned or if the court finds that further

information is needed. The bill would also require the court to order the guardian to make himself or herself available to the investigator for purposes of investigation of the guardianship, or to show cause why the guardian should not be removed, if the court is unable to obtain the information required in the report within 30 days after the status report is due. By imposing additional duties on court employees, the bill would create a state-mandated local program.

The bill would also require the Judicial Council to develop a form for the status reports, as specified, and report to the Legislature no later than December 31, 2004, regarding the costs and benefits of utilizing the annual status reports.

(2) Existing law requires the Department of Justice to maintain a Statewide Registry of conservators and guardians, and requires all persons who wish to serve as a conservator or guardian, or who are currently serving as a conservator or guardian, to register and reregister with the Statewide Registry, except as provided. Existing law allows the Department of Justice to charge a reasonable fee to persons registering and reregistering with the Statewide Registry for the cost of that registration. Existing law also prohibits a superior court from appointing or permitting a person to serve as a private professional conservator or private professional guardian unless the person has filed certain information with the county clerk.

This bill would except certain nonrelated guardians of the person of a minor, appointed under specified circumstances by the juvenile court or the probate court, from the registration and filing requirements.

(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.

Ch. 1116 (AB 555) Dutra. Common interest development managers.

(1) Existing law, the Davis-Stirling Common Interest Development Act, establishes a scheme for the regulation of common interest developments.

This bill would require a person, in order to be called a "certified common interest development manager" to have either passed an examination or achieved certification designated by a professional association for community association managers within the previous 5 years and to have satisfied other specified educational requirements. The bill would also require a person who provides or contemplates providing management services to a community association to disclose to that association whether that person is a certified common interest development manager. The bill would also make it an unfair business practice for a common interest development manager and certain other persons, to use the title of "certified common interest development manager" without meeting specified requirements, or to state or advertise that he or she is certified or licensed by a governmental agency to act as certified common interest development manager. The bill would provide that the above provisions would remain in effect only until January 1, 2008, unless extended.

(2) Existing law requires applicants for the real estate broker license examination and applicants for a real estate license renewal to meet certain education requirements.

This bill would include on July 1, 2004, in those requirements education in the subject of California law relating to common interest developments. The bill would also provide on July 1, 2003, that successful completion of coursework for renewal of a real estate license requires an applicant to demonstrate that he or she has passed a final examination.

(3) Existing law requires the articles of incorporation of common interest development associations to include specified information, including a statement that identifies the name and address of the association's managing agent, if any.

This bill would additionally require the articles of incorporation of a common interest development to state whether the association's managing agent is certified. The bill would further require a common interest development association to distribute to its members a summary of its fidelity insurance policies within 60 days preceding the start of the association's fiscal year.

Ch. 1117 (AB 643) Lowenthal. Common interest developments: community association assessments.

(1) Existing law requires a common interest development association's articles of incorporation filed with the Secretary of State on or after January 1, 1995, to include a statement of information identifying the corporation as a common interest development, specified information about the corporate office, and specified information about the association's managing agent. Existing law further requires that the statement of principal business activity in the annual statement filed by an incorporated association with the Secretary of State also include this information.

This bill would require a common interest development association, whether incorporated or unincorporated, to submit to the Secretary of State, on a form and for a fee not to exceed \$30 to be prescribed by that office, information regarding the common interest development. The fee would be deposited in the Secretary of State's Business Fees Fund, as specified. Among other things, and in addition to the information described above, this information would include the address and either the daytime telephone number or the e-mail address of the president of the association, specified information about the location of the common interest development, and the number of separate interests in the development. The bill would require this information to be submitted according to specified criteria and within certain timeframes. The bill would limit access to specified information concerning the directors of the association, making it available only for governmental purposes and to members of the Legislature and the Business, Transportation and Housing Agency. The bill would provide for the suspension of the unincorporated association's rights, privileges, and powers as a corporation and would subject it to monetary penalties for failure to comply with those provisions. The bill would also make related changes.

(2) Existing law requires an owner of a separate interest, as specified, to provide the prospective purchaser with a copy of the governing documents of the common interest development.

This bill would additionally require an owner to provide the purchaser with a statement from an authorized representative of the common interest development's association indicating if the association is not incorporated, as specified.

(3) This bill would incorporate additional changes in Section 1368 of the Civil Code proposed by AB 2289, to be operative if AB 2289 and this bill become effective on or before January 1, 2003, and this bill is enacted last.

Ch. 1118 (AB 1938) Aroner. Guardianship: conservatorships: custody.

(1) Existing law authorizes a defendant in any litigation pending in any court of this state, at any time until final judgment is entered, to move for a court order requiring the plaintiff to furnish security as a vexatious litigant, as defined. Existing law requires the litigation to be dismissed as to the defendant for whose benefit the security was ordered, if it is not furnished.

This bill would specifically extend these provisions to any petition, application, or motion other than a discovery motion, in a proceeding under the Family Code or Probate Code, for any order.

(2) Under existing law, before making an order granting custody to a person or persons other than a parent, without the consent of the parents, a court is required to make a finding that granting custody to a parent would be detrimental to the child and that granting custody to a nonparent is required to serve the best interest of the child.

This bill would, instead, require that the finding be made before making that order over the objection of, rather than without the consent of, a parent. The bill would define detriment to a child, and require a finding that parental custody is detrimental to the child to be supported by clear and convincing evidence unless the court finds by a preponderance of the evidence that custody would be granted to a person who has assumed the role of a parent for a substantial period, and would make related changes. This finding would constitute a finding that the custody is in the best interest of the child and that parental custody would be detrimental to the child, absent a showing by a preponderance of evidence to the contrary, as specified. A finding of detriment to the child would not require any finding of unfitness of the parents for these purposes.

(3) Under existing law, upon the petition of the guardian, a parent, or the ward, a court may make an order terminating the guardianship if the court determines that it is no longer necessary that the ward have a guardian or that it is in the ward's best interest to terminate the guardianship.

This bill would delete the determination that the guardianship is no longer necessary as grounds for an order terminating guardianship. The bill would make various legislative findings, and specify that certain petitions filed in a guardianship proceeding are grounds for the court to determine that the petitioner is a vexatious litigant.

Ch. 1119 (AB 1945) Simitian. Open meetings: closed sessions: confidential information.

The Ralph M. Brown Act generally requires that the meetings of the legislative body of a local agency be conducted openly and publicly, but also provides that the legislative body of a local agency may hold closed sessions for specified purposes. The act provides that a member of a legislative body who attends a meeting of that body where action is taken in violation of the act, and where the member intends to deprive the public of information to which the member knows or has reason to know the public is entitled under the act, is guilty of a misdemeanor.

This bill would provide that a person may not disclose confidential information, as defined, that has been acquired by being present in a closed session authorized under the act, as specified, unless the legislative body authorizes disclosure of that confidential information.

The bill would provide that a violation of these provisions may be addressed by the use of remedies that are currently available by law, including, but not limited to, injunctive relief to prevent the disclosure of confidential information under these provisions, disciplinary action against an employee who has willfully disclosed confidential information, and the referral of a member of a legislative body who has willfully disclosed confidential information to the grand jury for investigation and possible accusation under specified procedures. The bill would provide that a local agency may not take any of these actions against a person for making a confidential inquiry or complaint to a district attorney or grand jury concerning a perceived violation of law, expressing an opinion concerning the propriety or legality of actions taken by a legislative body in closed session, including disclosing specified facts to a district attorney or grand jury to establish the illegality of action taken or potential illegality of action deliberated upon that would be illegal if the action is taken, or disclosing information acquired by being present in a closed session that is not confidential information.

Ch. 1120 (AB 2645) Aanestad. Local agencies: security information.

Under the Ralph M. Brown Act, the meetings of the legislative body of a local agency are required to be conducted openly and publicly, with specified exceptions.

Under the act, if certain information is disclosed in an open and public session prior to holding a closed session, the legislative body of a local agency may hold closed sessions with the Attorney General, district attorney, sheriff, or chief of police, or their respective deputies, on matters posing a threat to the security of public buildings or a threat to the public's right of access to public services or public facilities.

This bill would also permit these closed sessions to include a security consultant or security operations manager.

This bill would also provide that the legislative body of a local agency may hold closed sessions with those law enforcement officials, agency counsel, or a security consultant or security operations manager on a threat to the safety and delivery of essential public services, including water, drinking water, wastewater treatment, natural gas service, and electric services.

#### Ch. 1121 (SB 1393) Kuehl. California Environmental Quality Act.

(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. CEQA authorizes a plan or other written documentation required by a certified regulatory program or state agency to be submitted in lieu of an environmental impact report pursuant to prescribed procedures.

This bill would require the Secretary of the Resources Agency, by July 1, 2003, to develop a protocol for reviewing the prospective application of certified regulatory programs to evaluate the consistency of those programs with the requirements of CEQA, and would require the secretary to provide a report to the Senate Committee on Environmental Quality and the Assembly Committee on Natural Resources regarding the need for a grant of additional statutory authority authorizing the secretary to undertake a review of the certified regulatory programs. The bill would also require the secretary to provide a significant opportunity for public participation in developing that protocol.

(2) CEQA requires the Office of Planning and Research to implement a public assistance and information program that includes establishing a public education and training program, a data base to assist in the preparation of environmental documents, and a central repository for the collection, storage, retrieval, and dissemination of specified CEQA notices.

This bill would require, commencing January 1, 2003, that copies of any documents submitted in electronic format to the office pursuant to CEQA be furnished by the office to the California State Library, and would require the California State Library to be the repository for those documents and to make them available for viewing by the general public upon request.

(3) CEQA authorizes the appeal of the certification of an environmental impact report by a local lead agency that is not elected to that lead agency's elected decisionmaking body, if that body exists.

This bill would expand that authorization to include any environmental review document that is certified or authorized by a local lead agency that is not elected.

(4) CEQA requires, in any action or proceeding to attack, review, set aside, void, or annul specified actions by a public agency pursuant to CEQA, except the Public Utilities Commission, that the plaintiff or petitioner file a request that the public agency prepare a record of proceedings relating to the subject of the action or proceeding. CEQA also requires that the request, together with the complaint or petition, be served on the public agency not later than 10 business days from the date that the action or proceeding was filed.

This bill would require that request to be served personally on the state agency.

This bill would also require the petitioner or plaintiff to name any recipient of an approval that is the subject of the action or proceeding as a real party in interest, and to serve the petition or complaint on that real party in interest with the petition or complaint not later than 20 business days following service of the petition or complaint on the public agency. The bill would specify that a failure to name any other potential parties would not be grounds for dismissal of the action or proceeding. The bill would also require the public agency to provide the petitioner or plaintiff, not later than 10 business days following service of the petition or complaint on the public agency, with a list of responsible agencies and public agencies with jurisdiction over a natural resource affected by the project, and would require the petitioner or plaintiff to provide those responsible agencies and public agencies with notice of the action or proceeding within 15 days of receipt of that list. By imposing additional duties on local public agencies, this bill 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, 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. 1122 (SB 1467) Bowen. Public contracts: conflict of interest.

Existing law, with specified exemptions, including the acquisition of information technology goods and services, regulates the procurement of materials, supplies, equipment, and services by state agencies. These provisions do not apply to the Regents of the University of California or to the Trustees of the California State University.

This bill would apply certain of these procurement provisions to the Trustees of the California State University.

Existing law includes various prohibitions with respect to conflicts of interest of persons who are awarded state contracts or officers or employees of the state who are contracting with the state either directly or through other entities, as well as remedies for violation of any of the provisions.

This bill would apply specified conflict-of-interest provisions to transactions, except as provided, under those provisions regulating the acquisition of information technology goods and services.

This bill would also add similar conflict-of-interest and remedies provisions with regard to contracting with the University of California.

By making violations of these provisions a felony, or in some cases a misdemeanor, thereby creating a new crime, this bill would impose a state-mandated local program.

This bill would require the Department of Finance to report to the Legislature regarding the effect of this bill on the state's contracting costs.

Certain provisions of the bill would become operative on July 1, 2003.

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. 1123 (SB 1919) Figueroa. Contractors.

Existing law, the Contractors' State License Law, provides that the Contractors' State License Board, within the Department of Consumer Affairs, is responsible for the licensure and regulation of contractors. Existing law requires a contractor to provide a \$7,500 bond

for the benefit of homeowners and other persons that are damaged by the licensee. Existing law requires a swimming pool contractor to provide the bond in the amount of \$10,000.

The bill would require, on and after January 1, 2004, that all classifications of contractors provide a \$10,000 bond. The bill would increase the bond to \$12,500 on and after January 1, 2007.

Ch. 1124 (AB 3000) Committee on Budget. State and local government.

(1) Existing law provides for the licensing and regulation of persons engaged in barbering and cosmetology by the Bureau of Barbering and Cosmetology of the Department of Consumer Affairs. Existing law establishes the conditions for issuance of a license by the bureau.

This bill would require the bureau to issue the license on the same day as an applicant satisfactorily passes the examination.

(2) Existing law prohibits certain unfair business practices, including certain advertising practices. Existing law, effective January 1, 2003, requires the Attorney General 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 and prohibits solicitors from calling those numbers, subject to certain exceptions. Existing law requires fees paid in connection with the "do not call" list to be deposited in the Special Telephone Solicitors Fund, including a fee charged by the Attorney General to subscribers, which may not exceed \$1 on a triennial basis.

This bill would provide that this fee may not exceed \$5 on a triennial basis.

(3) Existing law provides for the payment of interest at specified rates on the amount of unclaimed property claims, overpayments of estate taxes, and overpayments of corporation taxes.

This bill would provide that the interest rate shall be the lesser of 5% or the bond equivalent rate of 13-week United States Treasury bills, as specified.

(4) 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, and makes an annual appropriation of \$5,000,000 for these purposes.

This bill instead would provide that the Governor's Office on Service and Volunteerism shall administer the program. The bill also would authorize the Governor's Office on Service and Volunteerism to make grants to community-based organizations that have a capacity to design and implement high quality service and learning opportunities to pupils in kindergarten and in grades 1 to 12, inclusive.

(5) Existing law establishes the holidays to which state employees in the executive branch of government, including the Legislative Counsel and the employees of the Legislative Counsel Bureau, are entitled.

This bill would require that the Legislative Counsel and the employees of the Legislative Counsel Bureau observe any holiday to which the Legislative Counsel and the employees of the Legislative Counsel Bureau are entitled and that is also observed by the Legislature on the same day that the holiday is observed by the Legislature.

(6) The existing Tort Claims Act provides for the liability and immunity of a governmental entity for its acts or omissions that cause harm to persons. Existing law provides that any claim for money or damages against the state or local agency is required to be presented to the State Board of Control, in the case of a claim made against the state, or a local board, in the case of a claim made against a local agency, within a specified period of time. Existing law permits the appropriate board to provide forms specifying the information required to be contained in the claim and specifies the circumstances under which a claim is deemed to have been presented in conformity with law.

This bill would instead require the appropriate board to provide those forms and would require each claim made against the public entity to be presented using those forms, as specified. By requiring a board of a local agency to provide those forms, the bill would impose a state-mandated local program.

Existing law requires a claim to be acted on within 45 days after the claim has been presented. Existing law specifies that a claim is deemed to have been presented and received at the time it is deposited in the United States mail system.

This bill would provide that any period of notice and any duty to respond after receipt of service of a claim, amendment, application, or notice is extended for a specified period of days depending upon whether the place of address is within California, the United States, or outside the United States.

Existing law permits the Department of Transportation to adjust and pay any claim against the department if, among other things, the amount paid is \$1,000 or less.

This bill would increase that applicable amount to \$5,000 or less.

Other provisions of existing law have renamed the State Board of Control the Victim Compensation and Government Claims Board.

This bill would amend the references to the State Board of Control in the Tort Claims Act to refer to the Victim Compensation and Government Claims Board.

(7) The Dymally-Alatorre Bilingual Services Act requires each state agency to conduct a survey of its local offices every 2 years regarding their public contact positions and the provision of bilingual services as specified. Existing law also requires the State Personnel Board to compile the results of the survey, and provide it in a report to the Legislature every 2 years.

This bill would require the survey to include additional information, as specified. The bill would require each state agency to conduct an assessment and to develop and update an implementation plan that complies with the act. The bill would require the implementation plan to include specified information regarding the agency's procedures used to implement the act. The bill would revise and expand the duties of the State Personnel Board with regard to the surveys and implementation plans, and the report required to be submitted by the board.

(8) Existing law requires the Controller, commencing July 1, 2001, to abolish any state position that was vacant continuously for 6 consecutive monthly pay periods during the period between July 1 and June 30 of the preceding fiscal year. Existing law also requires that positions that were continuously vacant for 6 consecutive monthly pay periods during a fiscal year because of a hiring freeze in effect during part or all of that period be abolished unless the Director of Finance is notified of the need for, and approves of, the continuance of the positions. Existing law provides that the only exceptions to abolishment under these provisions are positions exempt from civil service or instructional and instruction-related positions authorized for the California State University. Existing law also imposes upon the Controller reporting requirements related to these provisions.

This bill would, operative July 1, 2002, repeal and reenact these provisions. The bill would specify that the 6 consecutive monthly pay periods need not occur within a single fiscal year. The bill would also permit the Director of Finance to authorize the reestablishment of positions abolished under these provisions for certain additional reasons, would require the Controller to reestablish positions if specified criteria are met, would modify the Controller's reporting requirements, and would impose specified reporting requirements on each state department, as defined.

(9) Existing law requires the Department of Finance to prepare an annual audit report examining any expenditures made pursuant to allocations authorized to be made from the Transportation Investment Fund pursuant to specified provisions of the California Constitution, and to make the report available to the public and submit it to both houses of the Legislature.

This bill, instead, would authorize the department to perform audits, as it deems necessary, of the allocations or expenditures made in accordance with those constitutional provisions, and would require that any audit performed be reported to both houses of the Legislature. It would also make a technical, nonsubstantive change.

(10) Existing law requires the Department of General Services to commit itself to 2 specified categories of services, 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 and requires 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.

Existing law provides that these provisions become inoperative on the effective date of the Budget Act of 2002, or June 30, 2002, whichever occurs later, and are repealed on January 1, 2003.

This bill would provide that these provisions shall remain operative only until the effective date of the Budget Act of 2003, or June 30, 2003, whichever occurs later, and as of January 1, 2004, are repealed.

Existing law permits the state to enter into personal services contracts only when specified criteria are met.

This bill would provide that for state printing procurement purposes, printing is not considered a personal service contract.

(11) Existing law authorizes the Director of General Services to hire, lease, lease-purchase, or lease with the option to purchase any real or personal property for the use of any state agency, if the director deems the hiring or leasing is in the best interests of the state.

This bill would authorize the director to acquire, develop, design, and construct a regional criminal justice laboratory, necessary infrastructure, and related parking on the California State University's Los Angeles campus. The director would also be authorized to enter into a long-term ground lease, for 75 years, with the Trustees of the California State University for the land, within the Los Angeles campus, upon which the project would be constructed. This bill would authorize the State Public Works Board to issue lease revenue bonds, negotiable notes, or negotiable bond anticipation notes, not to exceed \$92,000,000 plus additional specified sums, for the acquisition, development, design, and construction of the project. The board and the Office of Criminal Justice Planning would be authorized to borrow funds for project costs from the Pooled Money Investment Account or from any other appropriate source. This bill would provide that if the authorized bonds are not sold, the Office of Criminal Justice Planning shall commit a sufficient amount of its support appropriation to repay any loans made for the project.

This bill would authorize the Office of Criminal Justice Planning to execute a contract with the board for the lease of the regional crime laboratory facilities that are financed with the proceeds of the board's bonds. This bill would also authorize the Office of Criminal Justice Planning, with the consent of the board and the Department of General Services, to enter into contracts and subleases with specified parties for the use, maintenance, and operation of the regional crime laboratory facilities. This bill would require the Department of General Services to assign the ground lease to the Los Angeles Regional Crime Laboratory Facility Authority, or its successor agency, once the specified bonds or notes have been paid in full.

(12) Existing law generally sets forth the duties of the Technology, Trade, and Commerce Agency in developing and implementing various programs for the promotion of economic opportunities in the state.

This bill would require the agency to develop an agencywide strategic plan covering a minimum of five years, and to include specified components, in order to better integrate program efforts and to highlight current state priorities. It would require the agency to ensure that short-term plans for programs within the agency are aligned with the agencywide strategic plan, and, commencing February 15, 2003, to report annually to specified committees of the Legislature on its progress in implementing a strategic approach to its planning.

(13) Existing law creates within state government the Technology, Trade, and Commerce Agency and requires it to maintain regional offices in specified locations in the state, including the greater San Diego area. Under existing law, the San Diego regional office is required at least annually to make recommendations to the Governor and Legislature to improve the economic status of the San Diego border area.

This bill would authorize, rather than require, the agency to maintain regional offices in these specified locations. The bill would additionally authorize the agency to maintain regional offices in other areas of the state. The bill would also require the San Diego regional office to submit as appropriate rather than annually.

Existing law provides for the establishment of international trade and investment offices and the administration of those offices by the International Trade and Investment Division within the Technology, Trade, and Commerce Agency.

This bill would require the proponent of any new international trade and investment office to submit a proposed business plan for the office, with specified information, to the agency. It would require the agency, to the extent funds are available for that purpose, to evaluate the business plans and submit the evaluations to the Legislature.

The bill would require each international trade and investment office to annually provide specified baseline information and a report to the agency, and would require the agency to submit these annual reports to the Legislature.

(14) The California Constitution provides that specified persons are exempt from civil service. Existing law requires the Governor to determine the distribution in executive agencies of deputies or employees selected pursuant to specified provisions of the California Constitution. Existing law also imposes various duties on the State Board of Equalization.

This bill would authorize each member of the State Board of Equalization to request that the Governor convert one civil service position of the board to be exempt from civil service, as provided.

(15) Existing law establishes the California Victim Compensation and Government Claims Board consisting of the Director of General Services, the Controller, and a 3rd member appointed by the Governor. Existing law requires the board to schedule its meetings for the purposes of receiving and acting upon claims so that meetings are held in southern California at least once in every 2 consecutive calendar months, and to hear a claim at the location designated as a preferred location where the board holds its meetings.

This bill instead would require the board to hold regular meetings in Sacramento and would authorize other meetings within the state as a majority of the board directs.

(16) Existing law establishes and authorizes the expenditure of moneys from various accounts and funds in the State Treasury, including continuously appropriated funds. Existing law authorizes loans between accounts and funds under specified circumstances and subject to specified conditions, and sets forth the duties of the Director of Finance in that regard.

This bill would authorize, unless otherwise prohibited by law, moneys in the State Treasury to be loaned from one state fund or account to any other state fund or account to address the 2002–03 fiscal year budgetary shortfall, subject to specified conditions. It would authorize the Director of Finance to order the repayment of all or a portion of any of these loans if he or she determines that either of specified circumstances exists, and to make specified reports to the Chairperson of the Joint Legislative Budget Committee with respect

to the loans. By providing for the addition of moneys to continuously appropriated funds, this bill would make an appropriation.

(17) Existing law establishes in the State Treasury the continuously appropriated Local Agency Investment Fund to which a local agency, local governmental unit, or local governmental official, with the consent of the governing body of the agency, may remit money in its treasury that is not required for immediate needs for the purpose of investment to be held for a time determined by the local governmental unit. Existing law requires, immediately at the conclusion of each calendar quarter, that all interest earned and other increment derived from investments be distributed by the Controller to the contributing governmental units or trustees or fiscal agents, nonprofit corporations, and quasi-governmental agencies in amounts directly proportionate to the respective amounts deposited in the fund and the length of time the amounts remained therein.

Existing law requires, however, that an amount equal to the reasonable costs incurred in carrying out duties related to the administration of the fund, not to exceed  $\frac{1}{2}$  of 1% of the earnings of the fund, be deducted from the earnings prior to distribution, and that this amount be credited as reimbursements to the state agencies having incurred costs in carrying out duties related to the administration of the fund.

This bill would specify that these state agencies include the Treasurer, the Controller, and the Department of Finance.

Existing law requires moneys in the Surplus Money Investment Fund to be invested by the State Treasurer as a part of the Pooled Money Investment Account. Existing law requires, as of each December 31 and June 30, that all interest earned and other increment derived from these investments, upon order of the Controller, to be deposited into the Surplus Money Investment Fund. Existing law further requires the Controller, after deducting an amount equal to the reasonable costs incurred by the Treasurer and the Controller in carrying out provisions related to the Surplus Money Investment Fund, to apportion interest earned and other increment derived from these investments into various funds. Existing law also provides that as of December 31 and June 30 each year all interest earned and other increment derived from investment of money in the Fish and Game Preservation Fund, less related expenses concerning investment of those funds incurred by the Treasurer and the Controller, shall be transferred to the Fish and Game Preservation Fund.

This bill would require the amount of the deductions described above also to include costs incurred by the Department of Finance in carrying out these investment provisions.

The General Obligation Bond Law prescribes the contents of state general obligation bond acts and the process by which these bonds are sold and issued. This law requires that there be transferred from any bond fund created for the proceeds of sales of state general obligation bonds, the amounts necessary to reimburse the Treasurer for specified expenses, including expenses incurred in administering loans from the Pooled Money Investment Account to the bond fund.

This bill instead would provide that there be transferred from any bond fund created for the proceeds of sales of state general obligation bonds, the amounts necessary to reimburse the Treasurer, the Controller, the Department of Finance for these specified expenses, and would include within these expenses those incurred in administering or reviewing loans from the Pooled Money Investment Account to the bond fund, including review by the Public Works Board staff. The General Obligation Bond Law also specifies the purposes for which proceeds from the sale of bonds issued pursuant to that law may be used, with one of these purposes being payment of the costs of a state agency with responsibility for administering the bond program.

This bill would specify that these costs include those incurred by the Treasurer, the Controller, the Department of Finance, and, for the Public Works Board, for staff, operating expenses and equipment, and consultants' costs.

Existing law appropriates \$250,000 from the General Fund without regard to fiscal years, to be set aside in the State Notes Expense Account, to be used to pay expenses incurred by

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the Treasurer in providing for the preparation, sale, issuance, advertising, legal services, or any other act which, in the Treasurer's discretion, is necessary to carry out provisions of law relating to the issuance of warrants by the Controller.

This bill, in addition, would allow these funds to be used by the Controller or the Department of Finance, to pay the expenses for the services described above, or any other act which in the discretion of either the Treasurer or the Department of Finance is necessary to carry out those provisions of law. By expanding the purposes for which these funds may be used, this bill would constitute an appropriation.

(18) Existing law provides for the assessment of specified fees in connection with civil court proceedings to pay for trial court costs.

This bill would institute a state surcharge of 10% on specified fees connected with civil court proceedings, to be levied in addition to any other court-related fee. The bill would specify that this provision would remain in effect only until July 1, 2007.

Existing law imposes a state penalty, in a specified amount, upon every fine, penalty, or forfeiture imposed and collected by the courts for criminal offenses other than parking offenses.

This bill would impose a 20% surcharge on the criminal fine used to calculate this state penalty, to be levied in addition to the state penalty. The bill would specify that this provision would remain in effect only until July 1, 2007.

Existing law allows the board of supervisors of a county to determine the order of priority in which disbursements are made from funds provided by installment payments on criminal fines and fees, or collected by the Franchise Tax Board for criminal fines and fees that are delinquent. Existing law also allows the board of supervisors to determine the priority of payment between court orders or parts of orders when defendants have been ordered to pay more than one court order.

This bill would require the board of supervisors to mandate the following order of priority for disbursement of these funds: (a) restitution to the victim; (b) the 10% state surcharge; (c) fines, penalty assessments, and restitution fines, in an amount for each that is proportional to the total amount levied for all of those items; and (d) other reimbursable costs. The bill would also require the board of supervisors to apply these priorities to orders or parts of orders when defendants have been ordered to pay more than one court order.

(19) Existing law requires the Commission on State Mandates to hear and decide upon a claim by a local agency or school district that the local agency or school district is entitled to be reimbursed by the state for costs mandated by the state as required under the California Constitution.

This bill would authorize the commission to review claims only if the test claim is filed not later than 3 years following the date the mandate became effective, or in the case of mandates that became effective before January 1, 2002, one year from the effective date of this act.

Existing law requires the Controller to notify the claimant in writing within 30 days after issuance of a remittance advice of any adjustment to a claim for reimbursement that results from an audit or review by the Controller.

This bill would require the notice to specify the interest charges on claims adjusted to reduce the overall reimbursement to the local agency or school district.

Existing law prescribes the time for submitting claims for reimbursement and requires that any claim for initial reimbursement that is filed after the filing deadline be reduced by 10% of the amount that would have been allowed had the claim been timely filed, provided that the reduction does not exceed \$1,000.

This bill would delete the \$1,000 limit on the claim reduction.

Existing law declares the intent of the Legislature to establish a method for regularly reviewing the costs of state-mandated local programs.

This bill would require the Controller and the Legislative Analyst to submit reports regarding mandates, as specified, and would require the Legislative Analyst to make

recommendations on whether certain mandates should be repealed, funded, suspended, or modified.

Existing law prohibits claims and payments on claims unless the claims exceed \$200, but permits a county superintendent of schools or a county to submit combined claims on behalf of school districts, direct service districts, or special districts within their county if the combined claim exceeds \$200.

This bill would increase the minimum amount that may be claimed and the minimum claim payment from in excess of \$200 to in excess of \$1,000.

(20) The California Building Standards Law requires all state agencies, including the Occupational Safety and Health Standards Board, that adopt or propose adoption of any building standard to submit the building standard to the California Building Standards Commission for approval or adoption.

This bill would exempt from these requirements any regulation adopted by the Occupational Safety and Health Standards Board and make various conforming changes.

(21) Existing law makes the Department of Insurance responsible for regulating the business of insurance and authorizes its commissioner to employ a staff to discharge those duties.

This bill would require that appointment to 3 designated positions within the department be made by the Governor and would provide that the positions are exempt from the state civil service system.

(22) Existing law establishes the Workers' Compensation Administration Revolving Fund as a special account in the State Treasury. Under existing law, money in the fund may be expended for the administration of the workers' compensation program, pursuant to specified provisions of law, except as provided, and may not be used for any other purpose.

This bill instead would provide that money in the Workers' Compensation Administration Revolving Fund may not be used for any but the specified purposes, except as determined by the Legislature.

Existing law requires contractors on public works who employ journeymen or apprentices to contribute to the Apprenticeship Training Contribution Fund from which funds are continuously appropriated to administer certain apprenticeship programs and to make prescribed grants to apprenticeship programs at the end of each fiscal year.

This bill would postpone, until the 2003–04 fiscal year, the making of grants to apprenticeship programs. This bill also would permit the Division of Apprenticeship Standards to utilize moneys in the fund for the general expenses of that division and thereby would make an appropriation from a special fund.

(23) 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 includes in this category of peace officers any medical technical assistant series employee designated by the Director of Corrections or designated by the Director of Corrections and employed by the State Department of Mental Health to work in the California Medical Facility.

This bill would delete the requirement that these medical technical assistant series employees work in the California Medical Facility to be peace officers.

The Public Employees' Retirement Law provides increased benefits and higher contribution rates for peace officer/firefighter members than those provided for state miscellaneous members. Member contributions are deposited in the Public Employees' Retirement Fund, a continuously appropriated special fund.

Because this bill would provide that more medical technical assistant service employees are peace officers, thereby including these additional employees within the category of peace

officer/firefighter members, it would make an appropriation by increasing the amount of employee contributions to the Public Employees' Retirement Fund.

Existing law authorizes the Department of Corrections to reduce a prisoner's sentenced term of imprisonment through the accumulation of worktime credits by performance in work, training, and education programs established by the Director of Corrections. Existing law specifies that for every 6 months of full-time performance in a credit qualifying program, as designated by the director, a prisoner shall be awarded worktime credit reductions from his or her term of confinement of 6 months, as specified. However, existing law provides that under no circumstances shall any prisoner receive more than 6 months' credit reduction for any 6-month period.

This bill would provide that any inmate assigned to a conservation camp by the Department of Corrections who is eligible to earn one day of worktime credit for every one day of service pursuant to existing law shall instead earn 2 days of worktime credit for every one day of service, as specified.

Under existing law, a person convicted of a crime who is addicted, or in imminent danger of becoming addicted, to narcotics may be committed for treatment by the Department of Corrections to the narcotic detention, treatment, and rehabilitation facility, as specified. Under existing law, if at any time the director concludes that a person at the facility, because of excessive criminality or for other relevant reason, is not a fit subject for confinement or treatment in the facility, the director shall return the person to the court in which the case originated for such further proceedings on the criminal charges as that court may deem warranted. Under existing law the director is not explicitly authorized to limit the number of persons who may be committed to the facility or to refer a person committed to the facility back to court in order to achieve this limit.

This bill would specify that eligibility for treatment pursuant to Proposition 36, an initiative statute that provides for narcotics treatment in lieu of incarceration in specified circumstances, would be a proper reason for the return of a person to court by the director. This bill would specify that the director is authorized to limit the number of persons who may be committed to the facility and that the director may refer a committed person back to the court in which the committed person's case originated, in order to achieve the limit.

(24) Existing law provides that commencing on June 30, 2000, and annually thereafter until December 31, 2004, the Board of Corrections, in consultation with other state agencies, shall submit a report to the Legislature assessing mentally ill offender crime reduction grants, as specified.

This bill, in addition, would require an interim report be submitted on March 1, 2003.

(25) Existing law establishes within the Youth and Adult Correctional Agency a Commission on Correctional Peace Officer Standards and Training, known as CPOST. CPOST is required to develop, approve, and monitor standards for the selection and training of state correctional peace officers apprentices. Those standards are subject to approval by the State Personnel Board. The State Personnel Board is required to ensure that, prior to training, each applicant who has otherwise qualified in all physical and other testing requirements to be a peace officer in a youth or adult correctional facility, is determined to be free from emotional and mental conditions that might adversely affect the exercise of his or her duties and powers as a peace officer.

This bill would expand the latter provision to additionally require the Department of the Youth Authority to ensure that applicants are determined to be free from those emotional and mental conditions.

(26) Existing law, the Public Utilities Act, establishes the Office of Ratepayer Advocates (division) within the Public Utilities Commission to represent the interests of public utility customers and subscribers within the jurisdiction of the commission by obtaining the lowest possible rate for service consistent with reliable and safe service levels. The act requires that the annual budget for the division be separately identified in the commission annual budget request.

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This bill instead would require the commission, on or before January 10 of each year, to provide the chairs of the fiscal committee of each house of the Legislature and to the Joint Legislative Budget Committee the number of personnel years assigned to the division, the total dollars expended by the division in the prior year, the estimated dollars expended in the current year, the total dollars proposed for appropriation in the budget year, and the workload standards and measures for the division.

Under existing law, the California Consumer Power and Conservation Financing Authority is charged with various duties relating to the financing and constructing of generating facilities and other projects to supplement private and public sector power supplies, financing programs to encourage consumers and businesses to invest energy efficiency programs to reduce the demand for energy in California, and financing retrofits of electric powerplants to improve the efficiency and environmental performances of those powerplants. Under existing law, the chief executive officer of the authority is authorized to contract for the services of other officers or employees, subject to the approval of the board. Under existing law, those contracts are not subject to otherwise applicable provisions of the Government Code and the Public Contract Code.

This bill would delete the provision exempting those contracts from the provisions of the Government Code and the Public Contract Code.

(27) The Cigarette and Tobacco Products Tax Law requires that an appropriate stamp be affixed to, or that an appropriate meter impression be made upon, each package of cigarettes prior to distribution.

This bill would define "stamps and meter impressions" for purposes of this requirement. This bill would also require the State Board of Equalization to prescribe and approve the types, and the method of applying, stamps and meter impressions.

(28) The Energy Surcharge Law imposes a surcharge on the consumption of electrical energy purchased from an electric utility at a rate fixed by the State Board of Equalization, as specified.

This bill would, with respect to electrical energy purchased from an electric utility on or after January 1, 2003, require that the rate not exceed \$0.0003 per kilowatt-hour, or a lower rate fixed by the Energy Commission at a public meeting held each November for the following calendar year.

(29) The Porter-Cologne Water Quality Control Act imposes on a person for whom waste discharge requirements have been prescribed, an annual fee established by the State Water Resources Control Board, not to exceed \$10,000, with the fees calculated based on total flow, volume, number of animals, and area involved. Existing law requires fees that are collected to be deposited in the Waste Discharge Permit Fund, which is expended, upon appropriation, for purposes of carrying out the act.

This bill would increase the fee limit to not more than \$20,000, would require the state board, in calculating the amount of fees, to also base the fees on the threat to water quality, and would require the maximum fee amount to be adjusted annually to reflect changes in the cost of living as measured by the Consumer Price Index prepared by the Department of Industrial Relations or a successor agency.

(30) Existing law authorizes the Legislature to provide for minimum wage and for the general welfare of employees, and for those purposes, to confer on a commission legislative, executive, and judicial powers. Under existing law, the Department of Industrial Relations is responsible for investigation and enforcement of the labor laws, including, but not limited to, the laws governing safe and healthful working conditions on the job, wages, hours of work, and conditions of employment.

This bill would require the Department of Industrial Relations to procure a case management system that has the capability to ultimately provide the public with free, web-based access to a searchable database containing information regarding the status of all complaints, citations, and administrative proceedings of the department, as specified.

(31) Existing law establishes the Department of the Youth Authority for the commitment of certain youthful offenders.

This bill would require the Department of the Youth Authority to submit to the Department of Finance and the fiscal committees of the Legislature on or before November 1, 2002, a written plan to close at least 3 other facilities by June 30, 2007. The bill would also require the Department of the Youth Authority to close one of those facilities pursuant to the plan by June 30, 2004, as specified.

(32) Existing law establishes the Renewable Resources Trust Fund, a continuously appropriated fund appropriated to the State Energy Resources Conservation and Development Commission, for the purposes of funding programs designed to foster the development of new in-state renewable electricity generation technology facilities, and to secure for the state the environmental, economic, and reliability benefits that continued operation of those facilities provides.

Existing law establishes the California Consumer Power and Conservation Financing Authority (Power Authority), with certain powers and responsibilities, including the issuance of up to \$5,000,000,000 of revenue bonds, augmenting electrical generating facilities, to ensure a sufficient and reliable supply of electricity, providing financial incentives for investment in cost-effective energy-efficient appliances and energy demand reduction, and providing financing for the retrofit of inefficient electrical powerplants, renewable energy, and conservation. Existing law establishes in the State Treasury the California Consumer Power and Conservation Financing Authority Fund, a continuously appropriated fund, for the support of the Power Authority.

This bill would authorize funds in the Renewable Resources Trust Fund to be expended for a loan to the California Consumer Power and Conservation Financing Authority Fund in an amount not to exceed \$8,900,000. The bill would further provide the terms for repayment of the loan, including that it be repaid by June 30, 2004. If not repaid, the bill would appropriate moneys for a loan from the Energy Resources Program account in the General Fund to repay the balance owed the Renewable Resources Trust Fund.

(33) 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.

(34) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 1125 (AB 625) Oropeza. International trade and investment offices: proposals.

(1) Existing law provides for the establishment of international trade and investment offices and the administration of those offices by the International Trade and Investment Division within the Technology, Trade, and Commerce Agency.

This bill would require the proponent of any new international trade and investment office to submit a proposed business plan for the office, with specified information, to the agency. The bill would require the proponent of an international trade and investment office to submit a letter of intent to the agency 90 days prior to submitting the proposed business plan. It would require the agency, to the extent funds are available for that purpose, to evaluate the business plans, and submit reports on the evaluations that would be required to include specified information, to the Legislature. It would require that the agency's costs for evaluating each plan not exceed \$10,000.

This bill would prohibit the establishment of any international trade and investment office authorized by law on or after January 1, 2003, until after January 1, 2005, and as of January 1, 2005, this provision would be repealed.

(2) AB 3000, if enacted, would add provisions to the Government Code that require the proponent of any new international trade and investment office to submit a proposed business plan for the office, with specified information, to the agency. It would require the agency, to the extent funds are available for that purpose, to evaluate the business plans and submit the evaluations to the Legislature. It would also require each international trade and investment office to provide annually to the agency specified baseline information about the region served by that office and to prepare annual reports regarding its clients and changes in its baseline information. It would also require the agency to submit those annual reports to the Legislature.

This bill would repeal these provisions.

#### Ch. 1126 (AB 716) Firebaugh. California Cultural and Historical Endowment.<sup>6</sup>

Existing law contains various provisions relating to historical and cultural resource projects and programs, including the development, restoration, and preservation of historical sites.

This bill would enact the California Cultural and Historical Endowment Act, which would establish the California Cultural and Historical Endowment, consisting of specified members, in the California State Library and to require the endowment to use funds allocated and appropriated from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002, and from other sources, including federal grants, to make grants and loans to public agencies and nonprofit organizations, as defined, including museums, relating to historical resources and to develop various programs and projects to protect and preserve California's cultural and historic resources. The bill would require the endowment to conduct a comprehensive survey of the state of cultural and historical preservation, accessibility, and interpretation in California and to report on the survey to the Legislature and the Governor by November 1, 2005. The bill would prohibit the endowment from utilizing more than 5% of the funds appropriated from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act for associated programmatic costs.

This bill would provide that, notwithstanding the bill that enacts the 2002–03 budget, the Director of Finance shall not abolish the vacant positions within the State Library but allow the positions to be used by the State Library for purposes of the California Cultural and Historical Endowment Act.

The bill would appropriate \$219,765,000 from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund and allocate \$128,415,000 to the California State Library for purposes of the endowment, \$91,350,000 to the Department of Parks and Recreation for opportunity grants, as provided, and appropriate \$74,680,000 from that fund to the Department of Parks and Recreation for recreational grants, as provided.

#### Ch. 1127 (AB 1768) Oropeza. State and local government.<sup>7</sup>

(1) Existing law provides for the coordination of state and local public safety agencies and emergency response teams to respond to emergencies. Existing law administered by the Federal Communications Commission authorizes public safety agencies or entities to operate radio communication systems on specified frequencies of the radio spectrum and directs states to oversee interoperability of public safety spectrum.

This bill would provide that, of the amounts received from the federal government for homeland security and appropriated in the Budget Act of 2002, not more than \$15,000,000 may be allocated to the security adviser to the Governor for disbursement to state and local government public safety agencies to procure and operate specified radio equipment. It

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would require each state and local government public safety agency that receives these funds to provide an annual report to the Legislature, as specified.

(2) Existing law authorizes the Secretary of State to appoint one Assistant Secretary of State, and deputies and other assistants necessary for the proper conduct of his or her office. The Assistant Secretary of State and all deputies are civil executive officers. The California Constitution specifies that state officers directly appointed by the Governor are exempt from state civil service.

This bill would require, notwithstanding any other provision of law, that 2 employees of the Secretary of State's office be appointed by the Governor and be exempt from civil service.

(3) Existing law requires a redevelopment agency, during the 1993–94 and 1994–95 fiscal years, to allocate to the county auditor an amount of revenue, determined in accordance with specified calculations made by the Director of Finance and based on a specified report of the Controller, for deposit the Educational Revenue Augmentation Fund in each county for allocation to school entities.

This bill would require a redevelopment agency to make a similar allocation in the 2002–03 fiscal year, as provided, and would make conforming changes to related provisions. This bill would authorize a redevelopment agency to defer the payment of a portion of this allocation if that agency finds that it is unable, for either of certain reasons, to pay the full allocation, and if the agency adopts a specified resolution. By imposing additional duties on local tax officials in connection with the allocation of property tax revenues, this bill would impose a state-mandated local program.

(4) Existing law provides for the payment of interest at specified rates on the amount of unclaimed property claims, overpayments of estate taxes, and overpayments of corporation taxes.

This bill would provide, in the case of corporations, that the interest rate shall be the lesser of 5% or the bond equivalent rate of 13-week United States Treasury bills, as specified.

(5) This bill would authorize the Secretary of the Technology, Trade, and Commerce Agency, with the approval of the Director of Finance, to direct the Controller to transfer specified funds of the agency to the General Fund to be credited toward an unallocated reduction in the agency budget.

(6) This bill would also amend and supplement the Budget Act of 2002.

(7) Proposition 40 approved by the voters provides for bond funds to be deposited in the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund. Assembly Bill 716 of the 2001–02 Regular Session appropriates \$219,765,000 from the fund and allocates \$128,415,000 to the California State Library for purposes of the California Cultural and Historical Endowment, \$91,350,000 to the Department of Parks and Recreation for opportunity grants, as provided, and appropriates \$74,680,000 from that fund to the Department of Parks and Recreation for recreational grants, as provided.

This bill would require the \$91,350,000 that would be appropriated to the Department of Parks and Recreation for allocation as opportunity grants from the fund to be available to the Department of Parks and Recreation for those opportunity grants, and for state capital outlay projects. The bill would require the department, on or before December 15, 2002, and on or before December 15 annually thereafter, to report to the Joint Legislative Budget Committee on all state capital outlay projects funded from that appropriation and would require that to the extent the funds are used for a state capital outlay project, the project be subject to specified provisions regarding the State Public Works Board review and approval. This provision would take effect only if AB 716 is enacted and becomes effective on or before January 1, 2003.

(8) This bill would appropriate \$5,000,000 from the Public Transportation Account in the State Transportation Fund to the Department of Transportation, for local assistance to the City of Schafer for the Southern San Joaquin Valley Intermodal Facility.

(9) This bill would make specified funds appropriated by the Budget Act of 1998 and the Budget Act of 1999 to the Western Center for Archaeology and Paleontology and by the

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**NOTE:** Superior numbers appear as a separate section at the end of the digests.

Budget Act of 1999 the Regional Aquatic Center swimming pool in the City of San Jacinto available for liquidation until June 30, 2005.

(10) Item 1760-001-0666 of the Budget Act of 2002 appropriates funds for the support of the Department of General Services, payable from the Service Revolving Fund, pursuant to a specified schedule. Provision 3 of Item 1760-001-0666, among other things, provides that departments shall not develop or implement e-government systems to the extent such systems already exist within the state's centralized e-government systems.

This bill would delete that provision.

(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.

(12) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 1128 (AB 2834) Migden. School districts: audits.

(1) Existing law requires the Controller, on an annual basis, to review and monitor the audit reports performed by independent auditors to determine the practicability and effectiveness of school district audits.

This bill, instead, would require the Controller to review and monitor audits of local education agencies.

The bill, in addition, would require the Controller to consult with the Director of Finance in developing a format for the audit reports.

(2) Existing law requires the Controller, in consultation with the Department of Finance and the State Department of Education, to develop a plan to review and report on financial and compliance audits. Existing law requires the Controller, in consultation with the Department of Finance, the State Department of Education, a representative of the county offices of education, and representatives of the California Society of Certified Public Accountants, to recommend the statements and other information to be included in the audit reports filed with the state and to propose the content of an audit guide. Existing law requires the Controller to submit a copy of the audit guide to the Department of Finance for review.

This bill would, on and after July 1, 2003, authorize a supplement to the audit guide to be suggested in the audit year, as prescribed, to address issues resulting from new legislation in that year that changes the conditions of apportionment. The bill would require the audit guide and any supplements to the audit guide to be submitted by the Controller to the Education Audits Appeal Panel, would require that panel to adopt the audit guide and any supplements to the audit guide pursuant to the rulemaking procedures of the Administrative Procedure Act, and would prescribe other, related matters.

(3) Existing law requires the Controller, if a school district received an emergency apportionment, to conduct a quality control review of the audit working papers of the independent auditor who performed the audits for a school for the prior 3 fiscal years.

This bill would change the reference in that requirement from a school district to a local education agency and would also require the Controller to conduct a quality control review if the budget of a local education agency is disapproved or if a local education agency has received an emergency apportionment or a negative certification on any budget or interim financial report during the current or preceding fiscal year or if the responsible county superintendent of schools has otherwise determined that a lack of going concern exists for a local education agency. The bill would require a local education agency's audit to include an evaluation on whether there is substantial doubt about the agency's ability to continue as a going concern for a reasonable period of time.

The bill would provide that a contract to perform the audit of a local education agency that has a disapproved budget or has received a negative certification on any budget or interim financial report during the current fiscal year or either of the 2 preceding fiscal years, or for which the county superintendent of schools has otherwise determined that a lack of going concern exists, is not valid unless approved by the responsible county superintendent of schools and would prescribe related matters.

(4) Existing law requires the audits be made by certified public accountants or licensed public accountants.

This bill would require local education agencies to select these accountants from a directory approved by the Controller. The bill would require the directory to be published not later than December 31 of each year and would require the accountants included in the directory to be in good standing with the Board of Accountancy and to have no prior history of noncompliance in the education context.

The bill would make it unlawful, commencing with the 2003–04 fiscal year and except as specified, for a public accounting firm to provide audit services to a local educational agency if the lead or coordinating audit partner having primary responsibility for the audit or the audit partner responsible for reviewing the audit, performed audit services for the local education agency for each of the 6 previous fiscal years. The bill would require that a nonauditing, management, or other consulting service provided to a local education agency by a certified public accounting firm while the certified public accounting firm is performing an audit of the agency pursuant to this section to be in accord with specified standards.

(5) Existing law requires each county superintendent of schools to make certain specified certifications to the Superintendent of Public Instruction regarding audits of school districts under his or her jurisdiction.

This bill, in addition, would require that the county superintendent of schools make those certifications to the Controller, as well, thereby imposing a state-mandated local program.

(6) Existing law defines a compliance audit as an audit that verifies that funds provided for the support of a public school have been expended as required by either law or regulation.

This bill would change that definition to include verification that funds provided for the support of a public school also have been disbursed as required by either law or regulation.

(7) Under existing law, there is a panel consisting of the Superintendent of Public Instruction, the Director of the Department of Finance, and a Chief Administrative Officer of the Fiscal Crisis and Management Assistant Team with prescribed duties relating to the review of audit reports.

This bill would establish the Education Audits Appeal Panel, comprised of the same members, as a separate state agency, and would authorize the panel to expend funds, hire staff, make contracts, sue and be sued, and to issue regulations in furtherance of its duties. The bill would authorize the panel to hear appeals of audit reports, and would prescribe related matters.

(8) Existing law states the intent of the Legislature that responsible school district officials be held fully accountable for the sum and substance of attendance accounting and reporting and that minor and inadvertent instances of noncompliance be resolved in a fair and equitable manner to the satisfaction of the Superintendent of Public Instruction and the Department of Finance. Existing law authorizes the Superintendent of Public Instruction with the approval of the Department of Finance, to waive strict compliance by school districts with the statutes and regulations relating to attendance accounting for purposes of making apportionments from Section A of the State School Fund if the superintendent makes a specified determination.

This bill would recast and revise those provisions.

(9) Existing law requires, for purposes of computing average daily attendance, a local educational agency's prior fiscal year average daily attendance to be reduced by an amount equal to the average daily attendance disallowed in the current fiscal year by an audit or review. Under existing law, a local education 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.

This bill would hold in abeyance all completed audits and appeals of audits, withdraw any findings made pursuant to audits, and provide that no loss of apportionment pursuant to an audit shall be realized, as specified. The bill would, in addition, discontinue all ongoing audits to excused absences for specified fiscal years, and would require the Controller to notify all school districts, charter schools, and county offices of education that it is no longer necessary to retain records supporting pupil attendance and reported excused absences used for purposes of calculating average daily attendance for the 1996–97 fiscal year, as specified.

(10) The bill would appropriate \$2,950,000 from the General Fund for allocation as follows: \$525,000 to the Controller for purposes of reviewing annual financial and compliance audits performed for local education agencies and developing and maintaining the directory of certified public accountants and public accountants, \$1,600,000 to the Controller for the purpose of auditing reimbursable state mandate claims filed by local government entities and local education agencies; and \$750,000 to the Controller for allocation to the Education Audits Appeal Panel established by the bill for general support of hearing appeals of audit reports, and \$75,000 to the State Department of Education for a staff position and operating expense for workload associated with implementing this act.

(11) This bill would make other conforming changes.

(12) This bill would incorporate additional changes to Section 17558.5 of the Government Code proposed by AB 3000, to be operative only if this bill and AB 3000 are both enacted and become effective on or before January 1, 2003, and this bill is enacted last.

(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, 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. 1129 (AB 2650) Lowenthal. Air pollution: diesel emissions: California Port Community Air Quality Program: Bay Area Air Quality Management District and South Coast Air Quality Management District.

(1) Existing law requires the State Air Resources Board to endeavor to achieve the maximum degree of emission reduction possible from vehicular and mobile sources of air pollution in order to accomplish the attainment of the state ambient air quality standards at the earliest practicable date. Existing law delegates to air quality management districts and air pollution control districts primary responsibility for all nonvehicular sources of air pollution.

This bill would require each marine terminal in the state to operate in a manner that does not cause the engines on trucks to idle for more than 30 minutes while waiting to load or unload at the terminal, and would charge the district with geographical jurisdiction over that marine terminal with enforcing the requirement. The bill would make any owner or operator of a marine terminal that acts in violation of that requirement subject to a fine. The bill would also make any action taken by a marine terminal to pass the costs of that fine onto the owner or operator of a truck a violation of nonvehicular air pollution control laws. Because other enforcement provisions of law make a violation of those laws a crime, this bill would create a state-mandated local program by creating a new crime and by imposing additional enforcement duties on local districts. The bill would impose a fine on the owner or operator of the marine terminal or port for taking any action to divert idling trucks to area freeways or alternate staging areas. The bill would exempt from the requirement any marine terminal that provides specified staffing at receiving and delivery gates. The bill also would exempt

from the requirement, until July 1, 2003, any marine terminal that implements, or begins to implement, a scheduling or appointment system for trucks to enter the marine terminal. The bill would require a marine terminal implementing a scheduling or appointment system to adhere to specified criteria.

(2) Existing law establishes the Carl Moyer Memorial Air Quality Standards Attainment Program, administered by the state board, which provides grants through the districts to offset the incremental cost of projects that reduce emissions of oxides of nitrogen (NO<sub>x</sub>) from specified onroad vehicles, offroad nonrecreational equipment and vehicles, locomotives, diesel marine vessels, stationary agricultural engines, and other high-emitting diesel engine categories.

This bill would create the California Port Community Air Quality Program in the Bay Area Air Quality Management District and the South Coast Air Quality Management District, to be administered and implemented by those districts within their jurisdictions. The bill would require those districts to provide grants to offset the advanced introduction costs of eligible projects that reduce onroad emissions of particulate matter within communities adjacent to marine terminals or ports within the jurisdiction of those districts. The bill would authorize those districts to utilize moneys derived from fines imposed within the district's jurisdiction for a violation of the provisions described in (1) to offset the costs incurred in administering, enforcing, and monitoring the activities described in (1). The bill would authorize any moneys derived from those fines that remain after the district offsets its costs to be used by the district to fund the grant program.

(3) The bill would make certain findings and declarations regarding the inapplicability of a general statute within the meaning of Section 16 of Article IV of the California Constitution.

(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 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. 1130 (AB 2769) Lowenthal. Tidelands: City of Los Angeles.

Existing law grants to the City of Los Angeles all the right, title, and interest of the State of California in and to all tidelands and submerged lands situated below the line of mean high tide of the Pacific Ocean within the boundaries of the city in trust for certain purposes, including promotion of commerce, navigation, and fishery, and for certain specific uses relating to these purposes. Tidelands under the jurisdiction of the city's Board of Harbor Commissioners, as described in certain provisions of the city's charter, are exempt from the provisions of existing law authorizing specific uses.

This bill would delete the exemption specified above.

Existing law requires the city to file with the State Lands Commission a detailed description of specified capital improvements on the granted lands.

This bill would exclude from this requirement capital improvements on tidelands under the jurisdiction of the city's Board of Harbor Commissioners, as described in certain provisions of the city's charter.

The bill also would correct obsolete references to the city's charter in other provisions of law governing the tidelands and submerged lands.

#### Ch. 1131 (AB 982) Firebaugh. Health care.

Existing law, the Dental Practice Act and the Medical Practice Act, regulate the practice of medicine and dentistry in this state.

This bill would establish the California Medical and Dental Student Loan Repayment Program of 2002 which would be administered by the Office of Statewide Health Planning and Development and would provide conditional warrants for loan repayment to individuals enrolled in a postsecondary institution studying medicine or dentistry who agree to practice in medically and dentally underserved areas. The bill would authorize repayment of these conditional warrants, up to a specified amount, to participating, qualified, and licensed physicians and dentists who practice in underserved areas of the state. The bill would require the office to administer financial or other incentives to experienced dentists and physicians in an effort to market the programs at medical and dental schools in the state. The bill would provide that this program would not become operative unless appropriate funding, as determined by the office, is made available.

This bill would establish the Dental Corps Loan Repayment Programs of 2002 in the Dental Board of California and would create the Dentally Underserved Account in the State Dentistry Fund. The bill would authorize the Dentally Underserved Account to be funded by a \$3,000,000 transfer from the State Dentistry Fund, and beginning July 1, 2003, \$3,000,000 would be appropriated over a 3-year period in \$1,000,000 yearly increments from the State Dentistry Fund to the Dentally Underserved Account for loan repayments.

This bill would establish the California Physician Corps Loan Repayment Program of 2002 in the Division of Licensing of the Medical Board of California. The bill would create the Medically Underserved Account in the Contingent Fund of the Medical Board of California. The bill would authorize the Medically Underserved Account to be funded by a \$3,450,000 transfer from the Contingent Fund of the Medical Board of California, and beginning July 1, 2003, \$3,450,000 would be appropriated over a 3-year period in \$1,150,000 yearly increments from the Contingent Fund of the Medical Board of California to the Medically Underserved Account for loan repayments.

This bill would require reports to the Legislature on an annual basis regarding the number of program participants, practice locations, and the costs of the programs.

Ch. 1132 (AB 1357) Wiggins. Personal services contracts: employee compensation.

Existing law permits state agencies to enter into personal services contracts when certain conditions are met. These conditions include requiring a state agency that enters into a personal services contract for certain types of workers to include provisions for employee benefits that are valued at least 85% of the state employer cost of providing comparable benefits to state employees performing similar duties. For these purposes, existing law defines "benefits" to include health, dental, and vision benefits. The types of workers covered by this requirement include persons that provide janitorial and housekeeping services, custodians, food service workers, laundry workers, window cleaners, and security guards.

This bill would require these personal services contracts to also include provisions for employee wages that are valued at no less than 85% of the state employer cost of wages and benefits provided to state employees for performing similar duties. The bill would also include retirement benefits, holiday pay, sick pay, and vacation pay in the definition of benefits.

This bill would provide that it applies only to those personal services contracts and lease subcontracts entered into, renewed, or extended on or after July 1, 2003.

Ch. 1133 (AB 1974) Pescetti. Public employees' retirement: risk pools.

The Public Employees' Retirement Law authorizes the creation of separate risk pools for local and school miscellaneous, local safety, and school safety members, as specified, and

permits the assets and liabilities of contracting agencies to be combined for purposes of setting employer rates.

This bill would revise and recast these provisions. The bill would require the Board of Administration of the Public Employees' Retirement System to establish the criteria under which contracting agencies shall participate in a risk pool and the criteria under which contracting agencies, county offices of education, school districts, and community college districts may participate in a risk pool. The bill would prohibit requiring contracting agencies with more than 100 active members in a member classification to participate in a risk pool. The bill would provide that specified provisions regarding service credit and benefit payments are applicable to local members of a contracting agency participating in a risk pool without election by the contracting agency. The bill would establish the method of determining employer contribution rates, and would require that these rates take into account assets and liabilities brought into the pool, as specified. The bill would specify that the contribution rate made to the Public Employees' Retirement System by a county office of education, school district, or community college district participating in a risk pool, as specified, is equal to the rate that the county office of education or the district would have paid had the county office of education or the district participated in a single account under a specified provision. The bill would make definitional changes to conform with and further these provisions.

Ch. 1134 (AB 2145) Chu. Theft: advertising services.

Under existing law, the attachment or insertion of any unauthorized advertisement, as defined, into, and the actual or intended redistribution of, a newspaper that is offered for retail sale or is distributed without charge, except with the consent of the publisher or authorized distributor, is a misdemeanor. Existing law also makes it a misdemeanor to act in concert with another to distribute newspapers with unauthorized advertisements, in violation of this provision.

This bill would expand these provisions by including in the crime the attachment or insertion of unauthorized advertisements into magazines, periodicals, or other publications.

By expanding the scope of an existing crime, this bill would impose a state-mandated local program.

This bill would also recast and renumber these provisions to correct an inaccurate cross-reference, and to specify that these provisions do not apply to a distributor who attaches or inserts an unauthorized advertisement if the distributor has been directed to insert or attach the advertisement by the person or company supplying the newspapers, as specified, and the distributor is not aware that the advertisement is unauthorized. The bill would further specify that a conviction for this crime shall not constitute a conviction for petty theft.

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. 1135 (AB 2235) Vargas. IHSS: wages: employer of record.

Existing law provides for the In-Home Supportive Services (IHSS) program, under which, either through employment by the recipient, or by or through contract by the county, qualified aged, blind, and disabled persons receive services enabling them to remain in their own homes. Counties are responsible for the administration of the IHSS program.

Existing law requires the State Department of Social Services to assure the performance of various rights, duties, and obligations of an IHSS recipient, relating to contributions and premiums for benefits and taxes, if the state or a county makes or provides for direct payment to a provider chosen by a recipient or direct payment to the recipient for the purchase of in-home supportive services. These duties include withholding in trust from the payments made to or on behalf of a recipient amounts to be withheld from the wages of the provider

by the recipient as an employer and transmitting those amounts to the appropriate person or state or federal agency.

Existing law requires the Controller to provide for the administration of payroll deductions for purposes of state employees. Existing law authorizes the Controller to make certain deductions requested by employee organizations and bona fide associations from the salaries and wages of their members.

This bill would require the Controller to make certain deductions from the wages of in-home supportive services personnel related to employee organizations.

Existing law requires that on or before January 1, 2003, each county shall act as, or establish, an employer for IHSS providers for certain purposes.

This bill would require each county to provide the department with documentation, as prescribed, to demonstrate compliance with that requirement.

This bill would provide that if a county fails to provide the above documentation, in the manner specified, the county shall be deemed by operation of law to be the employer of IHSS providers for purposes of these provisions. By imposing these requirements upon each county, 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. 1136 (AB 2872) Thomson. Healing arts: physicians and surgeons.

Existing law, the Medical Practice Act, establishes requirements that a graduate of a medical school located outside of the United States or Canada is required to satisfy for licensure by the Medical Board of California as a physician and surgeon. These requirements include the successful completion of one academic year of a supervised clinical training program that is under the direction of an approved medical school.

This bill would make various findings by the Legislature, including that medical schools located within California no longer offer this clinical training program, described as the "Fifth Pathway Program." The bill would require the board, in consultation with these medical schools, the Office of Statewide Health Planning and Development, and other designated persons to study methods to reactivate the Fifth Pathway Program in medical schools located in this state. The bill would require the board to report its findings to the Legislature on or before July 1, 2003.

#### Ch. 1137 (AB 2908) Goldberg. Local public employee organizations.

The Meyers-Milias-Brown Act delegates jurisdiction to the Public Employment Relations Board to resolve disputes and enforce the statutory duties and rights of local public agency employers and employees. The act, among other things, requires the board to process as an unfair labor practice charge a complaint alleging violation of the act or rules or regulations adopted by a public agency under the act.

This bill would provide that the board shall not find it an unfair practice for an employee organization to violate a rule or regulation adopted by a public agency if that rule or regulation is in violation of the act.

The bill would permit any charging party, respondent, or intervenor aggrieved by a final decision or order of the board made under this authority and any party to a final decision or order of the board in specified matters not brought as an unfair practice case, to petition for a writ of extraordinary relief from the district court of appeal under prescribed procedures. The bill would permit the board, if the time to petition for review has expired, to seek

enforcement of any final decision or order by applying to the district court of appeal or superior court having jurisdiction over the county where the events giving rise to the decision or order occurred. It would also impose related requirements pertaining to enforcement of board decisions.

Ch. 1138 (AB 2935) Strom-Martin. Health professions: education: pharmacists: scholarship and loan repayment program.

Existing law provides for the licensure and regulation of pharmacists and pharmacies by the California State Board of Pharmacy. Existing law authorizes the imposition of a biennial license renewal fee upon pharmacists and an annual license renewal fee upon pharmacies.

This bill would authorize a pharmacist and pharmacy to make a \$25 contribution at the time of renewing a license, the proceeds to be deposited in the California Pharmacist Scholarship and Loan Repayment Program Fund described below.

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 Scholarship Program and the federal National Health Service Corps Loan Repayment Program. Under the existing programs, federal funds are provided to states for the purpose of providing scholarships to health professions students or repaying qualifying educational loans of specified health care professionals who commit to serve a specified time period as a provider of health services, at practice sites in designated health professional shortage areas. Under the existing programs, the practice site is also responsible for repaying a portion of the health care professional's outstanding loan amount.

Existing law establishes the Health Manpower Policy Commission and prescribes the powers and duties of the commission, which include identifying specific areas of the state where unmet priority needs for primary care family physicians exist.

This bill would establish in the office the California Pharmacist Scholarship and Loan Repayment Program to provide scholarships to pay for the educational expenses of pharmacy students and to repay qualifying educational loans of pharmacists who agree to serve in areas of the state where unmet priority needs for primary care family physicians exist as determined by the Health Manpower Policy Commission.

The bill would require the office to administer the California Pharmacist Scholarship and Loan Repayment Program utilizing the same general guidelines applicable to the federal National Health Service Corps Scholarship Program and the federal National Health Service Corps Loan Repayment Program, with the exception that no matching funds shall be required from any entity in the practice site area.

The bill would establish the California Pharmacist Scholarship and Loan Repayment Program Fund in the State Treasury, and would require that the moneys in the fund be available for expenditure, upon appropriation by the Legislature, for purposes of implementing the program. The bill would provide that the program shall be implemented only to the extent that sufficient moneys are available in the fund.

Ch. 1139 (AB 3040) Committee on Public Employees, Retirement and Social Security. Retirement.

(1) The Public Employees' Retirement Law provides for the election of 6 members of the Board of Administration of the Public Employees' Retirement System at elections conducted by the board.

This bill would provide that if an incumbent member of that board, as specified, does not deliver his or her completed nomination documents to the election coordinator for reelection by the applicable filing deadline, the filing deadline for otherwise eligible candidates for the seat is extended by 10 days after the filing deadline.

(2) The Public Employees' Retirement Law requires contributions to the retirement fund based on compensation earnable by a member, which includes the member's payrate and

special compensation, as specified. "Payrate" is defined, for members other than state members, as the normal monthly rate of pay or base pay of the member, as specified.

This bill would include in that definition of "payrate" any amount deducted from a member's salary for participation in a deferred compensation or specified retirement plan, a money purchase pension plan, or a flexible benefits program.

(3) Existing law authorizes contracting agencies of the Public Employees' Retirement System who have a specified level of assets to have employer assets applied to satisfy all member contributions.

This bill would clarify that a transfer of assets may not be made unless the member contributions of each member in a membership classification, for a period of at least one month and not more than one year, are satisfied thereby.

(4) Existing law requires the Board of Administration of the Public Employees' Retirement System to provide for conducting structured preretirement information seminars.

This bill would additionally require a meeting between a member and his or her employer to provide the member with oral and written information regarding his or her compensation earnable, as specified, if requested by the member.

Ch. 1140 (SB 1162) Polanco. University of California: Charles R. Drew/UCLA Undergraduate Medical Education Program.

Existing law establishes the University of California system as a public trust administered by the Regents of the University of California.

This bill would request the regents, as a component of the current assessment of the system's medical education program, to consider the expansion of the Charles R. Drew/UCLA Undergraduate Medical Education Program. The bill would also request the regents to submit a report summarizing their findings regarding the Charles R. Drew/UCLA Undergraduate Medical Education Program to the Governor, the Legislature, and the California Postsecondary Education Commission no later than June 30, 2003.

Ch. 1141 (SB 1423) Chesbro. Victims of crime: compensation.

(1) Existing law provides for the indemnification of victims of specified types of crimes by the California Victim Compensation and Government Claims Board, subject to specified criteria for, among other things, submission and verification of applications, eligibility for emergency awards and compensation for specified services, procedures for hearings with respect to denial of awards, and publicization of the program by the board. Various provisions authorizing compensation for losses incurred for specified mental health counseling services or as a result of specified types of crimes, and specified treatment of applications by, or on behalf of, minors and victims of domestic violence, are repealed as of January 1, 2004. Payment is made under these provisions from the Restitution Fund, which is continuously appropriated to the board for these purposes.

This bill would recodify and recast these provisions, and would revise various criteria for the application and verification processes, the scope of compensation for emergency awards, procedures for hearings, and provisions relating to publicizing the program. It would expand the scope of mental health counseling available to derivative victims, and would indefinitely extend provisions authorizing compensation for losses incurred for specified mental health counseling services or as a result of specified types of crimes, and specified treatment of applications by, or on behalf of, minors and victims of domestic violence. By expanding the scope of services for which continuously appropriated funds are available, and by indefinitely extending the duration of provisions authorizing certain uses of those continuously appropriated funds, this bill would make an appropriation.

(2) This bill would incorporate additional changes to existing sections of the victims of crime program provisions proposed by AB 2462, AB 2542, and AB 2729, to be operative only upon the occurrence of specified conditions.

(3) This bill would make various technical, conforming changes.

Ch. 1142 (SB 1591) Burton. Unemployment: job and preparation training.

Existing unemployment insurance law requires the establishment of regulations and procedures to govern job preparation, training services, and placement.

This bill would also require that standards be developed to ensure that no participant in these job preparation and training programs fills a job when any other individual is on layoff from the same or any substantially equivalent job, or when the employer has terminated the employment of any regular employee or otherwise reduced its workforce with the intention of filling the resulting vacancy with a program participant, or, with respect to the construction industry, when the employer has not rehired a seasonal employee with a history of regular seasonal employment.

Existing law prohibits the creation of any employment or training program position that results in the displacement of current employees, as specified.

This bill would, with respect to the construction industry, prohibit an employer from filling a work assignment if that placement is in lieu of rehiring a seasonal employee with a history of regular seasonal employment.

Ch. 1143 (AB 930) Keeley. Mobilehome parks: conversion to resident ownership.

Existing law requires a subdivider, at the time of filing a tentative or parcel map for a subdivision to be created from the conversion of a rental mobilehome park to resident ownership, to avoid the economic displacement of nonpurchasing residents by limiting the amount of rent increases, as specified. The subdivider is required to offer each existing tenant the option to purchase his or her condominium unit and is subject to a hearing on the matter, the scope of which is limited to the issue of compliance with these provisions.

This bill would require the subdivider to obtain a survey of support of residents of the mobilehome park for the proposed conversion pursuant to a written ballot, to be conducted as specified, with results to be submitted to the local agency upon filing of the tentative or parcel map, and considered as part of the hearing.

Ch. 1144 (AB 1243) Wiggins. Public employment: payroll deductions.

Existing law provides that a state employee may authorize deductions to be made from his or her salary or wages for payment for support of an employee's child, family, or former spouse, and for other purposes as specified.

This bill would provide that a public agency, which is defined to include counties, cities, municipal corporations, political subdivisions, public districts, and other public agencies of the state, may establish wage deduction programs for the purpose of payment for the support, maintenance, or care of an employee's child, children, family, or former spouse for whom the employee has a duty of support, payment of an employee's legal judgment, garnishment or deduction of an employee's wages pursuant to a court order, and payment of an employee's loan or obligation to a commercial lending institution.

Ch. 1145 (SB 1156) Burton. Agricultural employer-employee collective bargaining and mediation.

Existing law establishes a procedure pursuant to which backstretch employees working for a licensed trainer or horseman in the horse racing industry may join a labor organization for purposes of collective bargaining with their employers. It authorizes the California Horse Racing Board to order the parties to engage in good faith negotiations for employment agreements on an individual employer basis and to participate in mandatory mediation if no agreement is reached. If an impasse is declared the board may appoint an arbitrator to determine the issues and issue a binding order. Existing law authorizes specified disputes to be adjudicated by the stewards, who have the authority to order any remedy therefor, and authorizes the California Horse Racing Board to require the parties to submit to binding arbitration subject to judicial review.

This bill would provide a mediation procedure applicable to specified agricultural employers and a labor organization certified as the exclusive bargaining agent of a bargaining unit of agricultural employees. It would permit either party to file with the Agricultural Labor Relations Board, following a specified period, a declaration that the parties have failed to reach a collective bargaining agreement. It would require the board, upon receipt of a declaration pursuant to this procedure, to immediately issue an order directing the parties to mandatory mediation and conciliation of the issues for a specified period.

This bill would require the mediator, if the parties do not resolve the issues to their mutual satisfaction, to certify that the mediation process has been exhausted. It would require the mediator to issue a report that determines all unresolved issues and establishes the final terms of a collective bargaining agreement.

This bill would permit either party, within a specified period, to petition the board to review the mediator's report, and would permit the board to accept for review only those portions of a petition that establish a prima facie case of grounds therefor, as specified. It would require the board, if it does not accept a petition for review, to issue an order confirming the mediator's report and order it into immediate effect. It would require the board, if it finds grounds to grant review, to order the provisions of the report that are not the subject of the petition for review into effect as a final order of the board. If the board does not accept a petition for review the mediator's report would become the final order of the board.

This bill would require the board to issue a decision concerning the petition and under specified conditions to issue an order requiring modification of the collective bargaining agreement in the mediator's report. It would require the mediator to meet with the parties for an additional mediation period and, at the end of this mediation period, to prepare a 2nd report resolving any outstanding issues, and to file it with the board.

This bill would permit either party within a specified period after the issuance of the mediator's 2nd report, to petition the board for a review of the mediator's 2nd report. If no petition is filed, the mediator's report would take immediate effect as a final order of the board. If a petition is filed, the board would be required to issue an order confirming the mediator's report and order it into immediate effect, unless it finds that the report is subject to review on any of the grounds specified by this bill, in which case the board shall determine the issues and shall order the mediator's report, as modified by the board, into immediate effect as a final order of the board. It would permit the board to set aside the mediator's report on specified grounds.

This bill would permit either party, within a specified period after the mediator's report takes effect, to file an action to enforce the provisions of the mediator's report, as specified. It would also permit either party, within a specified period after the mediator's report takes effect, to petition for a writ of review in the court of appeal or the California Supreme Court for a writ of review, and would specify the basis for review by the court.

Ch. 1146 (AB 2596) Wesson. Agricultural labor mediation procedures.

SB 1156 of the 2001-02 Regular Session would provide a mediation procedure applicable to specified agricultural employers and a labor organization certified as the exclusive bargaining agent of a bargaining unit of agricultural employees. It would permit either party to file with the Agricultural Labor Relations Board, at any time following 90 days after certification of the labor organization, a declaration that the parties have failed to reach a collective bargaining agreement and a request for an order directing the parties to mandatory mediation and conciliation of their issues.

This bill would permit the filing of a declaration with the board at any time following 90 days after a renewed demand to bargain by an agricultural employer or a labor organization certified prior to January 1, 2003, or 180 days after an initial request to bargain by an agricultural employer or a labor organization certified after January 1, 2003.

SB 1156 would permit either party to file with the board, following a specified period of mediation and conciliation, a petition for review of a report issued by a mediator selected by

the parties that determines all issues not resolved by the parties. It provides a procedure whereby the board may grant a review of the mediator's report, order the provisions that are not the subject of the petition into effect, and order an additional mediation period on the controverted items, among other things.

SB 1156 would apply the mediation and conciliation procedures of the bill to all election certifications issued by the board before or after the effective date of the bill.

This bill would permit the filing of a demand with the board for mediation of issues only for cases that meet specified criteria.

SB 1156 would not permit a party to file with the board more than a specified number of declarations per calendar year, as specified.

This bill would not permit a party to file with the board more than 75 declarations with the board.

This bill would provide that the mediation procedures added by SB 1156 shall remain in effect only until January 1, 2008, and as of that date is repealed, unless a later enacted statute that is enacted before January 1, 2008, deletes or extends that date.

Ch. 1147 (AB 2838) Canciamilla. Public Utilities Commission: fees: water rates.<sup>8</sup>

(1) Existing law authorizes the Public Utilities Commission to collect penalties, or bring an action for the collection of fees and penalties, from public utilities that fail to submit certain reports and fees required by the commission. Existing law requires that the penalties collected be deposited in the Public Utilities Commission Utilities Reimbursement Account in the General Fund.

This bill would instead require that these penalties be deposited in the General Fund.

(2) Existing law requires the Public Utilities Commission to establish rates for water corporations.

This bill would require the commission to issue a final decision, within a specified timeframe, on a water corporation's application, involving a water corporation with greater than 10,000 service connections, for a general rate increase pursuant to the commission's rate case plan for general rate increase applications. The bill would authorize the applicant to file a tariff implementing interim rates that may be increased by an amount equal to the rate of inflation as compared to existing rates if the commission decision is not effective in accordance with the specified timeframe. The bill would require the commission to establish a schedule to require every water corporation that is subject to the rate case plan for water corporations to file an application pursuant to the plan every 3 years. The bill would provide that its provisions may be waived at any time by mutual consent of the executive director of the commission and the water corporation.

The bill would appropriate \$445,000 from moneys derived from regulatory fees deposited in the Public Utilities Commission Utilities Reimbursement Account in the General Fund for costs incurred by the commission in the administration of these provisions.

Ch. 1148 (SB 1482) Polanco. Barbering and cosmetology.

The Barbering and Cosmetology Act establishes the Bureau of Barbering and Cosmetology in the Department of Consumer Affairs.

Existing law authorizes the Director of Consumer Affairs to perform specified functions regarding the bureau.

This bill would repeal the Bureau of Barbering and Cosmetology. The bill would establish the State Board of Barbering and Cosmetology in the department consisting of 9 members. The bill would require the board, subject to the approval of the director, to appoint an executive director to perform the duties delegated by the board. The bill would provide that the provisions relating to the board and the executive director become inoperative on July 1, 2007 and are repealed on January 1, 2008. The bill would make conforming changes.

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**NOTE:** Superior numbers appear as a separate section at the end of the digests.

This bill would become operative only if SB 1957 is enacted and becomes effective on or before January 1, 2003.

Ch. 1149 (SB 1886) Torlakson. Elevators and other conveyances.

Under existing law, with certain exceptions, no elevator may be operated unless it has a permit issued by the Division of Occupational Safety and Health of the Department of Industrial Relations. These provisions of existing law provide for annual inspections of elevators by the division, by inspectors of specified municipalities, or by qualified inspectors of insurance companies. Existing law permits elevators subject to a full maintenance service contract to be inspected every 2 years. Existing law also authorizes elevator permits to be issued on the basis of municipal inspections, as specified. Persons inspecting elevators are required by existing law to obtain a certificate of competency from the division. Existing law provides specified enforcement authority to the division and provides for fees for elevator inspections and permits and field consultations.

This bill would substantially revise and recast this existing law to additionally cover, subject to certain exceptions, defined conveyances, including, in part, escalators, platform and stairway chair lifts, dumbwaiters, material lifts, moving walks, and automated people movers. Among the changes the bill would make, it would require that on or after June 30, 2003, no conveyance, except a platform lift or stairway chair lift installed in a private residence, may be erected, constructed, installed, or materially altered without a permit from the division. The bill would require the Occupational Safety and Health Standards Board to adopt regulations for emergency signal devices for conveyances in addition to elevators. The bill would require the division to adopt prescribed procedures for 30-day renewable certification of emergency certified qualified elevator mechanics to provide elevator service when a disaster or other emergency exists and there are insufficient regularly certified competent elevator mechanics to cope with the emergency. The bill would require the division to adopt prescribed procedures for 30-day renewable certification of temporary certified competent elevator mechanics where there are no certified qualified elevator mechanics available.

The bill would impose a state-mandated local program by expanding misdemeanor provisions applicable to the operation of an elevator without a permit to also cover other conveyances, except conveyances in a defined private residence. The bill would also revise the applicable misdemeanor penalties. The bill would impose a state-mandated local program by making it a misdemeanor to contract for or authorize the erection, construction, installation, or alteration of a conveyance without a permit in violation of the bill. The bill would also impose a state-mandated local program by making it a misdemeanor for any employer or contractor to engage in the erection, construction, installation, or material alteration of a conveyance without a permit in violation of the bill.

The bill would revise the authority of the division to seek injunctions restraining the operation of elevators without a permit and in a dangerous condition to include all conveyances, would exempt the division from any requirement for an injunction bond, and would make any person who intentionally violates such an injunction subject to prescribed civil penalties.

The bill would make the inspection requirements applicable to all conveyances.

The bill would impose a state-mandated local program by making it a misdemeanor with prescribed punishment for any person owning or having custody, management, or control of the operation of a conveyance, to operate the conveyance while a repair order of the division is outstanding. The bill would revise current inspection requirements to require initial inspection by division inspectors and reinspection by the division's inspectors or any other defined elevator inspector certified as qualified by the division. On and after June 30, 2003, the bill would prohibit these reinspections unless the inspector is certified by the division. The bill would, with certain exceptions, on and after June 30, 2003, prohibit the erection, construction, material alteration, testing, maintenance, repair, or servicing of a

conveyance except by a person, firm, or corporation certified by the division, as specified. On and after June 30, 2003, the bill would prohibit any person from erecting, constructing, materially altering, testing, maintaining, repairing, servicing, removing, or dismantling a conveyance without supervision, unless the person is certified by the division.

The bill would provide for biennial renewal of division certifications under the bill and would provide for fees and continuing education requirements. The bill would make failure of an elevator inspector to comply with certain reporting requirements grounds for revocation of certification. The bill would authorize the division to issue temporary permits to operate a conveyance pending receipt of the applicable fee. The bill would revise civil penalties that may be assessed for operating or permitting the operation of a conveyance that is dangerous or in violation of an order prohibiting use. The bill would provide for an order prohibiting use and provide for civil penalties that may be assessed for constructing, installing, or materially altering a conveyance that is dangerous. The bill would impose a state-mandated local program by making it a misdemeanor with prescribed penalties (1) to enter, use, or direct or cause another to enter or use a conveyance after a prescribed notice has been attached and before it is made safe or (2) to deface, destroy, or remove such a notice without authority of the division. The bill would also make it a misdemeanor with prescribed penalties for any person to operate a conveyance without a permit or without paying the required fee.

The bill would require the division by December 31, 2003, to propose specified final rulemaking proposals for conveyances for review and adoption by the Occupational Safety and Health Standards Board, require the board to provide public notice of the rulemaking proposals, and provide for adoption of those proposals pursuant to specified requirements. The bill would also require prescribed revisions to the regulations. The bill would specify that standards imposed pursuant to it shall not be applied retroactively.

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. 1150 (SB 1955) Figueroa. Professions and vocations.

(1) Existing law prohibits a public member appointed to a board in the Department of Consumer Affairs from, among other things, having within the previous 5 years of their appointment a specified business relationship with a licensee of that board or having been engaged in the business or industry being regulated by that board.

This bill would additionally prohibit a public member appointed to a board from being a current or past licensee of that board or from being a close family member of a licensee of that board. The bill would additionally require all newly appointed board members to complete a training and orientation program sponsored by the Department of Consumer Affairs regarding the functions, responsibilities, and obligations of board members. The bill would require the department to adopt regulations necessary to establish the training and orientation program, including its content.

(2) Existing law provides for the licensing and regulation of the practice of dentistry by the Dental Board of California. Existing law requires that a fact sheet be given to all patients prior to the performance of dental restoration work, except for any procedure where a patient does not have a structure or device placed in his or her mouth with the intent that it remain there indefinitely.

This bill would instead apply the exemption only to a surgical, endodontic, periodontic, or orthodontic dental procedure meeting that requirement in which dental restorative materials are used.

(3) Existing law provides for the licensure and regulation of podiatric medicine by the Board of Podiatric Medicine. Existing law terminates the existence of the board on July 1, 2003.

This bill would extend the existence of the board to July 1, 2007.

Existing law requires, for certification as a podiatrist, that an applicant meet specified requirements, including examination requirements. Existing law also requires the board to impose specified continuing education requirements, including an examination requirement.

This bill would also require for certification that a disciplinary data bank report regarding the applicant has been directly presented to the board from the Federation of Podiatric Medical Boards. The bill would revise examination requirements.

Existing law provides for a biennial certificate renewal fee of \$900 until January 1, 2004, and reduces the fee to \$800 as of that date.

This bill would continue the \$900 biennial certification renewal fee until January 1, 2006, and would reduce it to \$800 as of that date.

Moneys from these fees are deposited into the Contingent Fund of the Medical Board of California, which is a continuously appropriated fund. Because this bill would increase the amount of money deposited into this fund, it would make an appropriation.

(4) Existing law provides for the licensing and regulation of the practice of optometry by the State Board of Optometry and provides for the employment of an executive officer, as specified. The existence of the board and the executive officer will be terminated on July 1, 2003.

This bill would instead terminate the existence of the board and the executive officer on January 1, 2003, and, as of that date, would provide for the formation of a new board and employment of a new executive officer both of which would be terminated on July 1, 2005. The bill would grant the new board certain authority parallel with the authority of the previous board. The bill would also provide for the appointment and staggering of terms of board members, as specified.

This bill would authorize the board to adopt regulations clarifying the level of training and level of supervision of assistants to optometrists.

(5) Existing law provides for the licensure and regulation of respiratory care practitioners by the Respiratory Care Board of California and provides for the employment of an executive officer, as specified. The existence of the board and the executive officer will be terminated July 1, 2003.

This bill would extend the existence of the board and the executive officer to July 1, 2007.

Existing law authorizes the board or appointees of the board to inspect specified reports and records regarding respiratory care, treatment, services, or staff, and requires an employer to report specified employee information to the board.

This bill would revise the inspection requirements to include, in certain instances, copying records, and would provide that the failure to provide certain documents and records, as specified, is punishable by an administrative fine of up to \$10,000 per violation.

Moneys from these fines would be deposited into the Respiratory Care Fund, which is a continuously appropriated fund. Because this bill would increase the amount of money deposited into this fund, it would make an appropriation.

Existing law requires applicants for licensure to meet and provide verification of specified education requirements, and requires respiratory therapy schools to meet certain requirements. Existing law prohibits certain fees imposed on respiratory therapy schools from exceeding specified limits.

This bill would revise the educational requirements. The bill would also revise the requirements for respiratory therapy schools, and would delete the maximum limit on the fees imposed on respiratory therapy schools.

Existing law authorizes the board to deny, suspend, or revoke the license of an applicant or licenseholder who has committed certain actions, including using alcoholic beverages in a dangerous or injurious manner, as specified.

This bill would require instead that, in order for the board to take this action with regard to alcohol use, the person have applied for employment or worked in any health care profession or environment while under the influence of alcohol.

Existing law authorizes a person whose license has been revoked or suspended, or who has been placed on probation to petition the board for reinstatement, modification, or termination of probation, if certain conditions are met.

This bill would authorize the holder of a conditional or probationary license issued prior to February 1, 2002, on specified grounds, to submit a petition to terminate probation prior to December 31, 2003.

Existing law authorizes an administrative disciplinary decision imposing terms of probation to require the licensee probationer pay the monetary costs associated with monitoring the probation.

This bill would prohibit the renewal or reinstatement of the license of a licensee who has failed to pay all of these costs once he or she has served the term of probation.

Existing law authorizes the board to punish a person representing himself or herself as a respiratory care practitioner without a license by the issuance of a citation and the assessment of an administrative fine of \$1,000.

This bill would revise and expand this authorization. The board would authorize a person with a citation to appeal the board within a certain time period of service of the citation, and would provide procedures whereby a person could contest the citation.

Moneys from the fines are deposited into the Respiratory Care Fund, which is a continuously appropriated fund. Because this bill would increase and expand money derived from fines that is deposited into this fund, it would make an appropriation.

The bill would also make nonsubstantive changes to the provisions governing respiratory care practitioners and would delete an obsolete reporting requirement imposed on the board.

(6) Existing law provides for the regulation, licensure, and discipline of public accountants by the California Board of Accountancy in the Department of Consumer Affairs. Among other things, on January 1, 2003, it defines "director" and "officer" and prohibits a person practicing public accountancy from performing services for a client, an officer or director of a client, or a client-sponsored retirement plan for a commission. On January 1, 2003, the board is authorized to issue subpoenas for the attendance of witnesses and the production of documents pertinent to any inquiry, investigation, hearing, proceeding, or action conducted by the board in any part of the state.

This bill would provide that a director and an officer does not include a director or an officer of a nonprofit corporation or a corporation that meets the certain small business workforce or annual receipts requirements. The bill would limit the subpoena authority to its investigations and proceedings.

(7) Existing law provides for the licensure and regulation of physical therapists and physical therapy assistants by the Physical Therapy Board of California. The existence of the board would terminate July 1, 2003.

This bill would extend the existence of the board to July 1, 2007.

Existing law requires that to renew a license for the practice of physical therapy a licensee apply for renewal and pay a renewal fee, as specified.

This bill would require a licensee to disclose on the license renewal application any misdemeanor or other criminal offense for which he or she has been found guilty or to which he or she has pleaded guilty or no contest.

Existing law authorizes the Physical Therapy Board of California to conduct disciplinary proceedings against a licensee, including imposing probationary conditions, for specified causes.

This bill would require the board to establish a probation monitoring program. The bill would authorize the program to employ nonpeace officer staff to perform its probation monitoring and would provide that the program be funded with moneys in the Physical Therapy Fund.

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**NOTE:** Superior numbers appear as a separate section at the end of the digests.

The Physical Therapy Fund is a continuously appropriated fund. Because funding this program would allow an existing appropriation to be made for a new purpose, it would make an appropriation.

This bill would authorize the board to refuse a license to an applicant guilty of specified unprofessional conduct or sexual activity, or issue the applicant a license subject to certain conditions. The bill would authorize the applicant to appeal the board's action.

Existing law provides for specified boards, not including the Physical Therapy Board of California, to keep certain records relating to unprofessional conduct, civil actions, and complaints against persons licensed or certified by the boards.

This bill would add the Physical Therapy Board of California to the list of boards to which these provisions apply.

Existing law requires a physical therapist to document specified patient information.

This bill would additionally require a physical therapist to document the care actually provided and to legibly sign the patient record.

Existing law requires certain health care professionals to provide patient record access to patients, as specified.

This bill would add physical therapists to the list of health care professionals subject to this requirement.

Existing law provides the authority for the board to take disciplinary action for specified actions by a licensee.

This bill would characterize these acts as unprofessional conduct, would expand the acts, and would make both physical therapists and physical therapy assistants subject to disciplinary action for all of the acts listed.

(8) Existing law provides for the regulation of tax preparers and makes a violation of the provisions regulating tax preparers a crime. Existing law specifies that each violation of the provisions regulating the practice of tax preparers constitutes a separate offense.

This bill would include a failure to register as a tax preparer with the California Tax Education Council as a violation and would require the Franchise Tax Board to notify the council when it identifies an individual who has violated specific provisions regulating tax preparers and requires the council to notify the Attorney General, a district attorney, or a city attorney. The bill would authorize those entities, in this regard, to cite a violating individual, levy a fine of up to \$1,000 per violation, and issue a cease and desist order. The bill would authorize the California Tax Education Council to enter into an agreement with the board that would reimburse the board for any expenses the board incurs for the purpose of enforcing those provisions.

(9) This bill would declare the intent of the Legislature, upon enactment of SB 2022 of the 2001–02 Regular Session, to pursue the creation of an independent board that would regulate the practice of dental hygienists.

(10) Existing law provides for the Board for Professional Engineers and Land Surveyors in the Department of Consumer Affairs, and terminates the existence of the board on July 1, 2004. Existing law provides for the adoption by the board of rules and regulations of professional conduct, and terminates that authority on July 1, 2004. Existing law also provides for the appointment by the board of an executive officer, and terminates that authority on July 1, 2004.

The bill would extend these termination dates by one year.

(11) The bill would incorporate additional changes in Section 800 of the Business and Professions Code, proposed by SB 1950, to be operative only if SB 1950 and this bill are both chaptered and become effective on or before January 1, 2003, and this bill is chaptered last.

The bill also would incorporate additional changes in Section 123105 of the Health and Safety Code, proposed by SB 2026, to be operative only if SB 2026 and this bill are both chaptered and become effective on or before January 1, 2003, and this bill is chaptered last.

Ch. 1151 (SB 1957) Polanco. Barbering and cosmetology.

The Barbering and Cosmetology Act establishes the Bureau of Barbering and Cosmetology in the Department of Consumer Affairs. Existing law requires the licensure of a person by the bureau to practice barbering, cosmetology, or electrolysis. Existing law provides that an apprentice shall not work more than 3 months after completing the required training without applying for and taking the examination for licensure.

The bill would delete the provision that would allow an apprentice to continue to work after 3 months if the apprentice applies and takes the examination.

Existing law requires the bureau to inspect an establishment within 90 days after the bureau issues an establishment license.

The bill would also authorize the bureau to inspect the premises prior to the issuance of the license.

Existing law requires a licensed barber, cosmetologist, or electrologist to notify the bureau within 30 days of a change of address.

The bill would authorize a licensee to provide the bureau with an alternate address if the bureau's address of record is the licensee's residence address.

Existing law authorizes an administrative law judge to order a person to pay the bureau reasonable costs for the investigation and adjudication in a proceeding to revoke, suspend, or deny a license.

The bill would provide that a person who fails to pay costs would not be issued a license or allowed to renew a license until the costs are paid.

The bill would become operative only if SB 1050 of the 2001–02 Regular Session is enacted, and is effective on or before January 1, 2003.

Ch. 1152 (AB 2023) Frommer. Public employees' retirement: local safety members.

Under existing law, attorneys in the offices of the Attorney General and the State Public Defender are state miscellaneous members of the Public Employees' Retirement System (PERS) and city and county prosecutors, public defenders, and public defender investigators are local miscellaneous members of PERS or general members of retirement systems established pursuant to the County Employees Retirement Law of 1937. Under existing law employees of contracting agencies of PERS classified as state or local safety members and employees of counties and districts classified as safety members under the County Employees Retirement Law of 1937 are entitled to generally higher benefits, and subject to higher contribution rates, than employees classified as miscellaneous or general members. Member contributions to PERS are deposited in the Public Employees' Retirement Fund, a continuously appropriated fund. Under existing law, persons employed in any policeman's or fireman's position, as defined, may be excluded from coverage under federal social security.

This bill would authorize state prosecutors and state public defenders, as defined, to be included within the state safety member classification under PERS, if agreed to in a memorandum of understanding, as specified. The bill would also authorize contracting agencies and counties and districts to include employees who are or, on or after January 1, 2002, were local prosecutors, local public defenders, and local public defender investigators, as defined, within the local safety member classification under PERS, or within the safety member classification under the County Employees Retirement Law of 1937, and would authorize the exclusion of current employees in those positions from coverage under social security. The bill would require a local entity that elects to be subject to its provisions to include all local prosecutors, local public defenders, and local public defender investigators, but would authorize any of those members to elect not to become safety members. The bill would provide that prior service as a state prosecutor, state public defender, local prosecutor, local public defender, or local public defender investigator shall be deemed safety service, at the employer's cost, as specified. The bill would provide that state prosecutors, state public

defenders, local public prosecutors, local public defenders, and local public defender investigators who are safety members shall be subject to retirement benefits applicable to safety members, except as specified, but may not be subject to industrial disability or special death benefits applicable to safety members, except as specified. The bill would make an appropriation by increasing the amount of employee contributions to the Public Employees' Retirement Fund.

The bill would also authorize other city and county retirement systems to provide employees who are or, on or after January 1, 2002, were local prosecutors, local public defenders, and local public defender investigators, as defined, with the same benefits provided to safety members under their respective retirement systems, subject to a specified limitation. The bill would require an entity that elects to be subject to its provisions to include all local prosecutors, local public defenders, and local public defender investigators, but would authorize any of those members to elect not to be subject to those benefits.

The bill would declare the Legislature's intent to recognize the public obligation to provide all local prosecutors, local public defenders, and local public defender investigators in the state with commensurate retirement benefits.

The bill would also state that its provisions are severable, and would set forth the findings and declarations of the Legislature.

The bill would incorporate additional changes to Section 21151 of the Government Code proposed by SB 1984, to take effect if both bills are enacted and become effective on or before January 1, 2003, and this bill is enacted last.

This bill would make certain of its provisions operative only if SB 362 is enacted, as specified.

Ch. 1153 (SB 1984) Soto. Public employees' retirement: industrial disability and death benefits.

Under existing law, patrol, state safety, state industrial, and state peace officer/firefighter members of the Public Employees' Retirement System, among others, who are incapacitated as the result of an industrial disability, are retired for disability, regardless of age or amount of service, and receive a disability retirement allowance equal to the greater of 50 percent of the member's final compensation plus an annuity, as specified, or, if qualified for service retirement, the member's service retirement allowance. The Public Employees' Retirement Law also provides that a special death benefit, as specified, is payable to a qualified survivor of any of those members if the member's death was industrial.

This bill would make those industrial disability benefits and the special death benefit applicable to state miscellaneous members in State Bargaining Unit 12 and employed by the Department of Transportation who are injured or killed in the course of their duties with the department, if those benefits are approved in a memorandum of understanding between the state and the recognized employee organization, as specified.

The bill would incorporate additional changes to Section 21151 of the Government Code proposed by AB 2023, to take effect if both bills are enacted and become effective and this bill is enacted last.

Ch. 1154 (SB 483) Sher. Surface mining and reclamation.

(1) The existing Surface Mining and Reclamation Act of 1975 prohibits a person from conducting surface mining operations without obtaining a permit from the lead agency for the operation, and submitting and receiving approval for a reclamation plan and financial assurances from that lead agency.

This bill would prohibit a lead agency from approving a reclamation plan and financial assurances for a surface mining operation for gold, silver, copper, or other metallic minerals that is located on, or within one mile of, any Native American sacred site, as defined, and in an area of special concern, as defined, unless the reclamation plan requires that all excavation be backfilled and graded to achieve the approximate original contours of the mined lands

prior to mining, and the financial assurances are sufficient in amount to provide for the backfilling and grading.

The bill would exempt from those provisions any surface mining operation in existence on January 1, 2003, for which the lead agency has issued final approval of a reclamation plan and the financial assurances prior to September 1, 2002, and any amended reclamation plan or financial assurances that are necessary for the continued operation or expansion of a surface mining operation in existence on January 1, 2003, that otherwise satisfies those requirements.

By imposing additional duties on lead agencies, this bill would impose a state-mandated local program.

(2) The act establishes a state abandoned minerals and mineral materials mine reclamation program for the purpose of administering funds received by the state under the federal Surface Mining Control and Reclamation Act of 1977, or through amendments to specified federal general mining laws. Existing law authorizes funds appropriated by the Legislature to be used for the state abandoned minerals and mineral materials mine reclamation program. Existing law also, until January 1, 2003, authorizes the Director of Conservation to remediate or complete reclamation of abandoned mined lands that meet specified requirements and to make the costs of remediation a lien on the affected property.

This bill would extend the time for the director to remediate or complete reclamation of abandoned mined lands to January 1, 2007.

This bill would require the director, not later than January 1 of each year to report to the Legislature on any abandoned mine remediation projects that are proposed for the following year.

(3) SB 1828 of the 2001–02 Regular Session would provide that a federally recognized Indian tribe would be considered a “public agency having jurisdiction over natural resources” for purposes of other provisions added by SB 1828.

This bill would repeal that provision.

(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) This bill would become operative only if SB 1828 is enacted and becomes effective on or before January 1, 2003.

Ch. 1155 (SB 1816) Chesbro. Historical resources: Native American sacred sites: violations.

(1) Existing law prohibits a public agency, or a private party using or occupying public property, or operating on public property, under a public license, permit, grant, lease, or contract made on or after July 1, 1977, from in any manner interfering with the free expression or exercise of Native American religion as provided in the United States Constitution and the California Constitution, or from causing severe or irreparable damage to any Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine located on public property, except on a clear and convincing showing that the public interest and necessity so require.

This bill would establish the Native American Historic Resource Protection Act, which would provide that any person who unlawfully and maliciously excavates upon, removes, destroys, injures, or defaces a Native American historic, cultural, or sacred site that is listed or may be listed in the California Register of Historic Resources, including any historic or prehistoric ruins, burial ground, any archaeological or historical site, any inscriptions made

by Native Americans at the site, any archaeological or historic Native American rock art, or any archaeological or historic feature is guilty of a misdemeanor if the act was committed with the specific intent to vandalize, deface, destroy, steal, convert, possess, collect, or sell a Native American art object, inscription, or feature, or site and the act occurs on public land or, if on private land, is committed by a person other than the landowner, as described. The bill would subject a person found guilty of the violation to imprisonment in the county jail for up to one year, by a fine not to exceed \$10,000, or by both that fine and imprisonment. By creating a new crime, the bill would impose a state-mandated local program. The bill would also subject a person found guilty of a violation of those provisions to a civil penalty in an amount not to exceed \$50,000 per violation. The bill would require that all civil penalties collected pursuant to this provision as a result of an enforcement action brought by a city or county be distributed to the city or county treasurer of the city or county that brought the action. The bill would require the moneys to be utilized first to repair or restore the damaged site and would require the remaining moneys to be available to the city or county to offset enforcement costs.

The bill would require all civil penalties collected as a result of an action by the Attorney General to be first distributed to, and utilized by, the Native American Heritage Commission to repair or restore the damaged site. The bill would require the remaining moneys to be available to the Attorney General to offset enforcement costs.

(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. 1156 (SB 1516) Romero. Public safety officers: procedural bill of rights.

The Public Safety Officers Procedural Bill of Rights Act makes it unlawful for any public safety department to deny or refuse to public safety officers the rights and protections guaranteed to them by the act.

This bill would provide that, upon a finding by a superior court, any public safety department, its employees, agents, or assigns, acting within the scope of employment, who maliciously violates any provision of the act with intent to injure a public safety officer, shall be liable to the public safety officer whose right or protection was denied for a civil penalty and attorney's fees. The department would also be liable for actual and exemplary damages if the court finds that actual damages are established. This bill would specifically authorize a court to order specified sanctions if the court finds that a bad faith or frivolous action or a filing for an improper purpose has been brought pursuant to the act.

Ch. 1157 (AB 1045) Firebaugh. Healing arts: practice.

Existing law provides for a Task Force on Culturally and Linguistically Competent Physicians and Dentists in the Department of Consumer Affairs. Pursuant to existing law there is a subcommittee within the task force to examine the feasibility of a pilot program allowing Mexican and Caribbean licensed physicians and dentists to practice in nonprofit community health centers in medically underserved areas. Existing law requires the subcommittee to report to the task force by March 1, 2001, and requires the report to be forwarded to the Legislature by April 1, 2001, with any additional comments.

This bill would delete the provisions for the subcommittee.

The bill would create the Licensed Physicians and Dentists from Mexico Pilot Program. The bill would set forth the program's provisions related to eligibility, licensing, location, and hiring. The bill would also provide for an evaluation of the program, and for funding of administrative and evaluation costs by philanthropic entities. The bill would authorize a 3-year nonrenewable license for physician participants and a 3-year nonrenewable dental permit for participating dentists and would prohibit these medical licenses and dental permits

from being used as the standard for issuing a license to practice medicine or dentistry in this state on a permanent basis.

The bill would additionally specify certain requirements international medical graduates are required to meet to participate in a separate pilot program and to receive an applicant status letter. The bill would provide the Medical Board of California the authority to issue a license to practice medicine to an international medical graduate participating in the program if specified criteria are met.

The bill would require the Medical Board of California and the Dental Board of California, in consultation with other entities, to provide oversight of these programs. The bill would require the Medical Board of California to report to the Legislature every January regarding the physicians program and the international medical graduate program. The bill would also require the Dental Board of California to report to the Legislature every January regarding the dental program.

The bill would provide that these programs shall only be implemented if the necessary amount of nonstate funding is obtained.

Ch. 1158 (AB 2656) Corbett. Arbitration: private arbitration companies.

Existing law regulates arbitration conducted pursuant to an arbitration agreement, as specified.

This bill would require a private arbitration company involved in consumer arbitration cases to make certain information regarding those cases available to the public, as specified, and would provide that no private arbitration company shall have any liability for collecting, publishing, or distributing the information.

Ch. 1159 (AB 3030) Corbett. Arbitration.

(1) Existing law permits consumers to contract to arbitrate and regulates the conduct of arbitrations.

This bill would provide that a private arbitration company or self-regulatory organization (SRO) that administers a consumer arbitration in violation of specified provisions of law shall, in the court's discretion, be subject to disgorgement of any administrative fee obtained as a result of that violation.

(2) Existing law requires a court to vacate an arbitration award under specified circumstances.

This bill would prohibit an arbitrator or private arbitration company involved in a consumer arbitration from conducting or administering further arbitration of the dispute if a court vacates the award, unless the consumer party elects otherwise in writing prior to any re-arbitration of the matter.

(3) This bill would provide that it shall become operative only if it and Assembly Bills 2574, 2915, and 3029 are enacted and become effective on or before January 1, 2003.

Ch. 1160 (AB 2294) Liu. Foster care.

Existing law requires the Office of the State Foster Care Ombudsperson to be established in the State Department of Social Services with prescribed powers and duties relating to the management of foster children, including the dissemination of information on the rights of children and youth in foster care.

Existing law requires the Director of Social Services, in consultation with a committee of interested individuals chosen by the director, to appoint the ombudsperson for a term of 2 years.

This bill would instead provide that the ombudsperson shall be appointed for a term of 4 years, and would permit the director to reappoint the ombudsperson for consecutive terms.

This bill would expand the duties of the State Foster Care Ombudsperson to require him or her to compile and make available to the Legislature additional information, as specified, including the type and source of complaints received by the ombudsperson.

This bill would require the ombudsperson to present this data to various interested entities at appropriate child welfare conferences, forums, and other events, as determined by the department. This bill would state legislative intent that representatives of these interested entities consider this data in the development of any recommendations made toward improvements in the child welfare system.

This bill would also require the ombudsperson to make this information available to the public by posting it on his or her existing Web site.

This bill would incorporate additional changes in Section 16164 of the Welfare and Institutions Code proposed by AB 2651, to be operative only if AB 2651 and this bill are both enacted and become effective on or before January 1, 2003, and this bill is enacted last.

Ch. 1161 (AB 442) Committee on Budget. Health: budget trailer.

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.

Existing law requires, as a condition of a pharmacy's participation in the Medi-Cal program, the pharmacy to charge a price that does not exceed the Medi-Cal reimbursement rate for prescription medicines and an amount to cover electronic transmission charges by Medicare beneficiaries. Existing law requires the department to monitor pharmacy participation under these provisions, conduct a study of the adequacy of the Medi-Cal pharmacy reimbursement rates, and report the results of the study to the Legislature by July 1, 2002. Under existing law, these provisions are repealed as of January 1, 2003.

This bill would delete the repeal of these provisions, thereby extending the operation of these provisions indefinitely. The bill would delete the requirement of the department to report the results of the study by July 1, 2002.

Existing law provides for a school lunch program under which eligible pupils receive free or reduced price meals. Existing law, effective July 1, 2002, authorizes the incorporation into the school lunch program application packet, or notification of eligibility, various notifications to parents and guardians, including those with regard to the confidentiality of school lunch application information and its use for purposes of the Medi-Cal program.

This bill would change the effective date of the above notification provisions from July 1, 2002, to July 1, 2003. It would also revise the notifications that may be incorporated under this provision regarding the confidentiality of the school lunch application information and its use for purposes of the Medi-Cal program and would make related and technical changes.

Existing law provides for the regulation and licensure of health care service plans, administered by the Department of Managed Health Care. Existing law requires a health care service plan to reimburse the director for the actual cost of processing an application for licensure as a health care service plan and for a health care service plan's share of all costs and expenses reasonably incurred in the administration of these regulatory provisions. In addition, existing law authorizes the director, by notice on or before September 15, 2000, to require a health care service plan to pay an additional assessment to provide the department with sufficient revenues to support various costs and expenses for the 2000-01, 2001-02, and 2002-03 fiscal years.

This bill would require that notice for the additional assessment be provided each year, rather than on or before September 15, 2000. The bill would expressly require, if a health care plan fails to pay the additional assessment for the 2001-02 fiscal year, the assessment of the amount due for the 2001-02 fiscal year in the 2002-03 fiscal year, in addition to the amount due in the 2002-03 fiscal year.

Existing law establishes the Trauma Care Fund, effective August 10, 2001, which is continuously appropriated to the Emergency Medical Services Authority for purposes of allocating funds to local emergency medical services (EMS) agencies for certain trauma centers. Existing law requires the authority, within 30 days of the effective date of the

establishment of the fund and related provisions, to request all local EMS agencies with an approved trauma plan to submit specified information.

This bill, instead, would require the authority to request all local EMS agencies to submit this information within 30 days of the effective date of the enactment of an appropriation for purposes of implementing provisions relating to the Trauma Care Fund.

Existing law establishes the Toxic Mold Protection Act of 2002, which requires the State Department of Health Services to take specified steps related to reducing toxic mold exposure. The act declares that it shall be implemented only to the extent that the department determines that funds are available for its purposes.

This bill would authorize the department to receive voluntary contributions to support the department's activities pursuant to the act. It would establish the Public Health Protection from Indoor Mold Hazards Fund, a continuously appropriated fund, into which those contributions would be deposited for use by the department in implementing the act, thereby making an appropriation.

The existing California Statewide Supportive Housing Initiative Act requires the State Department of Mental Health to award grants to local government or private nonprofit agencies for services to a target population. The act requires the department to make all grant awards from funds allocated in the Budget Act of 2000 for the supportive housing initiative no later than June 30, 2002, and to expend the funds allocated for those grants no later than June 30, 2004.

This bill would revise this provision to require, instead, the department to make all grant awards from funds allocated in the Budget Act of 2001 for the supportive housing initiative no later than June 30, 2002, and to expend the funds allocated for those grants no later than June 30, 2005.

Existing law vests the State Department of Health Services with various powers, functions, and duties with respect to the administration and oversight of various health programs and facilities. Existing law requires that any adjudicative hearing that the department is authorized or required to conduct be conducted pursuant to the Administrative Procedure Act. The staff assigned to the hearing office of the State Department of Health Services is authorized to determine the time and place of an administrative adjudication hearing conducted pursuant to these procedures.

This bill would require that formal hearings requested by institutional Medi-Cal providers and health facilities be held in Sacramento and would authorize informal conferences concerning appeals by those entities to be held in Sacramento or Los Angeles.

Existing law provides for the allocation of state aid to the administrative bodies of qualifying local health departments according to a specified formula.

This bill would establish procedures and requirements to govern the allocation to, and expenditure by, local health jurisdictions of federal funding received for the prevention of, and response to, bioterrorist attacks and other public health emergencies.

The bill would provide that federal funding received by the State Department of Health Services for bioterrorism preparedness and emergency response is subject to appropriation in the annual Budget Act.

Existing law requires the State Department of Health Services to establish and administer the Cancer Research Program and authorizes the department to award grants under the program.

This bill would establish a maximum indirect cost rate that may be charged on any cancer research program grant awarded to any institution under these provisions.

Existing law requires the Director of Health Services to develop a list of drugs to be provided under a program for the treatment of persons infected with the human immunodeficiency virus (HIV) and requires manufacturers of drugs on the list to pay the department a rebate that is equal to the rebate that would apply to the drug under certain provisions of federal law.

This bill would require these manufacturers to pay an additional rebate to be negotiated by each manufacturer with the department.

Under existing law, the governing body of each county is required to establish a community child health and disability prevention program for the purpose of providing early and periodic assessments of the health status of children in the county.

This bill would require, commencing July 1, 2003, that all applications for services under the child health and disability prevention program be filed electronically as provided under the bill. The bill would define “child health and disability prevention provider” for purposes of the provisions concerning child health and disability prevention programs, and would make related changes.

Existing law requires the State Department of Health Services to conduct a community outreach and awareness campaign relative to a specified newborn hearing screening program and the value of early hearing testing.

This bill, instead, would authorize the department to conduct this outreach and awareness campaign.

Existing law requires the Maternal and Child Health Branch of the department to administer a comprehensive shelter-based services grant program to battered women’s shelters. In implementing the program, the department is required to consult with a designated advisory council that shall remain in existence until January 1, 2003.

This bill would provide that the advisory council shall remain in existence until January 1, 2006.

Existing law requires the department to charge a fee to all payers for any tests or activities performed pursuant to provisions relating to genetic disorder prevention services, including the Hereditary Disorders Act. Existing law requires that any fee charged for screening and followup services provided to Medi-Cal eligible persons, health care service plan enrollees, or persons covered by disability insurance policies be paid directly to the Genetic Disease Testing Fund, a continuously appropriated fund, to be used for purposes of the Hereditary Disorders Act.

This bill, commencing July 1, 2002, would recast these provisions to require, instead, the department to charge a fee to the hospital of birth or to families of a newborn, for births not occurring in a hospital, for newborn screening and followup services. The bill would require that payments pursuant to this provision be made to the Genetic Disease Testing Fund. The bill would prohibit the department from charging or billing Medi-Cal beneficiaries for services provided under these provisions relating to genetic disorder prevention services.

Existing law requires the State Department of Health Services to establish and administer a program for the medical care of persons with genetically handicapping conditions.

This bill would provide that the department is considered to be the purchaser, but not the dispenser or distributor, of blood factor products, under the Genetically Handicapped Person’s Program.

Existing law requires that all health facilities, except those owned and operated by the state, be charged each year a designated fee established, in accordance with certain requirements, by the Office of Statewide Health Planning and Development to pay for certain functions required to be performed by the office.

This bill would authorize the State Department of Health Services to expend \$200,000 of the fees collected pursuant to this provision for use in the 2002–03 fiscal year for data collection on, analysis of, and reporting on, maternal and perinatal outcomes, if funds are appropriated in the Budget Act of 2002 for that purpose.

Existing law establishes the Healthy Families Program, administered by the Managed Risk Medical Insurance Board, to arrange for the provision of health services to eligible children, and defines “family contribution sponsor” for purposes of these provisions.

This bill would revise the definition of family contribution sponsor.

Existing law provides for reimbursement to providers participating in the Healthy Families Program for certain services provided up to 90 days prior to the effective date of coverage under the program.

This bill would repeal these reimbursement provisions and would require instead, effective April 1, 2003, the board, in consultation with the State Department of Health Services, to implement a preenrollment program into the Healthy Families Program or the Medi-Cal program. The bill would authorize the board to adopt emergency regulations to implement this preenrollment program. The bill would make various other changes in program requirements related to family contributions, disenrollment, and eligibility to participate in the program.

Existing law establishes the Healthy Families-to-Medi-Cal Bridge Benefits Program to provide any person enrolled for coverage under the Healthy Families Program who meets certain criteria with a two calendar-month period of health care benefits in order to provide the person with the opportunity to apply for Medi-Cal. Existing law authorizes the implementation of this program only if a specified State Children's Health Insurance Program waiver is approved, and at the time the waiver is implemented.

This bill would delete this waiver restriction on implementation of the Healthy Families-to-Medi-Cal Bridge Benefits Program.

Existing law requires the State Department of Social Services to establish a foster care rate for each community treatment facility program, and requires for the 2001-02 fiscal year that a community treatment facility program be paid a community treatment facility supplemental rate. Subject to the availability of funds, this payment is required to be shared by the state and the counties.

This bill would extend to the 2002-03 fiscal year the requirement that the supplemental rate be paid.

Existing law requires the Director of Mental Health to award matching grants to local educational agencies to pay the state share of the costs of providing programs that provide school-based early mental health intervention and prevention services to eligible pupils at schoolsites of eligible pupils, based on certain priorities and specifications.

This bill would revise these priorities and specifications.

Existing law states the intent of the Legislature relating to the transition process of persons with developmental disabilities from a developmental center to a community living arrangement through the development of an individual program plan process.

This bill would require the State Department of Developmental Services to establish policies and procedures for the development by regional centers of an annual community placement plan, would require the department to review the plans, and would authorize the department to make allocations to regional centers to develop the plans. It would also require, until July 1, 2004, a regional center to take specified actions upon the department's determination of the amount of unallocated reduction in the regional center's purchase of service budget.

The bill also would specify additional requirements for the State Department of Developmental Services, developmental centers, and regional resource development projects pertaining to the coordination of efforts among those entities, the provision of services to consumers, and the collection and availability of data.

Existing law provides for the provision of services to persons with developmental disabilities by regional centers, pursuant to contracts with the State Department of Developmental Services. Existing law imposes various requirements on the department and the regional centers with respect to these contracts.

The bill would provide that any contract between the department and a regional center entered into on and after January 1, 2003, 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 requires that a regional center perform initial intake, including deciding whether to provide assessment, within 15 days following a request for assistance. Existing law requires that if assessment is needed, the assessment shall be performed within 60 days following the initial intake.

This bill, instead, would require, before July 1, 2003, that the assessment be performed within 120 days following initial intake, and on or after July 1, 2003, that the time limit for performing the assessment be within 60 days following initial intake.

Existing law requires the development of an individual program plan for an individual with developmental disabilities eligible for regional center services. Existing law requires the State Department of Developmental Services to annually review a random sample of individual program plans at each regional center.

This bill, instead, would require a biennial review by the department pursuant to this provision.

The bill, with certain exceptions, would prohibit, for the 2002–03 fiscal year only, a regional center from expending any purchase of service funds for the startup of any new program unless certain conditions exist.

Existing law requires the State Department of Developmental Services to coordinate, or require each regional center to coordinate, a meeting within each regional center catchment area between the regional center, the local health facility providers, the State Department of Health Services representatives from the local district office, and the State Department of Developmental Services center staff for purposes of better coordinating services and supports provided to regional center consumers in licensed health facilities.

This bill would repeal this requirement.

Existing law authorizes the State Department of Developmental Services to allocate funds appropriated in a specified item of the Budget Act of 2000 to county mental health programs that meet programmatic goals and model adult system of care programs to the satisfaction of the department or for Children's System of Care programming.

This bill, instead, would authorize the department to allocate funds appropriated in a specified item of the annual Budget Act for these purposes.

Under the Children's Mental Health Services Act, the State Department of Mental Health is authorized to enter into annual performance contracts with participating counties, known as system of care counties, for the delivery of mental health services to seriously emotionally disturbed children. Existing law requires the department to provide participating counties with a contract with an independent evaluator to measure performance outcomes and provide technical assistance to the state and counties and provide training, consultation, and technical assistance for county applicants and participants.

This bill would eliminate the requirement that the department provide the above-described independent evaluator and the training, consultation, and technical assistance, and would require instead that the department provide technical assistance related to system evaluation. The bill would make related changes.

Existing federal law requires that California's state plan for medical assistance under the medicaid program, known as the Medi-Cal program, provide for entering into cooperative arrangements with the state agencies responsible for the administration of health services and vocational rehabilitation services in the state looking toward maximum utilization of these services in the provision of medical assistance under the plan.

This bill would provide, notwithstanding any other provision of law, upon additional funds being appropriated and budgeted for the support of the services identified within the scope of work of an agreement of the type specified under federal law and previously entered into by the State Department of Health Services, the amount of the encumbrance in such an agreement shall be amended, by operation of law, to reflect the newly appropriated and budgeted funds. It would also provide that once an agreement is entered into by the

department, the agreement shall continue in effect indefinitely and need not be amended unless the department changes the scope of work to be provided under the agreement.

Under existing law, the Medi-Cal program is administered by the State Department of Health Services.

This bill would authorize the Director of Health Services, on a regional pilot project basis, to enter into contracts with one or more nonprofit organizations to perform the functions of the department's Office of the Ombudsman, with services provided by the ombudsman to be made available to any person who may be eligible for, or who is receiving, benefits under the Medi-Cal program.

Existing law provides that any child who is less than 6 years of age and who has been determined to be eligible for free meals under the National School Lunch Program has met the income eligibility requirements for participation in the Medi-Cal program, without a share of cost.

This bill would revise this provision to replace the reference to income eligibility requirements with income documentation requirements and would make conforming changes.

Existing law, effective July 1, 2002, requires each county to participate in a statewide pilot project to grant Medi-Cal program eligibility to, and enroll in the Medi-Cal program, any child under 6 years of age enrolled in school and eligible for free meals under the National School Lunch Program.

This bill would change the effective date of this and related provisions from July 1, 2002, to July 1, 2003. It would also revise this provision to require each county, instead, to determine Medi-Cal program eligibility for any child described above, and would authorize the department to exercise a specified federal option for eligibility determinations.

Existing law requires the State Department of Health Services to exercise certain options provided under federal law to implement a program for accelerated enrollment of children in the Medi-Cal program.

This bill would require a county, upon receipt of an application for a child who has accelerated enrollment coverage under this program, to determine whether the child is eligible for Medi-Cal benefits and to report this finding to the medical eligibility data system. The bill would provide that this provision shall become operative on July 1, 2002, or the date that the program of accelerated enrollment coverage for children takes effect, whichever is later.

This bill would require the State Department of Health Services and the Managed Risk Medical Insurance Board to exercise certain options provided under federal law to implement a program for preenrollment of children into the Medi-Cal program and the Healthy Families Program. The bill would require the department to develop an electronic application before July 1, 2003, to serve as the application for preenrollment into the Medi-Cal program or the Healthy Families Program and to also serve as an application for the Child Health and Disability Prevention program. The bill would specify requirements for the processing of the electronic application.

The bill would provide for the termination within a designated time of benefits provided to an individual pursuant to a preliminary determination under Medi-Cal as described under federal law, unless an application for medical assistance under the state plan is filed.

The bill would require the State Department of Health Services, on or before October 1, 2002, to issue instructions to all counties to establish an automated system for tracking the status of applications received by county welfare departments from the centralized processing entity, which screens applications for eligibility benefits under the Medi-Cal program and forwards the applications to the appropriate county.

Existing law provides that a beneficiary or any person on behalf of the beneficiary who has paid for health care services otherwise covered by the Medi-Cal program received by the beneficiary shall be entitled to a return from the provider of any part of the payment that meets

specified requirements. Existing law also provides for the Medi-Cal reimbursement of a provider upon submission of proof of eligibility.

This bill would require the State Department of Health Services, to the extent permitted by federal law, to waive overpayments made to a pharmacy provider that would otherwise be reimbursable to the department for prescription drugs returned to the pharmacy provider from a nursing facility upon discontinuation of the drug therapy or death of the beneficiary.

Under existing law, for purposes of the Medi-Cal program, "medically needy person" is defined to include, among other described persons, until October 1, 2002, a child who is eligible to receive Medi-Cal benefits under an interstate agreement for adoption assistance and related services and benefits to the extent federal financial participation is available.

This bill would delete reference to October 1, 2002, and thereby include the above-described child within the definition of a medically needy person indefinitely.

Existing law requires the county in which a person resides to determine a person's eligibility for Medi-Cal benefits and continued eligibility.

To the extent this bill would increase the counties' responsibilities for eligibility determination, it would impose a state-mandated local program.

Existing law creates the Medi-Cal Medical Education Supplemental Payment Fund, and the Large Teaching Emphasis Hospital and Children's Hospital Medi-Cal Medical Education Supplemental Payment Fund, in the State Treasury as continuously appropriated funds, which consist of various moneys for use by public agencies for health care programs or purposes. Under existing law, these provisions become inoperative on July 1, 2002, and as of January 1, 2003, are repealed.

This bill would extend the inoperative dates to July 1, 2004, and the repeal dates to January 1, 2005. By extending the operation of continuously appropriated funds, this bill would result in an appropriation.

Existing law authorizes the State Department of Health Services to require that a provider receive prior authorization before providing Medi-Cal services when it is determined that the provider has been rendering unnecessary services.

This bill would authorize the department to contract for staff to accomplish treatment authorization request reviews and to carry out contracting activity with manufacturers of single-source drugs.

Existing law requires the State Department of Health Services to administer various health programs, including the California Children's Services Program, Genetically Handicapped Person's Program, Breast and Cervical Cancer Early Detection Program, State-Only Family Planning Program, and Family Planning, Access, Care, and Treatment (Family PACT) Waiver Program.

This bill would require that provider rates of payment for services rendered in all of these programs be identical to the rates of payment for the same service performed by the same provider type pursuant to the Medi-Cal program, would authorize the director to identify, by regulation, other programs that would be subject to this requirement, and would authorize reimbursement at rates greater than the Medi-Cal rate if provided by regulation of the director.

Existing law under the Medi-Cal program prohibits the allowable markup payable for the dispensing of medical supplies by assistive device and sickroom supply dealers and pharmacies from exceeding 25% of the cost of the item dispensed, as defined by the department.

This bill would prohibit the allowable markup payable for these supplies from exceeding 23% of the cost of the item dispensed. It would also prohibit payment for diabetic testing supplies from exceeding the cost of the item dispensed, as defined by the department, plus a fee equal to the maximum professional fee component used in the payment for legend generic drug types.

Existing law provides that certain contracts entered into by the department on a bid or negotiated basis for drugs, product-type health services, and clinical laboratory services

under the Medi-Cal program have no force and effect unless approved by the Department of Finance. Existing law exempts these contracts from certain requirements under the Public Contract Code, including a requirement of approval by the Department of General Services.

This bill would delete the requirement that these contracts be approved by the Department of Finance, would provide for additional exemptions from various requirements under the Public Contract Code and the Government Code, and would make related changes.

Existing law authorizes the State Department of Health Services to contract with less than all manufacturers or clinical laboratories including only one manufacturer or clinical laboratory, on a bid or nonbid basis.

This bill would delete this authorization and would require the department to take specified actions for purposes of implementing certain contracting provisions.

Existing law authorizes the State Department of Health Services to enter into contracts with manufacturers of single-source and multiple-source drugs on a bid or nonbid basis pursuant to specified procedures and to maintain a list of contract drugs. Under existing law, these provisions are repealed as of January 1, 2003, and replaced with alternative provisions implementing the Medi-Cal drug formulary program.

This bill would delete the repeal of these provisions, thereby extending the authority of the department to enter into the above-described contracts indefinitely. The bill would repeal the alternative provisions related to the implementation of the Medi-Cal drug formulary program.

Existing law provides for various increases to the reimbursement to pharmacists for all drug prescription claims reimbursed through the Medi-Cal program.

This bill, until July 1, 2004, would require the department to reduce reimbursement to pharmacists in the amount reimbursement was increased pursuant to these provisions with respect to pharmacy services rendered on and after the date that this bill is enacted, and would exempt claims submitted by pharmacists for beneficiaries in a nursing facility.

Existing law provides that if certain conditions are met, a new drug designated as having an important therapeutic gain and approved for marketing by the federal Food and Drug Administration shall be immediately included on the list of contract drugs for 3 years.

This bill would delete this provision.

Existing law permits any drug suspended from the list of contract drugs for at least 12 months to be deleted from the list of contract drugs.

This bill would remove the 12-month time period as a condition prior to deletion of a drug from the list of contract drugs. It would also establish a list of preferred prior authorization drugs as a subset of the list of contract drugs and would permit a manufacturer of a drug deleted from, or not added to, the list of contract drugs to request inclusion on that list.

Existing law specifies conditions under which certain drugs for use in the treatment of acquired immune deficiency syndrome (AIDS) or an AIDS-related condition or cancer are deemed approved for addition to the Medi-Cal list of contract drugs or considered a Medi-Cal benefit.

This bill would require, commencing July 1, 2002, all pharmaceutical manufacturers to provide to the State Department of Health Services a state rebate in addition to rebates pursuant to other provisions of state or federal laws for any drug products that have been added to the Medi-Cal list of contract drugs pursuant to the above described provisions related to drugs used to treat AIDS and cancer. This provision would become inoperative on July 1, 2005, and would be repealed on January 1, 2006.

Existing law requires the State Department of Health Services to establish a list of Maximum Allowable Ingredient Costs (MAIC) for drugs based on reference to certain drug brands.

This bill would revise the basis for establishing the list of MAIC for drugs. The bill would require the department to update MAICs at least every 2 months and to establish the estimated acquisition cost, as defined, of legend and nonlegend drugs, as defined. The bill would also require the department to establish a list of medical supplies, including utilization

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**NOTE:** Superior numbers appear as a separate section at the end of the digests.

controls applied to each medical supply product, and a list of Maximum Allowable Product Costs (MAPC) for medical supplies. The bill would require the department to repeal certain regulations related to medical supplies.

This bill would authorize the State Department of Health Services to enter into contracts with manufacturers of enteral formulae that can be used as a therapeutic regimen to prevent serious disability or death in patients with medically diagnosed conditions that preclude the full use of regular food. The bill would require the department to maintain a list of those products for which contracts have been executed.

Existing law provides for the establishment of provider reimbursement rates for incontinence medical supplies covered by the Medi-Cal program.

This bill would revise the method for determining the reimbursement rate.

Under the Medi-Cal program, specified medical benefits are provided to public assistance recipients and certain other low-income persons.

This bill would include the purchase of prescribed enteral formulae and diabetic testing supplies as a covered benefit subject to utilization controls. It would also revise the covered benefits related to dental care.

Existing law requires the State Department of Health Services to develop a federal waiver program to test the efficacy of providing an assisted living benefit to beneficiaries under the Medi-Cal program. Existing law prohibits the department from implementing the waiver program developed under this provision if the program will result in additional costs to the state.

This bill, instead, would prohibit the department from implementing the waiver program if the benefits provided pursuant to the program will result in additional costs to the Medi-Cal program.

Under existing law, certain telemedicine services are reimbursable under the Medi-Cal program.

This bill would require the State Department of Health Services to allow psychiatrists to receive fee-for-service Medi-Cal reimbursement for services provided through telemedicine until June 30, 2004, or until a method for reimbursement is developed, as provided.

Existing law specifies procedures under which personal care services meeting certain conditions, when provided to a categorically needy person, as defined, are a covered Medi-Cal benefit to the extent federal financial participation is available. Under existing law, these provisions become inoperative on July 1, 2002, and as of January 1, 2003, are repealed.

This bill would delete the inoperative and repeal dates, thereby extending these Medi-Cal benefit coverage provisions indefinitely.

Existing law specifies procedures for the monthly advancement of state funds to counties for costs of administration of the Medi-Cal program.

This bill would require, within 60 calendar days of the date that the annual Budget Act is chaptered, the State Department of Health Services to notify the chairpersons of the fiscal committees of each house of the Legislature, the Chairperson and the Vice Chairperson of the Joint Legislative Budget Committee, and appropriate county representatives if the department plans to withhold and not allocate any of the baseline allocation for county Medi-Cal eligibility activities that are appropriated for Medi-Cal administration.

Under existing law, the Medi-Cal program provides for a special methodology of reimbursement of disproportionate share hospitals for the provision of inpatient hospital services. Existing law establishes the Medi-Cal Inpatient Payment Adjustment Fund in the State Treasury, as a continuously appropriated fund, to be used as the source for the nonfederal share of payments to disproportionate share hospitals. Existing law transfers \$29,757,690 from the fund to the Health Care Deposit Fund for the 2000–01 fiscal year and each fiscal year thereafter.

This bill would transfer \$85,000,000 to the Health Care Deposit Fund for the 2002–03 fiscal year and each fiscal year thereafter. Because the Health Care Deposit Fund is continuously appropriated, this bill would make an appropriation.

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Existing law requires the State Department of Health Services to establish a pilot program to provide continuous skilled nursing care as a benefit of the Medi-Cal program when those services are provided in accordance with an approved federal waiver meeting certain requirements. Existing law repeals this provision as of January 1, 2003.

This bill would extend the repeal date of the provision from January 1, 2003, to January 1, 2006.

Existing law authorizes 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, to elect to participate in the County Medical Services Program (CMSP) for the state administration of health care services to eligible persons in the county. Existing law specifies a formula under which counties and the state share the risk for cost increases of the CMSP not funded through other sources.

This bill would revise this formula.

Existing law authorizes, until January 1, 2003, a county to establish a County Medical Services Program Governing Board, with a specified membership, to administer the CMSP.

This bill would extend the operation of these provisions until January 1, 2008.

Existing law requires that the contract between the State Department of Health Services and the County Medical Services Program Governing Board require that the state provide a designated minimum level of administrative support to the CMSP.

This bill would require, instead, that the County Medical Services Program Governing Board reimburse up to \$3,500,000 for the state costs of providing administrative support to the CMSP.

Existing law establishes the County Medical Services Program Account in the County Health Services Fund, which is continuously appropriated, and specifies the purposes for which moneys in the account may be used.

This bill would provide that moneys in the account also may be used to reimburse the State Department of Health Services for state costs of providing administrative support to the CMSP, thereby making an appropriation.

Existing law requires 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.

This bill, instead, would provide that these provisions shall be implemented on and after July 1, 2003, but only if and to the extent that federal financial participation is available.

This bill would authorize the State Department of Health Services to adopt emergency regulations to implement the applicable provisions of this bill in accordance with the rulemaking provisions of the Administrative Procedure Act.

The bill would prohibit the State Department of Health Services from recouping any overpayment made to a provider before October 1, 2002, under a specified provision of the Medi-Cal Act for ambulance transport services, if the overpayment is not due to the fault of the provider. It would also add to the requirements of the State Department of Health Services with regard to completing the design and implementation of the Children's Medical Services Network (CMS Net).

The bill would require the California Health and Human Services Agency to develop a comprehensive plan that responds to the decision of the United States Supreme Court in *Olmstead v. L.C.* and that describes the actions that California may take to improve its long-term care system so that its residents have available an array of community care options that allow them to avoid unnecessary institutionalization.

This bill would specify requirements of the State Department of Developmental Services related to the use of funds appropriated in Item 4300-101-0001 of the Budget Act of 2002 pertaining to regional centers.

The bill would provide that of the amounts appropriated in Item 4260-111-0001 of the Budget Act of 2002 from the Hospital Services Account, the Physician Services Account, and the Unallocated Account in the Cigarette and Tobacco Products Surtax Fund, \$24,803,000 shall be administered and allocated for the 2002–03 fiscal year, as provided in the bill, for distribution through the California Healthcare for Indigents Program and the rural health services program.

The bill would provide that the unencumbered balances of the amounts appropriated in Item 4260-001-0589 of Chapter 50 of the Statutes of 1999, Item 4260-001-0589 of Chapter 52 of the Statutes of 2000, and Item 4260-001-0589 of Chapter 106 of the Statutes of 2001 are reappropriated and shall be available for encumbrance and expenditure until July 30, 2005, thereby making an appropriation.

This bill, in order to implement changes in the level of funding for Medi-Cal services in the Budget Act of 2002, would require the Director of Health Services to eliminate, with specified exceptions, all provider rate increases that were provided, effective August 1, 2000, for services rendered in the Medi-Cal program. The bill would define “provider” for purposes of this requirement.

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. 1162 (AB 551) Papan. Industrial banks: acquisition.

Existing law provides for the regulation of financial institutions, including industrial banks, by the Commissioner of Financial Institutions and by various federal agencies.

This bill would prohibit a person, except as specified, from acquiring control of an industrial bank unless the person is engaged only in the activities that are permitted for a financial holding company as provided in federal law, or the person is a credit union when the industrial bank is a credit union service organization as provided in state law.

Ch. 1163 (AB 1634) Chan. Nutrition education.<sup>9</sup>

Existing law requires the State Department of Education to develop a summary of state law and regulations pertaining to nutrition and physical activity.

This bill would require the State Department of Education to incorporate nutrition education curriculum content into the health curriculum framework at its next revision.

This bill would, commencing July 1, 2004, require the State Department of Education to make competitive grants available for school districts and county offices of education to start up or expand instructional school gardens and school garden salad bars with a compost program.

This bill would appropriate \$200,000 from the United States Department of Agriculture Specialty Crop Block Grant in the Federal Trust Fund to the department, pursuant to a prescribed schedule, for the purposes of providing these grants.

Ch. 1164 (AB 3006) Committee on Budget. Health: Medi-Cal: provider rate increases.

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.

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Assembly Bill 442 of the 2001–02 Regular Session, among other things, proposes to add provisions that would require, in order to implement changes in the level of funding for Medi-Cal services in the Budget Act of 2002, the Director of Health Services to eliminate, with specified exceptions, all provider rate increases that were provided, effective August 1, 2000, for services rendered in the Medi-Cal program. The bill would define “provider” for purposes of this requirement.

This bill would repeal the above provisions, contingent on the enactment of AB 442.

This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 1165 (SB 1045) Polanco. Public employment and contracting.

Existing provisions of the California Constitution prohibit discrimination or preferential treatment based on race, ethnicity, and gender in the operation of public employment, public education, and public contracting.

This bill would declare the intent of the Legislature to reaffirm diversity as a public policy goal in public employment and public contracting. The bill would authorize governmental agencies to engage in various general recruitment and outreach programs and focused outreach activities to increase diversity in public employment and public contracting. The bill would require each state department or agency awarding a contract or procuring goods or services, and would authorize each local agency receiving state funds, to collect information and report annually to the Governor and the Legislature on the participation level of minority, women, and disabled veteran-owned business enterprises in these contract and procurement activities.

Ch. 1166 (SB 1868) Torlakson. Physical education.

(1) Under existing law, the State Department of Education is required to adopt rules and regulations that it deems necessary and proper to secure the establishment of courses in physical education in the elementary and secondary schools and to compile or cause to be compiled and printed a manual in physical education for distribution to teachers in the public schools of the state.

This bill would require the department to encourage school districts offering instruction in kindergarten and any of grades 1 to 12, inclusive, to the extent that resources are available, to provide quality physical education that develops the knowledge, attitudes, skills, behavior, and motivation needed to be physically active for life, as specified.

(2) Existing law authorizes the governing board of a school district or the county superintendent of schools to grant an exemption to a consenting pupil from courses in physical education for 2 years during grades 10 to 12, inclusive. Existing law requires the governing board of a school district maintaining any of grades 5, 7, and 9 to administer to each pupil a physical performance test designated by the State Board of Education.

This bill would permit the exemption only if the pupil has passed the designated physical performance test administered in the 9th grade.

This bill would require that pupils be provided with the individual results after completing the physical performance testing, thereby imposing a state-mandated local program.

This bill would authorize the governing board of a school district to also administer to pupils in grades 10 to 12, inclusive, the designated physical performance test required in 9th grade and would make a pupil who passes the test in any of grades 10 to 12, inclusive, eligible for an exemption from courses in physical education, as specified.

(3) Existing law, the Classroom Instructional Improvement and Accountability Act, requires each school district that maintains an elementary or secondary school to develop and implement a School Accountability Report Card, as prescribed. The act prohibits any change except to further its purposes by a bill passed by a vote of  $\frac{2}{3}$  of the membership of both houses of the Legislature and signed by the Governor.

This bill would require the governing board to report the aggregate results of its physical performance testing in its annual school accountability report card, and would declare that

this bill furthers the purposes of the act. By requiring this information to be included within the school accountability report card, this bill would impose a state-mandated local program.

(4) Existing law, the Public Schools Accountability Act of 1999, requires the Superintendent of Public Instruction, with the approval of the State Board of Education, to develop an Academic Performance Index (API) to measure the performance of schools. Based on the API, the Superintendent of Public Instruction is required to develop, and the State Board of Education to adopt, expected annual percentage growth targets for all schools based on their API baseline score. The act contains a High Achieving/Improving Schools Program to provide monetary and nonmonetary awards to schools that meet or exceed API growth targets, and allows, in addition to, or in substitution of monetary awards, the Superintendent of Public Instruction to establish nonmonetary awards that may include, but are not limited to, classification as a distinguished school, as specified.

This bill would also authorize the Superintendent of Public Instruction, in addition to any other criteria that are used to determine whether a school shall be classified as a distinguished school, for purposes of the High Achieving/Improving Schools Program, to consider a school's performance on the physical performance tests of its pupils, as specified.

(5) This bill would incorporate additional changes to Section 52057 of the Education Code, proposed by AB 741, to be operative only if this bill and AB 741 are both enacted and become effective on or before January 1, 2003, and this bill is enacted last.

(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, 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. 1167 (AB 2781) Oropeza. Education finance. <sup>10</sup>

(1) Existing law, until January 1, 2003, 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.

This bill would change the date upon which the Educational Telecommunication Fund becomes inoperative to January 1, 2004.

(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 2001–02 fiscal year, inclusive.

This bill would, instead, make this provision inapplicable to the fiscal years between the 1992–93 fiscal year and the 2002–03 fiscal year, inclusive.

(3) 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 provides that funding appropriated in the Budget Act of 2001, or legislation amending that act, for the purpose of limiting reductions to revenue limits for the 2001–02 fiscal year is to be allocated on a one-time basis. Existing law appropriates \$35,000,000 from the General Fund to Section A of the State School Fund for purposes of limiting the reductions to revenue limits for the 2003–04 fiscal year and limits reductions to revenue limits for the 2004–05 fiscal year and

each fiscal year thereafter to \$35,000,000 increased annually by cost-of-living adjustments, as specified.

This bill would provide that funding appropriated in the Budget Act of 2002 for the purpose of limiting reductions to revenue limits for the 2002–03 fiscal year is to be allocated on a one-time basis and that total allocations for this purpose may not exceed \$36,000,000.

(4) Existing law requires the Superintendent of Public Instruction to compute an equalization adjustment for the 2001–02 fiscal year 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 require the superintendent also to compute an equalization adjustment for the 2002–03 fiscal year, so that no district's prior year adjusted base revenue limit per unit of average daily attendance is less than the prior year adjusted base revenue limit above which fall not more than 10% of the total statewide units of average daily attendance for the appropriate size and type of district.

(5) Existing law, the Fairness in Education Funding Act, requires the Superintendent of Public Instruction to compute an equalization adjustment for the 2003–04 fiscal year 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 require the superintendent to also compute an equalization adjustment for the 2003–04 fiscal year, so that no district's prior year adjusted base revenue limit per unit of average daily attendance is less than the prior year adjusted base revenue limit above which fall not more than 8.25% of the total statewide units of average daily attendance for the appropriate size and type of district. The bill would provide a formula for calculating the adjusted base revenue limit and would require the average daily attendance of a charter school to be included in calculating the size of, and target amounts for, a school district that is a chartering agency.

(6) This bill would provide that if the appropriations made for purposes of the equalization adjustments are insufficient to provide funding equal to the amounts computed by the equalization formulas, the amounts appropriated shall be allocated to school districts on a pro rata basis.

(7) This bill would appropriate \$406,000,000 from the General Fund to the Superintendent of Public Instruction for the 2003–04 fiscal year, pursuant to a schedule, for purposes of the equalization adjustments, to be allocated to school districts on a pro rata basis.

The bill would require the appropriation to be included in the amounts appropriated by the state in the 2003–04 fiscal year for purposes 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.

(8) Existing law authorizes the governing board of a school district to terminate the services of certificated employees during the time period between 5 days after the enactment of the Budget Act and August 15 of the fiscal year to which the Budget Act applies, according to a schedule of notice and hearing adopted by the governing board, if the district determines that its revenue limit has not increased by 2% more and it is necessary, therefore, to decrease the district's permanent employees.

This bill would make this provision inoperative from July 1, 2002, to July 1, 2003, inclusive.

(9) Existing law establishes, until July 1, 2006, the Principal Training Program to provide incentive funding to provide schoolsite administrators with instruction and training and requires<sup>1</sup>/<sub>3</sub> of a local education agency's schoolsite administrators be trained in each of the 3 years of program implementation.

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This bill would instead require that 50% of the schoolsite administrators be trained in each of the 2002–03 and 2003–04 fiscal years.

(10) Existing law requires the Director of Finance to make certain computations annually regarding charter school block grant funding and to provide that information as part of the May revision to the Governor’s Budget.

This bill would instead require the Director of Finance to make that computation, as specified, and provide that information to the Superintendent of Public Instruction within 30 days of the enactment of the annual Budget Act.

(11) Existing law establishes the Kindergarten Readiness Pilot Program, to be implemented in the 2002–03 school year, and requires a participating school district to offer admission to 1st 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 implementation of that program until the 2003–04 school year and make conforming changes.

(12) Existing law establishes the Digital High School Education Technology Grant Program to provide one-time installation grants and ongoing technology support and staff training grants to school districts and county offices of education for projects at high schools. Existing law requires the Superintendent of Public Instruction, commencing in the second fiscal year following the year in which a high school receives a technology installation grant and upon certification of completion of the installation project, to allocate to each high school an annual technology support and staff training grant.

This bill would specify that technology support and staff training grants would not be provided to school districts and county offices of education for the 2002–03 fiscal year and would prohibit the Superintendent of Public Instruction from allocating those grants for the 2002–03 fiscal year. The bill would state the intent of the Legislature that the funding that would otherwise have been provided for the 2002–03 fiscal year be provided in the 2003–04 fiscal year.

(13) Existing law requires the Secretary for Education to contract for development and establishment of a public involvement campaign to inform Californians that promoting reading in the public schools as a key to success in life is the responsibility of all Californians.

This bill would make the provision subject to funding being appropriated in the annual Budget Act for this purpose.

(14) Existing law establishes the Targeted Instructional Improvement Grant Program and requires the amount of a school district’s grant to be adjusted for inflation.

This bill would provide that commencing with the 2001–02 fiscal year, and each fiscal year thereafter, the total amount a school district shall receive in any fiscal year is at a minimum the same total amount it received in the 2000–01 fiscal year adjusted annually for inflation.

(15) Existing law combines the funding for court-ordered desegregation programs and for voluntary integration programs in the Targeted Instructional Improvement Grant Program and calculates a per pupil amount of funding for school districts based on the amounts received in the 2000–01 fiscal year for court-ordered desegregation and voluntary integration claims.

This bill would require the Superintendent of Public Instruction, commencing with the 2001–02 fiscal year, to calculate an apportionment of state funds for a basic aid district that was entitled to reimbursement pursuant to repealed provisions regarding court-ordered voluntary pupil transfer programs and that received an apportionment under the repealed provisions because a court order directs pupils to transfer to that district as part of the court-ordered voluntary pupil transfer program. The amount of the apportionment would be 70% of the district revenue limit that would have been apportioned to the school district from which the pupils were transferred.

(16) Existing law requires the Superintendent of Public Instruction, for purposes of calculating funding for each special education local plan area, to determine the statewide total average daily attendance for the 2000–01 fiscal year, to increase the amount per unit of average daily attendance for the 2001–02 fiscal year by a specified quotient, and to increase the statewide target per unit of average daily attendance for the 2001–02 fiscal year, as provided.

This bill would require that determination and those increases also to be made for the 2001–02 and 2002–03 fiscal years, respectively, and would make conforming changes.

(17) Existing law establishes the Governor’s Teaching Fellowships Program and provides, beginning in the 2001–02 fiscal year, for 1,000 nonrenewable graduate teaching fellowships to be awarded annually in the amount of \$20,000 each.

This bill would provide that commencing with the 2002–03 fiscal year and each fiscal year thereafter, the number of fellowships awarded shall be determined pursuant to an appropriation in the annual Budget Act for this purpose.

(18) Existing law establishes, until July 1, 2005, the Mathematics and Reading Professional Development Program, under which a local education agency, as defined, receives 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.

This bill would extend the program until July 1, 2006, and would reduce the number of teachers, instructional aides, and paraprofessionals for whom a local education agency may receive an incentive award.

(19) Under existing law, a local agency may not be required to implement or give effect to any statute or executive order during any fiscal year and for the period immediately following that fiscal year for which the Budget Act has not been enacted for the subsequent fiscal year if specified conditions are met. Existing law excepts from that provision, any state-mandated local program for which reimbursement funding counts toward the minimum General Fund requirements of Section 8 of Article XVI of the California Constitution.

This bill would specify that a school district may not be required to implement or give effect to the School Bus Safety II mandate statutes and the School Crimes Reporting II mandate statutes if certain conditions are met.

(20) Existing law, the Bronzan-McCorquodale Act, organizes and finances community mental health services for the mentally disordered in every county through locally administered and locally controlled community mental health programs and states the intent of the Legislature that certain funding provisions related to financing community mental health services not affect the responsibilities to fund psychotherapy and other mental health services for handicapped and disabled pupils that are required by law.

This bill would prohibit the funding provisions related to financing community mental health services from affecting the responsibility of the state to fund psychotherapy and other mental health services for handicapped and disabled pupils required by law and would require the state to reimburse counties for all allowable costs incurred by counties in providing those services to handicapped and disabled pupils. The bill would require the state to provide reimbursement for those services through an appropriation included in either the annual Budget Act or other statute. The bill would provide that counties are not required to provide any share of those costs or to fund the cost of any part of these services with money received from the Local Revenue Fund for reimbursement claims for services delivered in the 2001–02 fiscal year and thereafter to handicapped and disabled pupils.

The bill would provide that county reimbursement claims submitted to the Controller for reimbursement for services associated with providing allowable mental health treatment services required by an individualized education program in fiscal years up to and including

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the 2000–01 fiscal year are not subject to dispute by the Controller’s office regarding the percentage of reimbursement claimed by any county. The bill would prohibit a county that previously submitted a reimbursement claim for services delivered in the 2000–01 fiscal year or prior for less than 100% of the allowable mental health treatment services to special education pupils from amending its claim for a higher percentage of those same allowable costs.

(21) This bill would set the cost-of-living adjustment for certain items contained in the Budget Act of 2002 and for revenue limit determinations at 2%.

(22) This bill would require the Commission on State Mandates, to amend the parameters and guidelines of the School Bus Safety II mandate to specify that costs associated with implementation of transportation plans are not reimbursable claims and would require the amended parameters and guidelines to be applied retroactively as well as prospectively.

(23) The Budget Act of 2002 makes various appropriations for the support of the public elementary and secondary schools for the 2002–03 fiscal year.

This bill would revise the Budget Act of 2002 by augmenting certain appropriations, by reducing certain appropriations, and by making a new appropriation, as provided.

(24) This bill would appropriate \$681,000,000 from the General Fund in the 2003–04 fiscal year to the State Department of Education pursuant to a schedule for specified school improvement programs, for home to school transportation, for targeted instructional improvement grants, and for other supplemental grants, as specified. 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 for the 2003–04 fiscal year.

(25) Existing law requires the Controller to draw warrants on the State Treasury from the State School Fund in favor of the county treasurer of each county in each month in certain amounts determined pursuant to specified calculations. Existing law requires warrants in the months of September to November, inclusive, to include one-tenth of the estimated total amounts of the special purpose apportionment. Under existing law, warrants in December are required to include one-tenth of the amounts certified by the Superintendent of Public Instruction as the special purpose apportionment, as adjusted, if necessary, to correct excesses or deficiencies in the estimates made for purposes of the warrants issued in September to November, inclusive. Existing law requires an additional one-tenth apportionment to be included in the warrants for January to June, inclusive.

This bill would apply that formula for purposes of apportioning funds from the State School Fund for economic impact aid programs as part of the special purpose apportionment in the 2002–03 fiscal year. The bill would apply a revised formula, based on a one-seventh apportionment, for purposes of apportioning funds from the State School Fund for home to school transportation programs as part of the special purpose apportionment in the 2002–03 fiscal year.

(26) The California Constitution requires that the amount appropriated by the Legislature for the support of school districts, as defined, and community college districts in any fiscal year be not less than a specified amount and authorizes the suspension of this minimum funding obligation for one year.

This bill would require the state’s minimum funding obligation for the support of school districts, as defined, and community college districts to be increased, as specified, for the 2003–04 fiscal year. If the state’s minimum funding obligation for the support of school districts, as defined, and community college districts is suspended, the bill would require the amount of the maintenance factor to be computed in a manner that includes this increase.

(27) This bill would declare that it is to take effect immediately as an urgency statute.

Ch. 1168 (AB 1818) Committee on Education. Education.

(1) Existing law authorizes an adjustment in the revenue limit of any county superintendent of schools by an amount sufficient to provide additional revenue equal to the

expenditure estimated to be incurred by the county superintendent of schools in complying with certain unemployment insurance laws.

This bill would exclude expenditures for employees of charter schools funded by the Charter School Block Grant.

(2) Existing law requires the county superintendent of schools to adjust the total revenue limit by the amount of increased or decreased employer contributions to the Public Employees' Retirement System, excluding from the calculation certain positions.

This bill also would exclude employer contributions for employees of charter schools funded by the Charter School Block Grant.

(3) Existing law requires the school accountability report card to provide data by which parents can make meaningful comparisons between public schools enabling them to make informed decisions on which school to enroll their children and requires certain information regarding school conditions to be included in this report card.

This bill would require the report card to include the rate of pupils who earn Governor's scholarship awards. The bill would require the Scholarshare Investment Board to provide these rates to the State Department of Education which would be required to post that information on the Internet. The bill would impose a state-mandated local program by requiring schools to post on the Internet the rates that pertain to them. The bill would state that the Legislature finds and declares that the bill furthers the purposes of the Classroom Instructional Improvement and Accountability Act.

(4) Existing law limits the amount of compensation a member of the governing board of a school district may receive for his or her services, but permits the governing board to increase the compensation of individual board members beyond those limits. Existing law specifies that voters in a district may vote in a referendum to reject an increase authorized by the governing board.

This bill would delete the provision regarding a referendum to reject an increase in compensation.

(5) Existing law requires the Superintendent of Public Instruction to certify to the Controller the amount of money needed to fund the revenue limits of school districts, county superintendents of schools, and charter schools.

This bill would, commencing in the 2004–05 fiscal year, delete the certification requirement regarding charter school revenue limits.

(6) Existing law repealed, on January 1, 2000, the School Violence Reduction Program, a statewide grant program, but made certain provisions of that program operative in fiscal years in which the Superintendent of Public Instruction certifies that over \$2,000,000 are available for purposes of the program.

This bill would delete all of the provisions governing the School Violence Reduction Program.

(7) Existing law, inoperative on July 1, 2003, prohibits the state board from adopting standards and criteria for a budget reserve for economic uncertainties in excess of 1% of a school district's total expenditures, transfers out, and other uses of the school district for a school district with an average daily attendance greater than 125,000.

This bill, instead, would make these provisions inoperative on July 1, 2004.

(8) Existing law requires the computation of the base revenue limit per unit of average daily attendance.

This bill would require the recomputation of the base revenue limit per unit of average daily attendance of a high school district that receives 7th and 8th grade pupils transferring from an elementary school district.

(9) Existing law requires a school district that receives bequests or gifts of money not required for the immediate necessities of the district to place that money in a district special fund designated as the Foundation Trust Fund and authorizes the district to invest that money.

This bill would rename the Foundation Trust Fund the Foundation Fund.

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(10) Existing law requires the Superintendent of Public Instruction to report annually to the Controller, on or before September 25, the total average daily attendance during the preceding fiscal year.

This bill would change the reporting date to October 20.

(11) Existing law permits, upon receipt from the governing board of a school district of an application for exemption from the requirement regarding minimum expenditures for salaries of classroom teachers, the county superintendent of schools to recommend to the Superintendent of Public Instruction that the district be granted an exemption, if the amount is \$1,000 or greater.

This bill, instead, would permit the county superintendent of schools to grant an exemption.

(12) Existing law requires the Superintendent of Public Instruction to determine the portion of the average salaries paid administrative employees of a school district attributable to state support.

This bill instead would require the Superintendent of Public Instruction to determine the reduction in state support resulting from excess administrative employees.

(13) Existing law requires school districts to submit reports to the Superintendent of Public Instruction regarding the ratio of teaching to nonteaching certificated employees to the extent necessary for effective performance of the superintendent's responsibilities in that regard.

This bill would delete this requirement.

(14) Existing law requires school districts to provide for an annual audit.

This bill would specifically include in this audit provisions governing the maximum ratios of administrative employees to each 100 teachers.

(15) Existing law requires the governing board of each school district to adopt an annual budget and requires the county superintendent of schools to approve or disapprove the adopted budget for a school district by August 15 of the preceding fiscal year. If the budget is disapproved, the county superintendent is required to call for the formation of a budget review committee. Existing law requires the school district budget to be made in the format prescribed by the Superintendent of Public Instruction.

This bill would require the budgets to be adopted to be prepared in accordance with the format prescribed by the Superintendent of Public Instruction and would authorize the governing board of a school district whose budget is disapproved and the county superintendent of schools to agree to waive the requirement that a budget review committee be formed.

(16) Existing law authorizes adjustments in the revenue limit of any elementary, high, or unified school district for purposes of the employer contribution to the Public Employees Retirement System and for purposes of complying with certain unemployment insurance laws.

This bill would exclude from those adjustments charter schools funded by the Charter School Block Grant.

(17) Existing law requires that a school district or county office of education offer 180 days of instruction in order to obtain an additional apportionment based on average daily attendance, or if it is a year-round school that it maintain its school for 5 more days than maintained in the previous fiscal year not to exceed 180 days.

This bill would make a multitrack year-round school that offers a minimum of 163 days of instruction eligible for this apportionment.

(18) Existing law requires the Superintendent of Public Instruction, if the governing board of a school district offers less instructional time than the amount required, to withhold a school district's revenue limit for the average daily attendance of each affected grade level, the sum of the apportionment multiplied by the percentage of instructional minutes that the district failed to offer.

This bill would instead require, for the 2001 fiscal year or a prior fiscal year, the Superintendent of Public Instruction to reduce the school district's apportionment by the average percentage increase in the base revenue limit for districts of similar type and size multiplied by the district's units of average daily attendance.

(19) Existing law specifies the components of a nutritionally adequate meal for purposes of providing meals for needy pupils and allows a cup of unsweetened yogurt as an option for pregnant or lactating pupils.

This bill would instead allow a cup of yogurt as an option for pregnant or lactating pupils.

(20) Existing law requires the state to establish a partnership with the National Academy Foundation to create up to 100 Information Technology Career Academies in public high schools throughout the state and requires the Superintendent of Public Instruction to award grants to high schools selected by the partnership.

This bill would delete the specification that the partnership select the grant recipients.

(21) Existing law requires a regional occupational program or center to be maintained by, and subject to the authority and control of, its governing board. Existing law provides that the governing board of a regional occupational program or center maintained by a county superintendent of schools is the county board of education and that the governing board of a regional occupational program or center maintained by a single school district is the governing board of the school district.

This bill would provide that the governing board of a regional occupational center or program maintained by either a county or a single school district is not entitled to an additional stipend merely to carry out governance of the operations of the regional occupational center or program.

(22) Existing law makes a pupil eligible to be admitted to a regional occupational center or program if the pupil is referred to the center or program and the referral is reviewed and approved by the principal and director of the regional occupational center or program, among other things.

This bill would authorize a designated administrator to complete that review and approval.

(23) Existing law defines certain terms for purposes of the California School Age Families Education program.

This bill would define "expectant parent" as a female who is pregnant or a male who voluntarily identifies himself as the parent of an unborn child, and who meets the eligibility criteria.

(24) Existing law requires a special education local plan area to submit a local plan meeting specified criteria to the Superintendent of Public Instruction. Existing law requires the State Board of Education to adopt criteria and procedures for the review and approval by the board of local plans and authorizes the approval of local plans for up to 4 years.

This bill would delete the authority to approve a local plan for up to 4 years.

(25) Existing law requires the Superintendent of Public Instruction to maintain the state special schools so that their services are coordinated with the services of a school district, special education local plan area, or county office of education.

The bill would also require the Superintendent of Public Instruction to maintain the diagnostic school so that their services are similarly coordinated.

(26) Existing law requires the Superintendent of Public Instruction to develop an annual program evaluation plan and report of special education programs for submission to the board.

This bill, instead, would require the Superintendent of Public Instruction to develop a biennial performance report for submission to the board.

(27) Existing law requires a special education local plan area's annual budget plan to be adopted at a public hearing held by the district, special education local plan area, or county office, as appropriate.

This bill would authorize the governance body of the special education local plan area to designate a local educational agency board, a county office board, or the responsible local agency board to hold the hearing at which the budget plan is adopted.

(28) Existing law requires the Advisory Commission on Special Education, on or before July 1, 2000, to study and report on the practice of awarding certificates or documents of educational achievement or completion and diplomas to individuals with exceptional needs.

This bill would delete this requirement.

(29) Existing law provides that diagnostic centers diagnose disabled children, determine the treatment and educational program for those children and provide temporary residence for disabled children who need educational diagnostic services not available in regular public school.

This bill would delete this provision and instead provide that these centers provide specified services to school districts, county offices of education, and special education local plan areas.

(30) Existing law requires the Superintendent of Public Instruction, in relation to the diagnostic centers, to fix the compensation of teachers, determine the length of and time for vacations of teachers, and contract with the University of California for the establishment and maintenance of diagnostic service and treatment centers for disabled children.

This bill would delete this requirement.

(31) Existing law requires the Superintendent of Public Instruction, in connection with diagnostic centers, to make diagnostic assessments of individuals referred for that service, to provide instructional planning services for individuals assessed, to provide counseling services for parents, guardians, and families of disabled children, and to maintain a model assessment service and demonstration classrooms to assist local school districts.

This bill would delete this requirement.

(32) Existing law permits the Superintendent of Public Instruction to authorize diagnostic centers to establish and maintain teacher training courses designed to prepare teachers to instruct disabled children. Existing law also permits the diagnostic centers to enter into one or more agreements with accredited universities or colleges as a teacher training educational institution.

This bill would delete this provision.

(33) Existing law entitles residents of California who are less than 21 years of age and who are determined by diagnostic centers to be of suitable age and capacity, to free services at diagnostic centers. Existing law permits disabled children who are not residents of California to be admitted to a diagnostic center upon paying the actual support cost.

This bill would delete the provision relating to nonresidents of California and would specify that residents of California are to be accepted by a diagnostic center pursuant to criteria adopted by the Superintendent of Public Instruction.

(34) Existing law requires the Superintendent of Public Instruction to give diagnostic centers not more than \$389 per fiscal year per unit of average daily attendance and requires administrators of the centers to arrange for transportation of the pupils.

This bill would delete this requirement.

(35) Existing law requires publishers of instructional materials 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 and requires the maps to be filled out using a standard form created and approved by the State Board of Education.

This bill would require the standards maps to be grade level content standards maps and would require the publisher to distribute the maps free of charge. The bill would require the State Department of Education to develop the standards maps used by the publishers and would require the State Board of Education to approve the standards maps developed by the department by July 1, 2003.

(36) Existing law makes the Schiff-Bustamante Standards-Based Instructional Materials Programs inoperative on June 30, 2002, and repeals the programs on January 1, 2003.

This bill would extend the inoperative and repeal dates one year.

(37) 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, to be called the California Standards Tests, to measure 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. This standards-based achievement test is required to contain the areas of reading, writing, mathematics, history-social science, and science for grades 9 to 11, inclusive.

This bill would exclude history-social science from being included in the grade 9 assessment unless the State Board of Education adopts academic content standards for a grade 9 history-social science course.

(38) Existing law requires a county office of education that has a qualified or negative certification of its ability to meet its financial obligations to allow the Superintendent of Public Instruction at least 6 working days to review and comment on any proposed agreement between the exclusive representative and the public school employer.

This bill would make this provision applicable to a school district for which the county board of education serves as the governing board.

(39) The bill would update cross-references and make conforming and other technical changes.

(40) 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.

(41) The bill would declare that it is to take effect immediately as an urgency statute.

Ch. 1169 (SB 2028) Vasconcellos. Community colleges: equal employment opportunity hiring.

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 statutes, relating to affirmative action hiring by the community colleges, that have been invalidated by order of the California Court of Appeal, require the board of governors, out of funds appropriated for that purpose, to provide assistance to local community colleges in maintaining high-quality affirmative action programs. The invalidated statutes also established the Faculty and Staff Diversity Fund in the State Treasury. Money in this fund was available to the board of governors, upon appropriation by the Legislature, for the purpose of enabling the community colleges as a system to address a goal of making the system's workforce reflect proportionately the adult population of the state.

This bill would repeal these invalidated provisions. The bill would instead enact provisions relating to equal employment opportunity hiring by the community colleges, and establish the Employment Opportunity Fund, to be administered by the board of governors, upon appropriation by the Legislature, for the purpose of promoting equal employment opportunities in hiring and promotion at the community colleges. The bill would make conforming changes.

The bill would require the governing board of each community college district that opts to participate under the bill to periodically submit to the board of governors an affirmation of compliance with the article. The bill would require the board of governors to adopt

regulations to ensure that each participating community college district implements processes for ensuring equal employment opportunities. The bill would require the board of governors to develop systemwide strategies for encouraging community college students to become qualified for, and seek, employment as community college faculty or administrators. The bill would require the board of governors to develop and disseminate to community college districts a model equal employment opportunity plan.

The bill would require the board of governors to adopt regulations for the use of the fund, including outreach and recruitment, in-service training on equal employment opportunities, accommodations for applicants and employees with disabilities, and other activities to promote equal employment opportunities. The bill would prohibit the board of governors from using more than 25% of the revenues in the fund to provide technical assistance, service, monitoring, and compliance functions. The bill would authorize the board of governors to allocate the remaining balance in the fund to the individual community college districts.

Ch. 1170 (SB 1835) Committee on Budget and Fiscal Review. State government.

(1) This bill would amend and supplement the Budget Act of 2002 by providing for various reductions in appropriations contained in that act.

(2) Existing law, with certain exceptions, requires the Controller, commencing July 1, 2001, to abolish any state position that was vacant continuously for 6 consecutive monthly pay periods during the period between July 1 and June 30 of the preceding fiscal year. Existing law also requires that positions that were continuously vacant for 6 consecutive monthly pay periods during a fiscal year because of a hiring freeze in effect during part or all of that period be abolished unless the Director of Finance is notified of the need for, and approves of, the continuance of the positions.

This bill would require at least 1,000 positions in state government to be abolished, not later than June 30, 2004, by the Director of Finance, according to specified criteria, and would require the director to report to the Joint Legislative Budget Committee and the Joint Legislative Audit Committee, as specified.

(3) This bill would provide that total expenditure authorizations from the General Fund for the 2003–04 fiscal year shall be limited to the total revenues to the General Fund for the 2003–04 fiscal year.

(4) This bill would also direct the Governor to issue an Executive order to provide certain state employees with additional service credit, as specified.

(5) This bill would not take effect unless other specified bills are chaptered.

(6) This bill would declare that it is to take effect immediately as an urgency statute.



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**DIGEST OF STATUTE  
ENACTED IN 2002**

2001–02 SECOND EXTRAORDINARY SESSION

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**BILL CHAPTER****Ch. 19 (SB 39) Burton. Public utilities.**

(1) Under existing law, the Public Utilities Act, the Public Utilities Commission is authorized to supervise and regulate every public utility in the state, and is authorized to do all things that are necessary and convenient in the exercise of that power and jurisdiction. Existing law also provides for the establishment of an Independent System Operator (ISO), a nonprofit, public benefit corporation, to ensure efficient use and reliable operation of the electrical transmission grid and an Electricity Oversight Board (Oversight Board) to oversee the ISO.

This bill would establish the California Electricity Generation Facilities Standards Committee, to adopt and revise standards for the maintenance and operation of facilities for the generation of electricity located in California. The committee would consist of three members, one appointed by the commission, one appointed by the ISO, and a 3rd member with expertise regarding electric generation facilities jointly appointed by the commission and the ISO. The bill would make these provisions inoperative as of January 1, 2005.

This bill would require the commission to implement and enforce the standards adopted by the committee for the maintenance and operation of facilities for the generation of electricity located in the state, or owned by an electrical corporation, to ensure their reliable operation. The bill would require the commission to enforce the protocols for the scheduling of powerplant outages of the ISO. Since a violation of an order of the commission is a crime under existing provisions of law, the bill would impose a state-mandated local program by expanding the definition of a crime.

This bill would exempt from the above provisions nuclear powered generating facilities that are federally regulated and subject to standards developed by the Nuclear Regulatory Commission, but would require the owner or operator of nuclear generating facilities to file with the Oversight Board and the commission an annual schedule of maintenance for each generating facility and require a good faith effort to conduct maintenance in compliance with the plan and to report any significant variations from the plan to the Oversight Board and the ISO. The owner and operator would be required to report on a monthly basis, to the Oversight Board and the commission, all actual planned and unplanned outages of each nuclear facility during the prior month and to report on a daily basis, to the Oversight Board and the ISO, the daily operational status and availability of each facility for the production of electricity. The bill would exempt from the above provisions facilities that generate electricity using cogeneration and qualifying small power production facilities, as defined. The bill would require an electrical corporation that has a contract with a cogeneration or small qualifying facility with a name plate rating of 10 megawatts or greater to report to the Oversight Board and the commission maintenance schedules. The bill would require each facility with a name plate rating of 10 megawatts or greater to directly report to the Oversight Board and the ISO maintenance schedules.

This bill would require that its provisions not result in the modification, delay, or abrogation of any deadline, standard, rule, or regulation adopted by a federal, state, or local agency for purposes of protecting public health or the environment. The bill would require the ISO to consult with the State Air Resources Board and appropriate local air pollution control districts and air quality management districts to coordinate scheduled outages.

This bill would require the ISO to maintain records of generation facility outages and to provide those records to the Oversight Board and the commission on a daily basis. The bill would require certain entities that own or operate electric generating units in the state to provide a monthly report to the ISO that identifies when, during the preceding month, the unit was unavailable or was only available at reduced capacity, and the reasons therefor. The bill would require the ISO to immediately transmit the information to the Oversight Board and the commission. Since a violation of the 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.

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**NOTE:** Superior numbers appear as a separate section at the end of the digests.

This bill would exempt from the above provisions facilities owned by a local publicly owned electric utility, as defined, any public agency that may generate electricity incidental to the provision of water or wastewater treatment, and facilities owned by a city and county operating as a public utility furnishing electric service.

(2) Existing law requires the Public Utilities Commission, in proceedings, to ensure that facilities needed to maintain the reliability of the electricity supply remain available and operational, consistent with maintaining open competition and avoiding an overconcentration of market power.

This bill would require the commission to require that generation facilities located in California that have been disposed of pursuant to specified provisions of existing law are operated by the persons or corporations who own or control them in a manner that ensures their availability to maintain the reliability of the electric supply system.

(3) Under provisions that would be added by Chapter 16 of the Statutes of 2001, Second Extraordinary Session, until January 1, 2003, or the occurrence of a specified event, whichever is earlier, electric generation and transmission facilities would be subject to various standards related to their availability. The Oversight Board, in consultation with the commission and the ISO, would be required 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 Oversight Board would be required to direct the ISO 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 commission would be authorized to adopt those standards and ensure compliance with those standards.

This bill would repeal those provisions.

(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 provide that its provisions shall become operative only if AB 28 of the 2001–02 Second Extraordinary Session is enacted and becomes effective.

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**DIGESTS OF STATUTES  
ENACTED IN 2002**

2001–02 THIRD EXTRAORDINARY SESSION

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**BILL CHAPTERS****Ch. 1 (SB 1) Peace. Budget Act of 2001.**

The Budget Act of 2001 (Ch. 106, Stats. 2001), made appropriations for the support of state government during the 2001–02 fiscal year.

This bill would amend the Budget Act of 2001 by revising various items of appropriations, as specified, and authorizing the Director of Finance to revert additional amounts from specified funds to the General Fund.

This bill would provide that it is to take effect immediately as an urgency statute. Appropriation: yes.

**Ch. 2 (SB 5) Peace. Education.**

(1) 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 provides that certain funding appropriated in the Budget Act of 2001 is for the purpose of limiting reductions to revenue limits made for purposes of the decreased employer contributions to PERS and sets forth parameters for apportionment reductions in the 2002–03 fiscal year.

This bill would provide that funding appropriated in the Budget Act of 2001, or legislation amending that act, for the purpose of limiting reductions to revenue limits for the 2001–02 fiscal year is to be allocated on a one-time basis. The bill would appropriate \$35,000,000 from the General Fund to Section A of the State School Fund for purposes of limiting the reductions to revenue limits for the 2003–04 fiscal year and would limit reductions to revenue limits for the 2004–05 fiscal year and each fiscal year thereafter to \$35,000,000 increased annually by cost-of-living adjustments, as specified.

The funds appropriated by this bill for the 2003–04 fiscal year would be applied toward that fiscal year's minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

(2) Existing law requires the Superintendent of Public Instruction to compute an equalization adjustment, for the 2001–02 fiscal year, 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. Existing law appropriates \$40,000,000 from the Proposition 98 Reversion Account for purposes of funding the equalization adjustment for the 2001–02 fiscal year.

This bill would require the equalization adjustment to be made on a one-time basis and would exclude that adjustment from the school district base revenue limits. The bill would require the Superintendent of Public Instruction to compute a similar equalization adjustment for the 2003–04 fiscal year that would be included in the school district base revenue limits. The bill would require the Superintendent of Public Instruction to compute a similar equalization adjustment for the 2003–04 fiscal year that would be included in the school district base revenue limits.

(3) Existing law establishes the California Peer Assistance and Review Program for Teachers and sets forth a formula for determining the amount of funding the Superintendent of Public Instruction is required to apportion to each participating school district.

This bill would prohibit the State Board of Education from waiving certain provisions of the program.

(4) Existing law establishes the High-Tech High School Grant Program to provide 10 one-time grants for the purposes of establishing new high-tech high schools. Existing law requires the grants to be awarded in 2 phases. Existing law repeals the program on January 1, 2003.

This bill would reduce the number of grants to 5 and would eliminate the second phase of the program. The total amount of a grant would be awarded over a 2-year period. The bill would require the Superintendent of Public Instruction to report to the Legislature on the status of the program by May 1, 2003, and would extend the repeal of the program until January 1, 2004.

(5) Existing law establishes the High Priority Schools Grant Program for Low Performing Schools within the Public Schools Accountability Act of 1999 with priority for participation being given to lowest ranked schools. Existing law requires the Superintendent of Public Instruction to allocate \$200 per pupil to participating schools for implementation of their school action plans, as specified.

This bill would specify that the program will be implemented only if the annual Budget Act contains an appropriation for this purpose.

(6) Existing law requires the Controller to allocate \$66,728,000 appropriated for the payment of state-mandated local program claims from school districts for schoolbus related costs incurred from July 1, 1996, to June 30, 2002, inclusive.

This bill would require the Controller to make that allocation only if funds are provided in the Budget Act of 2001, as amended by legislation enacted during the 2001–02 Third Extraordinary Session or future Budget Acts.

(7) Existing law appropriates \$40,000,000 from the Proposition 98 Reversion Account to the Superintendent of Public Instruction for purposes set forth in prescribed provisions of law relating to equalization funding.

This bill would amend this appropriation to, instead, appropriate those funds pursuant to similar, but different, provisions of law relating to equalization funding.

(8) This bill would declare that it is to take effect immediately, as an urgency statute. Appropriation: yes.

### Ch. 3 (SB 4) Peace. Budget Act of 2001.

This bill would disencumber and revert any funds from General Fund appropriations for specified projects and would instead appropriate \$370,936,000 from the Public Building Construction Fund for these projects.

The bill would authorize the State Public Works Board to issue lease-revenue bonds, notes, or bond anticipation notes to finance the design or construction, or both, of these projects and would authorize the State Public Works Board and affected state agencies and departments to obtain interim financing for project costs, as specified.

The bill would authorize and direct participating agencies or departments to execute and deliver all leases, contracts, agreements, or other documents necessary or advisable to consummate the sale of bonds or otherwise effectuate the financing of these projects.

The bill would authorize the State Public Works Board to authorize the augmentation of the cost of construction of these projects and authorize the board to authorize any additional amount necessary to establish a reasonable construction reserve and to pay the cost of financing including the payment of interest during the design and construction of the projects, the costs of financing a debt service fund, and the cost of issuance of permanent financing for the projects, including interest payable on any interim financing obtained.

The bill would provide that notwithstanding any other provision of law, approvals by the State Public Works Board for these projects apply only to the allocation of state capital outlay funds appropriated by the Legislature, including land acquisition and equipment funds.

The bill would provide that in the event the bonds authorized for these projects are not sold, the agency or department that initiated loans is required to commit a sufficient portion of its current support appropriation, as determined by the Department of Finance, to repay any interim financing.

The bill would provide that notwithstanding any other provision of law, the funds appropriated for these projects shall be available for encumbrance until June 30, 2007.

The bill would provide that notwithstanding any other provision of law, the Department of Finance may transfer, on or before June 30, 2002, any unallocated or unencumbered funds, or both, previously transferred from the General Fund to the Inmate Construction Revolving Account, and any unallocated or unencumbered funds, or both, previously transferred from the General Fund to the Architectural Revolving Fund back to the General Fund.

This bill would declare that it is to take effect immediately as an urgency statute. Appropriation: yes.

Ch. 4 (SB 2) Alarcon. Unemployment insurance: benefits compensation.

Under existing law, for new claims filed on or after January 1, 1992, and prior to January 1, 2002, the weekly unemployment compensation benefit for an individual whose highest wages in the quarter of his or her base period exceeded \$4,966.99 is 39% of those wages divided by 13, not to exceed \$230. In the case of new claims filed with an effective date beginning on or after January 1, 2002, and prior to January 1, 2003, the weekly benefit amount for individuals whose highest wages in the quarter of his or her base period exceeds \$2,781.99 is 45% of those wages not to exceed \$330.

This bill would, instead, apply this provision to existing and new claims, as provided, filed on or after September 11, 2001, and prior to January 1, 2003. This bill would also state the intent of the Legislature that certain provisions of the bill be construed to allow the benefit period of a qualified unemployed person, as defined, to run from the date that the qualified unemployed person became unemployed, as provided.

Existing federal law, the Job Creation and Worker Assistance Act of 2002, authorizes the United States Secretary of the Treasury, in the 2002-03 fiscal year, to transfer to each state's Unemployment Trust Fund a specified amount of money that may be utilized by each state for specified purposes.

This bill would require that \$600,000,000 of the moneys transferred to the state's Unemployment Trust Fund pursuant to this federal law be utilized for the payment of unemployment compensation and for ensuring the solvency of the state's Unemployment Trust Fund.

Because these provisions would increase the amount of unemployment compensation paid, these provisions would increase the amount payable from the Unemployment Fund, a continuously appropriated special fund, and thereby would make an appropriation. Appropriation: yes.



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**DIGESTS OF RESOLUTIONS AND PROPOSED  
CONSTITUTIONAL AMENDMENTS  
ADOPTED IN 2002**

2001–02 REGULAR SESSION

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**RESOLUTION CHAPTERS**

Res. Ch. 1 (ACR 128) Horton. Dr. Martin Luther King, Jr. Day.

This measure would designate that January 21, 2002, be observed as the official memorial of the late Rev. Dr. Martin Luther King, Jr.'s birth, commemorating 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 134) Wesson. Rosa Parks Freeway.

This measure would designate a specified portion of the Interstate Highway Route 10 in the County of Los Angeles as the Rosa Parks Freeway.

Res. Ch. 3 (ACR 144) Wright. Black History Month.

This measure would recognize February 2002 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. 4 (SCR 51) Torlakson. California Fitness Month.

This measure would proclaim the month of March 2002 as California Fitness Month, and would encourage all Californians to enrich their lives through proper diet and exercise.

Res. Ch. 5 (ACR 147) Mountjoy. Abraham Lincoln's birthday.

This measure would declare that Abraham Lincoln be honored on his birthday as the virtual symbol of the American dream whereby an ordinary person from humble beginnings can reach the pinnacle of American society as President of the country and serve with honor and courage.

Res. Ch. 6 (ACR 150) Strom-Martin. Spay Day USA 2002.

This measure would declare February 26, 2002, to be Spay Day USA 2002, 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. 7 (SJR 22) Torlakson. Gasoline: MTBE.

This measure would memorialize the United States Environmental Protection Agency to reconsider granting an administrative waiver of the act's oxygenated gasoline requirement for the State of California, to the extent permitted by the federal Clean Air Act. The measure would also memorialize the United States Congress, if an administrative waiver is not granted, to enact legislation that would permit California to waive the oxygen content requirement for reformulated gasoline only if the fuel meets other requirements of the federal Clean Air Act for reformulated gasoline, and would memorialize the President of the United States to sign that legislation, if enacted.

Res. Ch. 8 (SCR 58) Machado. California Eating Disorders Awareness Week.

This bill would proclaim the week of February 24 to March 3, 2002, as California Eating Disorders Awareness Week.

Res. Ch. 9 (ACR 130) Havice. Gold Star Mothers Week.

This measure would designate the week of May 27 to June 2, 2002, inclusive, as Gold Star Mothers Week, and urge Californians to pay heed to the heroic sacrifices of our fallen men and women and be aware of the sacrifices made by them.

Res. Ch. 10 (ACR 145) Matthews. Nutrition Week 2002.

This measure would proclaim the week of February 24 to March 2, 2002, as Nutrition Week 2002.

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**NOTE:** Superior numbers appear as a separate section at the end of the digests.

Res. Ch. 11 (ACR 153) Strom-Martin. Read Across America.

This measure would proclaim March 2, 2002, as Read Across California Day.

Res. Ch. 12 (SCR 61) Chesbro. California Nonprofits and Philanthropy Week.

This measure would proclaim March 31 to April 6, 2002, inclusive, as California Nonprofits and Philanthropy Week.

Res. Ch. 13 (ACR 129) Havice. Crime Victims' Rights Week.

This measure would recognize the week of April 22 through 28, 2002, as Crime Victims' Rights Week in California.

Res. Ch. 14 (ACR 133) Havice. Merchant Marine Remembrance Week.

This measure would recognize June 10 through June 16, 2002, as Merchant Marine Remembrance Week, and encourage all Californians to join in this observance.

Res. Ch. 15 (ACR 138) Papan. Greek Independence Day.

This measure would designate March 25, 2002, as Greek Independence Day.

Res. Ch. 16 (ACR 139) Wayne. Colorectal Cancer Awareness Month.

This measure would proclaim the month of March 2002 to be "Colorectal Cancer Awareness Month."

Res. Ch. 17 (ACR 155) Dutra. Afghan New Year.

This measure, in recognition of the contributions Afghan-Americans have made to the richly diverse State of California, would recognize March 21 as the first day of the Afghan New Year.

Res. Ch. 18 (ACR 162) Aroner. Professional Social Work Month.

This measure would proclaim the month of March 2002 as Professional Social Work Month.

Res. Ch. 19 (ACR 164) Corbett. Irish-American Heritage Month.

This measure would designate March 2002 as Irish-American Heritage Month in honor of the multitude of contributions that Irish-Americans have made to the country and state.

Res. Ch. 20 (ACR 160) Bates. Endometriosis Awareness Month.

This measure would proclaim the month of March 2002 as Endometriosis Awareness Month.

Res. Ch. 21 (SCR 60) Murray. Arts Education Month.

This measure would declare March 2002, Arts Education Month and would encourage California educational communities to celebrate the arts through activities and programs designed for that purpose.

Res. Ch. 22 (SCR 71) Haynes. California Wildland Firefighters Memorial Highway.

This measure would designate the portion of State Highway Route 74 between Lake Elsinore and San Juan Capistrano in the Counties of Riverside and Orange as the California Wildland Firefighters Memorial Highway.

This 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. 23 (ACR 141) Wayne. California Holocaust Memorial Week.

This measure would designate the week of April 7 through April 14, 2002, 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. 24 (AJR 28) Robert Pacheco. Pancreatic cancer.

This measure would provide that the California Legislature urges the President and the Congress of the United States to expand federally funded research efforts aimed at developing a reliable means of detecting pancreatic cancer in its early stages.

Res. Ch. 25 (SCR 67) Polanco. César Chávez Day.

This measure would recognize March 31 as the anniversary of the birth of César Chávez, and would call upon all Californians to participate in appropriate observances to remember César Chávez as a symbol of hope and justice to all citizens.

Res. Ch. 26 (SCR 72) Escutia. Women's History Month.

This measure would proclaim the month of March 2002 as Women's History Month and would call on all Californians to join in the celebration of International Women's Day on March 8, 2002.

Res. Ch. 27 (ACR 132) Havice. Law Enforcement Resolution.

This measure would declare Sunday, April 28, 2002, through Saturday, May 4, 2002, Law Enforcement Appreciation Week and would encourage the participation of all Californians in commending law enforcement officers.

Res. Ch. 28 (ACR 166) Mountjoy. Work Zone Awareness Week.

This measure would designate the 2nd week of April of 2002, and the 2nd week of April annually thereafter, as Work Zone Awareness Week.

Res. Ch. 29 (AJR 27) Oropeza. Social HMO's.

This measure would memorialize the President and Congress of the United States, the federal Department of Health and Human Services, and the Centers for Medicare and Medicaid Services to take various actions with respect to social health maintenance organizations.

Res. Ch. 30 (SCR 56) Johannessen. POW Recognition Day.

This measure would designate April 9, 2002, as POW Recognition Day in California.

Res. Ch. 31 (SJR 36) Murray. Federal highway funding.

This measure would support the efforts of the House of Representatives and the United States Senate to restore federal highway funding for 2003 to not less than the levels anticipated in the Transportation Equity Act for the Twenty-First Century.

Res. Ch. 32 (ACR 111) Cardoza. California Highway Patrol Officer James J. Schumacher, Jr., Memorial Highway.

This measure would dedicate a specified portion of State Highway 99 to the memory of California Highway Patrol Officer James J. Schumacher, Jr., and would specify that this portion of State Highway 99 shall be known as the "CHP Officer James J. Schumacher, Jr., Memorial Highway." 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. 33 (ACR 127) Oropeza. September 11, 2001.

This measure would recognize September 11 of each year as a Day of Remembrance and Service and would call upon Californians to participate in appropriate observances to remember those who lost their lives in the terrorist attacks of September 11, 2001.

Res. Ch. 34 (ACR 186) Alquist. Equal Pay Day.

This measure would declare April 16, 2002, to be Equal Pay Day, and would urge the citizens of the State of California to recognize the full value of women's skills and significant contributions to the labor force.

Res. Ch. 35 (SCR 59) Battin. Child Abuse Prevention Month.

This measure would acknowledge the month of April 2002, 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.

Res. Ch. 36 (SCR 63) Margett. Random Acts of Kindness Week.

This measure would recognize the week of February 11 through February 17, 2002, as Random Acts of Kindness Week and would urge the public to observe this week with appropriate activities.

Res. Ch. 37 (ACR 131) Havice. California Peace Officers' Memorial Day.

This resolution would make observations about the work and sacrifices of California peace officers, and would resolve that the Members of the Legislature designate May 3, 2002, as California Peace Officers' Memorial Day and urge all Californians to act in accordance.

Res. Ch. 38 (ACR 151) Leslie. California chaplains.

This measure would recognize California chaplains for their outstanding service, commitment, and dedication to helping others at Ground Zero in New York City and at the scene of other disasters.

Res. Ch. 39 (AJR 44) Simitian. Armenian Genocide: Days of Remembrance.

This measure would designate April 24, 2002, as "California Day of Remembrance for the Armenian Genocide of 1915–1923." It would memorialize the Congress of the United States to likewise commemorate the Armenian Genocide.

Res. Ch. 40 (SCR 53) Battin. California Hispanic Heritage Month.

This measure would proclaim September 15 to October 15, 2002, as California Hispanic Heritage Month, and would encourage all Californians to observe this event in communities throughout the state.

Res. Ch. 41 (SCR 65) Alpert. California Museum Month.

This measure would proclaim May 2002, as California Museum Month.

Res. Ch. 42 (SCR 73) Kuehl. Sexual Assault Awareness Month.

This measure would proclaim that, henceforth, the month of April shall be designated as Sexual Assault Awareness Month.

Res. Ch. 43 (ACR 142) Hertzberg. Judge Harry Pregerson Interchange.

This measure would officially name the interchange where State Highway Route 105 connects with State Highway Route 110 as the "Judge Harry Pregerson Interchange." The measure also would request the Department of Transportation to determine the cost of appropriate plaques and markers showing the special designation and, upon receiving donations from nonstate sources sufficient to cover the cost, to erect appropriate plaques and markers.

Res. Ch. 44 (ACR 152) Cedillo. Salvadoran Day.

This measure would declare each August 6 to be “El Dia del Salvadoreño” (Salvadoran Day) in recognition of all Salvadorans for their hard work and dedication, and their contributions to the stability and well-being of the people of California, and to the California economy.

Res. Ch. 45 (ACR 181) Harman. National Volunteer Week.

This measure would proclaim the week of April 21 through 27, 2002, as National Volunteer Week 2002 and would acknowledge the valuable gifts of service of the thousands of community volunteers throughout the state.

Res. Ch. 46 (SCR 57) Romero. Cervical Cancer Awareness Month.

This measure would proclaim the month of January of every year to be “Cervical Cancer Awareness Month.” This measure would also declare the resolve of the Legislature to encourage and promote the efforts of people and health care practitioners in the state to increase awareness about cervical cancer, including the early detection, prevention, risk factors, and early warning symptoms and signs of the disease.

Res. Ch. 47 (SCR 75) Margett. California Volunteer Week.

This measure would declare the support of the Legislature for National Volunteer Week by proclaiming the week of April 21 to 27, 2002, as California Volunteer Week 2002.

Res. Ch. 48 (ACR 157) Chu. Girl Scouts.

This measure would commend the Girl Scouts for 90 years of service and for inspiring millions of girls with the highest ideals of character, conduct, and patriotism.

Res. Ch. 49 (ACR 161) Negrete McLeod. Public Service Recognition Week.

This measure would recognize the week of May 5 through May 11, 2002, as Public Service Recognition Week, to honor those individuals who devote their careers to professional civil service, and encourage the people of the state, counties, cities, and special districts to observe this week with appropriate programs, ceremonies, and activities.

Res. Ch. 50 (ACR 185) 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. 51 (AJR 35) Kelley. Mexicali/Calexico border crossing: SENTRI program.

This measure would memorialize the President and Vice President of the United States, the United States Congress, and certain federal agencies, including the Immigration and Naturalization Service and the United States Customs Service, to take the necessary steps to implement the SENTRI program at the Mexicali/Calexico border crossing.

Res. Ch. 52 (SCR 70) Knight. Aviation Maintenance Technician Day.

This measure would proclaim May 24, 2002, and every May 24 thereafter, as Aviation Maintenance Technician Day in the State of California.

Res. Ch. 53 (SCR 76) Ackerman. Autism Treatment Awareness Month.

This measure would proclaim the month of April 2002, as Autism Treatment Awareness Month, and acknowledge the contributions made in the area of early autism intervention treatment by experts in the field and the families involved. This measure would also, among other things, urge the United States Department of Health and Human Services to continue to press for the swift and full implementation of the Children’s Health Act of 2000.

Res. Ch. 54 (SCR 62) Margett. United States Military Academy: bicentennial.

This measure would commemorate the Legislature to commemorate the bicentennial of the founding of the United States Military Academy at West Point, New York.

Res. Ch. 55 (SJR 34) Speier. Oral cancer drugs.

This measure would memorialize the President and Congress of the United States to adopt legislation requiring the Medicare program to cover all oral anticancer drugs.

Res. Ch. 56 (SJR 35) Brulte. Federal Indian Health Care Improvement Act.

This measure would memorialize the President and Congress of the United States to pass legislation reauthorizing the Indian Health Care Improvement Act in the 107th Session of Congress.

Res. Ch. 57 (SJR 44) Haynes. Amyotrophic Lateral Sclerosis Awareness Month.

This measure would proclaim the month of May 2002 as Amyotrophic Lateral Sclerosis Awareness Month, and would memorialize the President and Congress of the United States to enact legislation to provide additional funding for research in order to find a treatment and a cure for amyotrophic lateral sclerosis.

Res. Ch. 58 (ACR 176) Daucher. Breast cancer.

This measure would proclaim the support of the Legislature for the Race for the Cure by encouraging all Californians to show their support, love, and commitment to someone who has battled breast cancer and to raise public awareness of the need for early breast cancer screening and treatment.

Res. Ch. 59 (ACR 180) Strom-Martin. California Earth Day 2002.

This measure would declare April 22, 2002, 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 2002.

Res. Ch. 60 (ACR 197) Strom-Martin. Day of the Teacher.

This measure would proclaim May 8, 2002, to be Day of the Teacher and would urge Californians to observe that day.

Res. Ch. 61 (AJR 31) Thomson. Antiterrorism funding.

This measure would memorialize the President and the Congress of the United States to enact legislation to provide funds to states and local governments to provide the necessary security and relief measures to protect local citizens from terrorism.

Res. Ch. 62 (SCR 66) 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. 63 (SCR 80) Machado. Grandmothers for Peace International.

This measure would recognize May 19, 2002, as the 20th anniversary of Grandmothers for Peace International.

Res. Ch. 64 (ACR 174) Wayne. Women's Health Month.

This measure would proclaim the month of May as Women's Health Month and would encourage efforts to increase awareness about all women's health issues.

Res. Ch. 65 (ACR 187) Nakano. Fall of Bataan.

This measure would recognize April 9, 2002, as the 60th anniversary of the fall of Bataan and honor the services of the Filipino-American World War II veterans now living in the State of California.

Res. Ch. 66 (ACR 195) Hollingsworth. Motorcycle Awareness Month.

This measure would declare May 2002 to be Motorcycle Awareness Month.

Res. Ch. 67 (ACR 199) Richman. National Public Works Week.

This measure would recognize the week of May 19, 2002, to May 25, 2002, as National Public Works Week, acknowledge the role of infrastructure in the development of California's economy, and recognize the work of the California Rebuild America Coalition.

Res. Ch. 68 (ACR 203) Chu. Asian and Pacific Islander American Heritage Month.

This measure would commend Asian and Pacific Islander Americans for their notable accomplishments and outstanding service to the state and recognize May 2002 as Asian and Pacific Islander American Heritage Month.

Res. Ch. 69 (SJR 37) Romero. Alzheimer's disease.

The measure would memorialize the President and Congress to immediately invest in various activities to prevent Alzheimer's disease, such as increasing the number of large-scale clinical trials, increasing funding of Alzheimer's disease research grants, launching an initiative on vascular disease and dementia, conducting additional research on Alzheimer's disease risk factors, and developing specified early detection methods.

Res. Ch. 70 (SCR 43) Poochigian. Deputy Sheriff Erik Jon Telen Memorial Highway.

This measure would dedicate a specified portion of State Highway 168 within the City of Clovis, to the memory of Deputy Erik Jon Telen of the Fresno County Sheriff's Department, and would specify that this portion of State Highway Route 168 shall be known as the Deputy Sheriff Erik Jon Telen Memorial Highway. 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. 71 (AJR 8) Briggs. Choinumni Tribe: federal recognition.

This measure would memorialize the President and the Congress of the United States and the Assistant Secretary for Indian Affairs in the United States Department of the Interior to grant the Choinumni Tribe full federal recognition and all the rights and privileges that arise from that declaration.

Res. Ch. 72 (ACR 74) Leach. National Scholarship Month.

This measure would recognize May 2002, and each May thereafter, as National Scholarship Month.

Res. Ch. 73 (ACR 173) Alquist. Osteoporosis Awareness Month.

This measure would recognize May 2002 as Osteoporosis Awareness Month, and would encourage all people in the state to become educated about their risks of developing osteoporosis, the methods of diagnosis of this disease, and the methods of treatment.

Res. Ch. 74 (ACR 183) Zettel. Charter Schools Week.

This measure would declare April 29 through May 3, 2002, Charter Schools Week.

Res. Ch. 75 (ACR 192) Zettel. Elder Abuse Prevention Month.

This measure would declare the month of May 2002 as Elder Abuse Prevention Month.

Res. Ch. 76 (ACR 196) La Suer. Memorial Day.

This measure would recognize May 27, 2002, as Memorial Day, and urge the people of California to honor the men and women of the United States who died in the pursuit of freedom and peace.

Res. Ch. 77 (ACR 206) Bates. National Military Appreciation Month.

This measure would honor those men and women who have served and are serving in our nation's military, and would recognize May 2002 as National Military Appreciation Month.

Res. Ch. 78 (ACR 207) Robert Pacheco. Arthritis Awareness Month.

This measure would proclaim the month of May 2002 as Arthritis Awareness Month.

Res. Ch. 79 (SCR 87) Burton. Legislative Counsel of California.

This measure designates Diane F. Boyer-Vine as the Legislative Counsel of California.

Res. Ch. 80 (SJR 29) Murray. Taxation of film and television productions.

This measure would memorialize the President of the United States and the Congress to enact the Independent Film and Television Production Incentive Act of 2001 to address the problem of economic runaway film and television productions.

Res. Ch. 81 (ACR 146) Correa. California Police and Fire Games.

This measure would thank all police and fire departments in the state for their continued dedication and commitment to the citizens of the state, and thank the City of Santa Ana and its police department for their efforts in ensuring the success of the 2002 California Police and Fire Games.

Res. Ch. 82 (SCR 83) Figueroa. Reflex Sympathetic Dystrophy (RSD) Syndrome Awareness Month.

This measure would proclaim May 2002 as Reflex Sympathetic Dystrophy (RSD) Syndrome Awareness Month.

Res. Ch. 83 (ACR 119) Runner. Aerospace Highway.

This measure would dedicate a specified portion of State Highway 14 as the "Aerospace Highway." This 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. 84 (ACR 120) Runner. The Aerospace Valley Monument.

This measure would request the Department of Transportation to grant, without charge, an encroachment permit authorizing a specified historical monument and plaque dedicated to commemorate the major milestones in the aerospace industry that have taken place in the Antelope Valley, to be erected on the vista point overlooking Palmdale Lake on State Highway Route 14. This measure also would request the Department of Transportation to determine the cost of appropriate plaques and markers and, upon receiving donations from nonstate sources sufficient to cover the cost, to erect those plaques and markers or to permit an appropriate private source to erect the monument.

Res. Ch. 85 (ACR 214) Mountjoy. Flag Day.

This measure would designate June 14, 2002, as Flag Day of the State of California, and would urge all citizens of the State of California to pause at 7 p.m. EDT on June 14, 2002, for the 23rd annual national "Pause for the Pledge of Allegiance."

Res. Ch. 86 (SCR 74) Machado. Food and agriculture.

This measure would recognize and honor the men and women of California who have contributed to the excellence of the agricultural industry, and would recognize that many steps are taken and millions of people are involved in the delivery of safe food and agricultural products to consumers everyday.

Res. Ch. 87 (SCR 77) Vincent. Juneteenth, Emancipation Day.

This measure would declare June 19 permanently as Juneteenth, Emancipation Day, throughout the State of California and that all Californians celebrate freedom from the vestiges of racial discrimination and the abolition of all badges and incidents of slavery and would urge all Californians to take this opportunity to reflect on the significant role that African-Americans have played in the history of the United States, and California in particular, and on the positive impact that African-Americans continue to make on society.

Res. Ch. 88 (ACA 15) Wayne. Court consolidation.

The California Constitution provides for the division of each county into municipal court districts, but also provides for the abolition of municipal courts within a county, and for the establishment of a unified superior court for that county, upon a majority vote of superior court judges and a majority vote of municipal court judges within the county. By July 2001, all 58 counties had merged the superior and municipal courts.

This measure would delete obsolete references to municipal courts from the California Constitution and make conforming and related changes.

Res. Ch. 89 (ACR 135) Strickland. Ventura County Vietnam Veterans Memorial Highway: Korean War Veterans' Memorial Highway.

This measure would designate that portion of State Highway Route 1 located in Ventura County as the "Ventura County Vietnam Veterans Memorial Highway" and that portion of State Highway Route 126 between the City of Santa Paula and State Highway Route 101 as the "Korean War Veterans' Memorial Highway." The measure also would request the Department of Transportation to determine the cost of appropriate plaques and markers showing these special designations and, upon receiving donations from nonstate sources covering that cost, to erect those plaques and markers and signs.

Res. Ch. 90 (ACR 156) Vargas. Kumeyaay Highway.

This measure would name Interstate Highway Route 8 from Greenfield Drive on the eastern city boundary of El Cajon to Nimitz Boulevard in Mission Bay in San Diego County as the "Kumeyaay Highway." The measure also would request the Department of Transportation to determine the cost of appropriate plaques and markers showing the special designation and, upon receiving donations from nonstate sources sufficient to cover the cost, to erect appropriate plaques and markers.

Res. Ch. 91 (ACR 172) Koretz. Postpartum Mood and Anxiety Disorder Awareness Month.

This measure would proclaim the month of May 2002 as "Postpartum Mood and Anxiety Disorder Awareness Month" in California, and would request the State Department of Health Services and the State Department of Mental Health to work together to explore ways to improve women's access to mental health care at the state and local levels, to facilitate increased awareness and education about postpartum mood and anxiety disorders, to explore and encourage the use of prenatal screening tools, and to improve the availability of effective treatment and support services.

Res. Ch. 92 (ACR 175) Nation. Day of the Horse.

This measure would designate December 14, 2002, as the Day of the Horse.

Res. Ch. 93 (ACR 194) Maldonado. Physical education.

This measure would proclaim May 1, 2002, to May 7, 2002, inclusive, as Physical Education and Sports Week and proclaim the month of May as Physical Fitness and Sports Month.

Res. Ch. 94 (ACR 212) Liu. Groundwater Awareness Month.

This measure would proclaim the month of June 2002, as Groundwater Awareness Month in California.

Res. Ch. 95 (ACR 218) Cogdill. Harmful, nonnative weeds.

This measure would designate and recognize the 2nd week of July as Harmful, Nonnative Weeds Awareness Week, and would encourage Californians to participate in activities during that week to raise awareness of issues concerning harmful, nonnative weeds.

Res. Ch. 96 (AJR 26) Havice. Military reserve personnel.

This measure would memorialize the President and Congress to take various actions to ensure the fair treatment of military reservists when they apply for loans.

Res. Ch. 97 (AJR 34) Hollingsworth. Disabled military retirees.

This measure would respectfully urge the Congress of the United States to fund the National Defense Authorization Act For Fiscal Year 2002, to eliminate the penalty imposed against disabled military retirees for concurrent receipt of retirement and disability compensation.

Res. Ch. 98 (SJR 25) Scott. Oxygenate requirements in gasoline: waiver of federal requirement.

This measure would request the Congress of the United States to review California's request to be exempted from the gasoline oxygenate additive requirement imposed by the Clean Air Act.

Res. Ch. 99 (ACR 126) Richman. Invasive species.

This measure would request funding from the United States Congress and the United States Department of Agriculture for various purposes related to the protection of California agriculture from invasive plant and animal-destroying insects, diseases, and micro-organisms.

Res. Ch. 100 (AJR 43) Robert Pacheco. Federal Medicaid Assistance Percentages.

This measure would memorialize the President and Congress to take into consideration the 4.4 million Californians who are living below poverty thresholds by taking into account the total number of persons living in poverty rather than the per capita income when establishing the formula that will be used for calculating the federal share of Medicaid costs under the federal Medicaid Assistance Percentages (FMAP).

Res. Ch. 101 (ACR 81) Hollingsworth. Regional transportation corridor: Riverside County and Orange County.

This measure would urge the Department of Transportation and the regional transportation planning agencies to expeditiously consider both alternative transportation corridors between Riverside County and Orange County and taking action to utilize all other modes of transportation.

Res. Ch. 102 (ACR 209) Aroner. Affordable Housing Week.

This measure would proclaim the week of June 1, 2002, to June 9, 2002, inclusive, as Affordable Housing Week and call upon Californians to learn about and honor the contributions of affordable housing.

Res. Ch. 103 (ACR 210) Cedillo. Resurrection Blvd.

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This measure commends Resurrection Blvd., a television program for its creative vision in depicting minority populations in a positive light, and encouraging future endeavors in the diversification of the American entertainment industry.

Res. Ch. 104 (SCR 50) Ackerman. Mark Denis Melbourne Memorial Interchange.

This measure would designate the interchange of State Highway Routes 55 and 91 in the City of Anaheim in the County of Orange as the Mark Denis Melbourne Memorial Interchange. The measure would also request the Department of Transportation to determine the cost for appropriate plaques and markers showing this designation and, upon receiving donations from nonstate sources covering that cost, to erect those plaques and markers.

Res. Ch. 105 (SCR 64) Margett. Police Officer Louie Pompei Memorial Interchange.

This measure would name the interchange of State Highway Route 30 and Interstate Highway Route 210 as the Police Officer Louie Pompei Memorial Interchange. The measure also would request the Department of Transportation to determine the cost of appropriate plaques and markers showing the special designation and, upon receiving donations from nonstate sources sufficient to cover the cost, to erect appropriate plaques and markers.

Res. Ch. 106 (SCR 45) Costa. The William H. "Harry" Armstrong Interchange.

This measure would designate the Herndon Avenue Interchange on State Highway Route 168 in the City of Clovis as the William H. "Harry" Armstrong Interchange in honor and recognition of Mayor and Council Member William H. "Harry" Armstrong. 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 sufficient to cover the cost, to erect appropriate plaques and markers.

Res. Ch. 107 (SCR 52) O'Connell. James Dean Memorial Junction.

This measure would designate the junction of State Highway Routes 41 and 46 near Cholame in the County of San Luis Obispo as the James Dean Memorial Junction. The measure would also request the Department of Transportation to determine the cost for appropriate plaques and markers showing this designation and, upon receiving donations from nonstate sources covering that cost, to erect those plaques and markers.

Res. Ch. 108 (SCR 82) Polanco. Korean-Americans.

This measure would recognize the achievements and contributions of Korean-Americans to the United States over the past 100 years and request that the people of California and interested organizations observe the 100th anniversary of Korean immigration to the United States with appropriate programs, ceremonies, and activities.

Res. Ch. 109 (SJR 42) Escutia. Child Care and Development Block Grant.

This measure would memorialize the United States Congress to approve legislation that increases and reauthorizes funding for the Child Care and Development Block Grant.

Res. Ch. 110 (ACR 136) Florez. Rosa Parks Highway.

This measure would designate a portion of State Highway Route 58 in Kern County as the Rosa Parks Highway.

Res. Ch. 111 (ACR 169) Aroner. California youth.

This measure would request that state agencies and the Legislature include young people in the decisionmaking process regarding matters that affect California's young people.

Res. Ch. 112 (ACR 179) Leslie. Highway 50 Association: annual wagon train event.

This measure would designate the Highway 50 Association annual wagon train event as a state historic event.

Res. Ch. 113 (ACR 220) Diaz. How to Live in America Program.

This measure would commend the Counties of Santa Clara, Contra Costa, and San Mateo for their successful implementation of the How to Live in America Program and urge other counties to implement the program.

Res. Ch. 114 (ACR 228) Rod Pacheco. Sheriff Larry D. Smith.

This measure would request the Riverside County Board of Supervisors to name an existing or planned county building in Riverside County after Sheriff Larry D. Smith.

Res. Ch. 115 (ACR 230) Ashburn. Valley Fever Awareness Month.

This measure would proclaim August 2002 as Valley Fever Awareness Month.

Res. Ch. 116 (ACR 233) Bogh. California Medal of Honor recipients.

This measure would recognize and commend the bravery and selflessness of the Medal of Honor recipients of California, and express the Legislature's appreciation for their service and dedication to the citizens of California and the United States.

Res. Ch. 117 (AJR 47) Jackson. Commending Title IX of the Education Amendments of 1972.

This measure would memorialize the President and Congress of the United States to uphold the intent and substance of the current provisions of Title IX of the Education Amendments of 1972, to pursue a stronger enforcement policy for Title IX, and to support the continuation of the strong compliance standards that are in place for Title IX. The measure also would memorialize the President and Congress of the United States to encourage all Americans to participate in the national celebration, "Celebrating 30 Years of Title IX".

Res. Ch. 118 (AJR 48) Papan. Cyprus: reunification and accession to the European Union.

This measure would memorialize the President to increase the administration's efforts to encourage initiatives that will help promote and achieve reunification, reconciliation, stability, and prosperity in Cyprus within the context of the ongoing efforts of the United Nations Secretary General's auspices and on the basis of the relevant United Nations Security Council Resolutions. The measure would also request the United States government to continue to strongly support the accession of Cyprus to the European Union, without the settlement of the Cyprus problem being a precondition for accession.

Res. Ch. 119 (ACR 202) Corbett. Seniors: bill of rights.

This bill would declare that it is the goal of the Legislature that every senior in California receive the best possible health care and that, in order to achieve this goal, the Legislature finds and declares that seniors ought to have specified rights.

Res. Ch. 120 (ACR 211) Nation. Integrating walking and biking into transportation infrastructure.

This measure would encourage all cities and counties to implement the policies of the California Department of Transportation Deputy Directive 64 and the United States Department of Transportation's design guidance document on integrating bicycling and walking when building their transportation infrastructure.

Res. Ch. 121 (AJR 6) Canciamilla. Retirement security and savings.

This measure would memorialize the President and the Congress to enact new legislation that would embody provisions of the Retirement Security and Savings Act of 2000, which was considered by Congress in 2000.

Res. Ch. 122 (AJR 25) Firebaugh. Forest resources.

This bill would memorialize the Congress to declare its encouragement of public and private investment in economically and environmentally sound forest management practices that ensure sustainable forests for the benefit of present and future generations.

Res. Ch. 123 (AJR 42) Calderon. Federal proposal to devolve the administration of the unemployment insurance system.

This measure would urge the President and Congress of the United States to abandon the federal proposal to devolve the administration of the unemployment insurance system. It would also urge the President and Congress of the United States to instead work with the state to ensure that the state receives a greater level of workload-based federal appropriations for administrative financing, and to provide new dedicated federal funding to help the state cover the workers who are now having the most difficulty collecting unemployment benefits.

Res. Ch. 124 (SCR 84) Costa. Sister states: Azores.

This measure would extend an invitation on behalf of the people of California to the people of the Azores, Portugal, to join with California in a sister state relationship.

Res. Ch. 125 (SCR 85) Johannessen. California Highway Patrol Officer Arthur E. Dunn Memorial.

This measure would request the Department of Transportation to grant, without charge, encroachment permits authorizing appropriate memorials, funded by nonstate sources, to be placed within the right-of-way of State Route 89 in the vicinity of milepost markers 89SHA36.00 and 89SHA41.00 to honor the memory of California Highway Patrol Officer Arthur E. Dunn.

Res. Ch. 126 (SCR 86) Johannessen. CHP Officer George W. Redding Memorial.

This measure would request the Department of Transportation to grant, without charge, encroachment permits authorizing appropriate memorials funded by nonstate sources to be placed within the right-of-way of State Highway Route 273 in Shasta County to honor the memory of California Highway Patrol Officer George W. Redding.

Res. Ch. 127 (SCR 100) Chesbro. Family History Month.

This measure would recognize the month of October 2002 as Family History Month and would encourage the people of the state to take an interest in tracing their family's history and to observe the month with appropriate ceremonies and activities.

Res. Ch. 128 (SCR 101) Johnson. Parent-Teacher Association Membership Month.

This measure would proclaim September 2002 as Parent-Teacher Association Membership Month in California.

Res. Ch. 129 (SJR 40) Kuehl. International investment agreements.

This measure would memorialize the President and Congress of the United States that the Congress and the United States Trade Representative should preserve the traditional powers of state and local governments by requiring that negotiators of international investment agreements perform specified duties in that regard.

Res. Ch. 130 (ACR 102) Florez. Senator Jim Costa Highway.

This measure would dedicate a portion of State Highway Route 180 in the County of Fresno as the "Senator Jim Costa Highway." The measure also would request the

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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. 131 (SCR 95) Torlakson. Sister states.

This measure would invite the State of Baja California Sur, Mexico, to join California in a sister state relationship.

Res. Ch. 132 (SJR 48) Polanco. California fire service terrorism preparedness.

This measure would request the President and Congress of the United States to make sufficient funds available to California to support the state's Fire Service first responder preparedness needs.

Res. Ch. 133 (SCR 91) Knight. "Partnerships for Preparedness" symposiums.

This measure would commend the Office of Military Base Retention and Reuse within the California Technology, Trade, and Commerce Agency for its efforts, including its sponsorship of the "Partnerships for Preparedness" symposiums, and encourage other California cities, counties, and military bases to participate in these symposiums.

Res. Ch. 134 (SCR 99) Torlakson. California Task Force on Youth and Workplace Wellness.

This measure would expand, by 4 members, the California Task Force on Youth and Workplace Wellness. It would provide that 2 of the additional members shall be appointed by the Speaker of the Assembly, and shall include one person from the field of health and one member from the field of education, and that the other 2 additional members shall be appointed by the Senate Committee on Rules, and shall include one person from the field of health and one member from the field of education.

Res. Ch. 135 (SCR 103) Vasconcellos. Legislative Principles of Inclusion.

This measure would declare legislative principles of inclusion and encourage all Californians to consider and adopt these principles for themselves or define their own separate principles of inclusion.

Res. Ch. 136 (SJR 39) Burton. Cuba: removal of restrictions.

This measure would urge the President and Congress of the United States to consider the removal of trade, financial, and travel restrictions to Cuba.

Res. Ch. 137 (SJR 49) Ortiz. Human exposure to environmental chemicals.

This measure would memorialize the President of the United States, the United States Secretary of Health and Human Services, the Director of the Centers for Disease Control and Prevention (CDC), and the California Congressional delegation to seek the immediate release to the State Department of Health Services, and thereby to the California public, of the California-specific findings from the 1999 CDC, National Report on Human Exposure to Environmental Chemicals. This measure would further memorialize the Director of CDC to release all California-specific findings from the National Report on Human Exposure to Environmental Chemicals that is due by December 2002, at the time the report is issued.

Res. Ch. 138 (SJR 50) Brulte. Bicentennial anniversary of the United States Military Academy at West Point.

This measure would respectfully request the United States Congress to recognize the 200th anniversary of the United States Military Academy at West Point.

Res. Ch. 139 (SJR 51) Karnette. United Nations Population Fund.

This measure would respectfully request the President and the Congress of the United States to reinstate funding for the United Nations Population Fund.

**NOTE:** Superior numbers appear as a separate section at the end of the digests.

Res. Ch. 140 (ACR 168) Cogdill. Jerry Medina Memorial Freeway.

This measure would designate a specified section of State Highway Route 99 as the Jerry Medina Memorial Freeway. The measure would request the Department of Transportation to determine the cost of appropriate signs and markers designating that specified section of State Highway Route 99, and, upon receiving donations from nonstate sources covering that cost, to erect appropriate signs and markers.

Res. Ch. 141 (ACR 177) Diaz. Foreign teacher recruitment and support.

This measure would urge school districts, schools, and school administrators to review and renew their systematic and sustained efforts to fully support the teachers they recruit from other countries, and to provide those credentialed teachers with improved access to specified development and orientation programs and activities.

Res. Ch. 142 (ACR 178) Diaz. University of California: admissions process.

This measure would request the Regents of the University of California to implement a comprehensive approach in the respective admissions processes of the university's various graduate programs and professional schools, to include a broad variety of academic and personal qualifications, by the end of the 2002–03 academic year. The review requested would include revising the admissions policies of graduate programs and professional schools, to include a broader variety of important qualifications, and evaluation of the weight and value given to these qualifications, so that standardized test scores are not the overriding criterion used to determine admissions. The measure would also request the regents to prohibit, by the end of the 2002–03 academic year, standardized test scores from being used as the sole criterion for consideration of the applicant for, or as the primary criterion to end consideration of the applicant for, admission to the university's various graduate programs and professional schools. The measure would request the regents to make a description of the factors considered by each graduate program or professional school in making admissions decisions reasonably available to any interested person, by publishing the description of the factors in each graduate program and professional schools' catalogue, and making the information available on their respective Internet Web sites.

Res. Ch. 143 (ACR 193) Hollingsworth. Career technical education.

This measure would state that protecting and encouraging career technical education in the secondary public schools will help to ensure that providing economic and educational opportunities for every public high school pupil in this state remains a priority for the Legislature and that it is the purpose and intent of the Legislature to promote career technical education in California's public high schools.

Res. Ch. 144 (ACR 223) Dutra. Alice Livingston Memorial Overcrossing.

This measure would designate the Mather Field Road overcrossing on State Highway Route 50 in Rancho Cordova in the County of Sacramento as the Alice Livingston Memorial Overcrossing.

Res. Ch. 145 (ACR 225) La Suer. Off-Highway Motor Vehicle Recreation Program.

This measure would commend the Off-Highway Motor Vehicle Recreation Program and the off-highway recreationists community on the 30th year anniversary of their program.

Res. Ch. 146 (ACR 237) Steinberg. Childhood Cancer Month.

This measure would declare September as Childhood Cancer Month, and state the commitment of the Legislature in supporting efforts to find cures for, and achieve prevention of, childhood cancer.

Res. Ch. 147 (AJR 30) Dickerson. Wildland fires.

This measure would memorialize the United States Congress and the United States Department of Justice to include the families of wildland firefighting pilots and their crews, past and present, who have worked or who now work on a contract basis as eligible for death benefits on the same basis as public safety officers.

Res. Ch. 148 (AJR 39) Alquist. Airport security workers.

This measure would memorialize the President and the Congress to suspend or eliminate the requirement that security screening personnel be citizens, and instead provide that they must meet the same requirements as persons that serve in the National Guard. The measure would further memorialize the President and the Congress to act to ensure that any legal immigrant that has applied for citizenship be allowed to keep his or her security screening job absent certain evidence.

Res. Ch. 149 (AJR 49) Aroner. Home health care.

This measure would memorialize the President and Congress of the United States to enact legislation to ensure that Medicare home health care recipients are guaranteed the best care, and that home health care providers are not further harmed by administrative changes. This measure would also state the opposition of the Legislature to the 15% cut in home health care payments scheduled for October 1, 2002.

Res. Ch. 150 (AJR 50) Dickerson. Veterans benefits.

This measure would request the President and the Congress of the United States to enact legislation to establish a federal/state partnership to use local county veterans service officers to assist the United States Department of Veterans Affairs in eliminating the veterans claims processing backlog.

Res. Ch. 151 (ACR 188) Reyes. Water as a vital resource.

This measure would resolve that state leaders should continue to examine water issues in order to resolutely and deliberately address these important issues.

Res. Ch. 152 (ACR 190) Shelley. Elections: youth participation.

This measure would express the support of the Legislature for specified steps that would promote civic participation by youth in the democratic process.

Res. Ch. 153 (SCR 55) Ortiz. Stem cell research.

This measure would establish a panel to advise the Legislature on stem cell research.

Res. Ch. 154 (SCR 88) Karnette. John William Coltrane.

This measure would recognize the 75th anniversary of the birth of musician John William Coltrane.

Res. Ch. 155 (SCR 89) Machado. CHP Officer Dale E. Newby Memorial Highway.

This measure would designate the portion of State Highway Route 5 in Stockton that is between Eight Mile Road and French Camp Road as the CHP Officer Dale E. Newby Memorial Highway. The measure would also request the Department of Transportation to determine the cost of appropriate plaques and markers, and upon receiving donations from nonstate sources to cover the cost, to erect those plaques and markers within the right-of-way of the state highway.

Res. Ch. 156 (SCR 92) Alpert. Joint Committee to Develop a Master Plan for Education.

This measure would continue the existence of the Joint Committee to Develop a Master Plan for Education—Kindergarten through University until November 30, 2004, would extend the authority for the ongoing operations of the committee until November 30, 2004, would require the committee to submit a report on its activities to the Legislature at the end

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of the 2001–02 Regular Session, and would rename the committee the “Joint Committee to Develop a Master Plan for Education.”

Res. Ch. 157 (SCR 93) Alpert. Joint doctoral programs: California State University; University of California.

This measure would express legislative support for the Joint Education Doctorate Initiative of the California State University and the University of California. The measure would encourage the Joint Ed.D. Board and the respective universities to take actions, including the submission of periodic joint reports to the Legislature, that will implement these joint doctoral programs.

Res. Ch. 158 (SCR 94) Costa. Deran Koligian Memorial Highway.

This measure would designate a specified portion of State Highway Route 180 as the “Deran Koligian Memorial Highway.” 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 covering that cost, to erect those plaques and markers.

Res. Ch. 159 (SCR 102) Polanco. Binational Health Week.

This measure would call on all the people of California to join the people of Mexico and all Californians of Mexican origin in observing and participating in Binational Health Week, to take place the week of October 12 to 19, 2002.

Res. Ch. 160 (SCR 104) Murray. Dosan Ahn Chang Ho Memorial Interchange.

This measure would name the interchange where Interstate Highway Route 10 meets Interstate Highway Route 110 the “Dosan Ahn Chang Ho Memorial Interchange.” The measure would request the Department of Transportation to determine the cost of appropriate plaques and markers showing the special designation and, upon receiving donations from nonstate sources sufficient to cover the cost, to erect appropriate plaques and markers.

Res. Ch. 161 (SCR 105) Burton. Caltrans Maintenance Worker Memorial Bridge.

This measure would dedicate a bridge on Interstate Route 80 in Sacramento and Yolo Counties as the Caltrans Maintenance Worker Memorial Bridge. 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. 162 (SCR 106) O’Connell. September 11, 2001, memorial.

This measure would request the Department of General Services to plant commemorative rose bushes near the east steps of the State Capitol along with the placement of a plaque memorializing those Californians who lost their lives on September 11, 2001.

Res. Ch. 163 (SJR 38) Ortiz. Stem cell research.

This measure would memorialize the President and Congress of the United States to reject legislation impeding stem cell and therapeutic cloning research, and to enact legislation that would impose a ban on reproductive cloning, permit research involving therapeutic cloning, establish a process to facilitate the donation of stem cell materials to researchers, and create guidelines to oversee stem cell research in the United States.

Res. Ch. 164 (SJR 41) Speier. Permanent resident alien airport security screeners.

This measure would memorialize Congress to enact S. 1829 or H.R. 3505, or both of these measures, as the Airport Security Personnel Protection Act to provide for transitional

employment for qualified resident alien airport security screeners until their naturalization processes are completed, as required by these measures.

Res. Ch. 165 (SJR 52) Kuehl. California Wild Heritage Act of 2002.

This measure would memorialize the President of the United States and Congress to enact Senate Bill 2535, the California Wild Heritage Act of 2002.

Res. Ch. 166 (ACR 123) Wayne. 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.

Res. Ch. 167 (ACR 125) Papan. Relative to the protection of personal information.

This measure would request and authorize the California Law Revision Commission to study, report on, and prepare recommended legislation concerning the protection of personal information relating to or arising out of financial transactions if funding is provided in the 2002-03 Budget Act. The measure would direct that the recommended legislation address specified objectives.

Res. Ch. 168 (ACR 154) Washington. 48th Anniversary of Brown v. Board of Education.

This measure would designate May 17 as California's official day to commemorate Brown v. Board of Education (1954) 347 U.S. 483.

Res. Ch. 169 (ACR 158) Wiggins. Career and vocational education.

This measure would declare that the Legislature is committed to improving career and technical education programs and practices and ensuring that these programs are a major component in the efforts to improve California's system of K-12 education.

Res. Ch. 170 (ACR 189) Longville. California State University, San Bernardino: Chicano/Latino Studies Department.

This measure would urge the Trustees of the California State University to consider establishing a Chicano/Latino Studies Department at California State University, San Bernardino, and request the trustees to submit a report to specified legislative policy committees regarding their decision on this matter.

Res. Ch. 171 (ACR 204) Wayne. City of San Diego's Little Italy.

This bill would designate specified exits on Interstate 5 as the route for the destination of Little Italy and would request the Department of Transportation to determine the costs of appropriate plaques and markers and, upon receipt of donations, to erect these plaques and markers.

Res. Ch. 172 (ACR 205) Zettel. Myositis Awareness Day.

This measure would designate September 21, 2002, as Myositis Awareness Day.

Res. Ch. 173 (ACR 213) Migden. Clean Air Vehicles.

This measure would urge the Golden Gate Bridge, Highway and Transportation District to provide toll-free passage on the Golden Gate Bridge during commute hours to vehicles bearing a distinctive Clean Air Vehicle decal issued by the Department of Motor Vehicles.

Res. Ch. 174 (ACR 215) Aroner. Public postsecondary education: social work education programs.

This measure would urge the California Community Colleges, the California State University, and the University of California to expand their enrollment in social work preparation programs. The measure would also request the California Association of Deans and Directors of Schools of Social Work and the California Social Work Education Center to collaborate with the California Community Colleges, the University of California, the California State University, the Association of Independent California Colleges and Universities, and other interested persons, to develop a master plan for social work education in the state that addresses the state's shortage of social workers and reflects the state's diverse population, to be submitted to the Legislature by January 1, 2004.

Res. Ch. 175 (ACR 221) Nakano. Japanese-American World War II veterans.

This measure would recognize and thank the Nisei World War II veterans for their extraordinary and heroic service to America during World War II, and declare that their sacrifice and valor should forever be a reminder of the true spirit of democracy in America.

Res. Ch. 176 (ACR 234) Canciamilla. Louis J. Papan Highway.

This measure would designate a portion of State Highway Route 1 in San Mateo County as the Louis J. Papan Highway. The measure also would request the Department of Transportation to determine the cost of appropriate plaques and markers showing the special designation and, upon receiving donations from nonstate sources sufficient to cover the cost, to erect appropriate plaques and markers.

Res. Ch. 177 (ACR 235) Richman. Public pension funds: University of California: divestiture of funds.

This measure would urge the University of California to reject calls to divest its pension funds from companies with ties to Israel. The measure would also urge leaders of the Palestinian Authority to clearly renounce terrorism as a form of political expression and to embrace peaceful negotiations.

Res. Ch. 178 (ACR 236) Salinas. Agricultural Worker Health and Housing Commission.

This measure would resolve that an Agricultural Worker Health and Housing Commission, consisting of 10 members and funded solely through private sources, be established. The measure would require the commission to report to the Legislature regarding the agricultural industry's ability to compete in the global marketplace and the commission's recommendations of how to improve the housing and health conditions of agricultural workers.

Res. Ch. 179 (ACR 238) Bogh. California Economic Literacy Week.

This measure would designate the week of October 7, 2002, through October 11, 2002, as California Economic Literacy Week, and would urge Californians to observe these days by working for a better understanding of our economic system.

Res. Ch. 180 (ACR 240) Aroner. Adoption and permanent placement.

This measure would proclaim November 2002, to be Court Adoption and Permanency Month.

Res. Ch. 181 (ACR 241) Papan. Macedonia.

This measure would recognize that the ancient Macedonians were Hellenes, and that the inhabitants of Macedonia today are their Hellenic descendants and part of the northern province of Greece, Macedonia.

Res. Ch. 182 (AJR 52) Chan. National Memorial: Flight 93.

This measure would request the President and the Congress of the United States to enact legislation to designate a National Memorial at the crash site of Flight 93 in Somerset County, Pennsylvania.

Res. Ch. 183 (AJR 57) Diaz. Immigration enforcement.

This measure would state concerns of the Legislature about the use of state and local law enforcement agents to enforce immigration law. It would state legislative findings that, state and local law enforcement agencies lack authority to stop, arrest, or detain persons based upon suspected or alleged violations of the civil provisions of the federal immigration laws, as specified. It would provide for transmittal to the United States Attorney General.

Res. Ch. 184 (AJR 60) Goldberg. Kumeyaay Nation.

This measure would memorialize the United States Immigration and Naturalization Service to continue to work with the Kumeyaay Nation to allow for the pass and repass of Baja Kumeyaay over the international border separating the United States and Mexico.

Res. Ch. 185 (ACA 11) Richman. Infrastructure: finance.

Existing law, commencing on January 10, 2002, requires the Governor to submit to the Legislature a proposed 5-year infrastructure plan. The plan is required to be submitted annually, in conjunction with the Governor's Budget, and to cover a 5-fiscal year period, beginning with the fiscal year that is the same as that covered by the Governor's Budget with which the plan is submitted.

This measure would establish the California Twenty-First Century Infrastructure Investment Fund in the State Treasury. Beginning in the 2006-07 fiscal year, the measure would cause a specified percentage of revenues to be transferred from the General Fund to the infrastructure fund 4 times during the fiscal year. The measure would increase the percentage of revenues to be transferred each year, subject to the rate of increase of total General Fund revenues compared to the prior fiscal year as estimated by the Department of Finance. The measure would require the Department of Finance to prepare an annual plan to expend these funds, unless the Governor directs another state agency to carry out this responsibility.

This measure would require that the funds in the infrastructure fund be allocated by the Legislature for capital outlay purposes, of which 50% would be for acquisition, construction, rehabilitation, modernization, or renovation of state-owned infrastructure and 50% would be for acquisition, construction, rehabilitation, modernization, or renovation of local government infrastructure, excluding school districts and community college districts.

Res. Ch. 186 (ACR 79) Briggs. Highways: entertainment park exit signs.

This measure would state that a county with a population of not more than 900,000 persons that contains an entertainment park that is visited by 120,000 patrons or more per year should be authorized to apply to the Department of Transportation to have an exit sign placed on the nearest major highway access point to the park if the park is located not more than 2 miles from the highway and the street on which the park is located has the same name as the park.

Res. Ch. 187 (ACR 229) Diaz. Mexican Consular identification cards.

This measure would urge cities and counties throughout California, including their respective agencies, and state agencies to accept the Mexican Consular identification cards, known as the "Matricula Consular," as an official form of identification.

Res. Ch. 188 (ACR 242) Mountjoy. Jury Rights Day.

This measure would honor the role juries play in the judicial system and proclaim Thursday, September 5, 2002, as Jury Rights Day.

Res. Ch. 189 (ACR 243) Mountjoy. Constitution Week and Constitution Day.

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This measure would declare the week of September 15-21, 2002, as Constitution Week and September 17 as Constitution Day and would request the Governor to proclaim Constitution Week and Constitution Day in a proclamation that would include specified provisions.

Res. Ch. 190 (ACR 249) Pavley. Year of Clean Water: Clean Water Month.

This measure would declare the year 2002 as the "Year of Clean Water" and October 2002 as "Clean Water Month," and would encourage all Californians to recognize the importance of making a personal commitment to do their part to protect water quality and to recommit to achieving the goals of the federal Water Pollution Control Act.

Res. Ch. 191 (ACR 250) Cedillo. Hepatitis C.

This measure would recommend implementation of various prevention and educational activities in order to address the health crisis associated with the hepatitis C virus.

Res. Ch. 192 (ACR 251) Canciamilla. Colorado River: Quantification Settlement Agreement.

This measure would express the finding and declaration of the Legislature that it is of the utmost importance to the people of California that the Quantification Settlement Agreement (QSA) be executed on or before December 31, 2002, with respect to Colorado River water.

Res. Ch. 193 (AJR 37) Lowenthal. Labor negotiations: waterfront workers.

This measure would declare the opposition of the California Legislature to any action by the President and the administration that would impose a federal injunction against waterfront workers, remove waterfront workers from the coverage of the National Labor Relations Act, or send military personnel to West Coast docks to assist in a lockout of waterfront workers.

Res. Ch. 194 (AJR 45) Canciamilla. Independent System Operator.

This measure would urge the Federal Energy Regulatory Commission (FERC) to maintain long-standing federal policies to promote the development of customer generation resources and to ensure the California electricity load served by customer generation does not incur costs for any transmission related service in excess of the transmission costs included in standby service rates developed using ratemaking principles that existed prior to the establishment of the Independent System Operator (ISO). The measure would also urge FERC to reject the cost allocation provisions of the ISO's proposed gross metering policy, provided that the reliability standards, established by an official determination of the Western Electricity Coordinating Council, do not require the ISO to procure ancillary services according to the gross load of customer generators.

Res. Ch. 195 (AJR 53) Aroner. Temporary Assistance for Needy Families (TANF) program.

This measure would urge federal policymakers, in reauthorizing the Temporary Assistance for Needy Families (TANF) program, to, among other things, adjust the TANF block grant for inflation, and maintain state flexibility to spend TANF funds, provide a safety net to vulnerable children, and design the most effective ways to move people into work.

Res. Ch. 196 (AJR 61) Koretz. Holocaust insurance claims.

This measure would urge the International Commission on Holocaust Era Insurance Claims (ICHEIC), the National Association of Insurance Commissioners, and the Department of Insurance to take immediate action to encourage insurers to comply with the ICHEIC claims process, and would urge ICHEIC insurers to continue to fund the ICHEIC operation. This measure would also urge the ICHEIC to advocate more forcefully for

claimants, and to do everything it can to require ICHEIC insurers, the German Insurance Association, and the German Foundation to comply with the ICHEIC claims process.

Res. Ch. 197 (AJR 63) Richman. Extradition.

This measure would memorialize the Executive Branch of the Federal Government to ensure that the federal government addresses Mexico's refusal to extradite to the United States criminals facing life sentences.

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**DIGEST OF RESOLUTION  
ADOPTED IN 2002**

2001–02 SECOND EXTRAORDINARY SESSION

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**RESOLUTION CHAPTER**

Res. Ch. 2 (SCR 3) Burton. Final adjournment: 2001–02 Second Extraordinary Session.

This measure would provide that the 2001–02 Second Extraordinary Session of the Legislature shall adjourn sine die at midnight on May 9, 2002.



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**DIGEST OF RESOLUTION  
ADOPTED IN 2002**

2001 – 02 THIRD EXTRAORDINARY SESSION

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**RESOLUTION CHAPTER**

Res. Ch. 1 (SCR 2) Burton. Final adjournment: 2001–02 Third Extraordinary Session.

This measure would provide that the 2001–02 Third Extraordinary Session of the Legislature shall adjourn sine die.



## 2002 DIGEST CHAPTERS SUPERIOR NUMBERS

1 [Ch. 379] I object to the following appropriations contained in Assembly Bill 425.

Item 0450-101-0932—For local assistance, State Trial Court Funding. I reduce this item from \$2,069,477,000 to \$2,068,677,000 by reducing:

(1) 10—Support for the operation of the Trial Courts from \$1,872,495,000 to \$1,871,695,000.

I am deleting the \$800,000 legislative augmentation to increase funding for family court services activities. Although this program is meritorious, deletion of funding for this program expansion is necessary in light of current fiscal constraints. With this action, \$111.5 million remains to support family court services.

Item 0450-111-0001—For transfer by the Controller to the Trial Court Trust Fund. I reduce this item from \$1,108,568,000 to \$1,079,568,000.

I am deleting the \$800,000 legislative augmentation to increase funding for family court services activities to conform to the action taken in Item 0450-101-0932.

I am reducing this transfer by \$28,200,000 on a one-time basis. This is a technical adjustment consistent with the January 10 proposal to reduce the 2001–02 transfer by this amount. Since the transfer to the Trial Court Trust Fund for fiscal year 2001–02 was inadvertently not reduced, this action is necessary and will still provide sufficient resources in the Trial Court Trust Fund to meet the level of appropriation provided in this act for 2002–03.

Item 0860-490—Reappropriation, Board of Equalization. I revise this item from \$639,000 to \$339,000 as follows:

“Notwithstanding any other provision of law, as of June 30, 2002, the unencumbered balance of the appropriation, not to exceed ~~\$639,000~~ \$339,000, provided in the following citations are reappropriated until June 30, 2003, upon review and approval of the Department of Finance for (1) preliminary plans, working drawings, or construction of any project for the alteration of a state or leased facility to facilitate the transition of new Board of Equalization members; and (2) the upgrade of one of the two CEA 1 allocations to the CEA 2 level in each of the elected Board Member offices to recognize the increased level of duties and responsibilities required.

0001—General Fund

(1) Item 0860-001-0001, 10000000—Personal services, Budget Act of 2001 (Ch. 106, Stats. 2001)

(2) Item 0860-001-0001, 30000000—Operating Expenses and Equipment, Budget Act of 2001 (Ch. 106, Stats. 2001)”

I am deleting \$300,000 of the \$639,000 reappropriation, which was for the purposes of facility upgrades for incoming Board members and upgrades of Board member positions. My reduction will enable \$300,000 to revert to the General Fund.

Item 0954-101-0001—For local assistance, Scholarshare Investment Board. I revise this item by deleting Provision 2.

I am deleting Provision 2, which states legislative intent to delay payments for 9th and 10th grade awards for the Governor’s Scholars Program by one year. Current law requires that awards be provided to all students who meet the criteria for an award under this program. Therefore, this language expresses intent to enact a substantive change of law, which can only be included within a single subject bill, not the Budget Act.

Item 1730-001-0001—For support of the Franchise Tax Board. I reduce this item from \$402,384,000 to \$401,298,000 by reducing:

(1) 10-Tax Programs from \$384,174,000 to \$383,088,000.

I am deleting the legislative augmentation of \$250,000 for the City Business Tax Program that allows the Franchise Tax Board to purchase information regarding local

business tax licenses from cities. This reduction is necessary to provide for a prudent General Fund reserve in light of the State's current fiscal condition.

I am deleting the legislative augmentation of \$836,000 and 21.5 personnel years, which would provide funding for the tax assistance call center. While I am supportive of efforts in this area, I am unable to support this augmentation due to fiscal constraints and limited resources in the General Fund. With this action, approximately \$15 million in funding remains for the call center.

Item 2240-104-0001—For transfer, upon order of the Director of Finance, to the Farmworker Housing Grant Fund. I reduce this item from \$13,984,000 to \$10,984,000 and by deleting Provision 2.

I am reducing this item by \$3,000,000 and deleting Provision 2. This reduction is necessary to keep State spending growth in line with revenues and provide for a prudent General Fund reserve for economic uncertainties. At my Homelessness Summit in April 2002, I signed the Housing and Emergency Shelter Trust Fund Act of 2002, which places a \$2.1 billion housing bond on the November 5, 2002, general election ballot. If approved by the voters, that bond would provide an unprecedented \$200 million for farmworker housing programs.

I am deleting Provision 2 to conform to this action. That provision would decrease this item by \$8,500,000 only if the voters in the November general election approve the Housing and Emergency Shelter Trust Fund Act of 2002.

Item 2640-102-0046—For local assistance, Special Transportation Programs. I delete this item.

I am deleting the \$5,100,000 legislative augmentation for Special Transportation Programs. The program will receive its statutory allocation of \$98,018,000 even with this deletion. I am taking this action to conform the budget to the extent possible to the 2002 State Transportation Improvement Program (STIP) Fund Estimate. The Fund Estimate identifies \$39.2 million of Public Transportation Account funds available for allocation by the California Transportation Commission for intercity rail and other projects through the STIP. I cannot support an augmentation for Special Transportation Programs at this time because the resources available for STIP allocations will be less than estimated and I want to ensure the retention of any available resources for that purpose.

Item 2660-013-0042—For transfer by the Controller, upon order of the Director of Finance, from the State Highway Account, State Transportation Fund, to the Traffic Congestion Relief Fund. I revise this item by deleting Provision 2.

I am deleting Provision 2 that requires the transfer from the State Highway Account to the Traffic Congestion Relief Fund be made on an "as needed" basis rather than once at the beginning of the fiscal year. This language would require additional monitoring and accounting activities by the Department of Transportation, the Department of Finance, and the State Controller's Office that would otherwise not be necessary, which results in additional costs to the State. As such, this language is unnecessarily restrictive and interferes with the Administration's ability to manage State programs.

Item 2660-491—Reappropriation, Department of Transportation. I revise this item by deleting Schedule (3) under 0001-General Fund of this item.

I am deleting Schedule (3) by reducing the amount available for reappropriation by \$1,500,000 in unexpended funds in Item 2660-101-0001, Budget Act of 2000, for the purpose of a transit station project in Santa Clara County. My veto will enable the \$1,500,000 to revert to the General Fund. The reappropriation would have redirected the funds to a child care facility project adjacent to the transit station. Notwithstanding the merits of this project, this action is essential due to limited resources in the General Fund. It should be noted that this Budget Act contains \$1,403,396,000 in State funds

for the Department of Education to fund child development and childcare programs. Additionally, the Department of Housing and Community Development administers a loan program for the construction of new childcare facilities.

Item 2660-496—Reversion, Department of Transportation. I revise this item by decreasing Schedule (1) by \$16,937,000 and Schedule (2) by \$48,720,000.

I am revising Schedules (1) and (2) as follows to provide funds for unanticipated encumbrances for transportation projects:

0042—State Highway Account

(1) Item 2660-101-0042, Budget Act of 1998 (Ch. 324, Stats. 1998)

(a) 20.25-Highway Transportation—State Local Partnership ~~\$88,937,000~~  
\$72,000,000

(2) Item 2660-101-0042, Budget Act of 1999 (Ch. 50, Stats. 1999)

(a) 20.30-Highway Transportation—Local Assistance ~~\$65,720,000~~ \$17,000,000

Item 2920-001-0001—For support of Technology, Trade, and Commerce Agency. I reduce this item from \$20,719,000 to \$20,468,000 by reducing:

(3) 10-Economic Development from \$7,445,000 to \$7,345,000;

(4) 20-International Trade and Investment from \$3,814,000 to \$3,664,000;

(8) 60-Economic Research and Strategic Initiatives from \$563,000 to \$562,000;

and by deleting Provision 2.

I am reducing funding for the Office of Military Base Reuse and Retention by \$100,000. This reduction is necessary to help provide for a prudent General Fund reserve in light of the State's current fiscal condition. This reduction is consistent with the reductions I proposed for this program in the May Revision. With this reduction, \$193,000 still remains to support the Office of Military Base Reuse and Retention. The next round of military facility closures will not take place until 2005, allowing time to reconsider this program's funding in 2003-04 to the extent fiscal conditions then allow.

I am reducing funding for the evaluation of the foreign trade offices by \$150,000. AB 3000, the general government trailer bill to the 2002-03 Budget Bill includes provisions that will require any proponents of a new foreign trade office to submit a proposed business plan for any newly proposed international trade office. The Technology, Trade, and Commerce Agency will evaluate any new offices proposed by this Administration from within its existing funding. As such, additional funds are not required for this activity.

I am reducing this item by \$1,000 from Economic Research and Strategic Initiatives and deleting Provision 2, which would declare the Legislature's intent that, although no additional funds are appropriated in this item, the activities of the California Economic Strategy Panel shall be funded from this item. This agency's budget constraints do not permit redirecting resources to fund the activities of the panel.

Item 2920-011-0001—For support of Technology, Trade, and Commerce Agency. I reduce this item from \$5,192,000 to \$4,692,000 by reducing:

(1) For transfer to the Small Business Expansion Fund (0918) from \$5,162,000 to \$4,662,000,

and by deleting Provision 1.

I am reducing this item by \$500,000 and deleting Provision 1, which would specify that these funds are for the establishment of the Small Business Financial Development Corporation in southeast Los Angeles. The need for such a new financial development corporation has not been demonstrated, and there are several of the 11 existing financial development corporations already located in the Los Angeles area. This reduction is also necessary to limit program expansions and provide for a prudent General Fund reserve in light of the State's current fiscal condition.

Item 3110-001-0001—For support of Special Resources Programs. I reduce this item from \$430,000 to \$200,000 and delete Provision 1.

This item provides matching funds for federal grants under the National Sea Grant College Program Act. Over the past three years, I have provided over \$2.3 million for grants associated with this program. I believe this program has merit and have committed this Administration to increased participation in accordance with my environmental protection priorities. However, these reductions are necessary to limit program expansions and provide for a prudent General Fund reserve in light of the State's current fiscal condition. With these reductions, \$200,000 still remains to support the Sea Grant program. Matching grants for this year should be evaluated and prioritized within the \$300 million research budget for the University of California.

I am deleting Provision 1, which would have allocated \$80,000 of this item to the University of Southern California. I support the existing grant allocation process that is the statutory responsibility of the Resources Agency, acting upon recommendation from the Sea Grant Advisory Panel. This deletion conforms to the appropriation reductions specified above.

Item 3360-001-0465—For support of Energy Resources Conservation and Development Commission. I reduce this item from \$51,247,000 to \$49,247,000 by reducing:

- (2) 20-Energy Resources Conservation from \$23,532,000 to \$21,532,000.

I am reducing the legislative augmentation for Dairy Waste-to-Energy Programs from \$5,000,000 to \$3,000,000. I believe that this level of funding will serve the important goals of helping to address water pollution problems associated with dairies and providing an additional source of fuel to generate energy without resulting in the need to increase surcharges on California's electric customers.

Item 3810-301-6029—For capital outlay, Santa Monica Mountains Conservancy. I reduce this item from \$20,000,000 to \$12,000,000 by reducing:

- (1) 50.20.001-Capital outlay acquisitions from \$20,000,000 to \$12,000,000.

I have submitted an expenditure plan for Proposition 40 that meets current environmental acquisition priorities for the Santa Monica Mountains Conservancy Zone and the Rim of the Valley Corridor, and is fiscally responsible. Reduction of this item corresponds to the expenditure priorities associated with that plan.

Item 3835-301-6029—For capital outlay, Baldwin Hills Conservancy. I reduce this item from \$20,000,000 to \$15,000,000.

- (1) 20-Capital Outlay Acquisition and Improvement Program from \$35,000,000 to \$30,000,000.

I have submitted an expenditure plan for Proposition 40 that meets current environmental acquisition priorities for the Baldwin Hills Conservancy and is fiscally responsible. Reduction of this item corresponds to the expenditure priorities associated with that plan.

Item 3860-001-6029—For support of Department of Water Resources. I delete this item and Provision 1 to make a technical correction to the Budget Bill.

This technical veto will conform to the Legislature's intent; the funding provided in this item is duplicative of Item 3860-001-6031. Therefore, in order to correct this technical error in the Budget Bill, I am deleting this item.

Item 3900-001-0044—For support of State Air Resources Board. I reduce this item from \$55,654,000 to \$53,854,000 by reducing:

- (1) 15-Mobile Source from \$101,157,000 to \$99,357,000.

I am deleting the \$1,300,000 legislative augmentation for Community Health and the \$500,000 legislative augmentation for Global Warming. Although meritorious, these program expansions cannot be funded at this time because of fiscal constraints and limited resources in the Motor Vehicle Account. With this action, \$2,235,000 still remains to support the Community Health program.

Item 3900-101-0044—For local assistance, State Air Resources Board. I reduce this item from \$15,111,000 to \$10,111,000 by reducing:

- (1) 35-Subvention from \$15,111,000 to \$10,111,000.

I am deleting the \$5,000,000 legislative augmentation for subventions to local air districts. This action is necessary because of fiscal constraints and limited resources in the Motor Vehicle Account. With this action, \$10,111,000 still remains for local air districts.

Item 3980-001-0001—For support of Office of Environmental Health Hazard Assessment. I reduce this item from \$12,929,000 to \$12,220,000 by reducing:

- (1) 10-Health Risk Assessment from \$15,997,000 to \$15,288,000.

I am deleting the \$709,000 legislative augmentation for risk assessments, evaluations of contaminants, and the development of standards. This action is necessary to keep State spending growth in line with revenues and provide for a prudent General Fund reserve for economic uncertainties. With this action, \$15,288,000 still remains to support the Office of Environmental Health Hazard Assessment.

Item 4120-101-0001—For local assistance, Emergency Medical Services Authority. I reduce this item from \$31,486,000 to \$26,486,000 by reducing:

- (1) 10-Emergency Medical Services Authority from \$40,005,000 to \$35,005,000, and by revising Provision 7.

I am sustaining \$20,000,000 and vetoing \$5,000,000 of the \$25,000,000 legislative augmentation for support of the state's trauma system providers. Recognizing trauma centers have experienced increasing fiscal pressure, I sustained \$25,000,000 in 2001-02 to assist the State's trauma care providers. This reduction is necessary in light of the State's current fiscal constraints.

I am revising Provision 7 to conform to this action.

- “7. The State Controller shall transfer \$25 \$20 million in funds appropriated in this item to the Trauma Care Fund.”

Item 4130-490—Reappropriation, California Health and Human Services Agency Data Center. I revise this item by revising Provision 1.

In order to correct a technical error in the Budget Bill, I am amending Provision 1 by deleting the requirement that the amount of funding reappropriated for automation projects be consistent with the amount approved by the Department of Information Technology (DOIT) in a special project report or equivalent document. As statutory authority for the DOIT expired on June 30, 2002, this language is no longer applicable.

- “1. It is the intent of this item to continue funding approved activities for the automation projects that, due to schedule changes, result in unexpended appropriations one year and the need for additional funding in the following year. Therefore, notwithstanding any other provision of law, the balance of the appropriations for these automation projects may, upon approval of the Department of Finance, be reappropriated for transfer to and in augmentation of the corresponding items in this act. The funds reappropriated by this provision shall be made available consistent with the amount approved by the Department of Finance and the Department of Information Technology based on an approved special project report or equivalent document not sooner than 30 days after providing notification in writing to the chairperson of the fiscal committee of each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee.”

Item 4260-001-0001—For support of Department of Health Services. I revise this item by reducing:

- (1) 10-Public and Environmental Health from \$309,846,266 to \$284,446,266;
- (41) Amount payable from the Federal Trust Fund (Item 4260-001-0890) from -\$358,240,000 to -\$332,840,000;

and by deleting Provision 4.

I am reducing the amount payable from the Federal Trust fund by \$25,400,000 as a technical adjustment. This funding, intended to support the State's efforts to combat bioterrorism, has been included in a separate appropriation bill, SB 406. Therefore, inclusion in Budget Act totals is no longer necessary. I am also deleting \$25,400,000 from the Federal Trust Fund in Item 4260-001-0890 to conform to this action.

The May Revision proposed, and the Legislature approved, 91 State positions and funding for 43 contract staff for the Department to expand the Medical Case Management Program (MCMP). The MCMP provides in-home care to severely ill Medi-Cal beneficiaries, allowing them to avoid costly institutional care. Savings of \$18 million (\$9 million General Fund) were adopted to reflect this expansion. To achieve the budgeted savings, the Department requires a total of 91 staff. Therefore, the total of 134 staff approved for this activity is overstated by 43.

In addition to the MCMP expansion, the Legislature also approved additional savings-generating activities proposed in the May Revision. However, an insufficient number of positions were proposed, and subsequently approved by the Legislature, to achieve the estimated savings through those activities. Therefore, I am directing the Department of Health Services to utilize 12 of the excess 43 MCMP positions as appropriate to ensure that the Department meets the savings targets adopted by the Legislature. I am eliminating the remaining 31 excess positions. However, I am allowing the department to retain the funding and directing Department of Health Services to fill the positions as soon as possible to ensure that the savings are achieved.

I am deleting Provision 4 as a technical adjustment. This language was included in the 2001-02 Budget Act to govern funding for the Medi-Cal assisted living waiver benefit. A portion of the funding is reappropriated to 2002-03 through Item 4260-490. Therefore, this provision is no longer necessary.

Item 4260-001-0890—For support of Department of Health Services. I reduce this item from \$357,215,000 to \$331,815,000.

I am reducing this item by \$25,400,000 to conform to the action I have taken in Item 4260-001-0001.

Item 4260-101-0001—For local assistance, Department of Health Services. I reduce this item from \$9,789,639,000 to \$9,749,203,000 by reducing:

- (1) 20.10.010-Eligibility (County Administration) from \$1,523,866,000 to \$1,464,257,000;
- (3) 20.10.030-Benefits (Medical Care and Services) from \$23,172,770,000 to \$23,156,945,000;
- (5) Amount payable from the Federal Trust Fund (Item 4260-101-0890) from -\$14,951,031,000 to -\$14,916,033,000;

and by deleting Provisions 12 and 15.

I am deleting Provision 12. Due to the delay of the budget, September 30, 2002 is no longer a meaningful date for a facility to apply for reimbursement through the Wage Adjustment Rate Program, as described in Section 14110.65 of the Welfare and Institutions Code. Nonetheless, a specific timeframe for when nursing homes can submit a plan is necessary. As such, I am directing the Department of Health Services to issue instructions that allow submittal of a rate adjustment request form up until 30 days after the effective date of the final regulations.

Partially restoring the rates paid to Medi-Cal providers is a priority of my Administration as well as the Legislature. In order to accomplish the intent of the Legislature,

the Director of the Department of Health Services will be reducing the provider rates to the pre-August 2000 level, pursuant to AB 442. I am sustaining funding to allow exemptions, as prescribed in AB 442, from provider rate reductions for the following services: California Children's Services, non-emergency medical transportation, home health services, shift nursing, and family planning physician services. However, the Director can then use existing authority to develop regulations that would partially restore Medi-Cal provider rates by implementing my January 10 budget proposal and rescinding the May Revision rate reductions. The rescission of the May Revision provider rate reductions would take effect retroactively to the date of my signing AB 442, the omnibus health trailer bill. Any funding adjustments needed to effectuate these outcomes will be addressed in my revised 2002–03 budget submitted to the Legislature in January 2003.

I am sustaining \$58,959,000 of the \$87,959,000 legislative augmentation which restored the 20 percent reduction I proposed in Medi-Cal county administration funding. The total funding provided represents an approximate 6 percent reduction for counties to continue the work they perform on behalf of the State. This reduction is necessary in light of the State's fiscal constraints and is consistent with General Fund reductions being applied to State agencies and departments. In addition, I am sustaining the \$58,959,000 of the \$87,959,000 legislative augmentation to the Federal Trust Fund, Item 4260-101-0890, to conform to this action.

I am deleting the \$5,997,000 legislative augmentation for implementation of the Medi-Cal expansion that on July 1, 2002, would link children's Medi-Cal eligibility with eligibility for the National School Lunch Program, pursuant to Chapter 894, Statutes of 2001 (AB 59). Although I am supportive of this program, it would not be fiscally prudent to implement this program expansion given the current economic situation. I am deleting \$5,998,000 from the Federal Trust Fund, Item 4260-101-0890 to conform to this action. I am also deleting Provision 15 to conform to this action.

I am deleting the \$5,439,000 legislative augmentation that reflected the rejection of my proposal to implement a county share of cost associated with the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) program. The May Revision proposed to require counties to provide a 10 percent match to any new growth in the cost of the EPSDT Program. It is my intention to proceed administratively to implement this reform. This match will give counties an incentive to control costs for this program, which have recently been increasing by over 30 percent per year.

Item 4260-101-0890—For local assistance, Department of Health Services. I reduce this item from \$14,951,031,000 to \$14,916,033,000.

I am reducing this Item by \$34,998,000 to conform to the action I have taken in Item 4260-101-0001.

Item 4260-111-0001—For local assistance, Department of Health Services. I reduce this item from \$425,121,000 to \$423,121,000 by reducing:

- (2) 10.20.010-Environmental Management from \$26,344,000 to \$944,000;
- (9) 20.40-Primary Care and Family Health from \$1,502,101,430 to \$1,498,101,430; and
- (20) Amount payable from the Federal Trust Fund (Item 4260-111-0890) from -\$1,078,375,000 to -\$1,050,957,000.

I am deleting the \$2,000,000 legislative augmentation to update the Children's Health and Disability Prevention Program (CHDP) periodicity schedule. The Department of Health Services 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 an augmentation for this program expansion. In addition, the administration has proposed the CHDP Gateway to pre-enroll children into Medi-Cal or the Healthy Families Program so that they would receive comprehensive medical care in addition to health screening.

I am also deleting the \$2,000,000 legislative augmentation from the Federal Trust Fund in Item 4260-111-0890 to conform to this action.

I am reducing the amount payable from the Federal Trust fund by \$25,400,000 as a technical adjustment. This funding, intended to support the State's efforts to combat bioterrorism, has been included in a separate appropriation bill, SB 406. Therefore, inclusion in Budget Act totals is no longer necessary. I am also deleting \$25,400,000 from the Federal Trust Fund in Item 4260-111-0890 to conform to this action.

Item 4260-111-0236—For local assistance, Department of Health Services. I revise this item by deleting Provision 1.

I am deleting Provision 1 which would redirect funding from the California Healthcare for Indigents Program to the Children's Treatment Program (CTP). Although I am very supportive of children's health care programs, this provision reduces the Administration's flexibility in providing funds to local health care providers. In addition, the new Child Health and Disability Prevention Gateway Program should greatly mitigate the need for CTP funding by placing large numbers of children in comprehensive health care in either the Medi-Cal or Healthy Families Program.

Item 4260-111-0890—For local assistance, Department of Health Services. I reduce this item from \$1,078,357,000 to \$1,050,957,000.

I am reducing this item by \$27,400,000 to conform to the action I have taken in Item 4260-111-0001.

Item 4260-113-0001—For local assistance, Department of Health Services. I reduce this item from \$29,791,000 to \$22,125,000 by reducing:

- (1) 20.10.010-Eligibility (County Administration) from \$12,709,000 to \$11,547,000;
- (3) 20.10.030-Benefits (Medical Care and Services) from \$80,620,000 to \$59,722,000; and
- (4) Amount payable from the Federal Trust Fund (Item 4260-113-0890) from -\$63,630,000 to -\$49,236,000.

I am deleting the \$7,666,000 legislative augmentation for the Medi-Cal to Healthy Families two-month bridge. I have already provided \$13.6 million (\$4.7 million General Fund) for a one-month coverage bridge for children. Although I am supportive of providing a coverage bridge for children transitioning from Medi-Cal to the Healthy Families Program, I cannot support extending this program for an additional month or expanding the program to include parents due to fiscal constraints and limited General Fund resources.

I am also deleting the \$14,394,000 legislative augmentation from the Federal Trust Fund in Item 4280-113-0890 to conform to this action.

Item 4260-113-0890—For local assistance, Department of Health Services. I reduce this item from \$63,630,000 to \$49,236,000.

I am reducing this item by \$14,394,000 to conform to the action I have taken in Item 4260-113-0001.

Item 4260-301-0001—For capital outlay, Department of Health Services. I delete this item to make a technical correction to the Budget Bill.

The May Revision proposed deletion of this item with which the Legislature concurred. However, the item was inadvertently left in the final version of the Budget Bill. This technical veto will conform the Budget Act to the May Revision.

Item 4260-490—Reappropriation, Department of Health Services. I revise this item by revising Provision 1.

In order to correct a technical error in the Budget Bill, I am amending Provision 1 by deleting the requirement that the amount of funding reappropriated for automation projects be consistent with the amount approved by the Department of Information

Technology (DOIT) in a special project report or equivalent document. As statutory authority for the DOIT expired on June 30, 2002, this language is no longer applicable.

“1. It is the intent of this item to continue funding approved activities for the automation projects that, due to schedule changes, result in unexpended appropriations one year and the need for additional funding in the following year. Therefore, notwithstanding any other provision of law, the balance of the appropriations for these automation projects may, upon approval of the Department of Finance, be reappropriated for transfer to and in augmentation of the corresponding items in this act. The funds reappropriated by this provision shall be made available consistent with the amount approved by the Department of Finance and the Department of Information Technology based on an approved special project report or equivalent document not sooner than 30 days after providing notification in writing to the chairperson of the fiscal committee of each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee.”

Item 4280-101-0001—For local assistance, Managed Risk Medical Insurance Board. I reduce this item from \$69,709,000 to \$19,695,000 by reducing:

- (2) 40-Healthy Families Program from \$771,619,000 to \$634,791,000; and
- (4) Amount payable from the Federal Trust Fund (Item 4280-101-0890) from -\$479,448,000 to -\$392,634,000.

I am deleting the \$50,014,000 legislative augmentation for the Healthy Families Program (HFP) Parent Expansion. Although I am supportive of expanding Healthy Families coverage to include parents, I cannot support this augmentation and program expansion due to fiscal constraints and limited General Fund resources. I am also deleting the \$86,814,000 legislative augmentation from the Federal Trust Fund in Item 4280-101-0890 to conform to this action.

Item 4280-101-0890—For local assistance, Managed Risk Medical Insurance Board. I reduce this item from \$479,448,000 to \$392,634,000.

I am reducing this item by \$86,814,000 to conform to the action I have taken in Item 4280-101-0001.

Item 4280-102-0001—For local assistance, Managed Risk Medical Insurance Board. I reduce this item from \$4,009,000 to \$1,593,000 by reducing:

- (1) 40-Healthy Families Program from \$48,292,000 to \$41,788,000, and
- (3) Amount payable from the Federal Trust Fund (Item 4280-102-0890) from -\$32,869,000 to -\$28,781,000.

I am deleting the \$2,416,000 legislative augmentation for the Healthy Families Program Parent Expansion. Although I am supportive of expanding Healthy Families coverage to include parents, I cannot support this augmentation and program expansion at this time due to fiscal constraints and limited General Fund resources. I am also deleting the \$4,088,000 legislative augmentation from the Federal Trust Fund in Item 4280-102-0890 to conform to this action.

Item 4280-102-0890—For local assistance, Managed Risk Medical Insurance Board. I reduce this item from \$32,869,000 to \$28,781,000.

I am reducing this item by \$4,088,000 to conform to the action I have taken in Item 4280-102-0001.

Item 4300-101-0001—For local assistance, Department of Developmental Services. I reduce this item from \$1,458,170,000 to \$1,452,555,000 by reducing:

- (2) 10.10.020-Purchase of Services from \$1,780,703,000 to \$1,775,088,000.

I am deleting the \$5,615,000 legislative augmentation for Community Placement Plan activities. The Legislature provided an augmentation for one-time grants to develop community resources. In my January Budget, I proposed a total of \$50,220,000 for Community Placement Plan activities, including an augmentation of

\$20,400,000. This reflected my ongoing commitment to provide community-based services to developmentally disabled consumers. With this base reduction, the funding level I proposed in my January Budget will be maintained to facilitate the movement of Developmental Center consumers into the community.

Item 4440-001-0001—For support of Department of Mental Health. I reduce this item from \$28,442,000 to \$28,172,000 by reducing:

(1) 10-Community Services from \$33,679,000 to \$33,409,000, and by deleting Provision 2.

I am deleting \$150,000 for county plans for children's mental health services pursuant to legislation (AB 2740) to be enacted during the 2001–02 regular session. The counties are already required to assess mental health needs and develop plans to meet those needs. Section 5772 of the Welfare and Institutions Code requires the local mental health boards at the county level to complete these responsibilities. Since these bodies already exist and have the responsibility for developing plans to meet mental health needs, additional systems and funding do not appear to be needed. Consequently, I cannot support this augmentation at this time.

I am also deleting \$120,000 and Provision 2, which requires that \$120,000 in General Fund savings achieved through the elimination of vacant positions be redirected for the Protection and Advocacy, Inc., contract. In my January Budget, I proposed to reduce the contract for patient rights advocacy from \$800,000 to \$680,000 to achieve General Fund savings. The reduction to the patients' rights contract will reduce administrative expenses and will not affect the availability of services to assist individuals with mental illness. However, the Legislature subsequently redirected \$120,000 to restore the proposed reduction to the patients' rights contract. Although I am supportive of patient rights advocacy, I cannot support this legislative augmentation at this time due to fiscal constraints and limited General Fund resources.

Item 4440-101-0001—For local assistance, Department of Mental Health. I reduce this item from \$106,128,000 to \$80,328,000 by reducing:

(1) 10.25-Community Services—Other Treatment from \$1,142,885,000 to \$1,127,446,000;

(3) 10.47-Community Services—Children's Mental Health Services from \$33,800,000 to \$20,000,000; and

(6) Reimbursements from  $-\$1,081,852,000$  to  $-\$1,076,413,000$ ; and by deleting:

(2) 10.40-Community Services—Adult System of Care (\$2,000,000).

I am sustaining \$20,000,000 of the \$33,800,000 legislative augmentation provided for Children's System of Care (CSOC). I note with concern that this program has been unable to provide outcome data for all the children served by this program or documented cost savings in the same manner as the Integrated Services for Homeless Adults (ISHA) program. However, I remain supportive of children's mental health programs, and note that, this Administration provided sufficient funding to implement the CSOC statewide with a \$15.5 million General Fund augmentation in 2000–01, bringing total funding to \$41.9 million General Fund. I reduced the program by \$2.1 million last year because of the State's economic situation. At that time, I noted that \$13 million for mental health services for children in the Healthy Families Program was available to assist children who were not eligible for Medi-Cal. This year, the fiscal challenges facing the State are even greater. Finally, I am directing the Department of Mental Health to restructure the CSOC to provide better accountability and documented cost savings.

I am reducing \$10,000,000 for ISHA. I note that this Administration launched this program in 1999–00 with \$10 million, and subsequently provided significant augmentations: \$45.6 million in 2000–01, and \$10 million in 2001–02, for a total funding of \$65.6 million. However, the State's current fiscal challenges necessitate this \$10

million reduction. At my Homelessness Summit in April 2002, I signed the Housing and Emergency Shelter Trust Fund Act of 2002, which places a \$2.1 billion housing bond on the November 5, 2002, general election ballot. If approved by the voters, this bond would provide \$195 million for 2,380 to 2,530 of units of transitional housing and \$195 million for emergency shelters to assist an estimated 31,160 homeless adults.

I am eliminating \$2,000,000 for the Adult Systems of Care. I proposed this reduction as part of the May Revision, and the Legislature restored the funding. The Adult Systems of Care program is a categorical program, supplementing the realignment funding the counties receive. The counties will receive over \$1.1 billion in Realignment funding for mental health services and have an incentive to continue this program as offsetting savings occur predominately at the local level.

I am reducing reimbursements by \$5,439,000 to delete the legislative augmentation that reflected the rejection of my proposal to implement a county share in the costs associated with the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) program. The May Revision proposed to require counties to provide a 10 percent match to any new growth in the cost of the EPSDT Program. It is my intention to proceed administratively to implement this reform. This match will give counties an incentive to control costs for this program, which have recently been increasing by over 30 percent per year. This conforms to my action in Item 4260-101-0001. I am highly supportive of children's mental health programs and note that I am sustaining \$20 million for the CSOC program.

Item 4440-101-0890—For local assistance, Department of Mental Health. I reduce this item from \$59,629,000 to \$57,629,000 by deleting:

(1.5) 10.47-Community Services—Children's Mental Health Services (\$2,000,000).

I am reducing \$2,000,000 for the Children's Mental Health Services to conform to my action for the Children's Systems of Care Program in Item 4440-101-0001.

Item 4700-101-0001—For local assistance, Department of Community Services and Development. I revise this item by reducing:

(2) 47-Naturalization Services from \$8,476,000 to \$7,601,000, and

(3) Reimbursements from -\$5,875,000 to -\$5,000,000.

I am deleting the \$875,000 legislative augmentation in reimbursements from the Employment Development Department for the Naturalization Services Program (NSP) to conform to the actions taken in Item 5100-001-0869. With these actions, the Budget retains \$7.9 million General Fund for the NSP.

Item 5100-001-0869—For support of state programs under the Workforce Investment Act, Employment Development Department. I revise this item by deleting Provisions 3, 4, and 5.

I am deleting Provision 3, which would require the Employment Development Department (EDD) to allocate \$875,000 to the Department of Community Services and Development for naturalization and citizenship services. Under the federal Workforce Investment Act (WIA), the Governor has the authority to allocate 25 percent of WIA dislocated workers funding for Rapid Response allocation to areas that experience disasters, mass layoffs or plant closings, or other events that precipitate substantial increases in unemployment. This provision would decrease the funding available to the Administration to quickly respond to such events.

I am also deleting Provision 4 because it places a limit of \$4 million on the amount of funds available for the Faith-Based Initiative. Section 128 of the federal WIA allows the Governor to allocate 15 percent of the WIA funds allotted to California, for the purposes of statewide and employment training activities. Although this funding is subject to legislative appropriation, the language in Provision 4 impinges on the authority of this Administration to allocate funding for this critical program, which

provides job services and training to many individuals not traditionally served by the current system of workforce development.

However, I have no concerns with the compromise language developed in Provision 4 that pertains to issues other than the funding limitation. I am directing the EDD to provide grants to community organizations, including faith-based and secular organizations that are not owned or operated as pervasively sectarian institutions, and that have been limited in their ability to take advantage of this funding due to limited resources and a lack of experience in dealing with the competitive contracting process and the allocation processes currently in place at the local level. No pervasively sectarian religious organization is eligible for funds under this item, but a separate nonprofit entity or affiliate that is a tax-exempt organization under the federal Internal Revenue Code, may apply for and receive grants under its own auspices. In awarding grants, the EDD shall use a competitive bidding process that includes provisions regarding existing constitutional protections. Grants or contracts awarded shall comply with the California Constitution, State and federal civil rights laws, and the United States Constitution with regard to pervasively sectarian organizations.

Of the amount allocated for the Faith-Based Initiative, it is my intent that the department may use up to \$250,000 for administrative expenses, subject to approval by the Department of Finance.

I am also deleting Provision 5, which would require the EDD to allocate \$300,000 to the Youthbuild program. I sustained General Fund augmentations for this program of \$1 million in 2000–01 and \$250,000 in 2001–02. However, this legislative augmentation is inappropriate. Specifically, Section 128 of the federal WIA authorizes the Governor to allocate 15 percent of the WIA funds allotted to California, for the purposes of statewide and employment training activities. This Provision would decrease the amount of funding available to the Administration to address critical workforce development needs.

Item 5100-001-0870—For support of Employment Development Department. I revise this item by reducing:

- (1) 10-Employment and Employment Related Services from \$206,768,000 to \$204,749,000;
- (2) 21-Tax Collections and Benefit Payments from \$728,916,000 to \$588,751,000; and
- (14.5) Amount payable from the Unemployment Fund-Federal (Item 5100-001-0871) from -\$177,120,000 to -\$34,936,000.

I am revising this item to conform to the action I have taken in Item 5100-001-0871.

Item 5100-001-0871—For support of Employment Development Department. I reduce and revise this item from \$177,120,000 to \$34,936,000 and revise Provisions 2 and 3.

I am sustaining \$500,000 of the \$140,665,000 legislative augmentation from Reed Act funds for various information technology (IT) and infrastructure projects, so that \$140,165,000 can remain in the Unemployment Insurance (UI) Trust Fund. Providing full funding for these projects at this time may increase UI taxes paid by employers in the future. After the IT project proposals have been subjected to the Feasibility Study Review and budget review processes, the projects could be considered for available Reed Act funding at that time. However, I am sustaining the expansion of the Tax System Review, in order to include an analysis of enhanced data capability for Employment Development Department (EDD) information technology systems into an existing study of EDD Tax Branch business processes and automated systems. This analysis is scheduled to be completed in 2002–03.

I am revising this item and Provision 2 to conform to this action.

“5100-001-0871—For support of Employment Development Department, for payment to Item 5100-001-0870, payable from the Unemployment Fund Federal; to be available for expenditure until the end of the 2006–07 fiscal year, except that moneys subject to Provision 3 of this item are available for expenditure during the 2002–03 fiscal year.....\$177,120,000 \$34,936,000”

“2. The following amounts shall be used as follows:

- (a) \$20,000,000 for administrative costs to create an alternate base period; which would allow for expansion of the Unemployment Insurance (UI) program by using recent wages for the purpose of establishing benefit eligibility.
- (b) \$65,000 for administrative costs to create and implement a trigger mechanism for UI extended benefits.
- (c) \$500,000 for the review of the Employment Tax System through a contract with a qualified consulting firm to review business operations and automated systems of EDD’s tax programs.
- (d) \$6,500,000 to upgrade the UI call centers to expand capacity and improve customer service.
- (e) \$5,100,000 to develop electronic UI claim filing over the Internet.
- (f) \$500,000 to fund a study with a qualified consultant for improving EDD’s single client database system to enhance efficiency and effectiveness of claim filing and benefit payments; to improve program integrity; and to reduce fraud.
- (g) \$100,000,000 to upgrade EDD’s single client database.
- (h) \$7,000,000 to redesign the UI benefit payment system to enable claimants to certify by using the telephone and Internet.
- (i) \$1,000,000 to redesign the UI adjudication process by the development of a computer-based application.
- (j) \$500,000 to be allocated via competitive process for support of physical and program access to one-stops. These are in addition to any Workforce Investment Act funds allocated for this purpose.”

I am also deleting the \$1,519,000 augmentation in Reed Act funds to continue employment services for veterans, so that these funds can remain in the UI Trust Fund and possibly reduce UI taxes paid by employers in the future. In addition, veterans still receive high priority for employment services and benefits in the EDD Employment Services Program, and the EDD indicates that veterans will not lose any assistance as a result of this action. As a result, it is not necessary to appropriate Reed Act funds for this purpose.

I am revising Provision 3 to conform to this action.

“3. During the 2002–03 fiscal year only, \$34,436,000 shall be used to support Employment and Employment Services and Tax Collection and Benefit Payment Programs and \$1,519,000 shall be used to support veteran’s employment activities.”

Item 5100-011-0890—For support of Employment Development Department. I reduce this item from (\$775,267,000) to (\$633,083,000).

I am revising this item to conform to the action I have taken in Item 5100-001-0870.

Item 5120-001-0890—For support of the California Workforce Investment Board. I revise this item by deleting Provision 3.

Provision 3 would make the expenditure of \$1,120,000 contingent upon the California Workforce Investment Board (CWIB) submitting a report to the Legislature on the role of the CWIB and the Employment Development Department in the California Labor and Workforce Development Agency with respect to the implementation of the Workforce Investment Act (WIA) and other specified information. I believe it would be premature to require the CWIB to define its role within the new agency, before the

Secretary for the new agency has a chance to formulate and communicate the agency's plans to simplify, strengthen, and improve the operation of the State's workforce development programs. In addition, the CWIB has indicated it has recently released reports to the Legislature demonstrating progress in implementing the WIA. However, I am directing the CWIB to update the Legislature on its progress in the development of certification protocols for local One-Stop Centers during legislative hearings on the 2003-04 Budget.

Item 5175-101-0001—For local assistance, Department of Child Support Services. I revise this item by reducing:

(1) 10-Child Support Services from \$974,893,500 to \$974,893,000, and by deleting Provision 8.

In order to correct a technical error in the Budget Bill, I am reducing Schedule (1) by \$500 and deleting Provision 8, which requires a county share of costs for any penalty imposed by the federal government for California's failure to implement an automated statewide child support collection system. This provision was inadvertently left in the final version of the Budget Bill.

Item 5175-101-0890—For local assistance, Department of Child Support Services. I reduce this item from \$282,224,000 to \$281,899,000.

In order to correct a technical error in the Budget Bill, I am reducing this item by \$325,000. This technical veto will conform to the Legislature's intent, and is consistent with the legislative action taken in Item 5175-101-0001, which reduced the funding for the increase in postage costs.

Item 5175-495—Reversion, Department of Child Support Services. I revise this item from \$25,215,000 to \$10,935,000 as follows:

"As of June 30, 2002, ~~\$25,215,000~~ \$10,935,000 of the unencumbered balance of the appropriation provided in the following citation shall revert to the fund from which the appropriation was made:

0001—General Fund

(1) Item 5175-101-0001, Budget Act of 2001 (Ch. 106, Stats. of 2001)

(a) 10.01-Child Support Administration .....\$640,000

(b) 10.02-Child Support Incentive .....~~\$24,575,000~~ \$10,295,000."

On June 19, 2002, the California State Supreme Court denied the State's petition for hearing the Statewide Automated Child Support System (SACSS) case. This was the State's final opportunity to have the amount of the SACSS judgment reduced. The State is now obligated to pay Lockheed Martin the amount of an appellate court ruling, plus interest on the principal amount of the judgment. I am reducing the amount of this reversion by \$14,280,000 to enable the Department of Child Support Services to use these funds towards payment of the judgment, to prevent additional interest charges to the State.

Item 5180-101-0001—For local assistance, Department of Social Services. I revise this item by deleting Provision 10:

I am deleting Provision 10, which allows counties to direct \$100,000 from the Mental Health and Substance Abuse services allocation to develop a replicable outcome system for CalWORKs mental health and substance abuse treatment. This language could create a future fiscal pressure to exceed the available amount of federal Temporary Assistance for Needy Families Block Grant funds and maintenance-of-effort funding pursuant to funding outcome systems in other counties, or could force a decrease in CalWORKs spending in other areas because of budgetary constraints in 2003-04.

Item 5180-141-0001—For local assistance, Department of Social Services. I reduce this item from \$421,675,000 to \$414,875,000 by reducing:

- (1) 16.80-County Administration from \$717,951,000 to \$701,437,000; and
- (4) Amount payable from the Federal Trust Fund (Item 5180-141-0890) from -\$537,945,000 to -\$528,231,000.

I am reducing this item by \$16,514,000 (\$6,800,000 General Fund) to reduce funding for county administration of the Food Stamp Program. This action is necessary due to the significant decline in General Fund revenue. I am sustaining \$372.9 million (\$157.5 million General Fund) for county administration of the Food Stamp Program.

Item 5180-141-0890—For local assistance, Department of Social Services. I reduce this item from \$776,573,000 to \$528,231,000.

I am reducing this item by \$9,714,000 to conform to actions taken in Item 5180-141-0001.

I am also reducing this item by \$238,628,000 to correct a technical error in the Budget Bill. This technical veto is consistent with the Legislature's intent and legislative actions taken in this item.

Item 5180-151-0001—For local assistance, Department of Social Services. I reduce this item from \$782,148,000 to \$745,606,000 by reducing:

- (1) 25.25-Children's Services from \$1,903,347,000 to \$1,848,623,000;
  - (a) 25.25.010-Child Welfare Services from \$1,802,078,000 to \$1,752,554,000;
  - (b) 25.25.020-Adoptions from \$81,286,000 to \$76,086,000;
- (4) Reimbursements from -\$69,879,000 to -\$68,817,000; and
- (6) Amount payable from the Federal Trust Fund (Item 5180-151-0890) from -\$1,195,571,000 to -\$1,172,876,000.

I am deleting \$17,150,000 General Fund and \$9,974,000 Federal Trust Fund from the Child Welfare Services Program augmentations; and \$10,817,000 General Fund, \$10,521,000 Federal Trust Fund, and \$1,062,000 reimbursements in order to suspend the cost-of-doing business adjustment for the Child Welfare Services Program. I am retaining \$1.8 billion (\$616.7 million General Fund) for the Child Welfare Services Program. As cost-of-living adjustments are not being granted for other social services programs, I am suspending the proposed 2002-03 cost-of-doing business adjustment due to the State's current fiscal situation.

For the last three years, this Administration has aggressively funded the Adoptions and Kinship Guardianship Assistance Payment programs. These two programs, among others, have significantly reduced the caseload for much of the Child Welfare Services (CWS) program. Notwithstanding this reduction in caseload, this Administration has provided funding for the CWS program in excess of that justified by current social worker caseload and workload standards, providing a total of \$420.4 million (\$237.9 million General Fund) more over the last three years to counties than caseload requires: \$68.4 million (\$40 million General Fund) in 1999-00, \$125.9 million (\$74.3 million General Fund) in 2000-01, and \$226.1 million (\$123.6 million General Fund) in 2001-02. In light of the State's current fiscal situation, these reductions are necessary to more closely align funding to current caseload standards.

Similarly, I am deleting \$3,000,000 General Fund and \$2,200,000 Federal Trust Fund for recent Adoptions Program cost-of-doing business augmentations due to fiscal constraints and limited resources in the General Fund. I am retaining funding of \$76.1 million (\$38.5 million General Fund) for the Adoptions Program.

I am reducing this item by \$5,575,000 to correct a technical error in the Budget Bill. This technical veto will conform to the Legislature's intent, and is consistent with the legislative action to reduce funding for the Adult Protective Services program by \$5.6 million General Fund. This reduction was correctly reflected in schedule (2) (e) 25.35.050-County Services Block Grant; however, it was not included in the total for this item.

Item 5180-151-0890—For local assistance, Department of Social Services. I reduce this item from \$1,195,571,000 to \$1,172,876,000.

I am reducing this item by \$22,695,000 to conform to the actions taken in Item 5180-151-0001.

Item 5180-491—Reappropriation, Department of Social Services. I revise this item by revising Provision 1.

In order to correct a technical error in the Budget Bill, I am amending Provision 1 by deleting the requirement that the amount of funding reappropriated for automation projects be consistent with the amount approved by the Department of Information Technology (DOIT) in a special project report or equivalent document. As statutory authority for the DOIT expired on June 30, 2002, this language is no longer applicable.

“1. It is the intent of this item to continue funding approved activities for the automation projects that, due to schedule changes, result in unexpended appropriations one year and the need for additional funding in the following year. Therefore, notwithstanding any other provision of law, the balance of the appropriations for these automation projects may, upon approval of the Department of Finance, be reappropriated for transfer to and in augmentation of the corresponding items in this act. The funds reappropriated by this provision shall be made available consistent with the amount approved by the Department of Finance and the Department of Information Technology based on an approved special project report or equivalent document not sooner than 30 days after providing notification in writing to the chairperson of the fiscal committee of each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee.”

Item 5460-485—Reappropriation (Proposition 98), Department of the Youth Authority. I delete this item.

I am deleting the \$2,600,000 reappropriation from the Proposition 98 Reversion Account, provided on a one-time basis to the Department of the Youth Authority for the enrichment of educational services. The additional funding for educational services has not been justified. This action will maintain Proposition 98 funding consistent with the level of the current ward population.

Item 6110-001-0001—For support of Department of Education. I reduce this item from \$45,131,000 to \$45,081,000 by reducing:

- (2) 20-Instructional Support from \$74,829,840 to \$74,779,840;
- (3) 30-Special Programs from \$43,401,280 to \$43,291,280; and
- (9) Amount Payable from Federal Trust Fund (Item 6110-001-0890) from -\$126,105,000 to -\$125,995,000.

I am reducing this item by \$50,000 to reflect savings that will occur in this item as a result of sustaining a legislative augmentation of \$53,000 as reflected in Provision 17 of Item 6110-001-0890, for monitoring and technical assistance for the California Youth Authority special education activities. That augmentation enables the Department to recover indirect costs that are billable to federal funds. Because the Department's costs for oversight of this activity will not significantly increase overall departmental indirect costs, funds in this General Fund item can be reduced with no effect on services to other programs.

I am reducing Schedules (3) and (9) by \$110,000 to conform to the action taken in Item 6110-001-0890.

Item 6110-001-0890—For support of Department of Education. I reduce this item from \$126,105,000 to \$125,995,000.

I am reducing the \$388,000 legislative augmentation for two additional staff for implementation of the 21st Century Community Learning Centers Program by \$110,000. While I am sustaining the two additional positions and \$278,000, the amount

reduced reflects indirect costs which have not been adequately justified. Five positions and \$523,000 remain available for the purposes of implementing the new federal program, which should be sufficient.

Item 6110-113-0001—For local assistance, Department of Education. I revise this item by reducing:

- (4) 20.70.030.006-STAR Program from \$15,827,000 to \$15,027,000.

This reduction is a technical adjustment to reflect the correct amount in Schedule (4). While the item total reflects the intended funding level, Schedule (4) contains \$800,000 more than intended.

Item 6110-123-0890—For local assistance, Department of Education. I delete Provision 2.

I am deleting Provision 2, which would require legislative notification prior to the adoption or amendment of any plan for disbursement of \$39,131,000 in federal funds for innovative programs to local education agencies. This is inconsistent with federal law, which required California to submit its application for funding under the No Child Left Behind Act prior to enactment of the budget. I understand this language was only intended to apply to new programs where allocation is subject to legislative direction. Consistent with this, I am deleting this provision because the reporting requirements for this existing program would needlessly delay the disbursement of these federal funds, which are disbursed based on a federally-mandated formula.

Item 6110-130-0001—For local assistance, Department of Education. I reduce this item from \$12,300,000 to \$10,300,000 by revising Provision 1.

I am deleting \$2,000,000 of the legislative augmentation for provision of Advanced Placement teacher training or tutoring services pursuant to Section 52247 of the Education Code. These reductions are necessary to limit program expansions and provide for a prudent General Fund reserve in light of the State's current fiscal condition. With these reductions, \$10,300,000 still remains to support the Advancement Via Individual Determination program.

I am revising Provision 1 to conform to this action.

- “1. Of the funds appropriated, \$1,300,000 is available for administration of the Advancement Via Individual Determination (AVID) centers and \$6,000,000 is available for competitive outreach grants to local education agencies for the AVID program. Notwithstanding any other provision of law, the remaining ~~\$5,000,000~~ \$3,000,000 shall be used solely for the provision of advanced placement teacher training or tutoring services, pursuant to Section 52247 of the Education Code.”

Item 6110-136-0890—For local assistance, Department of Education. I revise this item by deleting Provision 8.

I am deleting Provision 8 of this item, which makes the receipt of \$1,495,541,000 in Title I federal funds by school districts contingent upon the reporting of unspecified data that is necessary to meet the data reporting requirements of the federal No Child Left Behind Act of 2001. While it will likely be necessary for school districts to provide data to the State to meet these reporting requirements, federal law does not allow the State to condition the receipt of these funds on the provision of data. Thus, this language may constitute a state mandate requiring reimbursement from the General Fund. Item 6110-113-0890 contains \$6,880,000 for federally required data collection.

Item 6110-137-0890—For local assistance, Department of Education. I revise this item by deleting Provision 1.

I am deleting Provision 1 of this item, which requires legislative notification prior to adopting or amending any plan for the expenditure of \$2,426,000 in federal Rural and Low Income School Grant funds pursuant to the federal No Child Left Behind Act.

This provision conflicts with federal law that required the State Board of Education to submit the State's consolidated application prior to enactment of the budget bill. These funds are provided on a formula basis and are intended to provide small school districts with general purpose discretionary funding. I believe the notification requirement would delay the allocation of the funds and also impede the intended flexibility.

Item 6110-156-0001—For local assistance, State Department of Education. I reduce this item from \$605,038,000 to \$582,038,000 by reducing:

- (2) 10.50.010.008-Remedial education services for participants in the CalWORKs from \$31,739,000 to \$8,739,000,

and by revising Provision 2.

I am reducing the \$23,000,000 augmentation for remedial education services for CalWORKs participants. This augmentation consisted of \$10,000,000 for support services and \$13,000,000 for additional instruction for CalWORKs recipients in adult education programs or regional occupation centers and programs (ROC/Ps). With this action, \$9,900,000 in federal Temporary Assistance for Needy Families (TANF) funds remains in the Adult Education and ROC/P items to provide additional instruction for CalWORKs recipients in programs that are at or above their authorized average daily attendance cap. Support services are also provided through the federal Perkins Vocational and Technical Education Act, funded at \$138,445,000 and required to target CalWORKs participants in the welfare-to-work program. The funds reduced from this item are reserved for Proposition 98 contingencies in 2002–03. I am revising Provision 2 to conform to this action.

“2. The funds appropriated in Schedule (2) constitute the funding for both remedial education and job training services for participants in the CalWORKs program (Art. 3.2 (commencing with Section 11320) of Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions Code). Funds shall be apportioned by the Superintendent of Public Instruction for direct instructional costs only to school districts and Regional Occupational Centers and Programs (ROC/Ps) that certify that they are unable to provide educational services to CalWORKs recipients within their adult education block entitlement or ROC/P block entitlement, or both. However, of the funds appropriated in Schedule (2) of this item, an amount not to exceed \$10,000,000, as negotiated through an interagency agreement between the State Department of Education and the State Department of Social Services, shall be provided for Adult Education Programs, and ROC/Ps for the purposes of providing instructional and training supportive services for CalWORKs eligible members. These services shall include any of the following:

- (a) Career and educational guidance and counseling.
- (b) Training-related assessment.
- (c) Transportation to the classroom or worksite during training.
- (d) Job readiness training and services.
- (e) Job development and placement.
- (f) Postemployment support and followup to ensure job retention.
- (g) Coordination and referrals to other services provided through the State Department of Social Services; the Employment Development Department; the Local Workforce Investment Boards; community colleges; the Department of Rehabilitation; the Economic Development Agency; and other community resources.
- (h) Curriculum and instruction development to provide short-term integrated programs leading to employment.

- (i) Staff development costs resulting from policy development and training occurring between instructional staff and county welfare agencies in the coordination of the program.
- (j) One-time excess program startup costs.

Allocations shall be distributed by the Superintendent of Public Instruction as equal statewide dollar amounts, based on the number of CalWORKs eligible family members served in the county and subject to instructional and training support services needed annually by each agency as identified in the county CalWORKs Instruction and Job Training Plan required by Section 10200 of the Education Code.”

Item 6110-161-0001—For local assistance, Department of Education (Proposition 98). I am revising this item by revising Provision 15.

I am revising Provision 15 of this item by \$754,000 to conform to reductions required as a result of the Legislature’s revision to the level of Education Revenue Augmentation Fund available in 2002–03, and as a result of technical changes required to conform to providing a 2.0 percent cost of living adjustment for special education.

“15. Of the amount provided in Schedule (1) of this item, ~~\$8,943,000~~ \$8,189,000 shall be appropriated in the following priority sequence:

- (a) The Superintendent of Public Instruction shall allocate any additional amount, if needed, to augment the amounts appropriated in Schedules (1) and (2) of this item to ensure full funding for the 2002–03 fiscal year.
- (b) Once the Superintendent of Public Instruction has determined that none of the programs in Schedules (1) and (2) of this item require any additional funding pursuant to the statutory formulas contained in Chapter 854 of the Statutes of 1997 (AB 602), the remaining amount shall be allocated pursuant to Section 56836.158 of the Education Code.”

Item 6110-161-0890—For local assistance, Department of Education. I reduce this item from \$800,319,000 to \$798,369,000 by reducing:

- (4) 10.60.050.021-IDEA, Capacity Building, Special Education from \$44,858,000 to \$42,908,000,

and by revising Provisions 3 and 12.

I am deleting the \$1,700,000 legislative augmentation provided to expand the existing Family Empowerment Centers on Disabilities. I share the desire to improve results for all children, especially those with disabilities, which is why I signed legislation last year establishing the Family Empowerment Centers funded in this item. However, given that my Budget already provides \$2,372,000 for local assistance grants for Family Empowerment Centers on Disabilities, and given that the 12 centers funded through the existing resources have only recently been established, I believe funding to expand this program would not be prudent until results from existing efforts are reviewed.

I am deleting the \$250,000 legislative augmentation to fund licensed children’s institution growth. My Budget already provides \$1,000,000 for local assistance grants for emergency impactation on Special Education Local Plan Areas as the result of licensed children’s institution growth, and I have not been provided with adequate justification to warrant a program augmentation.

I am revising Provisions 3 and 12 to conform to these actions.

“3. Of the funds appropriated in Schedule (4) of this item, up to ~~\$1,250,000~~ \$1,000,000 may be used to fund licensed children’s institution growth pursuant to Section 56836.18 of the Education Code.”

“12. Of the funds appropriated in Schedule (4) of this item, ~~\$4,072,000~~ \$2,372,000 shall be used for the purposes of establishing Family Empowerment Centers on Disabilities pursuant to Chapter 690, Statutes of 2001.”

Item 6110-194-0001—For local assistance, Department of Education. I reduce this item from \$1,105,000 to \$105,000 by deleting:

(1) 20.60.101.001-Administrator Training and Evaluation Program (\$1,000,000), and by revising Provision 2.

I am reducing the legislative augmentation of \$1,000,000 in support costs for the Administrator Training and Evaluation Program. This reduction is necessary to provide for a prudent General Fund reserve and eliminate the former Administrator Training and Evaluation Program. With this reduction, \$14,336,000 still remains for Principal and Administrator Training and Evaluation Program training activities in programs established by this Administration.

Item 6110-194-0890—For local assistance, Department of Education. I reduce this item from \$5,000,000 to \$4,350,000, and delete Provisions 2, 3 and 4.

I am deleting \$250,000 and Provision 2 which would be used for data collection and evaluation related to the effectiveness of professional development programs. While I recognize the importance of evaluating the effectiveness of programs, given many of these programs are relatively new and the scarcity of resources, I believe funds should be focused on providing training.

I am deleting \$400,000 and Provisions 3 and 4 which would earmark these funds for an evaluation of cultural competency training for teachers and provide professional development to substitute teachers, respectively. Both of these programs could be established by pending legislation. I believe it is premature to set aside these funds before the policy merits of the respective related legislation have been decided. In addition, according to the legislation which would establish the substitute teacher training, funding would not be necessary until 2003–04.

Item 6110-195-0890—For local assistance, Department of Education. I reduce this item from \$317,526,000 to \$317,026,000 by reducing:

(1) 20.60.280-Improving Teacher Quality Local Grants from \$315,472,000 to \$314,972,000,

and by deleting Provision 1.

The reduction in Schedule (1) funding is a technical veto to account for this item over-appropriating the total amount of available federal funds by \$500,000.

I am deleting Provision (1), which specifies the uses of these federal funds. I would have preferred language that would have directed these funds to be used on a priority basis to ensure that class size reduction programs are maintained and teachers receive standards-aligned training. As federal law requires, the State has submitted an application for these funds that specifies their uses; therefore this language is unnecessary.

Item 6110-197-0890—For local assistance, Department of Education. I revise this item by deleting Provisions 2(b), 2(c), 2(d), and 2(h), and revising Provision 2(i).

I am deleting Provision 2(b) because this language is unnecessarily restrictive. It would limit the availability of \$3,500,000 to direct grants for programs serving middle and elementary school pupils to provide equitable access to and participation in programs. Analysis has not been performed to indicate the level of need for these types of grants. Furthermore, placing restrictions on these funds would limit the number of slots that could be created to serve additional children.

I am deleting Provision 2(c) because this language would restrict the availability of \$1,000,000 to fund direct grants for family literacy services for families of students participating in the 21st Century Community Learning Programs. Although I support family literacy programs, this allocation duplicates existing efforts funded through federal Title 3 Literacy funds and other available federal and state funding sources to provide family literacy. Limiting the availability of these funds would restrict the creation of additional before and after school slots.

I am deleting Provision 2(d) because this language is unnecessarily restrictive. It would limit the availability of \$2,500,000 to grants for high school programs. Denying accessibility to these funds to middle and elementary school programs, would restrict the creation of additional slots in an area where there is a known need. I am also deleting Provision 2(h) because the language would establish a program with reimbursement policies that conflict with those contained in existing statute, Article 22.5 (commencing with Section 8483.7) of Chapter 2 of Part 6 of Division 1 of the Education Code.

I am revising Provision 2(i) because this language conflicts with language contained in Provision 2(f) of this Item which requires programs to adhere to daily funding rates pursuant to Article 22.5 (commencing with Section 8482.5) of Chapter 2 of Part 6 of Division 1 of the Education Code.

“(i) Earned but unexpended funds may be carried forward to subsequent years consistent with federal requirements. ~~In year one, the full grant may be retained.~~”

As stated above, this language is unnecessarily restrictive and would result in higher costs per pupil. There is approximately \$14 million in quality applications pending for the existing Before and After School Learning and Safe Neighborhoods Partnership Program. The overall state need, however, is much greater. Given the success of this program in showing consistent patterns of positive results on student achievement, attendance, behavior, and reductions in grade attendance, I would prefer that the 21st Century federal funds be used to expand the existing program rather than creating additional cost pressures.

Item 6110-200-0001—For local assistance, Department of Education. I reduce this item from \$19,000,000 to \$2,000,000.

I am reducing the legislative augmentation of \$19,000,000 for Healthy Start Support Services by \$17,000,000. This reduction is necessary to limit program expansions and provide for a prudent General Fund reserve in light of the State’s current fiscal condition. The program level started with this augmentation would cause costs to multiply in future years. This action will have no effect on schools currently operating this program, as full funding for the multi-year grant period has been provided in past budgets.

The funds reduced from this item are reserved for Proposition 98 contingencies in 2002–03.

Item 6110-205-0001—For local assistance, Department of Education. I revise this item by deleting Provision 3.

I am deleting Provision 3 of this item, which authorizes the Department of Education to establish a pilot program for allocating this funding for the Elementary School Intensive Reading Program as a block grant for up to 20 districts, rather than through hourly reimbursement for services rendered. This proposed pilot is a significant alteration in the program’s current structure. The proposal does not contain any reasonable accountability to ensure that students receive necessary remedial services through this program, and may in fact reduce the total hours of service provided to students. Any program change of this magnitude should be considered in policy legislation, including review by legislative policy committees rather than solely through the budget process.

Item 6110-211-0001—For local assistance, Department of Education (Proposition 98). I reduce this item from \$49,721,000 to \$35,650,000.

I am reducing this Item for two reasons. First, technical reductions are necessary to reflect both the Legislature’s action to shift the calculation methodology for the block grant to appropriations made in the final Budget Act as well as the adjustments made to final school district funding levels, including the deferrals and reductions to categorical programs included in the final version of the Budget, that have the effect

of reducing this item's statutory growth calculation. Second, I am reducing the item to reflect my objection to the Legislature's intent to include the Instructional Materials Realignment Program (IMRP) in the block grant. I believe that allowing charter schools to use equivalent funding intended for IMRP purposes in any manner they choose would both undermine the Administration's objective to ensure availability of standards-aligned instructional materials for all students and unnecessarily increase state costs. Charter schools would still be eligible to receive their share of over \$400,000,000 available for IMRP remaining in the Budget.

The funds reduced from this item are reserved for Proposition 98 contingencies in 2002-03.

Item 6110-223-0001—For local assistance, Department of Education. I delete this item and Provisions 1 and 2.

I am deleting the legislative augmentation of \$36,000,000 for PERS offset mitigation because the May Revision already provided \$97,000,000 to fund the state's share of PERS costs for school classified employees. As rates increase in the future, the state will fund the entire amount of the employer's share of this cost, and the offset will diminish.

I am also deleting the legislative augmentation of \$42,000,000 for equalization adjustments for school district revenue limit apportionments. Given the subsequent \$406,000,000 augmentation contained in AB 2781 to be provided commencing with 2003-04 for revenue limit equalization, this one-time appropriation should be set aside for Proposition 98 contingencies in light of the State's current fiscal conditions.

The funds reduced from this item are reserved for Proposition 98 contingencies in 2002-03.

Item 6110-241-0001—For local assistance, Department of Education. I delete this item and Provision 1.

I am deleting this item, which provides \$150,000 for low-performing high schools, as it inadvertently made an appropriation for local assistance that was intended to provide state operations funding to support a new program to be created in pending legislation. This local assistance appropriation cannot be used for the intended purpose. In addition, I believe it is premature to earmark funding in the Budget until the policy merits of the legislation are decided.

The funds reduced from this item are reserved for Proposition 98 contingencies in 2002-03.

Item 6360-001-0407—For support of the Commission on Teacher Credentialing. I revise this item by deleting Provision 6.

I am deleting Provision 6, which would require the Commission to reduce processing times for first-time and new-type credential applications to 25 days. This is inconsistent with current statute that requires credentials to be processed in 60 days. The Teacher Credentialing Service Improvement Project will not be sufficiently complete to allow the Commission to realize significant savings in the staff time required to process credential renewal applications in 2002-03. Consequently, this provision could force the Commission to redirect resources from the processing of credential renewal applications, thereby generating an unacceptable increase in the time required to process these applications. Alternatively, this language could result in the Commission requesting additional funding and positions to meet this timeframe.

Item 6610-001-0001—For support of California State University. I reduce this item from \$2,617,173,000 to \$2,616,983,000 by reducing:

(1) Support from \$3,494,437,000 to \$3,494,247,000, and by deleting Provisions 18, 19, and 20.

I am deleting \$190,000 legislative augmentation to conduct a California State University (CSU) Export Delivery Study (\$140,000) and to fund the CSU Centers for

Excellence (\$50,000), pursuant to separate legislation. Notwithstanding the potential merits of the subject legislation, it is premature to include funding in the budget for these activities. I am willing to consider the legislation on its merits, and any funding necessary, once it is approved by the Legislature. I am deleting Provisions 18 and 19 to conform to these actions.

I am deleting Provision 20 because it requires the CSU to defer new expenditures for the CMS/Peoplesoft project, prohibits the University from entering into any new agreements needed to maintain the implementation schedule, and delays the completion of the project by one year. This language would increase project costs for the University and would delay the operational efficiencies the University believes will be achieved when the project is completed and delay staff training. I encourage the University to cooperate fully in the audit currently in progress of the project and expect continued adherence to all relevant information technology policies and bid procedures.

Item 6870-101-0001—For local assistance, Board of Governors of the California Community Colleges (Proposition 98). I reduce this item from \$2,670,792,000 to \$2,659,792,000 by reducing:

(12) 20.10.070-Matriculation from \$64,307,000 to \$54,307,000;  
and by deleting:

(12.5) 20.20.015-Faculty and Staff Development (\$1,000,000);  
and by revising Provision 1.

I am reducing the legislative augmentation for Matriculation by \$10,000,000, and I am also deleting the proposed augmentation of \$1,000,000 to continue the Faculty and Staff Development program. With this action, \$54,307,000 still remains to support Matriculation services. I also note that the general apportionment funding increase of over \$192 million in this Budget is more than \$43 million above the statutory requirement. Therefore, this Budget provides sufficient funds for colleges to sustain matriculation services if they are a priority. Further, funding for the Faculty and Staff Development program contains little meaningful accountability and represents only a fraction of the funds used by districts for training. I believe this is a significantly lower priority for state assistance than direct classroom instruction. Districts may use discretionary funds, as necessary, to fund these activities on a priority basis. I am revising Provision 1 to conform to this action.

“1. The funds appropriated in Schedules (1), (2), (3), (4), (5), (6), (8), (10), (11), (12), ~~(12.5)~~ (14), (15), (16), (17), (18), (22), and (25) are for transfer by the Controller during the 2002–03 fiscal year to Section B of the State School Fund.”

The funds reduced from this item are reserved for Proposition 98 contingencies in 2002–03.

Item 6870-485—Reappropriation, (Proposition 98) California Community Colleges. I revise this item from \$53,189,000 to \$34,497,000 by deleting Schedule (3).

In order to correct a technical error in the Budget Bill, I am reducing this item by \$9,692,000. I am also deleting the legislative augmentation of \$9,000,000 for Special Services for CalWORKs Recipients. I am supportive of this program as indicated by the \$20,000,000 General Fund restoration I provided for this program in the May Revision, for which local districts will provide an additional \$20,000,000. With this reduction, a total of \$63,000,000, will remain to support CalWORKs recipients attending community colleges.

Item 6870-486—Reappropriation, (Proposition 98) California Community Colleges. I delete this item.

I am deleting Item 6870-486, which would provide authority for the Chancellor to reappropriate for specified purposes up to \$20 million in prior year savings from categorical programs in Item 6870-101-0001. Such authority would limit the flexibility

of the Administration and Legislature to allocate Proposition 98 Reversion Account funds for future high priority K-14 demands.

Item 7980-001-0001—For support of Student Aid Commission. I revise this item by reducing:

- (1) 15-Financial Aid Grants Program from \$12,342,000 to \$12,244,000, and
- (5) Reimbursements from -\$3,195,000 to -\$3,097,000.

I am revising this Item to delete a \$98,000 legislative augmentation for reimbursements from the Student Loan Operating Fund to cover administrative costs for the Assumption Program of Loans for Education related to 1,000 additional awards added as part of an action to suspend the Governor's Teaching Fellowships for one year. The 2001 Budget Act included \$253,000 for three additional positions to administer this program, conduct a study to assess the administrative process for this and other Specialized Programs, and make recommendations for efficiency measures. The need for additional resources for this purpose has not been justified. In addition, it would be premature to provide additional funding until those recommendations have been made and considered.

Item 8100-101-0001—For local assistance, Office of Criminal Justice Planning. I reduce this item from \$45,856,000 to \$45,687,000 by reducing:

- (6) 50.20.352-Youth Emergency Telephone Referral from \$338,000 to \$169,000.

This reduction is necessary to provide for a prudent General Fund reserve for economic uncertainties. With this action, \$169,000 remains to support the Youth Emergency Telephone Referral program. I am revising Provision 3 to make two technical changes to this provision.

- “3. Of the amount appropriated in this item, \$800,000 appropriated in Schedule (20.5) shall be available for competitive grants for the California Innocence Protection Program. The OCJP shall make the funds available for the purpose of assisting convicted persons who are attempting to establish their actual innocence through the use of postconviction DNA testing. Grants shall only be used to represent indigent inmates convicted of a crime in a California court. Applications for funding provided pursuant to this item shall only be received from qualified nonprofit organizations meeting guidelines established by the American Bar Association for operating legal clinics using law students. It is the intent of the Legislature that funds provided to qualifying nonprofit organizations shall be made *available* as soon as possible in the interest of justice and shall be disbursed within 60 days of receipt of an application for funding. For qualified nonprofit organizations receiving funding under this program, at least 25 percent of their total budget for these purposes must come from other sources, which may include in-kind contributions.

Funding for this program shall not be expended for the purpose of court-approved DNA forensic testing under Section 1405 of the Penal Code.

Entities receiving funding under this program shall report to the OCJP the number of the requests received and the number of cases in which any of the following have occurred: (1) a preliminary investigation was conducted, (2) a full investigation was conducted and DNA testing was sought, (3) the appellant was represented in court proceedings or an attempt was made to vacate a conviction, and (4) an appellant's conviction was vacated or overturned as a direct result of the representation by the entity **or attorney**. The entities shall also provide detailed expenditure reports semiannually and annually on the use of funds provided under this program. These semiannual and annual reports shall also list all staff positions supported by this funding and their compensation. The OCJP shall prepare and submit a report to the Joint Legislative Budget Committee on or before February 1, 2003, on the foregoing information for each entity receiving funding under this program.”

Item 8100-112-0001—For transfer by the Controller to the High Technology Theft Apprehension and Prosecution Program Trust Fund. I reduce this item from \$13,518,000 to \$13,300,000.

I am reducing the amount available for transfer to the High Technology Theft Apprehension and Prosecution Program Trust Fund by \$218,000. This is a technical correction to this General Fund transfer item. The amount shown here reflects the total local assistance program funding, including federal funds, rather than the General Fund transfer portion that is appropriately scheduled in this item.

Item 8350-001-0001—For support of Department of Industrial Relations. I reduce this item from \$141,031,000 to \$136,815,000 by reducing:

(3) 30-Workers' Compensation Administration from \$99,405,000 to \$94,805,000;

(5) 36-Commission on Health & Safety and Workers' Compensation from \$2,666,000 to \$1,408,000; and

(20) Amount payable from the Workers' Compensation Administration Revolving Fund (Item 8350-001-0223) from -\$20,992,000 to -\$19,938,000;

and by deleting:

(38) Amount payable from the Workers' Occupational Safety and Health Education Fund (Item 8350-001-3030) (-\$588,000).

I am deleting the legislative augmentations provided to the Department of Industrial Relations for AB 749-related activities for training grants, workers' compensation studies, and workload in the Division of Workers' Compensation. Although I agree that AB 749 will increase the responsibilities of the department, these augmentations have not been fully justified. AB 749 does not take effect until January 1, 2003, and in light of the state's current fiscal condition, I have instructed the department to absorb the associated workload during the first six months of implementation for these purposes. To the extent that a comprehensive justification based on actual workload needs is available in the future, I would consider funding at that time. I am, however, retaining the \$1 million augmentation included in this item for fraud prevention activities.

Item 8350-001-0223—For support of Department of Industrial Relations. I reduce this item from \$20,992,000 to \$19,938,000 to conform to my action in Item 8350-001-0001.

Item 8350-001-3030—For support of Department of Industrial Relations. I delete this item.

I am deleting this item to conform to my previous action in Item 8350-001-0001.

SEC. 9.40—Proposition 40 Administration Cost Limits. I delete this Control Section.

I am deleting this control section which would restrict administrative expenditures for Proposition 40 bond funds to five percent of budget appropriations for all grant programs and property acquisitions made in the budget year. This is inconsistent with the provisions of Proposition 40, which require all program delivery and administrative costs be paid through the Bond Act. I have submitted an expenditure plan for Proposition 40 that meets current environmental acquisition priorities and is fiscally responsible. This plan sets aside adequate funds to deliver these necessary projects in a timely manner, in accordance with the intent of the electorate. I am directing all affected agencies and departments to provide for effective program delivery while controlling their administrative costs.

With the above deletions, revisions, and reductions, I hereby approve Assembly Bill 425.

GRAY DAVIS, Governor

- 2 [Ch. 957] I am signing Assembly Bill 2717, however, I am reducing the appropriation from the Renewable Resources Investment Fund to \$100,000.

This bill would require the Department of Water Resources to convene a Water Desalination task force to make recommendations related to potential opportunities for the use of seawater and brackish water desalination.

The revenues from the Renewable Resources Investment Fund are below projections and the fund is expected to have a significant shortfall this year. At a time when the state is dealing with a \$24 billion shortfall, any available funds should be used for on-going environmental activities and programs now supported by the General Fund that would otherwise be reduced or eliminated.

Studying the potential opportunities and impediments for the use of water desalination is an important step toward helping the state meet its water needs. Therefore, I am directing the Department of Water Resources to explore funding partnerships with interested local and private entities to accomplish this goal.

GRAY DAVIS, Governor

- 3 [Ch. 983] I am signing Assembly Bill 52, however, I am vetoing the \$2.4 million appropriation for the California Environmental Quality Improvement Loan Program and the \$2.4 million appropriation for the Coastal Farmland Preservation program.

Proposition 40 requires funds to be used for grants for the preservation of agricultural and grazing lands, including oak woodlands and grasslands. The California Environmental Quality Improvement Loan Program is not a grant program and is therefore ineligible.

Additionally, this bill creates the Coastal Farmland Preservation program at the Department of Conservation. This program is duplicative of the existing California Farmland Conservancy Program and other efforts by the State Coastal Conservancy to protect coastal agricultural and rangeland currently funded through Propositions 12 and 40.

GRAY DAVIS, Governor

- 4 [Ch. 1066] I am signing Assembly Bill 2583.

This bill would establish the California Campus Sexual Assault Task Force to develop a uniform system for gathering information pertaining to campus sex crimes and to create a set of model guidelines for addressing these crimes on higher education campuses. The 15-member task force would be required to present a report to the Legislature by April 1, 2004. The bill also appropriates \$125,000 to the Office of Criminal Justice Planning (OCJP).

Addressing campus sex crimes is a worthwhile endeavor.

This bill appropriates \$125,000 General Fund at a time when the State is experiencing a severe revenue shortfall. Therefore, I am deleting the funding and directing OCJP to absorb the costs of the task force from within existing resources.

GRAY DAVIS, Governor

- 5 [Ch. 1079] I am signing Senate Bill 1244. However, I am vetoing Section 2 (8) (d) of this measure, which would authorize the Medical Board of California to expend the first \$300,000 deposited in the Contingent Fund of the Medical Board of California in the 2002-03 fiscal year pursuant to Section 125.3. Existing law already requires the Board to complete the peer review study for which this funding would be provided and I do not support appropriating additional funds for this purpose, especially given the already insecure fiscal condition of the fund.

GRAY DAVIS, Governor

- 6 [Ch. 1126] I am signing Assembly Bill 716 because it highlights the importance of the state's historical and cultural resources and because it appropriates funds specified in Proposition 40. In particular, it is important to disburse the monies that Proposition 40 allocated for San Francisco, Los Angeles and other specific areas in a timely manner that meets the local recreation needs of these communities and the expectations of the voters.

However, with respect to the \$128 million earmarked for the California Cultural and Historical Endowment that this bill seeks to create, I regret that I must delete the monies for this purpose. There are several reasons for this action. First, given the state's fiscal condition, now is not the time to establish a new, permanent bureaucratic entity with broad new duties. Second, the duties of the Endowment as proposed in this measure extend well beyond competitive grant-making responsibilities and would create significant general fund cost pressure. For example, while the comprehensive study the bill would require by January 1, 2005 may be desirable, such a multi-million dollar study could not be funded with bond money.

Moreover, the proposed endowment appears to be significantly redundant and unnecessary given the duties and expertise of the Department of Parks and Recreation, the Office of Historic Preservation (OHP) and the State Historic Resources Commission. In particular, by directing the Endowment to conduct competitive grantmaking for historical preservation purposes, the bill undermines the successful efforts of the OHP and the Commission in disbursing Proposition 12 historical preservation monies. Failure to take advantage of such expertise will lead to unnecessary costs and delays in implementation of competitive grants. For this reason, I am directing the Secretary for Resources to seek \$10 million in the budget to fund an initial competitive grants program to be administered by the Office of Historic Preservation that will build upon the success of its current program.

Additionally, while I applaud the authors for their admirable efforts to craft a high-profile structure for enhancement of historical and cultural resources, I am concerned that the timing of the conference committee and the conference report language did not allow for meaningful discussion among stakeholders. Such stakeholder input is key to ensuring that an effective, efficient and respected process for disbursing Proposition 40 monies is crafted. For this reason, I am directing the Secretary for Resources to conduct a series of stakeholder meetings during the legislative recess for the purpose of discussing the best approaches for funding historical, cultural and museum projects.

Finally, there are many significant, high-priority state and local cultural and historical projects that should be funded. These include the Department of Parks and Recreation's projects as included in the May Revise-the Statewide Indian Museum, California Heritage Center, the John Marsh home and the Adamson House collection, as well as local assistance funding for the California Academy of Sciences in San Francisco. For this reason, I am directing the Department of Parks and Recreation to utilize \$5 million in Proposition 40 monies for the development of the Statewide Indian Museum. Moreover, the other projects should be directly funded from the cultural and historical monies and I am directing the Department of Finance to include these important projects in my 2003-04 budget.

GRAY DAVIS, Governor

- 7 [Ch. 1127] I have signed Assembly Bill 1768, but I am deleting the provision for funding up to \$15,000,000 for the Governor's Security Advisor upon receipt of funding from federal allocations for Homeland Security. Given the uncertainty of the availability of federal funds, it is premature to require that the expenditure be limited to equipment standards placed in statute given that the existing Public Safety Radio Strategic Planning Committee is developing a statewide solution for radio interoperability

systems for all first responders. Their standards will assure that California's emergency first responders will have equipment that complies with the statewide interoperability radio standards and that this equipment, subject to federal funding, will provide badly needed equipment for all of the State's emergency personnel in the improvement of public safety.

Use of these funds should be consistent with established communication plans and systems authorized under the California Emergency Services Act including the California Emergency Plan, the California State Mutual Aid Radio System Plan, and other state and local plans providing for multi-discipline radio interoperability. This bill would unnecessarily specify a technology standard that could be overly restrictive. It is my preference that instead of being restrictive, the State in its procurements should maximize the use of business competition, thereby ensuring reasonable cost to the State and acquisition of proven, established, stable technology and equipment.

GRAY DAVIS, Governor

- 8 [Ch. 1147] I am signing Assembly Bill 2838, but reducing the appropriation from the Public Utilities Commission Utilities Reimbursement Account from \$445,000 to \$222,500.

This bill requires the Public Utilities Commission (PUC) to act on water utilities' rate applications within specified timelines and allows water utilities to enact interim rates at the rate of inflation when their rate cases are delayed, subject to refunds by the PUC. The bill also requires water utilities to file a rate application with the PUC every three years.

GRAY DAVIS, Governor

- 9 [Ch. 1163] I am signing Assembly Bill 1634, which would require new curriculum development in nutrition and would create a new school garden grant program.

I certainly share the author's belief in the importance of nutrition education. Many studies have demonstrated that infancy, toddler years, and early childhood are the most important developmental states for children. During these early years of a child's development, it is essential to establish healthy eating and exercise patterns.

As evidenced by a letter to the Assembly Journal, the author intended that the \$200,000 appropriation contained in this bill would be a subset of an appropriation contained in the Budget Act for similar purposes. While she has committed to carrying cleanup language next year to rectify the error, a more expeditious remedy is for me to strike the \$200,000 appropriation from this legislation.

Lastly, it is my intent that the State Department of Education will develop the nutrition curricula and related best practices from existing departmental resources.

With that understanding, I am pleased to sign this legislation, but am vetoing the \$200,000 appropriation.

GRAY DAVIS, Governor

- 10 [Ch. 1167] I am signing Assembly Bill 2781. However, I am reducing the portion of the appropriation for school district revenue limit equalization by \$203,000,000 that is based on revenue limits prior to the re-benching of excused absences in 1997-98. I intend to set this amount aside for subsequent legislation that accomplishes the intent of legislation I signed last year (Chapter 165, Statutes of 2001), which established a statewide equalization goal.

Let me be clear. I am fully committed to providing full funding for equalization in the 2003-04 Budget Year. However, I am opposed to the formula used to determine equalization funding in this bill. By splitting equalization into disparate allocation

methods, as proposed by AB 2781, the State does not actually reach an equalized endpoint. Consequently, this bill creates continued pressure to fund further rounds of equalization in future years. It is estimated that an additional \$195 million to \$200 million would still be required to fully equalize revenue limits computed on the basis of current state policy. As mentioned above, I intend to sign subsequent legislation that appropriates up to \$203,000,000 to complete full equalization consistent with the current statutory goal. That subsequent legislation should also delete Section 7 and subdivision (c) of Section 42 of this statute to conform.

Further, I am reducing the appropriation for the Standardized Testing and Reporting (STAR) program by \$800,000 to correct an unintentional overappropriation of the item.

The effect of my actions are reflected as follows:

SEC. 44. The sum appropriated in Item 6110-113-0001 of Section 2.00 of the Budget Act of 2002 is hereby augmented by forty-five million eight hundred nine thousand dollars (\$45,809,000) and the amount appropriated in Schedule (4) of that item is augmented by forty-five million eight hundred nine thousand dollars (\$45,809,000).

SEC. 51. (a) The amount of two hundred three million dollars (\$203,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction for the 2003-04 fiscal year for the following purposes:

(1) Two hundred three million dollars (\$203,000,000) for purposes of Section 42238.44 of the Education Code, to be allocated to school districts on a pro rata basis.

(b) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by this section shall be deemed to be "General Fund revenues appropriated to schools districts," as defined in subdivision (c) of Section 41202 of the Education Code for the 2003-04 fiscal year and be included within the "total allocations to schools district and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XVII B," as defined in subdivision (e) of Section 41202 of the Education Code for the 2003-04 fiscal year.

GRAY DAVIS, Governor



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# **CROSS REFERENCE TABLES**

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34	728	496	906	982	1131
42	729	498	575	989	701
47	519	499	746	1000	637
52	983	500	867	1008	723
55	1015	516	100	1010	688
57	835	551	1162	1026	313
58	836	555	1116	1045	1157
65	730	593	1023	1059	940
74	605	601	179	1068	1030
80	837	610	121	1087	48
81	57	625	1125	1108	638
105	865	629	937	1119	639
116	716	630	938	1122	35
117	838	643	1117	1131	11
131	30	662	151	1139	827
137	188	666	588	1140	1089
138	455	669	731	1145	24
154	13	670	134	1146	294
168	36	690	939	1155	907
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227	22	693	199	1170	724
255	54	700	1054	1173	987
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269	107	716	1126	1227	942
270	231	728	312	1234	839
275	522	736	456	1235	840
299	936	746	1112	1242	18
310	619	749	6	1243	1144
312	1020	776	426	1282	549
320	634	797	380	1285	59
337	771	857	1016	1296	314
352	58	858	985	1314	640
355	120	879	986	1316	872
364	635	885	801	1317	136
374	719	886	180	1327	7
381	745	887	27	1330	190
400	364	890	427	1336	181
410	558	892	559	1342	458
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1400	381	1797	233	1933	193
1401	794	1803	234	1934	183
1408	524	1818	1168	1936	459
1412	988	1819	62	1937	270
1414	8	1821	388	1938	1118
1421	1017	1823	841	1943	781
1425	428	1825	869	1945	1119
1433	60	1828	102	1946	550
1448	28	1830	685	1948	493
1454	642	1833	430	1950	236
1458	152	1835	526	1956	748
1482	359	1838	606	1957	644
1486	429	1840	689	1958	123
1493	200	1847	870	1961	109
1506	868	1848	49	1962	945
1509	153	1850	417	1964	159
1531	9	1854	157	1965	202
1543	19	1855	990	1967	139
1559	45	1857	389	1968	843
1561	421	1858	1090	1969	1019
1590	401	1859	492	1974	1133
1599	525	1860	382	1979	271
1634	1163	1863	182	1982	189
1684	40	1864	50	1984	1025
1694	918	1866	1062	1985	873
1698	1018	1867	527	1988	333
1703	137	1868	1057	1989	272
1714	154	1872	717	1990	991
1729	29	1873	63	1992	74
1734	61	1874	108	1994	1058
1742	560	1875	390	1996	795
1746	450	1881	561	1997	613
1748	476	1883	402	1999	705
1749	155	1886	590	2002	460
1752	156	1889	732	2003	702
1753	191	1891	725	2005	383
1757	365	1892	79	2006	1041
1758	332	1893	158	2007	431
1759	38	1895	944	2008	296
1760	41	1900	366	2009	334
1765	78	1901	643	2012	749
1768	1127	1902	703	2013	645
1769	699	1906	528	2015	335
1770	295	1908	871	2018	1091
1772	813	1909	192	2020	814
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2043	494	2179	797	2321	1007
2044	648	2181	161	2324	495
2045	562	2182	162	2326	653
2051	442	2184	650	2328	477
2052	336	2191	853	2330	1061
2055	1059	2192	879	2331	815
2057	337	2193	339	2334	1027
2058	844	2194	384	2336	65
2059	733	2195	275	2338	1063
2060	875	2196	87	2339	529
2061	338	2197	684	2344	404
2064	273	2198	735	2346	185
2065	488	2202	551	2351	995
2067	852	2203	240	2352	478
2072	1113	2205	687	2354	520
2075	919	2206	736	2355	451
2078	750	2211	1092	2356	591
2080	909	2214	513	2359	996
2082	237	2216	447	2360	578
2083	512	2217	1026	2362	293
2085	796	2219	340	2364	452
2092	432	2224	341	2366	654
2094	292	2227	548	2368	371
2105	160	2228	845	2370	614
2106	64	2235	1135	2382	141
2112	103	2238	621	2384	923
2114	125	2244	778	2385	816
2118	368	2251	854	2387	164
2122	83	2252	194	2388	776
2125	876	2264	651	2390	946
2126	433	2267	652	2397	947
2127	620	2271	752	2398	88
2131	877	2273	418	2399	737
2132	751	2274	563	2401	565
2133	238	2276	241	2402	186
2140	369	2277	753	2404	111
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2449	316	2587	615	2780	884
2456	196	2589	443	2781	1167
2457	948	2593	343	2783	594
2459	531	2596	1146	2784	143
2461	566	2597	53	2785	444
2462	479	2598	344	2787	726
2469	949	2606	317	2791	169
2470	707	2612	882	2793	911
2471	622	2619	921	2794	831
2472	242	2630	754	2798	532
2473	997	2631	953	2800	245
2474	998	2637	1001	2801	246
2477	1044	2645	1120	2807	497
2481	999	2647	168	2811	659
2484	165	2650	1129	2816	1098
2486	1000	2653	788	2817	1099
2493	197	2655	345	2818	691
2495	1065	2656	1158	2823	533
2499	828	2657	51	2826	534
2502	90	2659	623	2831	128
2504	1094	2668	755	2832	959
2506	1095	2670	690	2834	1128
2508	106	2672	858	2837	885
2509	298	2674	756	2838	1147
2511	655	2678	954	2842	1068
2519	112	2681	360	2846	170
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2525	950	2695	830	2855	660
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2544	372	2727	958	2875	692
2546	817	2732	818	2879	661
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2913	1070	2972	1074	3030	1159
2915	1101	2973	405	3032	927
2917	93	2979	374	3033	759
2923	348	2981	535	3034	664
2925	144	2982	375	3035	300
2928	1072	2984	203	3036	1115
2929	890	2985	662	3040	1139
2931	922	2993	596	3041	1052
2934	349	2994	926	3042	966
2935	1138	2996	805	3044	376
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2937	1073	3000	1124	3047	350
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59	800	556	982	1135	929
65	1	564	481	1156	1145
68	761	577	820	1162	1140
91	407	580	249	1164	1104
97	539	584	172	1189	47
105	1102	585	10	1214	252
107	4	621	1103	1227	26
170	1076	646	669	1230	821
174	1077	648	408	1231	43
180	666	649	625	1232	222
183	56	657	34	1233	223
192	582	682	913	1234	217
199	1034	686	790	1236	859
219	807	688	448	1239	860
222	278	701	782	1240	319
238	967	711	5	1241	609
246	248	728	14	1242	632
247	914	772	783	1244	1079
253	789	796	696	1251	465
259	3	800	722	1253	253
278	892	801	15	1254	254
283	667	803	250	1257	610
284	498	812	423	1259	861
309	553	823	21	1263	131
319	668	836	17	1264	439
330	1078	842	791	1265	377
332	31	843	763	1267	281
339	554	844	362	1268	75
369	12	849	514	1269	567
371	1047	857	251	1271	67
372	721	873	280	1278	542
398	928	879	499	1281	466
399	480	898	777	1287	611
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1339	320	1460	468	1586	547
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128	1	173	73	214	85
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**STATUTORY RECORD**

Sections affected by statute enacted during the 2002 portion of the 2001–02 Second Extraordinary Session are included in the 1999–2002 Statutory Record, beginning on page S–5.

**INDEX**

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**STATUTORY RECORD**

Sections affected by statutes enacted at the 2001–02 Third Extraordinary Session are included in the 1999–2002 Statutory Record, beginning on page S–5.

**INDEX**

Indexing entries for the chapters and resolution chapter enacted at the 2001–02 Third Extraordinary Session are included in the Index. The chapter number is followed by (3X).



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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  
3X =Third 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.



**BUSINESS AND PROFESSIONS CODE**

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22	1999	656	Am		2001	159	Am <sup>305</sup>
25	2002	1013	Am	351	2000	984	Ad <sup>289</sup>
27	1999	655	Am		2002	405	R
	1999	784 *	Am <sup>82</sup>	352	2000	984	Ad <sup>289</sup>
	2000	927	Am	450.2	2002	1150	Ad
	2001	159	Am <sup>305</sup>	453	2002	1150	Ad
28	2002	1013	Am	472.4	2002	107	Am
29	2002	1013	Am	473.1	2000	393	Am
30	1999	652	Am (by Sec. 1.5 of Ch.)		2002	825	Am
				473.15	2000	199	Am
32	2002	1013	Am		2002	681	Am
101	1999	655	Am		2002	1012 *	Am (by Sec. 1.5 of Ch.)
	2000	697	Am (by Sec. 1 of Ch.)	473.16	2000	393	R
	2001	615 *	Am	473.17	2000	393	R
	2001	687	Am (by Sec. 1.5 of Ch.)	473.2	2000	393	Am
101.1	1999	983	Am	473.3	2000	393	Am
113	2000	277	Am		2001	399	Am
	2001	159	Am <sup>305</sup>	473.5	2000	393	Am
119	2000	568	Am	473.6	2002	1012 *	Am
120	2000	1055 *	Am	488	2000	568	Ad
121.5	2001	306	Ad	511.1	1999	545	Ad <sup>56</sup>
	2001	435	Ad		2000	1069	Am
	2002	405	R (as ad by Stats. 2001, Ch. 306)	650	2000	843	Am
					2000	867	Am <sup>82</sup>
125.3	2001	728	Am		2001	728	Am
125.9	2000	197	Am	650.02	2002	309	Am
	2001	309	Am	650.1	2000	836	Am
	2001	728	Am	650.4	2002	1013	Am
128.5	2000	1054	Am	651	1999	631	Am (by Sec. 1 of Ch.)
130	2000	1054	Am		1999	856	Am (by Sec. 2 of Ch.)
	2001	159	Am <sup>305</sup>		2000	135	Am <sup>203</sup>
138	1999	67 *	Am		2002	313	Am
139	1999	67 *	Ad	655.5	2000	251	Am
144	2000	697	Am	680	1999	411	Am
	2001	159	Am <sup>305</sup>		2000	135	Am <sup>203</sup>
	2001	687	Am	681	1999	748	Ad
	2002	744	Am (by Sec. 1 of Ch.)	685	2002	683	Ad <sup>175</sup>
				704	1999	631	Am
146	2002	825	Am	728	2002	1013	Am
146.5	2001	357	Am	730	1999	83	Am (as ad by Stats. 1997, Ch. 400) & RN <sup>30</sup>
	2002	405	Am <sup>68</sup>				
149	2000	1054	Am (by Sec. 3 of Ch.)	730.5	1999	83	Ad(RN) <sup>30</sup>
	2000	1055 *	Am (by Sec. 2 of Ch.) <sup>14</sup>	800	1999	252	Am
			Am (by Sec. 2.5 of Ch.) <sup>25</sup>		1999	655	Am
					2002	1085	Am
153.5	2002	1079 *	Ad		2002	1150	Am (by Sec. 2.5 of Ch.)
205	2000	1054	Am (by Sec. 4.5 of Ch.)	801	2002	1085	Am
				801.1	2002	1085	Am
	2001	687	Am	802	2001	728	Am
207	2002	682	Ad		2002	1085	Am
312	2002	405	Am	802.3	2002	1085	Ad
327	2002	405	R	803	2001	728	Am
335	2002	405	R	803.1	2000	836	Am
336	2002	405	R		2002	1085	Am
350	2000	984	Ad <sup>289</sup>	803.2	2001	728	Am

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803.5	2000	867	Am	1288.3	1999	748	Ad <sup>25</sup>
805	1999	252	Am	1300	1999	70	Am
	2001	614	Am		1999	979	Am <sup>113</sup>
	2002	1012*	Am		2002	356*	Am
805.1	2001	614	Am	1301	2000	322	Am
805.2	2001	614	Ad	1311	2000	322	Ad
	2001	615*	Ad	1324	2000	322	Am
	2002	664	Am <sup>431</sup>	1416	2001	687	Ad
	2002	1079*	R (as ad by Sec. 4, Stats. 2001, Ch. 614) Am (as ad by Sec. 2, Stats. 2001, Ch. 615) <sup>37</sup>	1416.1	2001	687	Ad
				1416.10	2001	687	Ad
				1416.12	2001	687	Ad
				1416.2	2001	687	Ad
				1416.20	2001	687	Ad
1416.22				2001	687	Ad	
1416.24				2001	687	Ad	
1416.26	2001	687	Ad				
805.5	1999	655	Am	1416.28	2001	687	Ad
	2001	614	Am	1416.30	2001	687	Ad
805.6	2001	614	Ad	1416.32	2001	687	Ad
805.7	2001	614	Ad	1416.34	2001	687	Ad
	2002	1012*	Am	1416.36	2001	687	Ad
806	2001	614	Am	1416.38	2001	687	Ad
808.5	1999	655	Ad	1416.4	2001	687	Ad
852	2000	802	Ad	1416.40	2001	687	Ad
853	2000	802	Ad	1416.42	2001	687	Ad
	2002	1157	R & Ad	1416.44	2001	687	Ad
854	2002	1157	Ad	1416.45	2001	687	Ad
855	2002	1157	Ad	1416.46	2001	687	Ad
860	2002	541	Ad	1416.48	2001	687	Ad
920	2002	1085	Ad	1416.50	2001	687	Ad
921	2002	1085	Ad	1416.55	2001	687	Ad
922	2002	1085	Ad	1416.57	2001	687	Ad
1003	2000	867	Ad <sup>251</sup>	1416.6	2001	687	Ad
1004	2000	867	Ad <sup>251</sup>	1416.60	2001	687	Ad
1206.5	1999	70	Am	1416.62	2001	687	Ad
	2001	501	Am (by Sec. 1 of Ch.)	1416.64	2001	687	Ad
				1416.66	2001	687	Ad
				1416.68	2001	687	Ad
				1416.69	2001	687	Ad
				1416.70	2001	687	Ad
				1416.72	2001	687	Ad
				1416.74	2001	687	Ad
1416.75	2001	687	Ad				
1220.5	1999	748	Ad	1416.76	2001	687	Ad
1241	2000	322	Am	1416.77	2001	687	Ad
	2001	640	Am	1416.78	2001	687	Ad
1242	1999	695	Am	1416.80	2001	687	Ad
1242.5	1999	695	Am	1416.82	2001	687	Ad
1246	1999	695	Am	1416.84	2001	687	Ad
1246.5	2001	80	Am	1416.86	2001	687	Ad
1247.4	1999	979	Am	1601	1999	655	Am
1247.63	1999	979	Am <sup>3613</sup>		2001	532	Am <sup>5</sup>
1247.64	1999	979	Am <sup>3613</sup>		2001	625	Am <sup>82</sup>
1247.66	1999	979	Am <sup>3613</sup>	1601.1	2001	532	Ad (by Sec. 2.5 of Ch.) <sup>70</sup>
1247.95	1999	979	R				R <sup>63</sup>
1260.3	2002	356*	Ad				Ad <sup>70</sup>
1265	1999	70	Am				R <sup>63</sup>
	2000	322	Am				Ad <sup>345</sup>
1269	1999	695	Am				R <sup>63</sup>
1269.5	2000	322	Ad				
1281.1	2000	322	Ad		2001	625	
1282.2	2000	322	Ad				
1282.3	2000	322	Ad	1601.2	2002	107	Ad
	2001	854	Am	1601.3	2001	615*	Ad <sup>345</sup>
1287	2000	322	Am				R <sup>63</sup>

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1603	2001	532	Am	1684	1999	655	Ad
1616.1	2001	745 *	R		2000	836	Am (as ad by Stats. 1999, Ch. 655) & RN
1616.5	2001	532	Am <sup>5</sup> Ad <sup>70</sup> R <sup>63</sup>	1684.1	2000	836	Ad(RN)
1618.5	1999	525	Am <sup>112</sup>	1686	1999	655	Am
	2000	857	Am <sup>203</sup>	1701.1	1999	655	Ad
1620	2002	405	R	1701.5	1999	655	Am
1620.1	2001	615 *	Ad	1716.1	2001	728	Am
1621	2001	728	R & Ad	1741	2002	810	Am
1621.1	2001	728	R	1742	2001	532	Am <sup>70 18</sup>
1621.3	2001	728	R	1742.1	2002	107	Ad
1621.4	2001	728	R	1743	2001	728	Am
1621.5	2001	728	R	1744	2001	728	Am
1621.6	2001	728	R	1749	2001	532	Am
1626.5	1999	655	Ad	1753	1999	655	Am
1628	2001	532	Am (as am by Sec. 1, Stats. 1997, Ch. 792) <sup>19</sup>		2001	532	Am
			Am (as ad by Sec. 2, Stats. 1997, Ch. 792) <sup>22</sup>	1753.5	2001	532	Ad
1635.5	2001	507	Ad <sup>35</sup>	1758	2002	691	Am (by Sec. 2 of Ch.)
1636	2001	532	Am <sup>19</sup>		2002	810	Am & RN (by Sec. 3 of Ch.)
1636.5	2001	532	Am <sup>19</sup>	1759	2002	810	R
1638.7	2001	532	Ad	1760	2002	810	Am
1640	1999	655	Am	1760.5	2002	810	Ad
1640.1	1999	655	Ad	1761	2002	810	Am & RN & Ad
1640.2	1999	655	Ad	1762	2002	810	Am & RN & Ad
1641	1999	655	Am	1763	2002	810	Am & RN & Ad
1642	1999	655	Am	1764	2002	810	Am & RN & Ad
1645.1	2001	532	Ad	1765	2002	810	Am & RN & Ad
1646.7	1999	177	Am (as am by Sec. 1, Stats. 1998, Ch. 505) <sup>5</sup>	1766	2002	810	Am & RN Ad(RN) (by Sec. 3 of Ch.)
			Am (as ad by Sec. 2, Stats. 1998, Ch. 505) <sup>8</sup>	1767	2002	810	R & Ad
	2001	728	R (as am by Sec. 2, Stats. 1999, Ch. 177)	1768	2002	810	Am & RN & Ad(RN)
			Am (as am by Sec. 1, Stats. 1999, Ch. 177) <sup>13</sup>	1769	2002	810	Ad(RN)
1646.9	1999	177	Am <sup>5</sup>	1770	2002	810	Am & RN (by Sec. 21 of Ch.) & Ad(RN)
	2001	728	Am <sup>75</sup>		2002	811	Am & RN (by Sec. 1.5 of Ch.)
1647.11	2000	9 *	Am	1771	2002	810	Ad(RN)
	2001	159	Am <sup>305</sup>	1772	2002	810	Ad(RN)
1647.12	2001	728	Am	1773	2002	810	Ad(RN)
1648.15	2001	532	Ad	1774	2002	810	Ad(RN)
1648.20	2002	1150	Am	1775	2002	810	Ad(RN) (by Sec. 21 of Ch.)
1658.1	2000	224	R & Ad		2002	811	Ad(RN)
1680	2001	308	Am	1970	2002	1131	Ad
	2002	664	Am <sup>431</sup>	1970.5	2002	1131	Ad
1682	2001	308	Am	1971	2002	1131	Ad
				1972	2002	1131	Ad
				1973	2002	1131	Ad
				1975	2002	1131	Ad
				1976	2002	1131	Ad
				2001	2002	1085	Am <sup>79 43</sup>
				2001.1	2002	107	Ad
				2008	2002	1085	Am
				2013	2002	1085	Am
				2020	2002	1085	Am <sup>79 43</sup>

**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
2026	2002	1085	R		2001	617	Am
2027	1999	784 *	Am	2234	2002	1085	Am
	2002	1085	Am	2240	1999	944	Ad
2028	2001	464	Ad	2241.6	2001	518	Ad
	2002	664	Am <sup>431</sup>	2242	2000	835	Am
2052	2002	1085	Am	2242.1	2000	681	Ad
2053	2002	1085	R	2244	1999	922	Ad
2053.5	2002	820	Ad	2245	1999	177	Am <sup>5</sup>
2053.6	2002	820	Ad		2001	728	Am <sup>75</sup>
2054	2002	87	Am	2246	2002	1085	Ad
2065	2001	728	Am	2248.5	2002	531	Ad
2066	2000	836	Am	2249	2001	730	Ad
	2001	728	Am		2002	664	Am <sup>431</sup>
2069	2001	358	Am	2253	2000	692	Am
2070	2001	358	Am		2002	385	Am
2072	2001	728	Am	2259.7	1999	631	Ad
2073	2001	728	Am	2260.5	2002	821	Am
2079	1999	177	Am <sup>5</sup>	2273	2000	867	Am
	2001	728	Am <sup>75</sup>	2277	1999	655	Am
2083	1999	631	Am	2313	2001	518	Am
2085	1999	655	Am		2001	614	Am
2088	2001	728	R		2002	664	Am <sup>431</sup>
2089	1999	403	Am		2002	1085	Am
2099.5	2000	197	Am	2341	2000	836	Am
2102	2001	728	Am	2342	2000	836	Am
2103	1999	655	Am	2344	2000	836	Am
2104.5	2002	1136	Ad	2350	2000	836	Am
2107	1999	655	Am		2002	1085	Am
2111	1999	655	Am	2352	2000	836	Am
2113	1999	655	Am	2352.1	2000	836	Ad
2119	1999	655	R	2354	2000	836	Am
2135.5	2002	1085	Ad	2355	2000	836	Am
2153.5	2002	1131	Ad	2401	2001	321	Am
2154	2002	1131	R & Ad		2002	664	Am <sup>431</sup>
2154.1	2002	1131	Ad	2415	2000	568	Am
2154.2	2002	1131	Ad	2417	2000	867	Ad
2154.3	2002	1131	Ad		2001	328	R & Ad
2154.4	2002	1131	Ad	2420	2000	836	Am
2154.5	2002	1131	Ad	2425.1	2001	509	Ad
2154.6	2002	1131	Ad	2425.3	2001	509	Ad
2154.7	2002	1131	Ad	2435	2002	1085	Am
2168.2	1999	655	Am	2442	1999	631	Ad
2178	1999	655	R	2450.1	2002	107	Ad
2179.5	2000	440	R	2454	2000	197	R
2183	2000	440	Am	2460	2002	1150	Am <sup>424 68</sup>
2185	1999	655	R	2460.1	2002	107	Ad
2190.2	2000	440	Ad	2467	2000	836	Am
2190.3	2000	440	Ad	2468	2000	836	Am
2190.5	2001	518	Ad	2470	2001	435	Am
2191.2	2000	440	Am	2471	2001	435	Am <sup>73</sup>
2216.1	1999	944	Ad				R <sup>22</sup>
2216.2	1999	944	Ad	2474	2002	87	Am
	2000	6 *	Am	2475	1999	655	Am (as am by
2220.05	2002	1085	Ad				Sec. 19 and
2220.08	2002	1085	Ad				Sec. 20,
2220.1	2002	1085	Ad <sup>532</sup>				Stats. 1998,
			R <sup>80</sup>				Ch. 736)
2220.6	2000	867	Ad		2001	615 *	R (as am by
2227	2002	1085	Am				Sec. 27,
2227.5	2002	816	Ad				Stats. 1999,
2230.5	2000	269	Am				Ch. 655) & Ad

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**BUSINESS AND PROFESSIONS 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>
2475 (Cont.)	2002	1150	Am	2570.13	2000	697	Ad
2486	2000	568	Am	2570.14	2000	697	Ad
	2002	1150	Am	2570.15	2000	697	Ad
2489	2000	836	R	2570.16	2000	697	Ad
2496	2002	1150	Am		2002	1011	Am
2499.5	1999	655	Am	2570.17	2000	697	Ad
	1999	977	Am		2002	1079*	R
	2001	728	Am	2570.18	2000	697	Ad
	2002	1150	Am	2570.185	2000	697	Ad
2500	2000	660	Ad	2570.19	2000	697	Ad <sup>98</sup>
2501	2000	660	Ad				R <sup>100</sup>
2506	1999	655	Am		2001	159	Am <sup>305</sup>
2507	2002	1085	Am	2570.2	2000	697	Ad
2508	2000	303	R & Ad		2002	823	Am
2512.5	1999	655	Am	2570.20	2000	697	Ad
2513	1999	655	Am		2002	1011	Am
2520	1999	655	Am	2570.21	2000	697	Ad
2530.2	1999	83	Am <sup>30</sup>	2570.22	2000	697	Ad
	1999	436	Am	2570.25	2002	107	Ad
	2002	485	Am	2570.26	2002	1079*	Ad
2530.5	1999	436	Am	2570.27	2002	1079*	Ad
	2002	485	Am	2570.28	2002	1079*	Ad
2531	1999	436	Am <sup>21 20</sup>	2570.29	2002	1079*	Ad
	2001	728	Am <sup>75</sup>	2570.3	2000	697	Ad
	2002	1011	Am <sup>79 43</sup>		2001	728	Am
2531.02	2002	107	Ad		2002	823	Am <sup>419</sup>
2532.2	2002	485	Am	2570.30	2002	1079*	Ad
2532.3	1999	655	Am	2570.31	2002	1079*	Ad
2532.6	1999	436	Am	2570.32	2002	1079*	Ad
	2001	728	Am	2570.4	2000	697	Ad
2532.7	1999	436	Ad	2570.5	2000	697	Ad
	2002	485	Am		2002	1011	Am
2532.8	1999	436	Ad	2570.6	2000	697	Ad
	2002	485	Am		2001	159	Am <sup>305</sup>
2533	2000	568	Am	2570.7	2000	697	Ad
2534.2	2002	1011	Am	2570.8	2000	697	Ad
2535.2	2001	435	Am		2001	159	Am <sup>305</sup>
2535.3	2000	568	R	2570.9	2000	697	Ad
2538.1	1999	655	Am	2585	2001	628	Am
	2001	173*	Am		2001	628	Am
	2002	485	Am		2002	325	Am
2538.3	2001	173*	Am	2602	2002	1150	Am <sup>424 68</sup>
2541.2	2002	814	Ad	2602.1	2002	107	Ad
2543	2002	814	Am	2607.5	2002	1150	Am <sup>424 68</sup>
2544	2000	676	Am	2620.5	2000	427	Ad
2545	2002	814	Am	2620.7	2002	1150	Am
2546.10	2002	814	Ad	2660	2002	1150	Am
2546.5	2002	814	Am	2660.2	2002	1150	Ad
2546.6	2002	814	Am	2661.6	2002	1150	Ad
2546.9	2000	836	Am	2684	2001	435	Am
2561	2000	836	Am		2002	1150	Am
2564.6	2002	814	Ad	2708.1	2002	107	Ad
2565	1999	655	Am	2709.5	2002	810	Am
2566	1999	655	Am	2717	2002	1089	Ad
2566.1	1999	655	Am	2725.1	1999	83	Am <sup>30</sup>
2570	2000	697	R <sup>34</sup>		1999	914	Am
			Ad		2001	289	Am
2570.1	2000	697	Ad	2725.3	1999	945	Ad
2570.10	2000	697	Ad	2733	2000	568	Am
2570.11	2000	697	Ad	2746.5	2002	764	Am
				2746.51	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
2746.51	(Cont.)			3300	2000	277	Am
	2002	764	Am	3301	2000	277	R
2751	2002	1011	Ad	3302	2000	277	R
2761	2000	568	Am	3303	1999	440	Am
2770.11	1999	655	Am		2000	277	R
	2002	1011	Am	3304	2000	277	R
2770.12	1999	655	R & Ad	3305	2000	277	R
2770.13	1999	655	Am	3305.5	2000	277	R
2770.14	1999	655	Am	3306	2000	277	Am
2770.2	1999	655	Am	3320	2000	277	Ad(RN)
2770.8	1999	655	Am	3320.1	2002	107	Ad
2786	2001	435	Am	3321	1999	440	Am
2815.1	1999	146*	Am <sup>20</sup>		2000	277	Am & RN & Ad
	1999	149*	Am <sup>13</sup>	3322	2000	277	R
2836	2002	764	Am	3323	2000	277	R
2836.1	1999	749	Am	3325	1999	440	Am
	2002	764	Am		2000	277	Am
2836.2	1999	749	Am	3326	2000	277	Am
2841.1	2002	107	Ad	3327	2000	277	Am
2843	1999	655	Am	3327.5	2000	277	Am
2851	2002	810	Am	3328	2000	277	Am
2878.7	2001	728	R & Ad	3329	2000	277	Am
2892.1	2001	435	Am	3330	2000	277	Am
2895	1999	655	Am		2002	1011	Am
2903	2001	728	Am	3350	2000	277	Am
2908	2002	1013	Am	3352	2000	277	Am
2914	2000	625	R & Ad	3353	2000	277	Am
	2001	728	Am	3354	2000	277	Am
	2002	481	Am	3356	2000	277	Am
2915	2002	481	Am	3357	2000	277	Am
			R & Ad <sup>22</sup>	3358	2000	277	Am
2915.5	2002	541	Ad	3360	2000	277	Am
2915.7	2002	541	Ad	3362	2000	277	Am
2920	2002	1012*	Am <sup>98 75</sup>	3364	2000	277	Am
2920.1	2002	107	Ad		2001	159	Am <sup>305</sup>
2933	2002	1012*	Am <sup>98 75</sup>	3400	2000	277	Am
2946	2000	836	Am	3401	2000	277	Am
2960	1999	655	Am	3402	2000	277	Am
	2000	836	Am (by Sec. 20 of Ch.)	3403	2000	277	Am
					2001	159	Am <sup>305</sup>
2960.05	1999	459	Ad	3404	2000	277	Am
	2001	617	Am	3421	2000	277	Am
2962	2000	836	Am	3422	2000	277	Am
2969	2000	836	Am	3423	2000	277	Am
2984	2001	435	Am	3424	2000	277	Am
2995	2000	836	Am	3426	2000	277	Am
	2001	159	Am <sup>305</sup>	3430	2000	277	Am
3010	2002	1150	Am <sup>20</sup>	3451	2000	277	Am
3010.1	2002	107	Ad	3452	2000	277	Am
	2002	1150	Ad & R <sup>187</sup>	3454	2000	277	Am
3013	2002	1150	Am	3455	2000	277	Am
3014.5	2002	1150	Am <sup>20</sup>	3456	2000	277	Am
3014.6	2002	1150	Ad <sup>79</sup>		2002	1011	Am
			R <sup>80</sup>	3502.1	1999	749	Am
3025.6	2002	1150	Ad		2000	835	Am
3041	2000	676	Am		2000	836	Am
3041.1	2000	676	R	3504	2002	1085	Am <sup>424 68</sup>
3059	2000	676	Am	3504.1	2002	107	Ad
	2001	159	Am <sup>305</sup>	3508	2001	435	Am
3147	2001	435	Am		2002	664	Am <sup>431</sup>
3151	2002	405	R	3516	2002	1085	Am

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**BUSINESS AND PROFESSIONS 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>
3516.1	2002	1085	Ad <sup>424</sup> R <sup>69</sup>	3942	2001	687	R
3519.5	2002	1085	Ad	3950	2001	687	R
3524	2001	435	Am	4001.1	2002	107	Ad
3710	2002	1150	Am <sup>424 68</sup>	4001.5	2002	577	Ad
3710.1	2002	107	Ad	4008	2001	728	Am
3712.5	2002	1150	R	4009	1999	190	Ad
3716	2002	1150	Am <sup>424 68</sup>	4019	2000	858	Am
3717	2002	1150	Am	4022	1999	655	Am
3718	2002	1150	Am	4033	2001	728	Am
3735.5	2002	1150	Am	4034	2000	837	R <sup>96</sup>
3740	2002	1150	Am	4040	1999	749	Am
3750.5	2002	1150	Am		2000	836	Am
3750.51	1999	459	Ad		2001	289	Am
	2001	615 *	Am	4040.5	1999	655	Ad
	2001	617	Am	4043	1999	655	Am
3750.6	2002	1150	R (as ad by Sec. 18, Stats. 1994, Ch. 1274) <sup>19</sup>	4050	2001	262	Am
				4051	2001	262	Am
				4052	1999	83	Am <sup>30</sup>
					1999	375	Am
3751.1	2002	1150	Ad & R <sup>19</sup>		2001	262	Am (by Sec. 3 of Ch.)
3753.1	2002	1150	Am		2001	900	Am (by Sec. 2 of Ch.)
3758.6	2002	1150	Am				Am <sup>431</sup>
3761	2002	1150	Am		2002	664	Am <sup>431</sup>
3766	2002	1150	Ad	4052.1	2001	501	Ad
3767	2002	1150	Ad	4052.5	1999	784 *	Ad <sup>148</sup>
3768	2002	1150	Ad				R <sup>25</sup>
3770	2002	1150	Am		2001	631	Ad
3774	2002	1150	Am	4052.7	2001	728	Ad
3775.1	2002	1150	R	4053	2000	837	Am <sup>4</sup>
3777	2002	1150	Am				R <sup>8</sup>
3901	2001	687	R				Ad <sup>96</sup>
3902	2001	687	R		2001	728	Am
3903	2001	687	R	4056	1999	900 *	Am
3904	2001	687	R	4057	1999	655	Am
3905	2001	687	R	4059	2000	837	Am <sup>4</sup>
3906	2001	687	R				R <sup>8</sup>
3911	2001	687	R				Ad <sup>96</sup>
3912	2001	687	R		2001	159	Am (as am by Sec. 5, Stats. 2000, Ch. 837) <sup>305</sup>
3914	2001	687	R				
3915.5	2001	687	R				
3916	2001	687	R				
3917	2001	687	R	4060	1999	749	Am
3918	2001	687	R		2001	289	Am
3920	2001	687	R	4061	1999	914	Am
3921	2001	687	R		2001	289	Am
3923	2001	687	R		2002	263 *	Am
3924	2001	687	R	4067	2000	681	Ad
3925	2001	687	R	4070	2000	293	Am
3926	2001	687	R	4071.1	2000	293	Ad
3927	2001	687	R	4074	1999	900 *	Am
3927.5	2001	687	R	4076	1999	914	Am
3928	2001	687	R		2001	289	Am
3928.5	2001	687	R	4078	1999	655	Am
3929	2001	687	R	4081	2000	837	Am <sup>4</sup>
3930	2001	687	R				R <sup>8</sup>
3930.5	2001	687	R				Ad <sup>96</sup>
3931	2001	687	R	4101	2000	837	Am <sup>4</sup>
3932	2001	687	R				R <sup>8</sup>
3940	2001	687	R				Ad <sup>96</sup>
3941	2001	687	R	4102	1999	655	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
4102 (Cont.)	2001	501	R	4312	2000	837	Am <sup>4</sup> R <sup>8</sup>
4105	2000	837	Am <sup>4</sup> R <sup>8</sup> Ad <sup>96</sup>		2001	159	Ad <sup>96</sup> Am (as ad by Sec. 19, Stats. 2000, Ch. 837) <sup>305</sup>
4110	2001	728	Am				Stats. 2000, Ch. 837) <sup>305</sup>
	2002	1013	Am				
4112	1999	73	Am	4331	2000	836	Am (by Sec. 26 of Ch.)
	2000	135	Am <sup>203</sup>				
4115	1999	900*	Am		2000	837	Am <sup>4</sup> R <sup>8</sup> Ad <sup>96</sup>
	2001	352	Am				
	2001	728	Am (by Sec. 29.2 of Ch.)		2001	728	Am
4115.5	1999	655	Am	4344	2000	837	R <sup>96</sup>
4116	1999	900*	Am	4382	1999	525	Am <sup>112</sup>
4119	2000	836	Am		2000	857	Am <sup>203</sup>
4119.2	2001	458	Ad	4400	2000	837	Am <sup>4</sup> R <sup>8</sup> Ad <sup>96</sup>
4125	2000	677	Ad <sup>8</sup>				
4126	2001	631	Ad				Ad <sup>96</sup>
4127	2001	827	Ad <sup>37 360</sup>		2001	728	Am
4127.1	2001	827	Ad <sup>37 359 360</sup>	4402	1999	655	Am
4127.2	2001	827	Ad <sup>37 359 360</sup>	4404	2000	836	Am
4127.3	2001	827	Ad <sup>37 360</sup>	4409	2002	1138	Ad
4127.4	2001	827	Ad <sup>37 360</sup>	4425	1999	946	Ad & R <sup>20</sup>
4127.5	2001	827	Ad <sup>37 360</sup>		2001	745*	Am
4127.6	2001	827	Ad <sup>37 360</sup>		2002	542	Am <sup>57</sup>
4130	2000	837	R <sup>96</sup>		2002	1161*	S <sup>57</sup>
4131	2000	837	R <sup>96</sup>	4426	1999	946	Ad & R <sup>20</sup>
4132	2000	837	R <sup>96</sup>		2001	693	Am
4133	2000	837	R <sup>96</sup>		2002	542	S <sup>57</sup>
4134	2000	837	R <sup>96</sup>		2002	1161*	Am <sup>57</sup>
4135	2000	837	R <sup>96</sup>	4427	1999	946	Ad & R <sup>20</sup>
4136	2000	837	R <sup>96</sup>		2002	542	R
4136.5	2000	837	R <sup>96</sup>		2002	1161*	R
4137	2000	837	R <sup>96</sup>	4501.1	2002	107	Ad
4138	2000	837	R <sup>96</sup>	4507	2002	1013	Am
4139	2000	837	Ad <sup>21</sup> R <sup>34</sup>	4518	1999	655	Am
				4519	2000	208	Am
4160	2001	728	Am	4524	2001	728	R & Ad
4161	2001	728	Am	4545	2001	435	Am
4170	1999	914	Am	4548	1999	655	Am
	2001	289	Am	4800	2002	1012*	Am <sup>79 43</sup>
4174	1999	749	Am	4800.1	2002	107	Ad
4175	1999	914	Am	4804.5	2002	1012*	Am <sup>79 43</sup>
	2001	289	Am	4826.2	2002	453	Ad
4186	2001	310	Ad	4827	1999	83	Am <sup>30</sup>
4196	2001	728	Am	4830	2002	131	Am
4200.5	1999	655	Am	4841.5	2001	306	Am
	2001	728	Am	4842.2	2001	306	Am
4201	2000	837	Am <sup>4</sup> R <sup>8</sup> Ad <sup>96</sup>	4843.5	2001	306	Am
				4846.5	2000	995	Am
				4848	2001	167	Am
4202	1999	655	Am		2002	131	Am
4301	2001	631	Am	4854.5	2002	131	Ad
	2001	728	Am	4857	1999	418	Ad
4305.5	2000	836	Am	4883	2001	306	Am
	2000	837	Am <sup>4</sup> R <sup>8</sup> Ad <sup>96</sup>	4901	2001	306	Am
				4922.36	2002	1013	Am
				4927	1999	655	Am
	2001	728	Am	4928	2002	714	Am <sup>79 43</sup>
4306.6	2002	562	Ad	4928.1	2002	107	Ad

**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
4929	1999	655	Am	4980.34	2002	1013	Am
	2002	714	Am	4980.35	2002	1013	Am
4929.5	1999	655	Am	4980.37	2002	1013	Am
4930	1999	655	Am	4980.38	2001	435	Am
4931	1999	655	Am		2002	1013	Am
4933	1999	655	Am	4980.39	2002	541	Ad
	2002	714	Am	4980.395	2002	541	Ad
4934	1999	655	Am	4980.40	2001	728	Am
	2002	714	Am <sup>79 43</sup>		2002	1013	Am
4934.1	2002	714	Ad	4980.41	1999	406	Am
4934.2	2002	714	Ad		2001	435	Am
4935	1999	655	Am		2002	481	Am
	2000	568	Am	4980.43	2000	836	Am
	2002	714	Am		2002	1013	Am
4937	2001	361	Am	4980.44	2000	836	Am
4938	1999	67*	Am		2001	728	Am
	2000	568	Am		2002	1013	Am
4939	2000	568	Am	4980.45	1999	657	Am
	2002	781	Am		2001	435	Am
4940	1999	655	Am		2002	1013	Am
4941	1999	655	Am	4980.46	2002	1013	Am
4944	1999	655	Am	4980.48	2002	1013	Am
4945	2000	568	Am	4980.50	2000	836	Am
4946	1999	655	Am		2001	728	Am
	2002	405	R		2002	1013	Am
4947	1999	655	Am	4980.54	2002	1013	Am
4955	1999	655	Am	4980.55	2002	1013	Am
	2000	568	Am	4980.57	2002	481	Ad <sup>22</sup>
	2002	714	Am		2002	1013	R
4955.1	2002	714	Ad	4980.60	2002	1013	Am
4955.2	2002	714	Ad	4980.80	2000	836	Am
4956	1999	655	Am		2001	159	Am <sup>305</sup>
4959	1999	655	Am		2002	481	Am
4960.2	2002	714	Ad	4980.90	2000	836	Am
4960.5	1999	655	Am		2001	159	Am <sup>305</sup>
4961	1999	655	Am		2002	481	Am
4963	1999	655	Am	4981	2002	1013	Am
4964	1999	655	Am	4982	1999	657	Am
4965	1999	655	R (as am by		2000	135	Am <sup>203</sup>
			Sec. 18,		2001	435	Am
			Stats. 1991,		2002	1013	Am
			Ch. 983)	4982.05	1999	459	Ad
			Am (as ad by		2001	617	Am
			Sec. 19,		2002	664	Am <sup>431</sup>
			Stats. 1991,	4982.2	2002	1013	Am
			Ch. 983)	4982.25	2002	1013	Am
4966	1999	655	Am	4984	2000	836	Am
4967	1999	655	Am	4984.7	2002	1013	Am
4970	2000	568	Am	4984.8	2002	1013	Am
4972	1999	655	Am	4984.9	1999	655	Ad
4973	1999	655	Am	4986.10	2000	836	Am
4975	1999	655	Am	4986.20	2000	836	Am
4977	1999	655	Am		2001	728	Am
4977.2	2002	714	Am	4986.21	2000	836	Ad
4979	1999	655	Am		2001	728	Am
4980	2000	836	Am	4986.42	2000	836	Ad
	2002	1013	Am	4986.43	2000	836	Ad
4980.02	2002	1013	Am	4986.44	2000	836	Ad
4980.03	2000	836	Am	4986.45	2000	836	Ad
4980.10	2002	1013	Am	4986.46	2000	836	Ad
4980.30	2002	1013	Am	4986.47	2000	836	Ad

**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
4986.47 (Cont.)	2001	728	Am	4998.5	1999	657	Am & RN & Ad(RN)
4986.60	2000	836	R		2000	135	Am <sup>203</sup>
4986.70	1999	657	Am	4998.6	1999	657	Am & RN & Ad(RN)
	2000	836	Am		2000	135	Am <sup>203</sup>
	2002	1013	Am	4998.7	1999	657	Am & RN
4987.5	1999	657	Am	4999	1999	535	Ad
	2002	1013	Am		2000	857	Am <sup>203</sup>
4987.6	1999	657	R & Ad		2002	107	Am
4987.7	1999	657	R & Ad(RN)	4999.1	1999	535	Ad
	2002	1013	Am	4999.2	1999	535	Ad
4987.8	1999	657	Am & RN & Ad(RN)		2001	728	Am
	2002	1013	Am		2002	1013	Am
4987.9	1999	657	Am & RN	4999.3	1999	535	Ad
4988	2002	1013	Am	4999.4	1999	535	Ad
4988.1	1999	657	Am		2000	857	Am <sup>203</sup>
	2002	1013	Am	4999.5	1999	535	Ad
4988.2	1999	657	Am	4999.6	1999	535	Ad
	2002	1013	Am		2000	857	Am <sup>203</sup>
4990.1	2002	1012 *	Am <sup>98 75</sup>	4999.7	1999	535	Ad
4990.125	2002	107	Ad		2000	857	Am <sup>203</sup>
4990.3	2002	1013	Am		2001	728	Am
4990.5	1999	655	Am	4999.8	1999	535	Ad
	1999	657	Am	4999.9	1999	535	Ad
4990.8	2002	1012 *	Am <sup>98 75</sup>	5000	1999	656	Am <sup>21 20</sup>
4992.1	2000	836	Am		1999	657	Am <sup>21 20</sup>
	2001	728	Am		2001	718	Am <sup>98 75</sup>
4992.3	1999	657	Am		2002	231	Am <sup>79 43</sup>
	2001	728	Am	5000.1	2002	107	Ad
4992.31	1999	459	Ad	5000.5	2002	231	Ad
	2001	617	Am	5015.6	1999	656	Am <sup>21 20</sup>
4992.6	2001	728	R		2001	718	Am <sup>98 75</sup>
4992.8	1999	655	Ad		2002	231	Am <sup>79 43</sup>
4996.13	2002	1013	Am	5018	2000	1055*	Am
4996.17	2000	836	Am	5020	2001	718	Am
	2002	481	Am		2002	231	Am
4996.18	2000	836	Am	5030	1999	657	Am
	2001	728	Am	5061	2002	231	Am
4996.2	2001	728	Am		2002	1150	Am (as am by
	2002	481	Am				Stats. 2002,
4996.21	1999	657	Am				Ch. 231)
	2001	728	Am	5062.2	2002	232	Ad
4996.22	2002	481	Am	5063	2002	231	Am
			R & Ad <sup>22</sup>	5063.1	2002	231	Ad
4996.23	2001	728	Ad	5063.2	2002	231	Ad
4996.25	2002	541	Ad	5070.5	1999	657	Am
4996.26	2002	541	Ad	5070.6	1999	657	Am
4996.6	2000	836	Am	5076	2001	704	Ad
	2001	159	Am <sup>305</sup>		2001	718	Ad
4996.8	1999	655	Am		2002	231	R (as ad by
4998	1999	657	Am				Sec. 2,
	2000	135	Am <sup>203</sup>				Stats. 2001,
	2002	1013	Am				Ch. 704)
4998.1	1999	657	R & Ad				Am (as ad by
4998.2	1999	657	R & Ad(RN)				Sec. 5,
	2000	135	Am <sup>203</sup>				Stats. 2001,
4998.3	1999	657	Am & RN & Ad(RN)				Ch. 718)
			& Ad(RN)	5079	2002	231	Am
4998.4	1999	657	Am & RN & Ad(RN)	5081	2001	704	Am
					2001	718	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
5081.1	2001	704	Am & R <sup>43</sup>	5134	2001	718	Am
	2001	718	Am & R <sup>43</sup>	5150	2000	1055*	Am
	2002	664	Am <sup>431</sup>	5151	2000	1054	Am
5082	2001	704	Am	5154	2000	1054	Am
	2001	718	Am	5211	2000	787	Ad
5082.1	2001	704	Am	5216	2002	972	Am
	2001	718	Am	5216.2	2000	787	Am & RN
5082.2	2001	704	Am & R <sup>43</sup>	5216.3	2000	787	Am & RN & Ad(RN)
	2001	718	Am & R				
5082.3	2001	704	Am	5216.4	2000	787	Am & RN & Ad
	2001	718	Am	5216.5	2000	787	Ad(RN)
5082.4	2001	704	Am	5216.6	2000	787	Ad(RN)
	2001	718	Am	5217	2000	787	R
5082.5	2001	704	Ad	5272	2000	787	Am
	2001	718	Ad	5273.5	1999	818	Ad
5083	2001	704	Am & R <sup>43</sup>	5300	2000	787	Am
	2001	718	Am & R <sup>43</sup>	5354	2002	972	Am
5084	2001	704	Am & R <sup>43</sup>	5403	2000	787	Am
	2001	718	Am & R <sup>43</sup>		2001	284	Am
5087	2001	704	Am	5405	2000	787	Am
	2001	718	Am	5405.6	2001	928	Ad
5088	2001	704	Am	5408	2000	787	Am
	2001	718	Am	5408.3	2002	972	Ad
5090	2001	704	Ad	5408.7	1999	320	Ad <sup>66</sup>
	2001	718	Ad				R <sup>67</sup>
5091	2001	704	Ad	5440	1999	280	Am
	2001	718	Ad		2001	54*	Am
5092	2001	704	Ad		2001	825	Am
	2001	718	Ad	5442.10	2001	54*	Ad
5093	2001	704	Ad	5442.11	2001	825	Ad
	2001	718	Ad	5442.9	1999	280	Ad
	2002	664	Am <sup>431</sup>	5485	2002	972	R & Ad
5094	2001	704	Ad	5490.5	2000	787	Ad
	2001	718	Ad	5499.4	2002	221	Am
	2002	1079*	Am (as ad by Sec. 19, Stats. 2001, Ch. 704 and as ad by Sec. 22, Stats. 2001, Ch. 718)	5502	2000	1054	Am
				5510	1999	982	Am
					2002	1012*	Am <sup>79 43</sup>
				5510.15	2002	107	Ad
				5517	2002	1012*	Am <sup>79 43</sup>
				5536	2000	1054	Am
					2001	159	Am <sup>305</sup>
5095	2001	704	Ad		2001	854	Am
	2001	718	Ad	5536.1	1999	982	Am
5097	2002	230	Ad	5536.25	1999	982	Am
5098	2002	230	Ad	5536.26	2001	728	Ad
5100	2002	230	Am	5558	2001	313	Ad
	2002	231	Am (by Sec. 13 of Ch.)	5565	2000	1054	Am
				5582.1	1999	982	Am
5103	2002	231	Ad	5601	2000	1054	Am
5108	2002	231	Ad	5602	2000	1054	Am
	2002	1150	Am (as ad by Stats. 2002, Ch. 231)	5603	2000	1054	Am
				5610	2000	1054	Am
				5616	1999	982	Am
5109	2002	231	Ad	5620	2000	1054	Am
5109.5	2002	231	Ad		2002	1012*	Am <sup>79 43</sup>
5110	2000	1054	Ad	5620.1	2002	107	Ad
5111	2000	1054	Ad	5621	2002	1012*	Am <sup>79 43</sup>
	2001	159	Am <sup>305</sup>	5622	2002	1012*	Am <sup>79 43</sup>
5112	2000	1054	Ad	5640	2000	1054	Am
5113	2000	1054	Ad	5642	2000	1054	Am
5133	1999	657	Am	5643	2000	1054	R

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**BUSINESS AND PROFESSIONS 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>
5650	2000	1054	Am	6095.1	1999	221	Ad
5651	2000	1054	Am	6106.5	2000	867	Am
5680.1	2001	306	Am	6106.6	2000	867	Ad
5681	2000	1054	Am	6126	2002	394	Am
5682	2000	1054	Am	6126.5	2001	304	Ad
5683	2000	1054	Am	6140	1999	342	Ad & R <sup>24</sup>
5800	2001	495	Am <sup>19</sup>		2000	118	Am <sup>5</sup>
5801	2001	495	S <sup>19</sup>		2001	24	Am <sup>19</sup>
5801.1	2001	495	Ad & R <sup>19</sup>	6140.05	1999	342	Ad
5802	2001	495	S <sup>19</sup>	6140.10	2001	24	R
5803	2001	495	S <sup>19</sup>	6140.15	2001	24	R
5804	2001	495	S <sup>19</sup>	6140.16	2000	246	Am
5805	2001	495	S <sup>19</sup>	6140.55	2001	24	Am
5810	2001	495	Am <sup>19</sup>	6140.8	2001	24	R
5811	2001	495	Ad & R <sup>19</sup>	6140.9	2001	129	Am
5812	2001	495	Ad & R <sup>19</sup>	6141.1	1999	342	Am
6008.6	1999	342	Ad	6143.5	2000	808*	Am
6016	2002	415*	Am	6145	1999	342	R & Ad
6019	2002	415*	Am		2002	415*	Am
6021	2002	415*	Am	6152	2002	784	Am <sup>490</sup>
6031.5	1999	342	Ad	6153	2000	867	Am
	2002	415*	Am	6157.5	2000	674	Ad
6032	2001	24	R	6175	1999	454	Ad
	2002	415*	Ad	6175.3	1999	454	Ad
6033	2001	24	R	6175.4	1999	454	Ad
6034	2001	96	R	6175.5	1999	454	Ad
6060	2001	46	Am	6175.6	1999	454	Ad
	2002	664	Am <sup>431</sup>	6176	1999	454	Ad
6060.3	2001	46	Am	6177	2000	442	Ad
6062	2001	46	Am	6230	2001	129	Ad
	2002	664	Am <sup>431</sup>	6231	2001	129	Ad
6065	2002	415*	R & Ad <sup>22</sup>	6232	2001	129	Ad
6068	1999	221	Am	6233	2001	129	Ad
	1999	342	Am	6234	2001	129	Ad
	2001	24	Am	6235	2001	129	Ad
6068.11	2000	472	Ad & R <sup>5</sup>	6236	2001	129	Ad
	2001	438*	Am <sup>20</sup>	6237	2001	129	Ad
6070	1999	342	Am	6238	2001	129	Ad
6072	2001	880	Ad <sup>37 34</sup>	6301	2001	52	Am
	2002	137	Am	6301.1	1999	344*	Am
	2002	664	Am <sup>431</sup>	6301.5	2001	52	Am
6079.1	1999	221	Am	6302.5	2002	784	Am <sup>490</sup>
			R & Ad <sup>51</sup>	6324	2002	784	Am <sup>490</sup>
	2000	246	Am (as ad by Sec. 3, Stats. 1999, Ch. 221)	6341	2002	784	Am <sup>490</sup>
			Am <sup>490</sup>	6365	2002	784	R <sup>490</sup>
	2002	784	Am <sup>490</sup>	6400	1999	892	Am (as ad by Sec. 3, Stats. 1998, Ch. 1079)
6079.5	2002	415*	Am				Am (as am by Sec. 1, Stats. 1999, Ch. 892)
6085	1999	221	Am		2000	386*	Am (as ad by Sec. 5, Stats. 1998, Ch. 1079)
	1999	342	Am				R & Ad
6086.15	2001	745*	Am	6401.5	2002	1018	R & Ad
6086.65	1999	221	Am	6401.6	1999	892	Am
			R & Ad <sup>51</sup>		2002	1018	R & Ad
	2000	135	Am <sup>203</sup>				
	2000	246	Am (as ad by Sec. 6, Stats. 1999, Ch. 221)				
6092	2001	24	Am				
6094.5	2001	745*	Am				

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**BUSINESS AND PROFESSIONS CODE—Continued**

Section	Affected By			Effect	Section	Affected By			Effect
	Year	Chapter				Year	Chapter		
6402	2000	386*	Am (as am by Sec. 8 and as ad by Sec. 9, Stats. 1998, Ch. 1079)	6451	2000	439	Ad		
					2001	311	Am		
	2002	1018	R & Ad	6452	2000	439	Ad		
6402.1	2002	1018	R & Ad	6453	2000	439	Ad		
6403	2000	386*	Am (as am by Sec. 10 and as ad by Sec. 11, Stats. 1998, Ch. 1079)	6454	2000	439	Ad		
				6455	2000	439	Ad		
	2001	159	Am (as am by Sec. 4 and Sec. 5, Stats. 2000, Ch. 386) <sup>305</sup>	6456	2000	439	Ad		
				6704	2002	1013	Am		
	2002	1018	R & Ad	6704.1	2000	1006	Ad		
6404	2000	386*	Am		2001	615*	Am		
	2002	1018	R & Ad	6706	2000	1006	Am		
6405	1999	892	Am		2002	1013	Am		
	2000	386*	Am (by Sec. 7 of Ch.) <sup>490</sup>	6710	1999	656	Am <sup>4,5</sup>		
	2002	784	Am <sup>490</sup>		2000	1006	Am <sup>21,20</sup>		
	2002	1018	R & Ad	6710.1	2001	495	Am <sup>70,18</sup>		
6406	2001	35	Am (as am by Sec. 12.5 and as ad by Sec. 12.6, Stats. 1998, Ch. 1079)		2002	1012*	Am <sup>79,43</sup>		
					2002	1150	Am <sup>79,43</sup>		
	2002	1018	R & Ad	6711	2000	1006	Am		
6407	2002	1018	R & Ad		2001	159	Am <sup>305</sup>		
6408	2002	1018	R & Ad	6717	2000	1006	Am		
6408.5	2002	1018	Ad	6728.3	2002	1013	Am		
6409	2002	1018	R & Ad	6728.5	2002	1013	Am		
6410	2002	1018	R & Ad	6730.2	2000	1006	Am		
6410.5	2002	1018	Ad		2001	159	Am <sup>305</sup>		
6411	1999	892	Am (as am by Sec. 21, Stats. 1998, Ch. 1079)	6731.5	2000	1006	Ad		
				6731.6	2000	1006	Ad		
	2002	1018	R & Ad	6735	2000	1006	Am		
6412	2002	1018	R & Ad		2001	495	Am		
6412.1	2002	1018	R & Ad	6735.2	2000	1006	R		
6412.5	2002	1018	Ad	6735.3	2000	1006	Am		
6413	2002	1018	R & Ad		2001	495	Am		
6414	2002	1018	R & Ad	6735.4	2000	1006	Am		
6415	2002	1018	R & Ad		2001	495	Am		
6416	2002	1018	R	6738	2000	1006	Am		
6450	2000	439	Ad	6741	2000	1006	Am		
			R & Ad <sup>22</sup>	6749	2000	976	Ad		
	2001	311	Am (as ad by Sec. 1, 1st and 2nd text, Stats. 2000, Ch. 439)	6755.1	2000	1006	Am		
				6755.2	2000	1006	R		
	2002	664	Am (as am by Sec. 1 and Sec. 2, Stats. 2001, Ch. 311) <sup>431</sup>	6756	2000	1006	Am		
					2001	159	Am <sup>305</sup>		
					2002	1013	Am		
				6760	2000	1006	Am		
				6762.5	1999	983	Ad		
				6763.1	2000	1006	Ad		
				6775	2000	976	Am		
				6775.1	2000	1006	Ad		
				6776	2000	1006	Am		
				6787	1999	983	Am		
					2000	1006	Am		
					2002	1013	Am		
				6788	2002	1013	Am		
				6795	2001	495	Am		
				6799	1999	983	Am		
					2001	495	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
6980.12	2002	1013	Am	7110	2002	1013	Am
6980.18	1999	318	Am	7112	2001	728	Am
6980.42	1999	318	Am	7112.1	2001	728	Ad
6980.59	2000	568	Am	7122.2	2002	312	Ad
6980.74	2000	568	Am	7124.6	2001	494	Am <sup>21</sup>
6980.79	2001	607	Am				R <sup>34</sup>
7000.5	1999	656	Am <sup>45</sup>	7125	2002	311	Am
	2000	1005	Am <sup>73 19</sup>	7125.2	2002	311	Am
	2002	744	Am <sup>424 68</sup>	7125.3	2002	311	Ad
7000.6	2002	107	Ad	7125.4	2002	311	Ad
	2002	744	Ad	7137	1999	982	Am
7001	2000	1005	Am		2002	744	Am
7002	2000	1005	Am	7138.1	2002	744	Am
7003	1999	983	Am	7141	1999	982	Am
	2000	1005	Am		2002	1013	Am
7006	2001	728	Am	7153	2001	728	Am
7007	2000	1005	Am	7153.1	2002	744	Am <sup>410</sup>
7011	1999	656	Am <sup>45</sup>	7159	1999	982	Am
	2001	615*	Am <sup>73 19</sup>	7159.2	1999	512	Am
	2002	744	Am <sup>424 68</sup>	7159.3	2000	1005	Ad <sup>259</sup>
7011.7	2000	1005	Am	7164	2000	1005	Am
7011.8	2001	745*	Am	7195	2001	773	Am
7017	2001	745*	Am	7200	2001	495	Am <sup>300 317</sup>
	2002	405	R	7200.1	2002	107	Ad
7017.3	2002	744	Ad	7215.5	2002	405	Am
7017.5	2002	372	Ad	7215.6	1999	983	Am
7019	2002	1013	Am		2001	495	Am <sup>300 317</sup>
7021	2000	1005	Ad	7218	2002	405	R
7026	1999	708	Am	7301	2000	568	S <sup>54 57</sup>
	2001	728	Am		2002	1148	Am
7027.3	2001	728	Am		2002	1151	Am <sup>82</sup>
7028.13	2001	728	Am	7302	2000	568	Ad
7028.7	2001	728	Am		2002	1148	Am
7031	2001	226	Am	7303	2000	568	Ad
7034.1	2001	847	Ad <sup>82</sup>		2002	1148	Am <sup>424</sup>
7057	2002	1013	Am				R <sup>69</sup>
7058	1999	708	Am	7303.1	2002	107	Ad
7058.1	1999	708	Ad	7304	2000	568	Am <sup>54 57</sup>
	2002	1013	R		2002	1148	Am
7058.7	2002	999	Am	7305	2000	568	R
7059.1	2001	728	Am	7306	2000	568	R
7065.01	2002	311	R & Ad	7307	2000	568	R
7065.05	2000	1005	Am	7308	2000	568	R
7069	2002	744	Am <sup>411</sup>	7309	2000	568	Am <sup>54 57</sup>
7071.10	1999	795	Am		2002	1148	Am
7071.11	1999	795	Am	7311	2000	568	Am <sup>54 57</sup>
	2001	728	Am		2002	1148	Am
	2002	311	Am	7312	2000	568	Am <sup>54 57</sup>
7071.5	1999	795	Am		2002	1148	Am
7071.6	2002	1123	Am	7313	2000	568	S <sup>54 57</sup>
			R & Ad <sup>22</sup>		2002	1151	Am <sup>82</sup>
7074	2001	728	Am	7314	2000	568	Am <sup>54 57</sup>
7085	2002	312	Am		2002	1148	Am
7085.8	2002	312	R	7315	2000	568	S <sup>54 57</sup>
7091	2001	728	Am		2002	1151	R <sup>82</sup>
	2002	312	Am	7316	2000	37	Am
7092	2000	1005	Ad & R <sup>258</sup>		2000	568	S <sup>54 57</sup>
	2001	159	Am <sup>305</sup>	7317	2000	568	Am <sup>54 57</sup>
	2001	615*	Am	7318	2000	568	S <sup>54 57</sup>
	2002	744	Am <sup>429</sup>	7319	2000	568	S <sup>54 57</sup>
7106.5	2002	1013	Am	7319.5	2000	568	Am <sup>54 57</sup>

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**BUSINESS AND PROFESSIONS 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>
7320	2000	568	S <sup>54 57</sup>	7389.5	2000	568	S <sup>54 57</sup>
7320.1	2000	568	S <sup>54 57</sup>	7390	2000	568	Am <sup>54 57</sup>
7320.2	2000	568	S <sup>54 57</sup>	7391	2000	568	Am <sup>54 57</sup>
7320.3	2000	568	S <sup>54 57</sup>	7392	2000	568	Am <sup>54 57</sup>
7320.4	2000	568	S <sup>54 57</sup>	7393	2000	568	Am <sup>54 57</sup>
7321	2000	568	Am <sup>54 57</sup>	7394	2000	568	Am <sup>54 57</sup>
7321.5	2000	568	Am <sup>54 57</sup>	7395	2000	568	Am <sup>54 57</sup>
7324	2000	568	Am <sup>54 57</sup>	7395.1	2000	568	Am <sup>54 57</sup>
7326	2000	568	Am <sup>54 57</sup>	7396	2000	568	Am <sup>54 57</sup>
7330	2000	568	Am <sup>54 57</sup>	7397	2000	568	S <sup>54 57</sup>
7331	2000	568	Am <sup>54 57</sup>	7398	2000	568	S <sup>54 57</sup>
7331.5	2000	568	Am <sup>54 57</sup>	7399	2000	568	S <sup>54 57</sup>
7332	2000	568	Am <sup>54 57</sup>	7400	2000	568	Am <sup>54 57</sup>
7333	2000	568	Am <sup>54 57</sup>		2002	1151	Am <sup>82</sup>
7334	2000	568	Am <sup>54 57</sup>	7401	2002	316	Ad
7335	2000	568	Am <sup>54 57</sup>	7402	2000	568	S <sup>54 57</sup>
	2002	1151	Am <sup>82</sup>	7403	2000	568	Am <sup>54 57</sup>
7336	2000	568	Am <sup>54 57</sup>		2002	1151	Am <sup>82</sup>
7337	2000	568	Am <sup>54 57</sup>	7403.5	2002	1151	Ad <sup>82</sup>
7337.5	2000	568	Am <sup>54 57</sup>	7404	2000	568	Am <sup>54 57</sup>
	2002	580	Am <sup>82</sup>	7404.1	2000	568	S <sup>54 57</sup>
7338	2000	568	Am <sup>54 57</sup>	7405	2000	568	Am <sup>54 57</sup>
7340	2000	568	Am <sup>54 57</sup>	7406	2000	568	Am <sup>54 57</sup>
7340.5	2000	568	S <sup>54 57</sup>	7407	2000	568	Am <sup>54 57</sup>
7341	2000	568	Am <sup>54 57</sup>	7408	2000	568	Am <sup>54 57</sup>
7342	2000	568	Am <sup>54 57</sup>		2002	1151	Am <sup>82</sup>
	2002	1124*	Am	7409	2000	568	Am <sup>54 57</sup>
7343	1999	983	R	7410	2000	568	S <sup>54 57</sup>
7344	2000	568	Am <sup>54 57</sup>		2002	1151	Am <sup>82</sup>
7345	2000	568	S <sup>54 57</sup>	7411	2000	568	S <sup>54 57</sup>
7346	2000	37	Am		2002	1151	Am <sup>82</sup>
	2000	568	S <sup>54 57</sup>	7413	2000	568	S <sup>54 57</sup>
7347	2000	568	Am <sup>54 57</sup>	7414	2000	568	Am <sup>54 57</sup>
7348	2000	568	S <sup>54 57</sup>	7414.1	2000	568	Am <sup>54 57</sup>
7349	2000	568	Am <sup>54 57</sup>	7414.2	2000	568	S <sup>54 57</sup>
7349.1	2000	568	S <sup>54 57</sup>	7414.3	2000	568	Am <sup>54 57</sup>
7350	2000	568	S <sup>54 57</sup>	7414.4	2000	568	Am <sup>54 57</sup>
7351	2000	568	S <sup>54 57</sup>	7414.5	2000	568	S <sup>54 57</sup>
7352	2000	568	S <sup>54 57</sup>	7414.6	2000	568	Am <sup>54 57</sup>
7353	2000	568	Am <sup>54 57</sup>	7415	2000	568	Am <sup>54 57</sup>
	2002	1151	Am <sup>82</sup>	7416	2000	568	Am <sup>54 57</sup>
7354	2000	568	Am <sup>54 57</sup>	7417	2000	568	S <sup>54 57</sup>
7355	2000	568	Am <sup>54 57</sup>	7418	2000	568	S <sup>54 57</sup>
7356	2000	568	Am <sup>54 57</sup>	7419	2000	568	S <sup>54 57</sup>
7357	2000	568	Am <sup>54 57</sup>	7420	2000	568	S <sup>54 57</sup>
7358	2000	568	S <sup>54 57</sup>	7421	2000	568	Am <sup>54 57</sup>
7359	2000	568	Am <sup>54 57</sup>	7422	2000	568	Am <sup>54 57</sup>
7360	2000	568	S <sup>54 57</sup>	7423	2000	568	S <sup>54 57</sup>
7361	2000	568	S <sup>54 57</sup>	7423.5	2000	568	S <sup>54 57</sup>
7362	2000	568	Am <sup>54 57</sup>	7424	2000	568	S <sup>54 57</sup>
	2002	1151	Am <sup>82</sup>		2002	1151	Am <sup>82</sup>
7362.1	2000	568	Am <sup>54 57</sup>	7425	2000	568	S <sup>54 57</sup>
7362.2	2000	568	Am <sup>54 57</sup>	7426	2000	568	S <sup>54 57</sup>
7362.3	2000	568	Am <sup>54 57</sup>	7426.5	1999	983	Ad
7362.5	2000	568	S <sup>54 57</sup>		2000	568	Am
7364	2000	568	Am <sup>54 57</sup>		2002	1151	Am <sup>82</sup>
7365	2000	568	Am <sup>54 57</sup>	7427	2000	568	R
7366	2000	568	Am <sup>54 57</sup>	7500.3	1999	456	Am
7367	2000	568	Am <sup>54 57</sup>	7501.05	2002	107	Ad
7368	2000	568	S <sup>54 57</sup>	7502.1	1999	456	Am
7389	2000	568	Am <sup>54 57</sup>	7502.2	1999	456	Am

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**BUSINESS AND PROFESSIONS 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>
7503	2002	402	Am	7583.20	2000	568	Am
7503.1	1999	318	Am		2002	886	Am
7503.10	1999	456	Am	7583.3	2002	609	Am
7504	1999	456	Am	7583.43	2002	609	R
	2002	402	Am	7583.46	2002	884	Ad
7505.5	2002	402	Am	7583.6	2002	886	Am (by Sec. 2 of Ch.) <sup>527</sup>
7506.11	1999	456	Am				R <sup>63</sup>
7506.13	1999	456	Am				Ad (by Sec. 3 of Ch.) <sup>391</sup>
7506.14	1999	456	Am				Ad (by Sec. 4 of Ch.) <sup>527</sup>
7506.3	1999	456	Am				R <sup>63</sup>
	2002	402	Am	7583.7	2001	607	Am
7506.5	1999	318	Am (by Sec. 4 of Ch.)		2002	886	Am (by Sec. 4 of Ch.) <sup>527</sup>
	1999	456	Am (by Sec. 6.5 of Ch.)				R <sup>63</sup>
							Ad (by Sec. 5 of Ch.) <sup>391</sup>
7506.9	1999	456	Am	7583.8	2002	609	Am (by Sec. 3 of Ch.)
7507	2000	568	Am				
7507.10	2001	554	Am	7583.9	1999	318	Am
7507.12	2002	402	Am		2000	683	Am
7507.13	1999	991	Am <sup>96 114</sup>		2002	609	Am (by Sec. 4 of Ch.)
7507.2	1999	456	Am		2002	689	Am (by Sec. 1.2 of Ch.)
7507.4	2000	375	Am				
	2002	402	Am	7587.1	2002	886	Am
7510.1	1999	456	Am	7587.10	2001	607	Am
	2002	402	Am	7587.12	2001	607	Am
7511	1999	456	Am	7587.14	2001	607	Am
7520.5	2000	216	Am	7587.15	2000	683	Ad
7522	1999	123	Am	7587.7	2001	607	Am
	2002	895	Am	7587.8	2000	683	Am
7525.1	1999	318	Am		2001	607	Am
7527.1	2001	309	Ad	7587.9	2001	607	Am
7529	2000	216	Am	7588	2001	607	Am
7533.5	2000	568	Am		2002	886	Am
7541.1	2000	216	Am	7588.2	2002	689	Ad
7541.2	2001	309	Ad	7588.5	2002	886	Ad
7567	2001	309	Ad	7593.1	1999	318	Am
7570	2001	607	Am	7598.4	1999	318	Am
7581	2001	306	Am	7599.32	2000	568	Am
	2002	884	Am (by Sec. 1 of Ch.)	7599.70	2001	607	Am
7582.12	2001	607	Am	7601	2000	568	Am
7582.19	2000	568	Am	7601.1	2002	107	Ad
7582.20	2001	607	Am	7602	2000	568	Am
7582.21	2001	607	Am	7606	2000	568	Am
7582.22	1999	665	Am	7607	2000	568	Am
7582.26	2001	607	Am	7608	2000	568	Am
7582.27	2001	607	Am	7610	2000	568	Am
7582.28	2001	607	Am	7612	2002	825	Ad
7582.7	1999	318	Am	7616.2	2000	568	Am
7583.11	2000	683	Am <sup>62</sup>	7617.1	2001	305	Am
			R <sup>22</sup>	7618	2000	568	Am
	2001	159	Am <sup>305</sup>	7619.2	2000	568	Am
	2002	609	R	7621	2000	568	Am
7583.12	2002	689	Am	7622.3	1999	241	R
7583.17	2002	609	Am	7623	2001	305	Am
7583.2	2000	683	Am	7625	2000	568	Am
	2002	609	Am (by Sec. 1 of Ch.)	7626	2000	568	Am
				7626.5	2000	568	Am
	2002	886	Am (by Sec. 1.5 of Ch.)	7628	2000	568	Am

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**BUSINESS AND PROFESSIONS 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>
7629	2000	568	Am	8005.1	2002	107	Ad
7630	2001	305	Am	8006	2001	616	R
7631	2000	568	Am	8008	2001	616	Am
7635	2000	568	Am		2002	664	Am <sup>431</sup>
7641	2000	568	Am	8011	2001	615*	Ad
7642	2000	568	Am	8016	1999	983	Am
7643	2000	568	Am	8017	2000	1009	Am
7646	2000	568	Am	8020	2001	616	R & Ad <sup>22</sup>
7647	2000	568	Am		2002	664	Am (as am by
7647.5	2000	568	Am				Sec. 3 and as ad
7650	2000	568	Am				by Sec. 4,
7651	1999	241	R				Stats. 2001,
7661	2000	568	Am				Ch. 616) <sup>431</sup>
7662	2000	568	Am		2002	1079*	R (as ad by
7664	2000	568	Am				Sec. 4,
7665	2000	568	Am				Stats. 2001,
7666	2000	568	Am				Ch. 616)
7667	2000	568	Am				Am (as ad by
7668	2000	568	Am				Sec. 3,
7669	2000	568	Am				Stats. 2001,
7670	2000	568	Am				Ch. 616)
7685	2001	715	Am	8022	2002	1079*	Am
	2002	664	Am <sup>431</sup>	8024	2001	616	Am
7685.2	1999	657	Am	8024.2	1999	983	Am
	2000	568	Am		2001	616	Am
7685.3	1999	657	Am	8024.3	1999	983	Am
	2000	568	Am	8024.4	1999	983	Am
	2001	305	Am	8024.6	1999	983	Am
7685.5	2000	568	Am	8025	1999	983	Am
	2001	715	Am		2001	616	Am
7685.6	2001	715	Ad <sup>35</sup>	8027	2000	1009	Am
7686	2000	568	Am		2001	159	Am <sup>305</sup>
7686.5	2000	568	Am		2001	615*	Am
7687	2000	568	Am		2001	616	Am (by Sec. 9
7690	2000	568	Am				of Ch.)
7708	2000	568	Am		2002	664	Am <sup>431</sup>
7709	2000	568	Am	8027.5	2001	615*	Ad
7711	2000	568	Am	8028	2000	334	Ad & R <sup>19</sup>
7725	2000	568	Am		2002	1079*	Am
7725.2	2000	568	Am	8028.2	2000	334	Ad & R <sup>19</sup>
	2001	306	Am		2002	1079*	Am
7725.5	2000	568	Am	8028.4	2000	334	Ad & R <sup>19</sup>
7727	2000	568	Am	8030.2	2000	1007	Am <sup>79 43</sup>
7735	1999	241	Am	8030.4	2000	1007	Am (by Sec. 4
	2000	757	Am				of Ch.) <sup>79 43</sup>
7735.5	2001	715	Ad	8030.6	2000	1007	Am (by Sec. 5
7736	2000	757	Am				of Ch.) <sup>79 43</sup>
7737.3	2000	568	Am	8030.8	2000	1007	Am <sup>79 43</sup>
7740	2000	568	Am	8031	1999	983	Am
7740.5	2000	568	Am	8507.1	2001	306	Am
7746	2002	825	Ad	8513	2001	306	Am
7801	2000	393	Am	8516	1999	983	Am
7810	2000	393	Am <sup>79 43</sup>		2001	306	Am
	2002	1012*	Am <sup>98 75</sup>		2002	405	Am
7810.1	2002	107	Ad	8516.1	1999	983	Am
7815.5	2000	393	Am <sup>79 43</sup>		2001	306	R
	2002	1012*	Am <sup>98 75</sup>	8516.2	2001	306	R
7881	2001	306	Am	8517	2001	306	Am
8000	2000	1007	Am <sup>79 43</sup>	8518	1999	983	Am
	2002	1012*	Am <sup>98 75</sup>		2001	306	Am
8005	2000	1007	Am <sup>79 43</sup>	8519.5	1999	983	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
8520	2000	539	Am <sup>79 43</sup>	8729	2000	1006	Am
	2002	1012*	Am <sup>98 75</sup>	8730	1999	125	Am
8520.1	2002	107	Ad	8741	2000	678	Am
8528	2000	539	Am <sup>79 43</sup>	8741.1	2000	1006	Am
	2002	1012*	Am <sup>98 75</sup>		2001	495	Am
8538	2000	234	Am	8747	2000	1006	Am
	2001	306	Am	8747.5	1999	983	Ad
	2002	664	Am <sup>431</sup>	8751	2000	1006	Am
8550	1999	257	Am		2002	1013	Am
8551.5	2001	306	Am	8753	2000	1006	Am
8556	1999	983	Am	8759	2000	976	Ad
8560	2001	306	Am	8761	1999	608	Am
	2002	664	Am <sup>431</sup>		2000	678	Am (by Sec. 2 of Ch.)
8562	2001	306	Am		2000	1054	Am
8564	2001	306	Am	8762	2000	678	Am
8564.5	2001	306	Am		2002	1013	Am
8565	2001	306	Am	8763	2002	1013	Am
8565.5	2001	306	Am	8764.5	2002	1013	Am
8566	2001	306	Am	8765	1999	608	Am
8566.5	2001	306	Am	8771	2000	678	Am (by Sec. 4 of Ch.)
8593	2001	306	Am		2000	1054	Am
8614	1999	983	R	8773.1	1999	608	Am
8615	1999	983	R	8773.2	2000	678	Am
8616.5	2001	306	Am		2002	1013	Am
8617	1999	983	Am	8773.4	1999	608	Am
	2002	584	Am		2000	1006	Am
8651	2001	306	Am		2001	159	Am <sup>305</sup>
8652	1999	983	Am		2002	1013	Am
8656	1999	983	Am	8775	2000	1006	Am
8662	1999	983	Am	8780	1999	983	Am
8663	2002	405	Am		2000	976	Am
8674	1999	983	Am	8780.1	2000	1006	Ad
	2000	539	Am	8781	2000	1006	Am
	2002	405	Am	8792	1999	983	Am
8674.5	1999	983	Am		2000	1006	Am
8698	1999	982	Am <sup>95</sup>	8801	2001	495	Am
	1999	983	Am <sup>95</sup>	8805	1999	983	Am
	2002	1013	S <sup>207</sup>		2001	495	Am
8698.1	1999	982	Am <sup>95</sup>	9603	2000	568	Am
	1999	983	Am <sup>95</sup>	9605.1	2002	825	Ad
	2002	1013	S <sup>207</sup>	9605.2	2002	825	Ad
8698.2	1999	982	S <sup>95</sup>	9607	2002	825	Am
	1999	983	S <sup>95</sup>	9610	2002	825	Ad
	2002	1013	S <sup>207</sup>	9625	2000	568	Am
8698.3	1999	982	S <sup>95</sup>	9630	2000	568	Am
	1999	983	S <sup>95</sup>	9631	2000	568	Am
	2002	1013	S <sup>207</sup>	9650	2000	568	Am
8698.5	1999	982	Am <sup>95</sup>	9650.1	2000	568	Am
	1999	983	Am <sup>95</sup>	9650.2	2000	568	Am
	2002	1013	S <sup>207</sup>	9650.3	2000	568	Am
8698.6	1999	982	Am <sup>95</sup>	9650.4	2000	568	Am
	1999	983	Am <sup>95</sup>	9651	2000	568	Am
	2002	1013	Am <sup>207</sup>	9652	2000	568	Am
8708	2000	1006	Am	9652.1	2000	568	Am
8710	1999	656	Am <sup>4 5</sup>	9653	2000	568	Am
	2000	976	Am <sup>73 19</sup>	9654	2000	568	Am
	2001	495	Am <sup>70 18</sup>	9655	2000	568	Am
	2002	1150	Am <sup>79 43</sup>	9656	2000	568	Am
8720.3	2002	1013	Am				
8720.5	2002	1013	Am				

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**BUSINESS AND PROFESSIONS 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>
9656.1	2000	568	Am	9742	2000	568	Am
9656.2	2000	568	Am	9744	2000	276	Am
9656.25	2000	568	Am	9744.5	2000	568	Am
9656.3	2000	568	Am	9745	2000	276	Am (by Sec. 2
9656.4	2000	568	Am				of Ch.)
9656.45	2000	568	Am		2000	568	Am (by
9656.5	2000	568	Am				Sec. 215.5
9657	2000	568	Am				of Ch.)
9658	2000	568	Am	9746	2000	568	Am
9659	2000	568	Am		2001	306	Am
9662	2000	568	Am	9747	2002	825	Am
	2001	305	Am	9749.5	2000	568	Am
9663	2000	568	Am	9750	2001	306	Am
	2002	825	Am	9750.5	2002	825	Ad
9676	2000	568	Am	9751	2000	568	Am
9679	2000	568	Am	9752	2000	568	Am
9680	2000	568	Am	9753	2000	568	Am
9682	2000	568	Am	9754	2000	568	Am
9683	2000	568	Am	9755	2000	568	Am
9685	2000	568	Am	9756	2000	568	Am
9700	2000	568	Am	9758	2000	568	R
9700.5	2000	568	Am	9759	2000	568	Am
9700.6	2000	568	Am	9760	2000	568	Am
9701	2000	568	Am	9761	2000	568	Am
9702.1	2000	568	Am	9762	2000	568	Am
9702.2	2000	568	Am	9763	2000	568	Am
9702.5	2000	568	Am	9764	2000	568	Am
9703	2000	568	Am	9764.1	2002	825	Ad
9704	2000	568	Am	9764.2	2002	825	Ad
9705	2000	568	R	9764.3	2002	825	Ad
9710	2000	568	Am	9765	2000	568	Am
9711	2000	568	Am		2002	825	Am
9712	2000	568	Am	9766	2000	568	Am
9713	2000	568	Am	9767	2000	568	Am
9714	2000	568	Am	9769	2000	568	Am
9715	2000	568	Am	9780	2000	568	Am
9715.1	2002	819	Ad <sup>175</sup>		2001	305	Am
9716	2000	568	Am	9780.5	2001	305	Ad
9717	2000	568	Am	9781	2000	568	Am
9718	2000	568	Am	9782	2000	568	Am
9719	2000	568	Am	9783	2000	568	Am
9720	2000	568	Am	9784	2000	568	Am
9721	2002	819	Ad <sup>175</sup>	9785	2000	568	Am
9722	2002	819	Ad <sup>175</sup>	9786	2000	568	Am
9723	2002	825	Ad		2002	825	Am
9723.1	2002	825	Ad	9787	2000	568	Am
9723.2	2002	825	Ad		2002	819	Am
9726	2000	568	Am	9787.2	2002	825	Ad
9727	2000	568	Am	9787.3	2002	825	Ad
9727.1	2000	568	Am	9787.4	2002	825	Ad
9727.2	2000	568	Am	9789	2000	568	Am
9728	2000	568	Am	9801	2001	306	Am
9729	2000	568	Am	9810.1	2002	107	Ad
9730	2000	568	Am	9812.5	2002	405	Am <sup>68</sup>
9731	2002	825	Am	9814	2002	405	Am
9737	2000	568	Am	9830.5	2002	405	Am <sup>68</sup>
9740	2000	568	Am	9832.5	2002	405	Am <sup>68</sup>
9741	2000	568	Am	9833	2001	306	Am
9741.1	2000	568	Am	9847.5	2002	405	Am <sup>68</sup>

**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
9849	2002	405	Am (as am by Sec. 40, Stats. 1997, Ch. 401) <sup>68</sup>	9884	1999	983	Am
			Am (as am by Sec. 41, Stats. 1997, Ch. 401) <sup>69</sup>	9884.8	2000	336	Am
			Am (as am by Sec. 42, Stats. 1997, Ch. 401) <sup>68</sup>	9884.9	2000	336	Am
			Am (as am by Sec. 43, Stats. 1997, Ch. 401) <sup>69</sup>	9889.25	2000	867	Ad & R <sup>19</sup>
			Am (as am by Sec. 44, Stats. 1997, Ch. 401) <sup>68</sup>	9889.26	2000	867	Ad & R <sup>19</sup>
			Am (as am by Sec. 45, Stats. 1997, Ch. 401) <sup>69</sup>	9889.27	2000	867	Ad & R <sup>19</sup>
9851	2002	405	Am (as am by Sec. 46, Stats. 1997, Ch. 401) <sup>68</sup>	9889.28	2000	867	Ad & R <sup>19</sup>
			Am (as am by Sec. 47, Stats. 1997, Ch. 401) <sup>69</sup>	9889.29	2000	867	Ad & R <sup>19</sup>
			Am (as am by Sec. 48, Stats. 1997, Ch. 401) <sup>68</sup>	9889.30	2000	867	Ad & R <sup>19</sup>
			Am (as am by Sec. 49, Stats. 1997, Ch. 401) <sup>69</sup>	9889.8	2001	357	Am
9853	2002	405	Am (as am by Sec. 50, Stats. 1997, Ch. 401) <sup>68</sup>	10133.1	1999	407	Am
			Am (as am by Sec. 51, Stats. 1997, Ch. 401) <sup>69</sup>		2002	167	Am
			Am (as am by Sec. 52, Stats. 1997, Ch. 401) <sup>68</sup>	10145	1999	83	Am <sup>30</sup>
			Am (as am by Sec. 53, Stats. 1997, Ch. 401) <sup>69</sup>	10151.5	1999	1000	Am
			Am (as am by Sec. 54, Stats. 1997, Ch. 401) <sup>68</sup>	10153.2	2001	26	Am
			Am (as am by Sec. 55, Stats. 1997, Ch. 401) <sup>69</sup>		2002	1116	Am
			Am (as am by Sec. 56, Stats. 1997, Ch. 401) <sup>68</sup>	10153.4	2002	86	Am <sup>73</sup>
			Am (as am by Sec. 57, Stats. 1997, Ch. 401) <sup>69</sup>				R <sup>22</sup>
			Am (as am by Sec. 58, Stats. 1997, Ch. 401) <sup>68</sup>	10153.6	2002	664	Ad <sup>175</sup>
			Am (as am by Sec. 59, Stats. 1997, Ch. 401) <sup>69</sup>	10167	2000	473	Am <sup>431</sup>
			Am (as am by Sec. 60, Stats. 1997, Ch. 401) <sup>68</sup>	10167.10	2000	473	Am
			Am (as am by Sec. 61, Stats. 1997, Ch. 401) <sup>69</sup>	10167.11	2000	473	Am
			Am (as am by Sec. 62, Stats. 1997, Ch. 401) <sup>68</sup>	10167.12	2000	473	Am
			Am (as am by Sec. 63, Stats. 1997, Ch. 401) <sup>69</sup>	10167.2	2000	473	Am
9855	2002	405	S <sup>68</sup>	10167.3	2000	473	Am
9855.05	2002	405	S <sup>68</sup>		2001	159	Am <sup>305</sup>
9855.1	2002	405	S <sup>68</sup>	10167.3	2000	473	Am
9855.2	2002	405	S <sup>68</sup>	10167.7	2000	473	Am
9855.3	2002	405	S <sup>68</sup>	10167.9	2000	473	Am
9855.4	2002	405	S <sup>68</sup>	10167.9	2000	473	Am
9855.5	2002	405	S <sup>68</sup>	10170.5	2002	86	Am <sup>73</sup>
9855.6	2002	405	S <sup>68</sup>				R <sup>22</sup>
9855.7	2002	405	S <sup>68</sup>				Ad <sup>175</sup>
9855.8	2002	405	S <sup>68</sup>		2002	1116	Am <sup>496</sup>
9855.9	2002	405	Am <sup>68</sup>				R <sup>22</sup>
9860	2002	405	Am (as am by Sec. 50, Stats. 1997, Ch. 401) <sup>68</sup>				Ad <sup>175</sup>
			Am (as am by Sec. 51, Stats. 1997, Ch. 401) <sup>69</sup>	10176.1	2001	660	Ad
			Am (as am by Sec. 52, Stats. 1997, Ch. 401) <sup>68</sup>		2002	664	Am <sup>431</sup>
			Am (as am by Sec. 53, Stats. 1997, Ch. 401) <sup>69</sup>	10177	1999	83	Am <sup>30</sup>
			Am (as am by Sec. 54, Stats. 1997, Ch. 401) <sup>68</sup>		2001	389	Am
			Am (as am by Sec. 55, Stats. 1997, Ch. 401) <sup>69</sup>	10229	1999	83	Am <sup>30</sup>
			Am (as am by Sec. 56, Stats. 1997, Ch. 401) <sup>68</sup>		2000	636	Am
			Am (as am by Sec. 57, Stats. 1997, Ch. 401) <sup>69</sup>		2001	389	Am
			Am (as am by Sec. 58, Stats. 1997, Ch. 401) <sup>68</sup>	10232	1999	83	Am <sup>30</sup>
			Am (as am by Sec. 59, Stats. 1997, Ch. 401) <sup>69</sup>	10232.2	2000	636	Am
9862.5	2002	405	Am <sup>68</sup>	10232.25	2000	636	Am
9863	2002	405	Am (as am by Sec. 53, Stats. 1997, Ch. 401) <sup>68</sup>	10232.5	2000	636	Am
			Am (as am by Sec. 54, Stats. 1997, Ch. 401) <sup>69</sup>	10236.4	1999	41	Am
			Am (as am by Sec. 55, Stats. 1997, Ch. 401) <sup>68</sup>	10240	2001	389	Am
			Am (as am by Sec. 56, Stats. 1997, Ch. 401) <sup>69</sup>	10471	2001	389	Am
			Am (as am by Sec. 57, Stats. 1997, Ch. 401) <sup>68</sup>	10471.1	2001	389	Am
			Am (as am by Sec. 58, Stats. 1997, Ch. 401) <sup>69</sup>	10471.5	2001	389	Am
			Am (as am by Sec. 59, Stats. 1997, Ch. 401) <sup>68</sup>	10471.6	2001	389	Am
9873	2002	405	Am (as am by Sec. 2, Stats. 1998, Ch. 1075) <sup>68</sup>	10472	2001	389	Am
			Am (as am by Sec. 3, Stats. 1998, Ch. 1075) <sup>69</sup>	10472.1	2001	389	Am
			Am (as am by Sec. 4, Stats. 1998, Ch. 1075) <sup>68</sup>	11003.5	2000	522	Am
			Am (as am by Sec. 5, Stats. 1998, Ch. 1075) <sup>69</sup>	11010	2001	642	Am
			Am (as am by Sec. 6, Stats. 1998, Ch. 1075) <sup>68</sup>		2002	496	Am <sup>22</sup>
			Am (as am by Sec. 7, Stats. 1998, Ch. 1075) <sup>69</sup>	11010.05	2000	1004	Am <sup>96</sup>
			Am (as am by Sec. 8, Stats. 1998, Ch. 1075) <sup>68</sup>	11010.10	2000	279	Ad
			Am (as am by Sec. 9, Stats. 1998, Ch. 1075) <sup>69</sup>	11010.11	2001	307	Ad
9880.3	2002	107	Ad	11010.2	2000	279	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
11010.3	2000	279	Am	14461	1999	1000	Am
11010.35	2000	279	Ad	14482	2000	506	Am
11011	2000	279	Am	14483	1999	1000	Am
11018.1	2000	522	Am		2000	506	Am
11018.10	2000	522	Am	14492.5	1999	1000	R
11018.12	1999	83	Am <sup>30</sup>	16004	2002	821	Am
11341	1999	974	Am	16105	2002	821	Am
11360	1999	974	Am	16300	2000	1070	Ad <sup>82</sup>
11404	1999	974	Am		2001	36	Ad
11405	1999	974	Am	16601	2002	179	Am
11411	1999	974	Am	16602	2002	179	Am
11412	1999	974	Am	16602.5	2002	179	Am
11500	2002	1116	Ad & R <sup>68</sup>	16760	2001	74	Am
11501	2002	1116	Ad & R <sup>68</sup>	17210	1999	354	Ad
11502	2002	1116	Ad & R <sup>68</sup>	17525	2000	218	Ad
11503	2002	1116	Ad & R <sup>68</sup>	17526	2000	218	Ad
11504	2002	1116	Ad & R <sup>68</sup>	17527	2000	218	Ad
11505	2002	1116	Ad & R <sup>68</sup>	17528	2000	218	Ad
11506	2002	1116	Ad & R <sup>68</sup>	17530.5	2000	1084	Am
12015.3	2000	512	Am <sup>43</sup>	17530.6	2000	1084	Ad <sup>82</sup>
12029	2001	745*	R	17533.6	2002	319	Am
12209.6	2000	511	Am	17537.11	1999	907	Ad
12240	2000	512	S <sup>43</sup>		2000	135	Am <sup>203</sup>
12242	2000	512	S <sup>43</sup>	17538	2002	326	Am
12243	2000	512	S <sup>43</sup>	17538.3	2002	326	Am
12244	2000	512	S <sup>43</sup>	17538.35	2002	783	Ad <sup>421</sup>
12246	2000	512	Am <sup>43</sup>	17538.4	2002	700	Am
12531	1999	364	R & Ad	17538.41	2002	699	Ad
12532	1999	364	R & Ad	17538.9	2002	778	Am
12533	1999	364	R & Ad	17539.15	1999	83	Am <sup>30</sup>
12534	1999	364	R & Ad	17550.14	1999	83	Am <sup>30</sup>
12535	1999	364	R & Ad	17550.16	1999	83	Am <sup>30</sup>
12536	1999	364	R & Ad	17550.23	1999	83	Am <sup>30</sup>
12537	1999	364	R & Ad	17550.41	1999	83	Am <sup>30</sup>
12538	1999	364	R	17582	2002	998	Ad
12539	1999	364	R	17590	2001	695	Ad
12540	1999	364	R & Ad	17591	2001	695	Ad
12541	1999	364	R & Ad		2002	698	Am
12542	1999	364	R & Ad		2002	1124*	Am
12543	1999	364	R & Ad	17592	2001	695	Ad
12544	1999	364	R & Ad	17593	2001	695	Ad
12545	1999	364	R	17594	2001	695	Ad
12546	1999	364	R	17595	2001	695	Ad
12547	1999	364	R	17910.5	2001	728	Am
12548	1999	364	R	17913	2001	728	Am
12701	1999	815	Am	17917	2001	728	Am
13300	2002	818	Ad	17923	2001	728	Am
13301	2002	818	Ad	18602	2000	393	Am <sup>79 43</sup>
13302	2002	818	Ad	18602.1	2002	107	Ad
13401	2001	596*	Am	18613	2000	393	Am <sup>79 43</sup>
13405	2001	596*	Ad	18712	2002	680	Am
	2002	664	Am <sup>431</sup>	18800	2001	776	Am
13651	1999	583	Am	18824	2000	436	Am
13700	1999	494	Am				R & Ad <sup>80</sup>
13710	1999	494	Am		2001	776	Am (as am by
13710.5	1999	494	Am <sup>20</sup>				Sec. 1,
14233	1999	1000	Am				Stats. 2000,
14250	1999	1000	Am				Ch. 436)
14260	1999	1000	Am	18882	2001	776	Am
14320	2000	673	Am	18896.8	1999	1000	Am
14427	1999	1000	Am	19004.1	2002	107	Ad

**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
19010.1	2002	405	Am	19440	2000	1082	Am
19010.5	2002	405	Am	19441	2000	1082	Am
19011	2002	405	Am	19442.2	2000	1082	Am
19017	2002	405	Am	19444	2000	1082	Am
19031	2002	405	Am	19455	2001	198	Ad
19034.5	2002	405	Am		2001	783	Am (as ad by
19049	2002	405	Am				Stats. 2001,
19051	2000	837	Am				Ch. 198)
19055	2000	837	Am		2002	664	Am (as ad by
19059.5	2000	837	Am				Stats. 2001,
	2002	405	Am				Ch. 198) <sup>431</sup>
19060.5	2002	405	Am	19455.2	2001	198	Ad
19062	2002	405	Am	19455.4	2001	198	Ad
19063	2002	405	Am	19461	2001	198	Am
19064	2002	405	Am	19461.5	2001	198	Ad
19072.6	2002	405	Am	19464	2000	1082	Am
19089.5	2001	199	Am	19480	2000	1082	Am
19093	2002	405	Am	19481	2000	1082	Am
19161	2001	199	Am	19481.5	2000	1082	Am
19162	2002	405	Am		2001	198	Am
19170	2001	199	Am		2001	783	Am (as ad by
	2002	405	Am				Stats. 2001,
19208	2002	405	Am				Ch. 198)
19211	2002	405	Am	19485	2000	1082	Am
19215.1	2002	405	Am	19485.5	2000	1082	R
19215.2	2002	405	Am	19487	2000	1082	Am
19215.3	2002	405	Am	19488	2000	1082	Am
19215.4	2002	405	Am	19489	2000	1082	Am
19215.5	2002	405	Am	19490	2000	1082	Am
19215.6	2002	405	Am	19491	2000	1082	Am
19215.7	2002	405	Am	19497	2000	1082	Am
19215.8	2002	405	Am	19510	2000	1082	Am
19403.5	2000	1082	Am	19511	2000	1082	R
	2002	234	Am	19512	2000	1082	Am
19405	2000	1082	Am	19515	2000	1082	Am
19406	2002	282	Am	19516	2000	1082	Am
19407.5	2000	1082	Am	19517.5	2001	933	Ad
19410	2000	1082	Am	19518	2000	1082	Am
19410.8	2000	1082	Am	19520	2000	1082	Am
	2002	234	Am	19521	2000	1082	Am
19411	2000	1082	Am	19523	2000	1082	Am
	2001	198	Am	19525	2000	1082	Am
			R & Ad <sup>69</sup>	19526	2001	198	Ad
19412	2000	1082	Am	19527	2001	935	Ad
19414	2000	1082	Am	19528	2001	935	Ad
19414.5	2000	1082	Am	19530	2000	1082	Am
19415.8	2000	1082	Am	19531	2000	1082	Am
	2002	234	Am	19533	2000	1082	Am
19416.5	2000	1082	Am	19533.5	2002	234	Am
19416.6	2000	1082	Ad	19533.6	2002	924	Ad
19417.5	2000	1082	Am	19534	2000	1082	R
19417.6	2000	1082	R & Ad	19535	2000	1082	Am
19417.7	2000	1082	Am	19540	2000	1082	Ad
19417.9	2000	1082	R		2002	872	Am
19423	2000	1082	Am	19541	2000	1082	R
19424.5	2000	1082	Am	19546	2000	1082	Am
19428	2000	1082	Am	19547	2000	1082	Am
19430	2000	1082	Am	19548	2000	1082	Am
19432	2000	1082	Am	19549	1999	218	Am
19435	2000	1082	Am		2000	1082	Am
19437	2000	1082	Am	19549.1	2000	1082	Am

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**BUSINESS AND PROFESSIONS 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>
19549.10	2000	1082	R		2001	65*	Am
19549.11	2000	1082	R	19605.73	2001	933	Am <sup>70 18</sup>
19549.14	2001	848	Ad		2002	922*	Am
	2002	664	Am <sup>431</sup>	19606.1	2000	53*	Am
	2002	1063	Am	19607.4	2002	922*	Ad
19549.15	2002	874*	Ad	19608.5	2000	1082	Am
19549.5	2000	1082	R	19608.6	2000	1082	Am
19550	2000	1082	Am	19610.2	2000	1082	Am
19554	1999	170	Am	19610.4	2000	1082	Am
19556	1999	170	Am	19611.5	2000	1082	Am
	2002	904	Am	19612.6	2000	1082	Am
19556.5	2000	1082	Am	19612.7	2002	923*	Ad
19565	2000	1082	Am	19612.8	2000	1082	Am
19567	2000	1082	Am	19612.9	2000	1082	Am
19568	2000	1082	Am	19613	2000	1082	Am
	2002	145	Am		2001	198	Am
19569	2000	1082	Am				R & Ad <sup>69</sup>
19572	2000	1082	Am		2002	921*	Am (as am by
19574	2000	1082	Am				Sec. 11,
19577	2000	1082	Am				Stats. 2001,
19578	2000	1082	Am				Ch. 198) <sup>43</sup>
19578.1	2000	1082	Am				Ad & R <sup>82</sup>
19580	2000	1082	Am		2002	922*	Am (as am by
19581	2000	1082	Am				Sec. 11 and as
19582	2001	933	Am				ad by Sec. 11.5,
19590	2000	1082	Am				Stats. 2001,
	2001	198	Am				Ch. 198)
			R & Ad <sup>69</sup>		2002	923*	Am (as am by
19591	2000	1082	Am				Sec. 11,
19592	2000	1082	Am				Stats. 2001,
19592.5	2000	1082	Am				Ch. 198) <sup>43</sup>
19595	2001	198	Am				Ad <sup>80</sup>
			R & Ad <sup>69</sup>				R <sup>69</sup>
19596.1	1999	28*	Am	19613.05	2002	90	Am <sup>68</sup>
	2002	268	Am	19613.3	2002	921*	Am
19596.2	1999	219*	Am				R & Ad <sup>80</sup>
	2001	936	Am	19613.8	2001	198	Ad
19596.4	2001	936	Ad	19614	2000	1082	Am
19597	2000	1082	Am	19614.2	2000	1082	Am
19598	2000	1082	Am	19613.3	2002	924	Ad
19599	2000	1082	Am	19616.51	2000	342	Ad
19601	2000	1082	Am	19617.2	2002	145	Am
19601.2	2001	27	Am	19617.3	2002	282	Ad
19602	2000	1082	Am	19617.5	2002	282	Am
19604	2001	198	Ad & R <sup>68</sup>	19617.75	2001	65*	Ad
	2002	874*	Am	19618	1999	127	Am
19605	2000	1082	Am	19618.1	1999	127	Ad
19605.1	2000	1082	Am	19620.1	2000	53*	Am
19605.2	2000	1082	Am	19622.3	2001	423	Am
19605.3	2000	1082	Am	19630	1999	370	Am
19605.35	2000	779	Am	19633	2000	1082	R
19605.45	2002	1063	Ad	19634	2000	1082	R
19605.51	2000	1082	Am	19636	2000	1082	Am
19605.52	2002	872	Ad	19637	2000	1082	Am
19605.55	2002	874*	Ad	19641.2	2001	198	Ad
19605.6	2000	1082	Am	19660	2000	1082	Am
19605.61	2001	936	Am	19661	2001	933	Am
19605.7	2000	1082	Am	19662	2000	1082	Am
	2001	65*	Am	19664	2000	1082	Am
19605.71	2000	1082	Am	19701	2002	872	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
19801.2	2002	738	Am & RN	19834.5A	2002	738	Am & RN
19802	2002	738	Am & RN	19834.6A	2002	738	Am & RN
			& Ad(RN)	19834A	2002	738	Am & RN
19803	2002	738	Ad(RN)	19835.5A	2002	737	Am
19804	2002	738	Am		2002	738	Am & RN
19805	2000	1023 *	Am	19835.6	2001	254	Ad
	2001	941	Am	19835A	2002	738	Am & RN
	2001	945	Am	19836A	2002	738	R
	2002	738	Am	19840	2002	738	Am & RN
19807	2002	738	Am				& Ad(RN)
19808	2002	738	Am	19840.5	2002	738	Am & RN
19809	2002	738	Am & RN	19841	2002	738	Ad(RN)
19810	2002	738	Ad(RN)	19841A	2001	945	Am
19810A	2002	738	Am & RN		2002	738	Am & RN
19811	2002	738	Ad(RN)	19842	2002	738	Ad(RN)
19811A	2002	738	Am & RN	19842A	2002	738	Am & RN
19812	2002	738	Ad(RN)	19843	2002	738	Ad(RN)
19812A	2002	738	Am & RN	19844	2002	738	Am & RN
19813	2002	738	Ad(RN)				& Ad(RN)
19813A	2002	738	Am & RN	19845	2002	738	Ad(RN)
19814	2002	738	Ad(RN)	19846	1999	351 *	Ad(RN)
19814A	2002	738	Am & RN		2002	738	Am & RN
19815	2002	738	Am & RN	19846A	1999	351 *	Am & RN
			& Ad(RN)	19847A	2002	738	Am & RN
19815.5A	2002	738	Am & RN	19848.5	2002	738	Am & RN
19815.8A	2002	738	Am & RN	19848A	2002	738	Am & RN
19816	2002	738	Ad(RN)	19850	2002	738	Ad(RN)
19817	2002	738	Ad(RN)	19850A	2002	738	Am & RN
19817A	2002	738	Am & RN	19851	2002	738	Ad(RN)
19818	2001	945	R	19851.5	2000	1023 *	Am
	2002	738	Ad(RN)		2001	945	Am
19818A	2001	945	Ad		2002	738	Am & RN
	2002	738	Am & RN	19851A	2002	738	Am & RN
19819	2002	738	Ad(RN)	19852	2002	738	Ad(RN)
19820	2002	738	Ad(RN)	19852.1	2002	738	Am & RN
19820A	2002	738	Am & RN	19852A	2002	738	Am & RN
19821	2002	738	Ad(RN)	19853	2002	738	Ad(RN)
19821A	2002	738	Am & RN	19853.5	1999	351 *	Am
19822	2002	738	Ad(RN)		2001	945	Am
19822A	2002	738	Am & RN		2002	738	Am & RN
19823	2002	738	Ad(RN)	19853A	2002	738	Am & RN
19823.5	2001	945	Ad	19854	2002	738	Ad(RN)
	2002	738	Am & RN	19854A	2002	738	Am & RN
19823A	2001	945	Am	19855	2002	738	Am & RN
	2002	738	Am & RN				& Ad(RN)
19824	2002	738	Ad(RN)	19856	2002	738	Ad(RN)
19824A	2002	738	Am & RN	19856A	2002	738	Am & RN
19825	2002	738	Am & RN	19857	2002	738	Ad(RN)
			& Ad(RN)	19857A	2002	738	Am & RN
19826	2002	738	Ad(RN)	19858	2002	738	Ad(RN)
19827	2001	945	Am	19858.5	2002	738	Am & RN
	2002	738	Am & RN	19858.7A	2002	738	Am & RN
			& Ad(RN)	19858A	2002	738	Am & RN
19828	2002	738	Am & RN	19859	2002	738	Am & RN
			& Ad(RN)				& Ad(RN)
19829	2002	738	Am & RN	19860	2002	738	Ad(RN)
			& Ad(RN)	19860A	2002	738	Am & RN
19830	2001	945	R	19861	2002	738	Am & RN
	2002	738	Ad(RN)				& Ad(RN)
19830A	2002	738	Am & RN	19862	2002	738	Ad(RN)
19834	2001	945	R	19862.5	2002	738	Am & RN

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

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19862A	2002	738	Am & RN	19914	2002	738	Ad(RN)
19863	2002	738	Ad(RN)	19915	2002	738	Ad(RN)
19863A	2002	738	Am & RN	19915.5	2002	738	Am & RN
19864	2002	738	Ad(RN)	19915A	2002	738	Am & RN
19864A	2002	738	Am & RN	19916	2002	738	Am & RN
19865	2002	738	Ad(RN)	19917	2002	738	Am & RN
19866	2002	738	Ad(RN)	19918A	2002	738	Am & RN
19867	2002	738	Ad(RN)	19920	2002	738	Ad(RN)
19868	2002	738	Ad(RN)	Div. 8,			
19869	2002	738	Ad(RN)	Ch. 5,			
19870	2000	1055 *	Am	Art. 9.5,			
	2002	738	Am & RN	heading			
			& Ad(RN)	(Sec. 19920A			
19871	2002	738	Ad(RN)	et seq.)	2002	738	R
19871A	2002	738	Am & RN	19920A	2002	738	Am & RN
19872	2002	738	Ad(RN)	19921	2002	738	Ad(RN)
19872A	2002	738	Am & RN	19921A	2002	738	Am & RN
19873	2002	738	Am & RN	19922	2002	738	Am & RN
			& Ad(RN)				& Ad(RN)
19874	2002	738	Ad(RN)	19923	2002	738	Ad(RN)
19875	2002	738	Ad(RN)	19924	2002	738	Ad(RN)
19876	2002	738	Ad(RN)	Div. 8,			
19877	2002	738	Ad(RN)	Ch. 5,			
19878	2002	738	Ad(RN)	Art. 10,			
19879	2002	738	Ad(RN)	heading			
19880	2000	1055 *	Am	(Sec. 19930			
	2002	738	Am & RN	et seq.)	2002	738	R & Ad
			& Ad(RN)	19930	2002	738	Am & RN
19881	2002	738	Am & RN				& Ad(RN)
			& Ad(RN)	19931	2002	738	Ad(RN)
19882	2002	738	Ad(RN)	19932	2002	738	Am & RN
19882A	2002	738	Am & RN				& Ad(RN)
19883	2002	738	Ad(RN)	19933	2002	738	Am & RN
19883A	2002	738	Am & RN	19933.5A	2002	738	Am & RN
19890	2002	738	Ad(RN)	19934	2002	738	Am & RN
19891	2002	738	Ad(RN)	Div. 8,			
19892	2002	738	Ad(RN)	Ch. 5,			
19893	2002	738	Ad(RN)	Art. 11,			
19900	2002	738	Ad(RN)	heading			
19900A	2002	738	Am & RN	(Sec. 19940			
19901	2002	738	Ad(RN)	et seq.)	2002	738	R & Ad
19901A	2002	738	Am & RN	19940	2002	738	Am & RN
19902	2002	738	Ad(RN)				& Ad(RN)
19902A	2002	738	Am & RN	19941	2002	738	Am & RN
19903	2002	738	Ad(RN)				& Ad(RN)
19903A	2002	738	Am & RN	19942	2002	738	Ad(RN)
19904	2002	738	Ad(RN)	19942A	2002	738	Am & RN
19904A	2002	738	Am & RN	19943	2002	738	Ad(RN)
19905	2002	738	Ad(RN)	19944	2002	738	Am & RN
19905A	2002	738	Am & RN				& Ad(RN)
19906A	2002	738	R	Div. 8,			
19910	2001	945	Am	Ch. 5,			
19910.4	2002	738	Am & RN	Art. 12,			
19910.5A	2001	945	Am	heading			
	2002	738	Am & RN	(Sec. 19950			
19911	2002	738	Ad(RN)	et seq.)	2002	738	R & Ad
19911A	2002	738	Am & RN	19950	2002	738	Am & RN
19912	2002	738	Ad(RN)				& Ad(RN)
19912A	2002	738	Am & RN	19950.1	2002	738	Am & RN
19913	2002	738	Ad(RN)	19950.2	1999	83	Am <sup>30</sup>
19913A	2002	738	Am & RN		2000	1023 *	Am <sup>75</sup>

**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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19950.2 (Cont.)	2002	738	Am & RN	Div. 8,			
19950.3	2000	1023 *	Ad & R <sup>75</sup>	Ch. 5,			
	2001	945	Am	Art. 16,			
	2002	738	Am & RN	heading			
19951	2002	738	Am & RN	(Sec. 19984			
			& Ad(RN)	et seq.)	2002	738	Ad
19952	2002	738	Ad(RN)	19984	2002	738	Ad(RN)
19953	2002	738	Ad(RN)	20007	2002	664	Am <sup>431</sup>
Div. 8,				20600	2002	748	Ad
Ch. 5,				20601	2002	748	Ad
Art. 13,				20602	2002	748	Ad
heading				21140.2	1999	523	Am
(Sec. 19956				21140.3	1999	523	Am
et seq.)	2002	738	R	21148	1999	523	Am
19956	2002	738	Am & RN	21600	2001	60	Am
19957	2002	738	Am & RN	21628	2000	994	Am
19958	2002	738	Am & RN	21630	2000	994	Am
Div. 8,				Div. 8,			
Ch. 5,				Ch. 9,			
Art. 14,				Art. 6,			
heading				heading			
(Sec. 19959				(Sec. 21660			
et seq.)	2002	738	R	et seq.)	2002	334	Am
19959	2002	738	Am & RN	21660	2002	334	Am
19959.5A	2002	738	Am & RN	21661	2002	334	Am
Div. 8,				21662	2002	334	Am
Ch. 5,				21663	2002	334	Am
Art. 13,				21663.1	2002	334	Ad
heading				21701.1	1999	83	Am <sup>30</sup>
(Sec. 19960				21702	2000	156	Am
et seq.)	2002	738	Ad		2001	159	Am <sup>305</sup>
19960	2002	738	Ad(RN)	21713.5	2000	156	Ad
19960.2A	2002	738	Am & RN	21800	2000	120	Am
19960.4	2002	738	Am & RN	22250	1999	983	Am
19961	2002	738	Ad(RN)		2001	495	S <sup>300 317</sup>
19962	2002	738	Ad(RN)	22251	1999	983	Am
19963	2002	738	Ad(RN)		2000	1084	Am
19964	2002	738	Ad(RN)		2001	495	Am <sup>300 317</sup>
Div. 8,					2001	728	Am
Ch. 5,				22252	2001	495	S <sup>300 317</sup>
Art. 14,				22252.5	2001	495	S <sup>300 317</sup>
heading				22253	1999	983	Am
(Sec. 19970					2000	1084	Am
et seq.)	2002	738	Ad		2001	495	S <sup>300 317</sup>
19970	2002	738	Ad(RN)		2002	1150	Am
19971	2002	738	Ad(RN)	22253.2	2002	1150	Ad
19972	2002	738	Ad(RN)	22254	1999	983	Am
Div. 8,					2001	495	Am <sup>300 317</sup>
Ch. 5,					2001	728	Am
Art. 15,				22255	1999	983	Am
heading					2001	495	Am <sup>300 317</sup>
(Sec. 19980				22256	2001	495	S <sup>300 317</sup>
et seq.)	2002	738	Ad	22257	2001	495	S <sup>300 317</sup>
19980	2000	1023 *	Ad	22258	2000	1055*	Am
	2002	738	Am & RN		2001	495	S <sup>300 317</sup>
			& Ad(RN)	22259	2001	495	Am <sup>300 317</sup>
19981	2002	738	Ad(RN)	22325	2002	948	Am <sup>437</sup>
19982	2002	738	Ad(RN)	22350	1999	892	Am
19983	2002	738	Ad(RN)	22351	1999	892	Am
				22351.5	1999	892	Am

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22353	1999	892	Am	23817.5	2000	979	Am
	2002	197	Am	23817.7	2001	931	Am
22354	2001	35	Am	23824	2000	7*	Am
22355	2001	728	Am		2000	979	Am
22357	1999	892	Am	23985.5	2001	931	Am
22391	2002	784	Am <sup>490</sup>	23986	2000	979	Am
22433	2000	185	Am	23987	2001	931	Am
22442.2	2000	674	Am		2002	664	Am <sup>431</sup>
22442.4	1999	336	Ad	24041	2002	413	Am
22443.1	1999	336	Am <sup>13</sup>	24042	2001	488	Am
	2001	304	Am	24042.5	2001	488	Am
22443.3	2001	304	Ad	24045.11	2001	488	Am
22445	1999	336	Am	24045.12	2001	53	Ad
	2000	674	Am	24045.5	1999	699	Am
	2002	705	Am		2002	246	Am
22446.5	2002	705	Am	24045.7	2001	488	Am
22447	2001	304	Am <sup>13</sup>		2001	567*	Am
	2002	705	Am		2002	579	Am
22453.1	2001	728	Am	24045.85	2001	488	Am
22455	2002	784	Am <sup>490</sup>		2002	246	Am
22456	2001	35	Am	24048	2001	488	Am
22475	2002	191	Ad	24071.2	1999	699	Am
22911	1999	991	Am <sup>96 114</sup>	24200.6	2002	1027	Ad
22912	1999	991	Am <sup>96 114</sup>	25000	2001	567*	Am
22914	1999	991	Am <sup>96 114</sup>	25000.6	1999	860	Ad
22916	1999	991	Am <sup>96 114</sup>		2001	567*	Am
22917	1999	991	Am <sup>96 114</sup>	25000.7	2000	1083	Ad
22921	1999	991	Am <sup>96 114</sup>	25000.9	2000	1083	Ad
22922	1999	991	Am <sup>96 114</sup>	25241	2000	831	Ad
22940	1999	343	Ad	25354	1999	787	Am
22941	1999	343	Ad	25361	2002	784	Am <sup>490</sup>
	2000	674	Am	25500.1	2000	205	Ad
22952	2001	376	Am	25500.2	2000	979	Ad
22962	2001	376	Ad		2000	980	Ad
22963	2002	685	Ad		2001	567*	R (as ad by
23050	2000	979	Am				Sec. 6,
23055	2002	579	Am				Stats. 2000,
23100	2000	979	Am				Ch. 979)
	2001	657	R & Ad				Am (as ad by
23104.2	1999	83	Am <sup>30</sup>				Sec. 1,
	2001	657	Am				Stats. 2000,
23320	2001	488	R & Ad				Ch. 980)
23320.2	2001	488	R	25502.1	1999	666	Ad
23320.3	2001	488	R		2000	162	Am
23320.6	1999	288	Am		2000	979	Am
23355.1	1999	699	Am		2000	980	Am
23357.2	2001	488	Am		2001	567*	Am
23358.3	2001	488	Am	25503.16	2001	567*	Am
23366.3	2001	488	Am	25503.2	1999	699	Am
23373	2001	567*	Am	25503.24	2001	567*	Am
23389	2001	488	Am	25503.26	2000	979	Am
23390	2001	488	Am		2001	567*	Am
23396.2	2000	231	Ad	25503.30	2000	162	Am
23399	1999	699	Am	25503.6	1999	937*	Am
	2001	488	Am		2000	7*	Am
23399.4	2000	384	Ad		2000	979	Am
	2001	488	Am		2000	980	Am
23800	1999	499	Am		2001	582	Am
	2000	979	Am		2002	47*	Am
	2001	931	Am	25503.8	1999	937*	Am
23805	1999	499	Am		2000	424*	Am

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25503.8 (Cont.)	2000	979	Am	25620	2000	381	Am
	2001	567 *	Am	25658	1999	786	Am
25503.85	2000	979	Am		1999	787	Am
	2001	567 *	Am	25658.1	1999	786	Am
25512	2000	979	Am	25658.4	1999	786	Am
25611.1	2001	207	Am	25658.5	1999	787	Am
25612.5	1999	787	Am	25661	1999	787	Am
				25662	1999	787	Am

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43.7	2002	1013	Am				
43.8	2002	664	Am <sup>431</sup>		2002	853	Am
43.93	2002	1013	Am	56.102	2002	853	Ad
43.95	2002	1013	Am	56.104	1999	527	Ad (by Sec. 3 of Ch.)
43.97	2000	857	Am <sup>203</sup>		56.11	1999	526
43.98	1999	525	Am <sup>112</sup>			2000	1066
43.99	2002	722	Ad			2002	853
47	2002	1029*	Am		56.12	1999	526
48.8	2001	570	Ad			2002	853
51	2000	1049	Am		56.14	1999	526
51.1	2002	244	Ad		56.17	1999	311
51.11	1999	324	Am			1999	525
	2000	1004	Am (by Sec. 5 of Ch.)			2000	857
						2000	941
51.12	2000	1004	Am	Div. 1,			
51.2	1999	324	Am	Pt. 2.6,			
	2000	1004	Am	Ch. 5,			
	2002	726	Am	heading			
51.3	1999	324	Am	(Sec. 56.26			
	2000	1004	Am (by Sec. 3 of Ch.)	et seq.)	2000	278	Am
					56.265	2000	278
51.4	2000	1004	Am (by Sec. 4 of Ch.)		56.30	1999	526
						2000	1067
51.5	1999	591	Am		56.31	1999	766
	2000	1049	Am		56.35	1999	527
51.6	2001	312	Am		56.36	1999	526
51.9	1999	964	Am		56.37	1999	526
52	1999	964	Am (by Sec. 2 of Ch.)		682.1	2000	645
					714	2002	570
	2000	98	Am		789	2002	664
	2001	261	Am		798.13	2000	471
52.1	2000	98	Am		798.23	2002	672
	2001	261	Am		798.23.5	2002	672
	2002	784	Am <sup>490</sup>		798.24	2001	83
52.3	2000	622	Ad		798.25	1999	323
52.4	2002	842	Ad		798.26	2000	423
54	2000	1049	Am		798.33	2000	551
54.8	2001	824	Am		798.37.5	2000	423
55.2	2002	244	Ad		798.39	2001	151
56.05	1999	526	Am		798.43.1	2001	437
	2000	1067	Am		798.44	1999	326
	2002	853	Am			2000	232
56.07	2000	1066	Ad		798.51	2001	83
56.10	1999	526	Am		798.58	2002	672
	2000	1065	Am (by Sec. 1 of Ch.)		798.73.5	2000	554
					798.75.5	1999	517
	2000	1066	Am (by Sec. 2 of Ch.)		798.87	2002	141
					801.5	2000	537
	2000	1067	Am (by Sec. 2.3 of Ch.)		827	2000	680
							Am
	2000	1068	Am & R (by Sec. 1.8 of Ch.) <sup>20</sup>			2001	593*
			Ad (by Sec. 1.16 of Ch.) <sup>34</sup>				R & Ad <sup>80</sup>
	2002	123	Am (as ad by Sec. 1.16, Stats. 2000, Ch. 1068)			2002	664
							Am (as am by Sec. 3, Stats. 2000, Ch. 680 and as am by Sec. 1, Stats. 2001, Ch. 593) <sup>431</sup>
56.101	1999	526	Ad				
	2000	1067	Am				

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846.1	1999	775	Am		1999	517	Am (by Sec. 4.5 of Ch.)
895	2002	722	Ad				Am <sup>203</sup>
896	2002	722	Ad		2000	135	Am
897	2002	722	Ad	1102.3a	1999	517	Ad
900	2002	722	Ad	1102.6	2001	584	Am
901	2002	722	Ad		2002	496	Am <sup>22</sup>
902	2002	722	Ad		2002	664	Am <sup>431</sup>
903	2002	722	Ad	1102.6b	2001	673	Am
904	2002	722	Ad		2002	770*	Am
905	2002	722	Ad		2002	771	Am
906	2002	722	Ad	1102.6c	1999	83	Am <sup>30</sup>
907	2002	722	Ad		1999	876	R
910	2002	722	Ad	1102.6d	1999	517	Ad
911	2002	722	Ad	1102.9	1999	517	Am
912	2002	722	Ad	1103	1999	876	Ad
913	2002	722	Ad		2000	135	Am <sup>203</sup>
914	2002	722	Ad	1103.1	1999	876	Ad
915	2002	722	Ad	1103.10	1999	876	Ad
916	2002	722	Ad	1103.11	1999	876	Ad
917	2002	722	Ad	1103.12	1999	876	Ad
918	2002	722	Ad	1103.13	1999	876	Ad
919	2002	722	Ad	1103.14	1999	876	Ad
920	2002	722	Ad	1103.2	1999	876	Ad
921	2002	722	Ad	1103.3	1999	876	Ad
922	2002	722	Ad	1103.4	1999	876	Ad
923	2002	722	Ad		2002	496	Am <sup>22</sup>
924	2002	722	Ad	1103.5	1999	876	Ad
925	2002	722	Ad	1103.7	1999	876	Ad
926	2002	722	Ad	1103.8	1999	876	Ad
927	2002	722	Ad	1103.9	1999	876	Ad
928	2002	722	Ad	1180	1999	20	Am
929	2002	722	Ad	1181	1999	20	Am
930	2002	722	Ad		2002	784	Am <sup>490</sup>
931	2002	722	Ad	1351	2000	26*	Am
932	2002	722	Ad		2002	1111	Am
933	2002	722	Ad	1352.5	1999	589	Ad
934	2002	722	Ad	1353	2002	496	Am <sup>22</sup>
935	2002	722	Ad	1353.5	2002	178	Ad
936	2002	722	Ad	1360.5	2000	551	Ad
937	2002	722	Ad		2001	176	Am
938	2002	722	Ad	1361.5	2002	1111	Ad
941	2002	722	Ad	1363	2000	257	Am
942	2002	722	Ad		2000	636	Am
944	2002	722	Ad	1363.05	2002	195	Am
945	2002	722	Ad		2002	1111	Am
945.5	2002	722	Ad	1363.5	2002	1116	Am
954.5	1999	991	Am <sup>96 114</sup>	1363.6	2002	1117	Am & RN & Ad
955	1999	991	Am <sup>96 114</sup>	1365	1999	898	Am
955.1	1999	991	Am <sup>96 114</sup>		2000	1055*	Am
990	1999	998	Am & RN		2002	1116	Am
	1999	1000	Am & RN (by Sec. 9.5 of Ch.)	1365.1	2002	1111	Ad
				1365.5	1999	898	Am
1071	2002	138	R	1366	2000	125	Am
1073	2002	138	R		2002	1111	Am
1092	1999	608	Am	1366.2	2002	1117	Ad(RN)
1102	1999	517	Am	1366.3	2002	1111	Am
1102.1	1999	517	Am	1367	2002	1111	Am
1102.17	1999	876	Ad	1367.1	2002	1111	Ad
1102.18	2001	466	Ad & R <sup>19</sup>	1368	2000	257	Am
1102.2	1999	119	Am				

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1368 (Cont.)	2002	1111	Am (by Sec. 9 of Ch.)	1748.12	2000	977	Am <sup>285</sup> R <sup>34</sup>
	2002	1117	Am (by Sec. 3.5 of Ch.)	1748.13	2001	711	Ad <sup>286</sup> Ad <sup>338</sup>
1368.1	2002	817	Ad	1748.14	2002	664	Am <sup>431</sup>
1375	2001	824	Am <sup>35 384</sup> R <sup>192</sup>	1748.22	2000	815	Ad
	2002	664	Am (as am by Stats. 2001, Ch. 824) <sup>431</sup>	1748.23	2002	815	Ad
			Ad <sup>35 384</sup> R <sup>192</sup>	1748.30	1999	244	Ad
1375.05	2001	824	Am <sup>431</sup>	1748.31	1999	244	Ad
	2002	664	Am <sup>431</sup>	1748.32	2002	815	Ad
1471	2002	592	Am	1748.9	1999	171	Ad <sup>56</sup>
1632	2001	306	Am	1748.95	2001	493	Ad
	2002	664	Am <sup>431</sup>	1749.51	2002	815	Ad
1633	1999	213 *	Ad	1749.6	2002	997	Ad
1633.1	1999	428	Ad	1749.60	1999	586	Ad <sup>56</sup>
1633.10	1999	428	Ad	1749.61	1999	586	Ad <sup>56</sup>
1633.11	1999	428	Ad	1749.63	1999	586	Ad <sup>56</sup>
1633.12	1999	428	Ad	1749.64	1999	586	Ad <sup>56</sup>
1633.13	1999	428	Ad	1749.65	1999	586	Ad <sup>56</sup>
1633.14	1999	428	Ad	1749.66	2002	815	Ad
1633.15	1999	428	Ad	1782	1999	1000	Am
1633.16	1999	428	Ad	1785.10	2000	978	Am <sup>96</sup>
1633.17	1999	428	Ad		2001	236	Am (as am by Sec. 1, Stats. 2000, Ch. 978) <sup>34</sup>
1633.2	1999	428	Ad		2001	354	Am (by Sec. 1.5 of Ch.)
1633.3	1999	428	Ad		2002	9 *	Am R & Ad <sup>34</sup>
1633.4	1999	428	Ad	1785.11	2000	1012	Am
1633.5	1999	428	Ad		2002	664	Am <sup>431</sup>
1633.6	1999	428	Ad	1785.11.1	2001	720	Ad <sup>25</sup>
1633.7	1999	428	Ad	1785.11.2	2001	720	Ad <sup>34</sup>
1633.8	1999	428	Ad		2002	664	Am <sup>431</sup>
1633.9	1999	428	Ad		2002	786	Am
1708	2002	664	Am <sup>431</sup>	1785.11.3	2001	720	Ad <sup>34</sup>
1708.6	2002	193	Ad	1785.11.4	2001	720	Ad
1714	2002	906	Am	1785.11.6	2001	720	Ad
	2002	913	Am		2002	786	Am
1714.01	2001	893	Ad	1785.11.8	2001	354	Ad
1714.10	2000	472	Am	1785.13	2000	1012	Am
1714.11	2002	388	Ad	1785.15	2000	978	Am <sup>96</sup>
1714.21	1999	163	Ad		2001	720	Am
	2002	718	Am		2002	860	Am
1714.4	2002	906	R	1785.15.1	2000	978	Ad <sup>96</sup>
	2002	913	R	1785.15.2	2000	978	Ad <sup>96</sup>
1714.9	2001	140	Am	1785.15.3	2002	860	Ad <sup>518</sup>
1722	2002	279	Am	1785.16	2000	978	Am <sup>96</sup>
1739.7	1999	83	Am <sup>30</sup>		2001	354	Am
1747.02	2001	294	Am	1785.16.1	2001	354	Ad
1747.04	2002	815	Ad	1785.16.2	2001	354	Ad
1747.05	2002	862	Am		2002	1030 *	Am
1747.06	1999	423	Ad <sup>56</sup>	1785.16.3	2002	1029 *	Ad
1747.9	1999	423	Ad <sup>76</sup>	1785.20.2	2000	978	Am <sup>96</sup>
1748.10	2000	375	Am	1785.20.3	2001	354	Ad
	2000	977	Am		2002	1030 *	Am <sup>452</sup>
	2001	159	Am <sup>305</sup>	1785.3	2000	808 *	Am
1748.11	2000	375	Am				
	2001	159	Am <sup>305</sup>				

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

## CIVIL CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
1785.31	1999	836	Am		2000	679	Am
1785.35	1999	836	Am	1793.26	2000	258	Am
1785.36	2002	815	Ad	1794.4	2002	405	Am (as am by Sec. 64, Stats. 1997, Ch. 401) <sup>68</sup>
1785.44	2002	815	Ad				Am (as am by Sec. 65, Stats. 1997, Ch. 401) <sup>69</sup>
1785.5	2001	236	Am <sup>34</sup>				
1786	2001	354	Am	1798.16	1999	784*	Am
1786.10	2001	354	Am	1798.29	2002	915	Ad <sup>175</sup>
1786.11	2001	354	Am		2002	1054	Ad <sup>175</sup>
	2002	1029*	Am	1798.61	2000	962	Am
1786.16	2001	354	Am	1798.69	2000	962	Ad
	2002	1030*	Am	1798.75	2000	962	Am
1786.18	2001	354	Am	1798.80	2000	1039	Ad
	2002	1029*	Am	1798.81	2000	1039	Ad
1786.2	2001	354	Am	1798.82	2000	1039	Ad
1786.20	2001	354	Am		2002	915	Am & RN & Ad <sup>175</sup>
	2002	1029*	Am		2002	1054	Am & RN & Ad <sup>175</sup>
1786.24	2001	354	Am	1798.83	2002	815	Ad
	2002	1029*	Am	1798.84	2002	915	Ad(RN) <sup>175</sup>
1786.26	2001	354	Am		2002	1054	Ad(RN) <sup>175</sup>
1786.28	2001	354	Am	1798.85	2001	720	Ad
1786.29	2001	354	Ad		2002	664	Am <sup>431</sup>
	2002	1030*	Am		2002	786	Am
1786.40	2001	354	R	1798.86	2002	815	Ad
	2002	1030*	Ad	1798.92	2001	354	Ad
1786.50	2001	354	Am	1798.93	2001	354	Ad
	2002	1029*	Am	1798.94	2001	354	Ad
1786.52	2001	354	Am	1798.95	2001	354	Ad
1786.53	2001	354	Ad	1798.96	2001	354	Ad
	2002	1030*	Am	1798.97	2001	354	Ad
1786.55	2002	1030*	Ad	1799.1a	2000	1084	Ad <sup>283</sup>
1786.57	2002	815	Ad	1799.100	1999	991	Am <sup>96 114</sup>
1786.60	2002	1030*	Ad	1799.103	1999	991	Am <sup>96 114</sup>
1787.4	2002	815	Ad	1799.104	2002	815	Ad
1788	1999	319	Am	1799.207	2002	815	Ad
	2000	375	Am	1799.6	2002	815	Ad
1788.17	1999	319	Ad	1799.85	2002	815	Ad
	2000	688	Am	1804.1	1999	512	Am
1788.33	2002	815	Ad	1810.20	2000	375	Am
1789.24	2002	784	Am <sup>490</sup>	1810.21	2000	375	Am
1789.31	2002	777	Am <sup>511</sup>		2001	159	Am <sup>305</sup>
			R <sup>63</sup>	1812.10	2002	815	Am
			Ad <sup>512</sup>	1812.101	2001	178	Am
1789.33	2002	777	Am <sup>511</sup>	1812.105	2002	784	Am <sup>490</sup>
			R <sup>63</sup>	1812.201	2000	413	Am
			Ad <sup>512</sup>	1812.316	2002	815	Ad
1789.35	2002	777	Am <sup>511</sup>	1812.503	2002	784	Am <sup>490</sup>
			R <sup>63</sup>	1812.509	2001	326	Am
			Ad <sup>512</sup>	1812.510	2002	784	Am <sup>490</sup>
1789.38	2002	815	Ad	1812.515	2002	784	Am <sup>490</sup>
1789.9	2002	815	Ad	1812.525	2002	784	Am <sup>490</sup>
1791	2002	405	Am (as am by Sec. 2, Stats. 1998, Ch. 196) <sup>68</sup>	1812.53	1999	1024	Am
			Am (as am by Sec. 63, Stats. 1997, Ch. 401) <sup>69</sup>	1812.54	1999	1024	Am
1793.1	2002	306	Am	1812.540	2001	326	Ad
1793.22	1999	83	Am <sup>30</sup>	1812.541	2001	326	Ad
	1999	448	Am				

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**CIVIL 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>
1812.542	2001	326	Ad		2002	809	Am
1812.543	2001	326	Ad	2924c	1999	974	Am
1812.544	2001	326	Ad		2000	135	Am <sup>203</sup>
1812.600	2002	784	Am <sup>490</sup>		2001	438*	Am <sup>8</sup>
1812.601	1999	991	Am <sup>96 114</sup>	2924d	2001	438*	Am <sup>8</sup>
1812.609	2002	815	Ad	2924f	1999	974	Am
1812.64	1999	1024	Am		1999	991	Am <sup>96 114</sup>
1812.66	1999	1024	R		2000	1003	Am <sup>96</sup>
1812.69	1999	1024	Am	2924g	2000	636	Am
1812.84	2001	233	Am		2001	438*	Am <sup>8</sup>
1815	1999	83	Am <sup>30</sup>	2924j	1999	974	Am
1834.7	2001	139	Am <sup>35</sup>		2002	784	Am <sup>490</sup>
1834.8	2000	476	Ad	2924k	1999	974	Am
	2001	159	Am (as ad by Sec. 1, Stats. 2000, Ch. 476) & RN <sup>305</sup>	2924l	1999	974	Am
			Ad(RN) <sup>305</sup>	2929.5	2002	999	Am
1834.9	2001	159	Ad(RN) <sup>305</sup>	2934a	1999	974	Am (as ad by Sec. 2.5, Stats. 1993, Ch. 754)
1865	1999	354	Ad	2937	2002	70	Am
1936	2001	661	Am (as ad by Sec. 2, Stats. 1996, Ch. 992)	2941	2000	1013	Am
	2002	664	Am <sup>431</sup>		2001	560	Am
	2002	948	Am R & Ad <sup>80</sup>		2002	809	Am
1936.5	1999	760	Ad	2941.1	2001	438*	Am <sup>8</sup>
1940.6	2002	285	Ad	2943	2000	636	Am
1940.7.5	2001	466	Ad & R <sup>19</sup>		2001	560	Am
	2002	664	Am <sup>431</sup>	2944	1999	991	Am <sup>96 114</sup>
1940.8	2000	234	Ad	2948.5	2001	302	Am
1941.1	2002	931	Am	2952	2000	924	Am
1942.6	1999	590	Ad	2954.4	2001	159	Am <sup>305</sup>
1946.1	2001	729	Ad & R <sup>18</sup>	2954.5	2001	159	Am <sup>305</sup>
	2002	301	Am <sup>43</sup>	2954.6	2001	137	Am <sup>35</sup>
1947.15	2002	301	Am <sup>412</sup>	2955.5	1999	412	Am <sup>56</sup>
1950.5	2002	1061	Am	2981	1999	212	Am
1950.8	2001	368	Ad	2982	1999	212	Am
1954	2002	301	Am		2001	287	Am
	2002	1061	Am (by Sec. 2.5 of Ch.)	2982.2	1999	212	R
1954.52	2001	729	Am	2983.8	1999	991	Am <sup>96 114</sup>
1954.53	1999	590	Am	2984.4	2002	806	Am
1954.535	1999	590	Ad	2985.8	2001	287	Am
1962	2001	729	Am	2985.9	2001	287	Ad
1962.5	2001	729	Am	2991	1999	235	Ad <sup>25</sup>
1962.7	2001	729	Am	2992	2001	287	Ad
2079.10a	1999	876	Am	3040	2000	848	Ad
2225	2000	261	Am	3071	1999	376	Am
2870	1999	720	Ad <sup>170</sup>		2001	127*	Am
	1999	721	Am (as ad by Stats. 1999, Ch. 720) <sup>171</sup>	3072	1999	376	Am
			Ad <sup>170</sup>		2001	127*	Am
2871	1999	720	Am (as ad by Stats. 1999, Ch. 720) <sup>171</sup>	3089	1999	795	Am
	1999	721	Am (as ad by Stats. 1999, Ch. 720) <sup>171</sup>	3097	1999	795	Am
2924	1999	974	Am		2000	13*	Am
	2000	636	Am		2001	159	Am <sup>305</sup>
2924b	2001	438*	Am	3098	1999	795	Am
				3110.5	2001	823	Ad
					2002	664	Am <sup>431</sup>
				3111	1999	795	Am
				3111.5	1999	795	R
				3248	2000	760	Am
				3260.1	1999	982	Am
				3269	1999	83	Am <sup>30</sup>
				3272	1999	698	Ad <sup>4</sup>

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**CIVIL 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>
3272.1	1999	698	Ad <sup>4</sup>	3343.5	1999	991	Am <sup>96 114</sup>
3272.2	1999	698	Ad <sup>4</sup>	3344.1	1999	998	Ad(RN)
3272.3	1999	698	Ad <sup>4</sup>		1999	1000	Ad(RN)
3272.4	1999	698	Ad <sup>4</sup>	3428	1999	536	Ad
3272.7	1999	698	Ad <sup>4</sup>	3439.08	1999	991	Am <sup>96 114</sup>
3272.9	1999	698	Ad <sup>4</sup>	3440.1	1999	991	Am <sup>96 114</sup>
3296	1999	525	Am <sup>112</sup>	3440.5	1999	991	Am <sup>96 114</sup>
	2000	857	Am <sup>203</sup>		2000	1003	Am (as am by
3320	2000	776*	Am				Stats. 1999,
3333.7	2001	298	Ad				Ch. 991) <sup>96</sup>
3339	2002	1071	Ad	3482.6	1999	329	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>
10	2001	542	Am	206	2000	242	Am
12a	2001	542	Am	210.5	2000	266	Ad
17	2002	784	Am <sup>490</sup>	215	2000	127*	Am
32.5	2002	784	Am <sup>490</sup>		2002	144	Am
34	2002	784	R <sup>490</sup>		2002	784	Am <sup>490</sup>
73e	2002	784	Am <sup>490</sup>	217	2002	784	Am <sup>490</sup>
75	2002	784	Am <sup>490</sup>	219	2001	55	Am
77	1999	344*	Am	221	2001	115	R
	1999	853	Am (by Sec. 1.5 of Ch.)	223	2000	192	Am
				228	2002	1008	Am
	2002	784	Am <sup>490</sup>	231.5	2000	43	Ad
81	2002	784	R <sup>490</sup>	234	2002	784	Am <sup>490</sup>
82	2002	784	R <sup>490</sup>	269	2002	71	Am
84	2002	784	R <sup>490</sup>	270	2001	115	R
85.1	2002	784	R <sup>490</sup>	271	2002	71	Ad
86	2001	44	Am	274a	2002	784	Am <sup>490</sup>
86.1	2002	784	Am <sup>490</sup>	274c	2002	71	R
87	1999	344*	Ad	335.1	2002	448	Ad
88	1999	344*	Ad	340	2002	448	Am
89	2001	44	Ad	340.1	1999	120	Am
116.210	2002	784	Am <sup>490</sup>		2002	149	Am
116.220	1999	982	Am	340.10	2002	448	Ad
116.225	2002	247	Ad	340.3	2002	633*	Am
116.250	2002	784	Am <sup>490</sup>	340.9	2000	1090	Ad
116.340	2002	806	Am	354.3	2002	332	Ad
116.370	2002	806	Am	354.4	2000	543*	Ad
116.570	2002	806	Am	354.5	1999	827*	Am
116.760	2000	447	Am	354.6	1999	216*	Ad
116.940	2002	806	Am	354.7	2002	1070*	Ad
116.950	1999	344*	Am	366.3	2000	17	Ad
	2001	745*	Am	377.60	2001	893	Am
	2002	664	Am <sup>431</sup>	384	2001	96	Am
	2002	784	Am <sup>490</sup>	391.7	2002	1118	Am
128	1999	508	Am	Pt. 2,			
128.7	2002	491	Am <sup>43</sup>	Title 4,			
131.3	2001	473	R <sup>369</sup>	heading			
131.4	2000	135	Am <sup>203</sup>	(Sec. 392			
	2001	473	R <sup>369</sup>	et seq.)	1999	344*	Am
131.5	2001	473	R <sup>369</sup>	Pt. 2,			
131.6	2001	473	R <sup>369</sup>	Title 4,			
131.7	2001	473	R <sup>369</sup>	Ch. 1,			
134	2002	784	Am <sup>490</sup>	heading			
135	2001	542	Am	(Sec. 392			
166	2002	784	Am <sup>490</sup>	et seq.)	1999	344*	Am
166.1	2002	708	Ad	392	2002	806	Am
170.1	2002	1094	Am	394	2002	784	Am <sup>490</sup>
170.5	2002	784	Am <sup>490</sup>		2002	927	Am
170.6	2002	784	Am <sup>490</sup>	395	2002	806	Am
170.9	2002	784	Am <sup>490</sup>	395.9	1999	344*	R
179	2002	784	Am <sup>490</sup>	396	2002	784	Am <sup>490</sup>
185	1999	662	Am		2002	806	Am
194	2002	784	Am <sup>490</sup>	396a	2002	806	Am
195	2002	784	Am <sup>490</sup>	399.5	1999	344*	R
198.5	2002	784	Am <sup>22 490</sup>	400	1999	344*	Am
199	2002	784	R <sup>22 490</sup>	402	2002	784	R <sup>490</sup>
199.2	2002	784	R <sup>22 490</sup>		2002	806	R & Ad
199.3	2002	784	R <sup>22 490</sup>	402.5	2002	806	R
199.5	2002	784	R <sup>22 490</sup>	403	2000	688	Am
200	2002	784	R <sup>490</sup>		2002	784	Am <sup>490</sup>
201	2002	784	Am <sup>490</sup>	403.010	1999	344*	Ad
204	2000	43	Am		2002	784	Am <sup>490</sup>

**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
403.020	1999	344 *	Ad		2000	688	Am
	2001	159	Am <sup>305</sup>		2002	1008	Am
	2001	824	Am		2002	1009	Am
403.030	1999	344 *	Ad				R & Ad <sup>100</sup>
	2001	824	Am	527.8	1999	661	Am
403.040	1999	344 *	Ad		2000	688	Am
	2001	824	Am		2002	1008	Am
403.050	1999	344 *	Ad	564	2001	44	Am
	2001	824	R & Ad		2002	999	Am
403.060	1999	344 *	Ad	568.2	2001	414	Ad
	2001	824	R & Ad	568.3	2001	414	Ad
403.070	1999	344 *	Ad	575	2002	784	Am <sup>490</sup>
403.080	1999	344 *	Ad	575.2	2002	806	Am
403.090	1999	344 *	Ad	594	2002	784	Am <sup>490</sup>
Pt. 2, Title 4, Ch. 2, heading (Sec. 404 et seq.)				628	2002	784	Am <sup>490</sup>
Pt. 2, Title 4, Ch. 3, heading (Sec. 404 et seq.)	1999	344 *	Am & RN	631	1999	83	Am <sup>30</sup>
404	1999	344 *	Ad(RN)		2000	127 *	Am
	2000	688	Am		2002	806	Am
	2002	784	Am <sup>490</sup>	631.3	2000	447	Am
404.3	2002	784	Am <sup>490</sup>		2001	824	Am
404.9	2002	784	Am <sup>490</sup>	632	2002	784	Am <sup>490</sup>
411.35	1999	176	Am	638	2000	644	Am <sup>263</sup>
415.50	2002	197	Am		2001	44	Am
418.10	2002	69	Am		2002	1008	Am
422.30	1999	344 *	Am	639	2000	644	Am (by Sec. 2 of Ch.) <sup>263</sup>
	2002	784	Am <sup>490</sup>		2000	1011	Am (by Sec. 1.5 of Ch.) <sup>214</sup>
425.10	2001	812	Am		2001	362	Am
425.11	2001	812	Am	640	2000	644	Am
425.16	1999	960 *	Am	640.5	2001	362	Ad
437c	2002	448	Am	641	2000	644	Am
472b	2001	44	Am	641.2	2000	644	Am
481.020	1999	991	Am <sup>96 114</sup>	642	2000	644	R & Ad
481.030	1999	991	Am <sup>96 114</sup>	643	2000	644	Am
481.040	1999	991	Am <sup>96 114</sup>	644	2000	644	Am
481.080	1999	991	Am <sup>96 114</sup>	645	2000	644	Am
481.090	1999	991	Am <sup>96 114</sup>	645.1	2000	644	Am
481.115	1999	991	Am <sup>96 114</sup>		2001	159	Am <sup>305</sup>
481.117	1999	991	Am <sup>96 114</sup>	645.2	2000	644	Ad
481.207	1999	991	Am <sup>96 114</sup>	655	2002	784	R <sup>490</sup>
481.220	1999	991	Am <sup>96 114</sup>	668	2002	784	Am <sup>490</sup>
488.375	1999	991	Am <sup>96 114</sup>	670	2002	784	Am <sup>490</sup>
488.385	1999	991	Am <sup>96 114</sup>	674	2000	639	Am
488.405	1999	991	Am <sup>96 114</sup>		2001	159	Am <sup>305</sup>
488.455	2002	664	Am <sup>431</sup>	680.120	1999	991	Am <sup>96 114</sup>
488.500	1999	991	Am <sup>96 114</sup>	680.130	1999	991	Am <sup>96 114</sup>
489.220	2001	812	Am	680.135	2000	639	Ad
512.060	2002	68	Am	680.140	1999	991	Am <sup>96 114</sup>
514.020	2002	68	Am	680.170	1999	991	Am <sup>96 114</sup>
515.010	2002	68	Am	680.180	1999	991	Am <sup>96 114</sup>
515.020	2002	68	Am	680.210	1999	991	Am <sup>96 114</sup>
527	2000	688	Am	680.220	1999	991	Am <sup>96 114</sup>
527.6	1999	661	Am	680.340	1999	991	Am <sup>96 114</sup>
				680.350	1999	991	Am <sup>96 114</sup>
				683.130	2000	808 *	Am
				683.310	2000	808 *	Am
				685.030	2001	812	Am
				689.020	2000	808 *	Am
				689.030	2000	808 *	Am
				689.040	2000	808 *	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>
689.050	2000	808 *	Am	736	1999	60	Am
695.211	2000	808 *	Am		2002	999	Am
695.221	2000	808 *	Am	798.39	2001	151	Am
697.320	2002	927	Am	867.5	2000	723	Ad
697.530	1999	991	Am <sup>96 114</sup>	871.3	1999	344 *	Am
697.580	1999	991	Am <sup>96 114</sup>		2000	688	Am
697.590	1999	991	Am <sup>96 114</sup>	877.6	2001	812	Am
697.610	1999	991	Am <sup>96 114</sup>	904.1	1999	960 *	Am
697.640	1999	991	Am <sup>96 114</sup>	904.5	2002	784	Am <sup>490</sup>
697.650	1999	991	Am <sup>96 114</sup>	912	2001	44	Am
697.660	1999	991	Am <sup>96 114</sup>		2002	664	Am <sup>431</sup>
697.730	1999	991	Am <sup>96 114</sup>	917.7	1999	346	Am
697.740	1999	991	Am <sup>96 114</sup>		2001	48	Am
697.750	1999	991	Am <sup>96 114</sup>	995.311	2001	181	Ad
697.920	1999	991	Am	995.710	1999	892	Am
699.080	2002	197	Am	998	1999	353	Am
699.510	2000	639	Am (by Sec. 3 of Ch.)		2001	153	Am
	2000	808 *	Am (by Sec. 12.1 of Ch.)	1005	1999	43	Am
	2001	159	Am <sup>305</sup>		2002	806	Am
699.520	2000	639	Am	1010.5	2001	824	Am
699.540	2000	639	Am	1010.6	1999	514	Ad
699.545	2000	639	Am		2001	824	Am
700.010	2000	639	Am	1012.5	2001	115	R
700.140	2002	664	Am <sup>431</sup>	1013	2001	812	Am
700.160	2000	639	Am	1014	1999	344 *	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) <sup>96 114</sup>	1018	1999	1000	R
				1021.1	2001	719	Ad & R <sup>18</sup>
				1021.10	2002	686	Ad
				1052	2002	784	R <sup>490</sup>
				1052.5	2002	784	R <sup>490</sup>
				1060	2002	784	Am <sup>490</sup>
				1068	1999	344 *	Am
					2002	784	Am <sup>490</sup>
				1085	1999	344 *	Am
					2002	784	Am <sup>490</sup>
701.530	2002	784	Am <sup>490</sup>	1094.5	1999	446 *	Am
701.540	2002	784	Am <sup>490</sup>		2000	402 *	Am
703.140	1999	98	Am	1094.7	1999	446 *	R
	2000	135	Am <sup>203</sup>	1094.8	1999	49 *	Ad
	2001	42	Am	1103	1999	344 *	Am
703.580	2002	68	Am		2002	784	Am <sup>490</sup>
703.610	2002	68	Am	1132	2002	784	Am <sup>490</sup>
704.114	2000	808 *	Am	1134	2001	812	Am
704.115	1999	98	Am	1141.11	2002	784	Am <sup>490</sup>
	2000	135	Am <sup>203</sup>	1141.12	2002	784	Am <sup>490</sup>
704.120	2000	808 *	Am	1141.28	2000	447	Am
704.130	2000	808 *	Am	1141.29	2002	784	R <sup>490</sup>
704.160	2000	808 *	Am	1161	2001	729	Am
706.030	2000	808 *	Am	1161.2	2001	824	Am
	2001	755 *	Am	1162	2002	664	Am <sup>431</sup>
706.101	2002	890	Am	1167.25	2001	115	R
706.108	2002	197	Am	1167.3	1999	83	Am <sup>30</sup>
708.310	2002	451	Am		1999	344 *	Am
708.320	2002	451	Am	1174.3	2001	115	Am
708.730	2000	808 *	Am		2002	664	Am <sup>431</sup>
708.740	2000	808 *	Am	1179	2002	301	Am
708.780	1999	652	Am <sup>153</sup>	1204	1999	202	Am (by Sec. 1 of Ch.)
720.160	2001	812	Am		2001	44	Am
720.260	2001	812	Am		2002	664	Am <sup>431</sup>
726.5	1999	60	Am	1206			
	2002	999	Am				
			Am <sup>96 114</sup>	1208.5	2002	784	Am <sup>490</sup>

**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
1211	2001	754	Am		2002	664	Am <sup>431</sup>
1218	2000	808*	Am	1299.4	2000	906	Ad
Pt. 3, Title 7, Ch. 5, Art. 6, heading (Sec. 1250.410 et seq.)				1299.5	2000	906	Ad
				1299.6	2000	906	Ad
				1299.7	2000	906	Ad
				1299.8	2000	906	Ad
				1299.9	2000	906	Ad
				1420	2002	784	Am <sup>490</sup>
1250.410	2001	428	Am	1513	1999	835	Am
	1999	102	Am	1513.5	2002	813	Am <sup>22</sup>
	2001	428	Am	1516	2002	813	Am <sup>22</sup>
	2002	295	Am	1520	2002	813	Am <sup>22</sup>
1250.420	2001	428	Ad	1540	2002	1124*	Am
1250.430	2001	428	Ad	1563	2000	16*	Am
1255.010	2001	428	Am		2000	924	Am
1255.030	2001	428	Am	1577.5	2000	267	Ad
1255.060	2002	295	Am		2002	22*	Am
1258.220	1999	102	Am	1607	2002	784	Am <sup>490</sup>
	2001	428	Am	1609	2002	784	Am <sup>490</sup>
1258.260	2001	428	Am	1710.20	2002	784	Am <sup>490</sup>
1260.040	2001	428	Ad	1714.9	2001	140	Am
1260.250	1999	892	Am	1730	1999	67*	Ad & R <sup>19</sup>
1268.610	2001	192	Am		2000	127*	Am
1276	2000	111	Am	1731	1999	67*	Ad & R <sup>19</sup>
1277	2000	33	Am (by Sec. 1.5 of Ch.)		2000	688	Am
	2000	111	Am (by Sec. 4 of Ch.)	1732	1999	67*	Ad & R <sup>19</sup>
	2000	688	Am (by Sec. 8.3 of Ch.)	1733	1999	67*	Ad & R <sup>19</sup>
	2000	33	Am (by Sec. 2.5 of Ch.)	1734	1999	67*	Ad & R <sup>19</sup>
1278	2000	111	Am (by Sec. 7 of Ch.)		2000	127*	Am
	2000	111	Am (by Sec. 7 of Ch.)	1735	1999	67*	Ad & R <sup>19</sup>
1279	2000	506	R		2000	127*	Am
1281.1	2000	906	Ad	1736	1999	67*	Ad & R <sup>19</sup>
1281.5	2002	784	Am <sup>490</sup>	1737	1999	67*	Ad & R <sup>19</sup>
1281.6	2001	362	Am	1738	1999	67*	Ad & R <sup>19</sup>
1281.84	2002	1159	Ad <sup>82</sup>		2000	688	Am
1281.85	2001	362	Ad	1739	1999	67*	Ad & R <sup>19</sup>
	2002	176	Am	1740	1999	67*	Ad & R <sup>19</sup>
1281.9	2001	362	Am	1741	1999	67*	Ad & R <sup>19</sup>
	2002	1094	Am	1742	1999	67*	Ad & R <sup>19</sup>
1281.91	2001	362	Ad		2000	127*	Am
1281.92	2002	952	Ad	1743	1999	67*	Ad & R <sup>19</sup>
1281.95	2002	1008	Am	1775.1	2002	784	Am <sup>490</sup>
1281.96	2002	1158	Ad	1776	1999	720	Ad <sup>170</sup>
1282.4	2000	1011	Am (as am by Sec. 1, Stats. 1998, Ch. 915) <sup>43</sup>	1777	1999	720	Ad <sup>170</sup>
			Am (as ad by Sec. 2, Stats. 1998, Ch. 915) <sup>80</sup>	1778	1999	720	Ad <sup>170</sup>
					1999	721	Am (as ad by Stats. 1999, Ch. 720) <sup>171</sup>
1284.3	2002	1101	Ad	1779	1999	720	Ad <sup>170</sup>
1286.2	2001	362	Am	1780	1999	720	Ad <sup>170</sup>
1287.1	2002	1159	Ad <sup>82</sup>	1781	1999	720	Ad <sup>170</sup>
1299	2000	906	Ad	1782	1999	720	Ad <sup>170</sup>
1299.2	2000	906	Ad	1783	1999	720	Ad <sup>170</sup>
1299.3	2000	906	Ad	1784	1999	720	Ad <sup>170</sup>
				1800	1999	202	Am
				1834.7	2001	139	Am <sup>35</sup>
				1985.3	1999	444	Am
				1985.6	1999	444	Am
				1986.1	2000	377	Ad
				1987	2002	1008	Am
				2015.3	2002	784	Am <sup>490</sup>

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

**CODE OF CIVIL PROCEDURE—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>
2017	2001	812	Am				
2018	2002	1059 *	Am	2027	2000	474	Am
2020	1999	444	Am	2031	1999	48	Am
	2002	1068	Am		2000	688	Am
2024	2000	688	Am	2033.5	2001	812	Am
2025	1999	892	Am	2093	2001	812	Am
	2000	474	Am	2094	2000	688	Am
	2001	812	Am (by Sec. 9.6 of Ch.)		2002	806	Am
	2002	1068	Am (by Sec. 2 of Ch.)	2095	2000	688	R
				2096	2000	688	R
2025.5	2000	474	Am	2097	2000	688	R
	2002	1068	Am	2103	1999	991	Am <sup>96 114</sup>
2026	2000	474	Am	2104	1999	1000	Am
				2954.6	2001	137	Am <sup>35</sup>

**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
1105	1999	991	Am <sup>96 114</sup>	2000	1003	Am (as ad by	
1201	1999	991	Am <sup>96 114</sup>			Sec. 35,	
	2000	135	Am <sup>203</sup>			Stats. 1999,	
	2000	1003	Am <sup>96</sup>			Ch. 991) <sup>96</sup>	
1206	1999	991	Am <sup>96 114</sup>	9206	1999	991	R & Ad <sup>96 114</sup>
2103	1999	991	Am <sup>96 114</sup>	9207	1999	991	R & Ad <sup>96 114</sup>
2210	1999	991	Am <sup>96 114</sup>	9208	1999	991	R & Ad <sup>96 114</sup>
	2000	135	Am <sup>203</sup>	9209	1999	991	Ad <sup>96 114</sup>
	2000	1003	Am <sup>96</sup>	9210	1999	991	Ad <sup>96 114</sup>
2326	1999	991	Am <sup>96 114</sup>		2000	1003	Am <sup>96</sup>
2502	1999	991	Am <sup>96 114</sup>	9301	1999	991	R & Ad <sup>96 114</sup>
	2000	135	Am <sup>203</sup>	9302	1999	991	R & Ad <sup>96 114</sup>
	2000	1003	Am <sup>96</sup>	9303	1999	991	R & Ad <sup>96 114</sup>
2716	1999	991	Am <sup>96 114</sup>	9304	1999	991	R & Ad <sup>96 114</sup>
4210	1999	991	Am <sup>96 114</sup>	9305	1999	991	R & Ad <sup>96 114</sup>
4406	2000	122	Am (as am by	9306	1999	991	R & Ad <sup>96 114</sup>
			Sec. 13,	9307	1999	991	R & Ad <sup>96 114</sup>
			Stats. 1997,		2000	1003	Am (as ad by
			Ch. 442) <sup>18</sup>				Sec. 35,
			Am (as am by				Stats. 1999,
			Sec. 14,				Ch. 991) <sup>96</sup>
			Stats. 1997,	9308	1999	991	R & Ad <sup>96 114</sup>
			Ch. 442) <sup>63</sup>	9309	1999	991	R & Ad <sup>96 114</sup>
5118	1999	991	Am <sup>96</sup>	9310	1999	991	R & Ad <sup>96 114</sup>
6102	1999	991	Am <sup>96 114</sup>	9311	1999	991	R & Ad <sup>96 114</sup>
6103	1999	991	Am <sup>96 114</sup>		2000	1003	Am (as ad by
7503	1999	991	Am <sup>96 114</sup>				Sec. 35,
8103	1999	991	Am <sup>96 114</sup>				Stats. 1999,
8106	1999	991	Am <sup>96 114</sup>				Ch. 991) <sup>96</sup>
8110	1999	991	Am <sup>96 114</sup>	9312	1999	991	R & Ad <sup>96 114</sup>
8301	1999	991	Am <sup>96 114</sup>	9313	1999	991	R & Ad <sup>96 114</sup>
8302	1999	991	Am <sup>96 114</sup>	9314	1999	991	R & Ad <sup>96 114</sup>
8510	1999	991	Am <sup>96 114</sup>	9315	1999	991	R & Ad <sup>96 114</sup>
8603	1999	991	Am <sup>96 114</sup>	9316	1999	991	R & Ad <sup>96 114</sup>
9101	1999	991	R & Ad <sup>96 114</sup>	9317	1999	991	R & Ad <sup>96 114</sup>
9102	1999	991	R & Ad <sup>96 114</sup>		2000	1003	Am <sup>96</sup>
	2000	1003	Am <sup>96</sup>	9318	1999	991	R & Ad <sup>96 114</sup>
9103	1999	991	R & Ad <sup>96 114</sup>	9319	1999	991	Ad <sup>96 114</sup>
9104	1999	991	R & Ad <sup>96 114</sup>		2000	1003	Am <sup>96</sup>
	2000	1003	Am (as ad by	9320	1999	991	Ad <sup>96 114</sup>
			Sec. 35,	9321	1999	991	Ad <sup>96 114</sup>
			Stats. 1999,				R & Ad <sup>22 114</sup>
			Ch. 991) <sup>96</sup>	9322	1999	991	Ad <sup>96 114</sup>
9105	1999	991	R & Ad <sup>96 114</sup>	9323	1999	991	Ad <sup>96 114</sup>
9106	1999	991	R & Ad <sup>96 114</sup>		2000	1003	Am <sup>96</sup>
9107	1999	991	R & Ad <sup>96 114</sup>		2001	159	Am <sup>305</sup>
9108	1999	991	R & Ad <sup>96 114</sup>	9324	1999	991	Ad <sup>96 114</sup>
9109	1999	991	R & Ad <sup>96 114</sup>	9325	1999	991	Ad <sup>96 114</sup>
	2002	6	Am		2000	1003	Am <sup>96</sup>
9110	1999	991	R & Ad <sup>96 114</sup>	9326	1999	991	Ad <sup>96 114</sup>
9112	1999	991	R <sup>96 114</sup>	9327	1999	991	Ad <sup>96 114</sup>
9113	1999	991	R <sup>96 114</sup>	9328	1999	991	Ad <sup>96 114</sup>
9114	1999	991	R <sup>96 114</sup>	9329	1999	991	Ad <sup>96 114</sup>
9115	1999	991	R <sup>96 114</sup>	9330	1999	991	Ad <sup>96 114</sup>
9116	1999	991	R <sup>96 114</sup>	9331	1999	991	Ad <sup>96 114</sup>
9201	1999	991	R & Ad <sup>96 114</sup>		2000	1003	Am <sup>96</sup>
9202	1999	991	R & Ad <sup>96 114</sup>		2001	159	Am <sup>305</sup>
9203	1999	991	R & Ad <sup>96 114</sup>	9332	1999	991	Ad <sup>96 114</sup>
9204	1999	991	R & Ad <sup>96 114</sup>	9333	1999	991	Ad <sup>96 114</sup>
9205	1999	991	R & Ad <sup>96 114</sup>	9334	1999	991	Ad <sup>96 114</sup>

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
9335	1999	991	Ad <sup>96 114</sup>		2000	1003	Am (as ad by
9336	1999	991	Ad <sup>96 114</sup>				Sec. 35,
	2000	1003	Am <sup>96</sup>				Stats. 1999,
9337	1999	991	Ad <sup>96 114</sup>				Ch. 991) <sup>96</sup>
9338	1999	991	Ad <sup>96 114</sup>	9407.1	1999	991	R <sup>96 114</sup>
9339	1999	991	Ad <sup>96 114</sup>	9407.2	1999	991	R <sup>96 114</sup>
9340	1999	991	Ad <sup>96 114</sup>	9407.3	1999	991	R <sup>96 114</sup>
9341	1999	991	Ad <sup>96 114</sup>	9408	1999	991	R & Ad <sup>96 114</sup>
9342	1999	991	Ad <sup>96 114</sup>		2000	1003	Am (as ad by
9401	1999	991	R & Ad <sup>96 114</sup>				Sec. 35,
9402	1999	991	R & Ad <sup>96 114</sup>				Stats. 1999,
9403	1999	991	R & Ad <sup>96 114</sup>				Ch. 991) <sup>96</sup>
	1999	1000	Am		2001	159	Am <sup>305</sup>
	2000	1003	R (as ad by	9409	1999	991	R & Ad <sup>96 114</sup>
			Sec. 35,		1999	1000	Am
			Stats. 1999,		2000	1003	R (as ad by
			Ch. 991)				Sec. 35,
			R (as am by				Stats. 1999,
			Sec. 14,				Ch. 991)
			Stats. 1999,				R (as am by
			Ch. 1000)				Sec. 18,
			& Ad <sup>96</sup>				Stats. 1999,
9403.1	1999	991	R <sup>96 114</sup>				Ch. 1000)
9403.5	1999	991	R <sup>96 114</sup>				& Ad <sup>96</sup>
9404	1999	991	R & Ad <sup>96 114</sup>	9501	1999	991	R (as am by
	1999	1000	Am				Sec. 25,
	2000	1003	R (as ad by				Stats. 1998,
			Sec. 35,				Ch. 932 and as
			Stats. 1999,				am by Sec. 7,
			Ch. 991)				Stats. 1992,
			R (as am by				Ch. 1095)
			Sec. 15,				& Ad <sup>96 114</sup>
			Stats. 1999,	9502	1999	991	R (as am by
			Ch. 1000)				Sec. 26,
			& Ad <sup>96</sup>				Stats. 1999,
9405	1999	991	R & Ad <sup>96 114</sup>				Ch. 932 and as
	1999	1000	Am				ad by Sec. 3.5,
	2000	1003	R (as ad by				Stats. 1990,
			Sec. 35,				Ch. 1125)
			Stats. 1999,				& Ad <sup>96 114</sup>
			Ch. 991)		2000	1003	Am (as ad by
			R (as am by				Sec. 35,
			Sec. 16,				Stats. 1999,
			Stats. 1999,				Ch. 991) <sup>96</sup>
			Ch. 1000)	9503	1999	991	R & Ad <sup>96 114</sup>
			& Ad <sup>96</sup>	9504	1999	991	R (as am by
9406	1999	991	R & Ad <sup>96 114</sup>				Sec. 27,
	1999	1000	Am				Stats. 1998,
	2000	1003	R (as ad by				Ch. 932 and as
			Sec. 35,				ad by Sec. 4.5,
			Stats. 1999,				Stats. 1990,
			Ch. 991)				Ch. 1125)
			R (as am by				& Ad <sup>96 114</sup>
			Sec. 17,	9505	1999	991	R & Ad <sup>96 114</sup>
			Stats. 1999,		2000	1003	Am (as ad by
			Ch. 1000)				Sec. 35,
			& Ad <sup>96</sup>				Stats. 1999,
9407	1999	991	R & Ad <sup>96 114</sup>				Ch. 991) <sup>96</sup>

**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
9506	1999	991	R & Ad <sup>96 114</sup>				
9507	1999	991	R & Ad <sup>96 114</sup>	9614	2000	1003	Am <sup>96</sup> Ad <sup>96 114</sup>
9508	1999	991	R & Ad <sup>96 114</sup>		2000	188	Am
9509	1999	991	Ad <sup>96 114</sup>	9615	1999	991	Ad <sup>96 114</sup>
	2000	1003	Am <sup>96</sup>		2000	1003	Am <sup>96</sup>
9510	1999	991	Ad <sup>96 114</sup>	9616	1999	991	Ad <sup>96 114</sup>
9511	1999	991	Ad <sup>96 114</sup>	9617	1999	991	Ad <sup>96 114</sup>
9512	1999	991	Ad <sup>96 114</sup>	9618	1999	991	Ad <sup>96 114</sup>
9513	1999	991	Ad <sup>96 114</sup>	9619	1999	991	Ad <sup>96 114</sup>
	2000	1003	Am <sup>96</sup>	9620	1999	991	Ad <sup>96 114</sup>
9514	1999	991	Ad <sup>96 114</sup>	9621	1999	991	Ad <sup>96 114</sup>
9515	1999	991	Ad <sup>96 114</sup>	9622	1999	991	Ad <sup>96 114</sup>
9516	1999	991	Ad <sup>96 114</sup>	9623	1999	991	Ad <sup>96 114</sup>
9517	1999	991	Ad <sup>96 114</sup>	9624	1999	991	Ad <sup>96 114</sup>
9518	1999	991	Ad <sup>96 114</sup>	9625	1999	991	Ad <sup>96 114</sup>
9519	1999	991	Ad <sup>96 114</sup>		2000	1003	Am <sup>96</sup>
	2000	1003	Am <sup>96</sup>	9626	1999	991	Ad <sup>96 114</sup>
9520	1999	991	Ad <sup>96 114</sup>		2000	1003	Am <sup>96</sup>
9521	1999	991	Ad <sup>96 114</sup>	9627	1999	991	Ad <sup>96 114</sup>
9522	1999	991	Ad <sup>96 114</sup>	9628	1999	991	Ad <sup>96 114</sup>
9523	1999	991	Ad <sup>96 114</sup>	9629	1999	991	Ad <sup>96 114</sup>
9524	1999	991	Ad <sup>96 114</sup>	9701	1999	991	Ad <sup>96 114</sup>
	2000	1003	Am <sup>96</sup>	9702	1999	991	Ad <sup>96 114</sup>
9525	1999	991	Ad <sup>96 114</sup>		2000	1003	Am <sup>96</sup>
	2000	1003	Am <sup>96</sup>	9703	1999	991	Ad <sup>96 114</sup>
9526	1999	991	Ad <sup>96 114</sup>	9704	1999	991	Ad <sup>96 114</sup>
9527	1999	991	Ad <sup>96 114</sup>	9705	1999	991	Ad <sup>96 114</sup>
9528	1999	991	Ad <sup>96 114</sup>		2000	1003	Am <sup>96</sup>
	2000	135	Am <sup>203</sup>	9706	1999	991	Ad <sup>96 114</sup>
9601	1999	991	Ad <sup>96 114</sup>		2000	135	Am <sup>203</sup>
9602	1999	991	Ad <sup>96 114</sup>	9707	1999	991	Ad <sup>96 114</sup>
9603	1999	991	Ad <sup>96 114</sup>		2000	1003	Am & RN & Ad <sup>96</sup>
9604	1999	991	Ad <sup>96 114</sup>	9708	1999	991	Ad <sup>96 114</sup>
9605	1999	991	Ad <sup>96 114</sup>		2000	1003	Am & RN
9606	1999	991	Ad <sup>96 114</sup>				& Ad(RN) <sup>96</sup>
9607	1999	991	Ad <sup>96 114</sup>	9709	2000	1003	Ad(RN) <sup>96</sup>
9608	1999	991	Ad <sup>96 114</sup>	10103	1999	991	Am <sup>96 114</sup>
	2000	1003	Am <sup>96</sup>	10303	1999	991	Am <sup>96 114</sup>
9609	1999	991	Ad <sup>96 114</sup>	10307	1999	991	Am <sup>96 114</sup>
9610	1999	991	Ad <sup>96 114</sup>	10309	1999	991	Am <sup>96 114</sup>
9611	1999	991	Ad <sup>96 114</sup>	13102	1999	991	Am <sup>96 114</sup>
	2000	1003	Am <sup>96</sup>	13105	1999	991	Am <sup>96 114</sup>
9612	1999	991	Ad <sup>96 114</sup>	14106	1999	991	Am <sup>96 114</sup>
9613	1999	991	Ad <sup>96 114</sup>				

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**CONSTITUTIONAL AMENDMENTS  
APPROVED AT STATEWIDE ELECTIONS  
MARCH 2000–NOVEMBER 2002**

<i>Sub-division</i>	<i>Affected By Election</i>	<i>Prop.</i>	<i>Effect</i>	<i>Year Res. Ch.</i>	<i>Sub-division</i>	<i>Affected By Election</i>	<i>Prop.</i>	<i>Effect</i>	<i>Year Res. Ch.</i>
<b>Art. II</b>					Sec. 15	11-5-02	48	Am	02:88
Sec. 2.5	3-5-02	43	Ad	01:114	Sec. 16	11-5-02	48	Am	02:88
<b>Art. IV</b>					(b)	11-5-02	48	Am	02:88
Sec. 19	3-7-00	1A	Am	99:142	(c)	11-5-02	48	Am	02:88
	3-7-00	17	Am	99:123	(d)	11-5-02	48	Am	02:88
(a)	3-7-00	1A	Am	99:142	Sec. 23	11-5-02	48	Am & R	02:88
(c)	3-7-00	17	Am	99:123	(a)	11-5-02	48	Am & R	02:88
(e)	3-7-00	17	Am	99:123	(b)	11-5-02	48	Am & R	02:88
(f)	3-7-00	1A	Ad	99:142	(c)	11-5-02	48	Am & R	02:88
	3-7-00	17	Ad	99:123	(d)	11-5-02	48	Ad & R	02:88
<b>Art. VI</b>					<b>Art. XIII A</b>				
Sec. 1	11-5-02	48	Am	02:88	Sec. 1	11-7-00	39	Am	Initiative
Sec. 5	11-5-02	48	R	02:88	(b)	11-7-00	39	Am	Initiative
(a)	11-5-02	48	R	02:88	(c)	11-7-00	39	Ad	Initiative
(b)	11-5-02	48	R	02:88	<b>Art. XVI</b>				
(c)	11-5-02	48	R	02:88	Sec. 18	11-7-00	39	Am	Initiative
(d)	11-5-02	48	R	02:88	(a)	11-7-00	39	Ad	Initiative
(e)	11-5-02	48	R	02:88	(b)	11-7-00	39	Ad	Initiative
Sec. 6	11-5-02	48	Am	02:88	(c)	11-7-00	39	Ad	Initiative
(a)	11-5-02	48	Ad	02:88	<b>Art. XIX B</b>				
(b)	11-5-02	48	Ad	02:88	Sec. 1	3-5-02	42	Ad	01:87
(c)	11-5-02	48	Ad	02:88	(a)	3-5-02	42	Ad	01:87
(d)	11-5-02	48	Ad	02:88	(b)	3-5-02	42	Ad	01:87
(e)	11-5-02	48	Ad	02:88	(c)	3-5-02	42	Ad	01:87
(f)	11-5-02	48	Ad	02:88	(d)	3-5-02	42	Ad	01:87
Sec. 8	11-5-02	48	Am	02:88	(e)	3-5-02	42	Ad	01:87
(a)	11-5-02	48	Am	02:88	<b>Art. XXII</b>				
(b)	11-5-02	48	Am	02:88	Sec. 1	11-7-00	35	Ad	Initiative
(c)	11-5-02	48	Am	02:88	Sec. 2	11-7-00	35	Ad	Initiative
Sec. 10	11-5-02	48	Am	02:88					

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**CONSTITUTIONAL AMENDMENTS  
PASSED BY LEGISLATURE IN 1999-2002**

<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>	
<b>Art. II</b>				Sec. 23	2002	88	Am & R
Sec. 2.5	2001	114	Ad	(a)	2002	88	Am & R
<b>Art. IV</b>				(b)	2002	88	Am & R
Sec. 4.5	2000	83	Am	(c)	2002	88	Am & R
Sec. 19	1999	123	Am	(d)	2002	88	Am & R
	1999	142	Am	<b>Art. XVI A</b>			
(a)	1999	142	Am	Sec. 1	2002	185	Ad
(c)	1999	142	Am	Sec. 2	2002	185	Ad
(e)	1999	123	Am	(a)	2002	185	Ad
(f)	1999	123	Ad	(b)	2002	185	Ad
	1999	142	Ad	(c)	2002	185	Ad
<b>Art. VI</b>				(d)	2002	185	Ad
Sec. 1	2002	88	Am	Sec. 3	2002	185	Ad
Sec. 5	2002	88	R	(a)	2002	185	Ad
(a)	2002	88	R	(b)	2002	185	Ad
(b)	2002	88	R	(c)	2002	185	Ad
(c)	2002	88	R	(d)	2002	185	Ad
(d)	2002	88	R	(e)	2002	185	Ad
(e)	2002	88	R	(f)	2002	185	Ad
Sec. 6	2002	88	Am	(g)	2002	185	Ad
(a)	2002	88	Ad	Sec. 4	2002	185	Ad
(b)	2002	88	Ad	(a)	2002	185	Ad
(c)	2002	88	Ad	(b)	2002	185	Ad
(d)	2002	88	Ad	(c)	2002	185	Ad
(e)	2002	88	Ad	Sec. 5	2002	185	Ad
(f)	2002	88	Ad	(a)	2002	185	Ad
Sec. 8	2002	88	Am	(b)	2002	185	Ad
(a)	2002	88	Am	Sec. 6	2002	185	Ad
(b)	2002	88	Am	Sec. 7	2002	185	Ad
(c)	2002	88	Am	<b>Art. XIX B</b>			
Sec. 10	2002	88	Am	Sec. 1	2001	87	Ad
Sec. 15	2002	88	Am	(a)	2001	87	Ad
Sec. 16	2002	88	Am	(b)	2001	87	Ad
(b)	2002	88	Am	(c)	2001	87	Ad
(c)	2002	88	Am	(d)	2001	87	Ad
(d)	2002	88	Am	(e)	2001	87	Ad

**CORPORATIONS CODE**

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
158	2000	485	Am	1502.5	2002	1015	Ad
160	1999	437	Am	1900.5	2002	390	Ad
161.9	2002	480	Ad	1905	1999	1000	Am
163	2000	1015 *	Am	2105	1999	896	Am
163.1	2000	485	Ad	2113	2000	201	Am
168	1999	437	Am	2115	2000	206	Am
174.5	1999	437	Am		2002	480	Am
175	1999	437	Am	2117	1999	1000	Am
181	1999	437	Am		2002	1015	Am
201.3	2000	1015 *	R	2200	2000	206	Am
202	2000	485	Am		2001	159	Am <sup>305</sup>
301.5	2000	485	Am	2205	1999	1000	Am
305	2000	485	Am	5008.6	1999	1000	Am
306	2000	485	Am	5063.5	1999	437	Ad
307	2002	1008	Am (as am by Sec. 1, Stats. 1997, Ch. 136) <sup>19</sup> Am (as am by Sec. 2, Stats. 1997, Ch. 136) <sup>22</sup>	5064.5	1999	437	Ad
				5211	2002	1008	Am (as am by Sec. 5, Stats. 1997, Ch. 136) <sup>19</sup> Am (as am by Sec. 6, Stats. 1997, Ch. 136) <sup>22</sup>
407	2002	480	Am				
420	2002	784	Am <sup>490</sup>	5220	2000	485	Am
503	2000	485	Am	5222	1999	453	Am
504	2000	112	Am		2000	135	Am <sup>203</sup>
601	2002	480	Am	5237	1999	453	Am
602	2000	485	Am	5512	2000	485	Am
603	2000	485	Am	5819	1999	453	Am
	2002	480	Am	5913	1999	850	Am
710	2002	173	Am	5914	2002	427	Am
1001	1999	437	Am	5915	1999	850	Am
	2002	480	Am	5916	1999	850	Am
1100	1999	437	Am	5917	2002	427	Am
1101	1999	437	Am	5919	1999	850	Am
1101.1	1999	437	Am		2002	427	Am
1107.5	1999	1000	Ad	5920	1999	850	Ad
	2001	50	Am		2002	427	Am
1108	2000	201	Am	5921	1999	850	Ad
1109	1999	437	Am		2002	427	Am
1113	1999	437	Am	5922	1999	850	Ad
	2000	201	Am	5923	1999	850	Ad
1150	2002	480	Ad		2002	427	Am
1151	2002	480	Ad	5924	1999	850	Ad
1152	2002	480	Ad		2002	427	Am
1153	2002	480	Ad	5925	1999	850	Ad
1155	2002	480	Ad	5930	2000	801	Ad
1156	2002	480	Ad	6010	1999	437	Am
1157	2002	480	Ad	6018	1999	453	Am
1158	2002	480	Ad	6019.1	1999	437	Ad
1159	2002	480	Ad	6020	1999	437	Am
1160	2002	480	Ad	6021	1999	437	Am
			R & Ad <sup>63</sup>	6022	1999	437	Am
1200	1999	437	Am	6210	1999	1000	Am
1201	1999	437	Am	6211	1999	453	Am
1300	1999	470	Am	6325	1999	453	Ad
1313	2002	480	Ad	6611	1999	453	Am
1502	1999	1000	Am	6615	2002	112	Am
	2002	1015	Am	6810	2000	415	Am

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

## CORPORATIONS 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>
6810 (Cont.)				12571	1999	453	Am
	2001	159	Am <sup>305</sup>	12594	1999	453	Ad
7122.3	1999	453	Ad	12631	1999	453	Am
7130	2002	734 *	Am	12662	1999	453	Am
7211	2002	1008	Am (as am by Sec. 7, Stats. 1997, Ch. 136) <sup>19</sup>	13401	1999	657	Am
			Am (as am by Sec. 8, Stats. 1997, Ch. 136) <sup>22</sup>		2000	197	Am
					2000	836	Am
				13401.3	2000	508	Ad
					2001	597	Am
				13401.5	2002	1013	Am
				13408.5	1999	525	Am <sup>112</sup>
					2000	857	Am <sup>203</sup>
7220	2000	485	Am	14000	2000	135	Am <sup>203</sup>
7222	1999	453	Am	14030	2000	135	Am <sup>203</sup>
7236	1999	453	Am	14030.1	2000	135	Am <sup>203</sup>
	2000	135	Am <sup>203</sup>		2002	436	Am
7512	2000	485	Am	14030.2	2002	436	Am
8010	1999	437	Am	14035	2000	135	Am <sup>203</sup>
8011	1999	453	Am	14036	2000	135	Am <sup>203</sup>
8018	1999	453	Am	14037.6	2001	508	Am <sup>75</sup>
8019.1	1999	437	Ad		2002	436	Am
8020	1999	437	Am	14038	2000	127 *	Am
8021	1999	437	Am	14045	2002	436	Am
8022	1999	437	Am	14060.6	2000	650	Ad
8210	1999	1000	Am		2001	674	Am
8211	1999	453	Am	14068	2001	508	Am
8325	1999	453	Ad	14075	2002	436	Am
8611	1999	453	Am	14076	2002	436	Am
8723	1999	453	Am	14202	2000	1055 *	Am
9211	2002	1008	Am (as am by Sec. 9, Stats. 1997, Ch. 136) <sup>19</sup>	15621	2002	169	Am
			Am (as am by Sec. 10, Stats. 1997, Ch. 136) <sup>22</sup>	15677.1	1999	250	Ad
					2000	201	Am
				15677.2	1999	250	Ad
					2000	201	Am
					2002	480	Am
				15677.3	1999	250	Ad
					2000	201	Am
					2002	480	Am
9220	2000	485	Am	15677.4	1999	250	Ad
9222	1999	453	Am		2000	201	Am
9245	1999	453	Am	15677.5	1999	250	Ad
9412	2000	485	Am	15677.6	1999	250	Ad
9640	1999	437	Am		2002	480	Am
10251	1999	145	Am	15677.7	1999	250	Ad
10821	1999	525	Am <sup>112</sup>		2002	480	Am
	2000	857	Am <sup>203</sup>	15677.8	1999	250	Ad
12242.5	1999	437	Ad		2000	201	Am
12242.6	1999	437	Ad		2002	480	Am
12302.1	1999	453	Ad	15677.9	1999	250	Ad
12360	2000	485	Am		2002	480	Am
12362	1999	453	Am	15679.1	1999	250	Am
12376	1999	453	Am		1999	437	Am (by Sec. 26.5 of Ch.)
12462	2000	485	Am				
12530	1999	437	Am	15692	2002	480	Am
12531	1999	453	Am	15800	1999	1000	Am
12539	1999	453	Am	16101	1999	250	Am
12540.1	1999	437	Ad		2001	595	Am
12550	1999	437	Am	16901	1999	250	Am
12551	1999	437	Am				
12552	1999	437	Am				

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**CORPORATIONS CODE—Continued**

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
16901 (Cont.)	1999	437	Am		2002	480	Am
	1999	437	Am	17540.8	1999	250	Ad
16902	2002	480	Am		2000	201	Am
16903	1999	250	Am		2002	480	Am
	2002	480	Am	17540.9	1999	250	Ad
16904	2002	480	Am	17600	1999	250	Am
16905	1999	250	Am		1999	437	Am (by Sec. 32.5 of Ch.)
	2002	480	Am				
16906	1999	250	Am	17654	1999	1000	Am
	2002	480	Am	17700	1999	1000	R
16907	1999	250	Am	17701	1999	1000	R
	2002	480	Am	17702	1999	1000	R
16908	2000	201	Am	17703	1999	1000	R
	2002	480	Am	17704	1999	1000	R
16909	2002	480	Am	17705	1999	1000	R
16911	1999	250	Am	21304	1999	1000	Am
	1999	437	Am	24003	1999	1000	Am
16914	1999	250	Am	24004	1999	1000	Am
	1999	437	Am	25005.1	2000	201	Ad
	2000	201	Am		2002	480	Am (by Sec. 28 of Ch.)
16915	1999	250	Am				
	1999	437	Am		2002	772	Am (by Sec. 1.5 of Ch.)
	2000	201	Am	25010	2000	705	Am
16916	1999	250	Am	25014.7	2000	485	Am
	1999	437	Am	25019	2000	705	Am
16953	1999	1000	Am	25023	2000	705	Ad
	2001	425	Am	25100	2000	485	Am
	2002	169	Am	25101	2000	485	Am
16954	1999	1000	Am	25102	1999	83	Am <sup>30</sup>
16959	1999	1000	Am		2000	705	Am
	2002	169	Am		2001	58	Am
16960	1999	1000	Am		2001	159	Am <sup>305</sup>
16962	1999	1000	Am	25103	2000	201	Am
17001	1999	490	Am		2001	159	Am <sup>305</sup>
17050	1999	490	Am	25117	2000	485	Am
	2001	425	Am	25118	2000	468	Ad
	2002	169	Am		2002	964	Am
17060	1999	1000	Am	25120	2000	201	Am <sup>305</sup>
17101	1999	490	Am		2001	159	Am <sup>305</sup>
17302	2002	451	Am		2002	964	Am
17356	1999	1000	Am	25205	2001	264	R
17375	1999	1000	Ad	25207	2000	135	Am <sup>203</sup>
	2000	508	Am	25209	2000	705	Ad
17451	2002	169	Am	25212.1	2002	772	Am
17540.1	1999	250	Ad	25213	2002	772	Am
	2000	201	Am	25213.3	2002	772	Am
17540.2	1999	250	Ad	25219	1999	470	Am
	2000	201	Am	25221	2001	547	Ad
	2002	480	Am	25232.1	2002	772	Am
17540.3	1999	250	Ad	25232.3	2002	772	Am
	2000	201	Am	25247	2001	264	Am
	2001	159	Am <sup>305</sup>	25508.5	2000	705	Ad
	2002	480	Am	25530	2002	772	Am
17540.4	1999	250	Ad	25532	2002	772	Am
	2000	201	Am	25604	2001	264	R & Ad
17540.5	1999	250	Ad		2002	777	Am
	2001	159	Am <sup>305</sup>	25607	2001	264	Am
	2002	480	Am				
17540.6	1999	250	Ad				
	2002	480	Am				
17540.7	1999	250	Ad				

**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>Section</i>	<i>Affected By</i>		
	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>		<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
25607 (Cont.)	2002	664	Am <sup>431</sup>	25612.5	2001	264	Am
				28956	1999	83	Am <sup>30</sup>
25608	2001	264	Am	29530	2000	705	Am
	2002	772	Am	31011	2002	664	Am <sup>431</sup>
25608.2	2001	264	Am	31108	1999	325	Ad
25608.3	2001	118 *	Ad				

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**EDUCATION 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>
30.5	2001	745 *	Am	1258	2002	221	Am
	2001	750	Am	1279	1999	838	Ad
200	1999	587	Am	1280	1999	838	Ad
220	1999	587	Am	1281	1999	838	Ad
220.5	1999	587	Ad(RN)	1302	1999	838	Ad
221	1999	587	Am & RN	1317	1999	646	Am
224.5	2000	459	Ad	1340	2001	430	Am
233	2000	955	Am	1628	2002	1058	Am
233.8	2000	959	Ad	1982.3	1999	152 *	Am
241	1999	587	Ad	2550	1999	680	Am
313	1999	678	Ad		2000	71 *	Am
	2000	71 *	Am	2550.1	2002	519 *	Ad
	2001	159	Am <sup>305</sup>	2550.2	2002	519 *	Am <sup>478</sup>
400	1999	71	Ad	2550.5	2002	519 *	Am <sup>478</sup>
	2000	77 *	Am	2550.6	2002	519 *	Am <sup>478</sup>
402	1999	71	Ad	2550.7	2002	519 *	Am
404	1999	71	Ad	2551	1999	680	Am <sup>12</sup>
	2000	77 *	Am				R <sup>1</sup>
406	1999	71	Ad	2557.5	2002	1168 *	Am
	2000	77 *	Am	2558	2002	1168 *	Am
	2000	986	Am	2558.45	1999	78 *	Am
	2001	159	Am <sup>305</sup>	2567	1999	680	Ad
408	1999	71	Ad	2568	2000	71 *	Ad
410	1999	71	Ad	5019	2002	221	Am
420	2000	71 *	Ad <sup>73</sup>	5303	2002	221	Am
			R <sup>22</sup>	5322	1999	667	Am
421	2000	71 *	Ad <sup>73</sup>		2000	1081	Am
			R <sup>22</sup>	5324	1999	667	Am
422	2000	71 *	Ad <sup>73</sup>		2002	221	Am
			R <sup>22</sup>	5325	1999	667	Am
423	2000	71 *	Ad <sup>73</sup>		2002	221	Am
			R <sup>22</sup>	5361	1999	667	Am
424	2000	71 *	Ad <sup>73</sup>	5362	1999	667	Am
			R <sup>22</sup>	5363	2000	1081	Am
425	2000	71 *	Ad <sup>73</sup>	5380	2002	221	Am
			R <sup>22</sup>	5421	2002	221	Am
426	2000	71 *	Ad <sup>73</sup>	6400	2002	1018	R & Ad
			R <sup>22</sup>	8006	2000	1058	Am
	2001	159	Am <sup>305</sup>	8007	2000	1058	Am
427	2000	71 *	Ad <sup>73</sup>		2001	750	Am
			R <sup>22</sup>	8070	2000	1058	Am
	2001	159	Am <sup>305</sup>	Title 1,			
428	2000	71 *	Ad <sup>73</sup>	Div. 1,			
			R <sup>22</sup>	Pt. 6,			
430	2002	1014 *	Ad	Ch. 1,			
435	2002	1014 *	Ad	Art. 5,			
440	2002	1014 *	Ad	heading			
441	2002	1014 *	Ad	(Sec. 8090			
442	2002	1014 *	Ad	et seq.)	2000	1058	Am
443	2002	1014 *	Ad	8092	2000	1058	Am
444	2002	1014 *	Ad	8092.5	2000	1058	Am
445	2002	1014 *	Ad	8093	2000	1058	Am
446	2002	1014 *	Ad	8100	2000	1058	Am
1090	2001	401	Am	8152	2002	11	Am
1209	1999	838	Ad	8201	1999	823	Am
	2000	135	Am <sup>203</sup>	8202	1999	823	Am (by Sec. 4
1240	2001	620	Am				of Ch.)
1241.5	2001	620	Am	8203	2002	435	Am
1253.5	2002	221	Am	8203.3	1999	78 *	Am

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

## EDUCATION 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>
8208	1999	646	Am	8451	2001	745*	Am
	2001	734*	Am	8468	2002	435	R
	2002	435	Am	Title 1,			
8212	1999	823	Am	Div. 1,			
8215	1999	548	Am <sup>36 13</sup>	Pt. 6,			
	2001	745*	Am	Ch. 2,			
8222.5	1999	882	Am	Art. 22.5,			
8226	1999	823	Ad	heading			
8234	2000	1058	R	(Sec. 8482			
8236	2001	750	Am	et seq.)	2001	545	Am
8242	2002	435	Am		2002		
8261.5	1999	646	Ad		Initiative		
8263	2002	435	Am		(Prop. 49		
8264.5	2001	734*	Am		adopted		
8265.5	2002	435	Am		Nov. 5, 2002)		Am
8277.5	1999	492	Am	8482	2001	545	R (as ad by
	2001	118*	Am				Stats. 1998,
8277.6	1999	492	Am				Ch. 318 and
	2001	118*	Am				Ch. 319)
	2002	664	Am <sup>431</sup>				Am (as ad by
8278	2000	71*	Am				Stats. 1998,
8278.3	2000	1057	Am				Ch. 320)
	2000	1058	Am		2002		
	2001	734*	Am		Initiative		
	2001	750	Am		(Prop. 49		
	2002	664	Am <sup>431</sup>		adopted		
8280	2001	750	R		Nov. 5, 2002)		Am
8282	2001	629	Ad	8482.3	1999	78*	Am
8289	2002	435	Am		2001	545	R (as am by
8290	2000	548	Ad				Stats. 1998,
8290.1	2000	548	Ad				Ch. 318 and
8290.2	2000	548	Ad				Ch. 319)
8300	2000	547	Ad				Am (as am by
8358	2001	745*	Am				Stats. 1999,
8359	1999	646	Am				Ch. 78)
8406.9	2002	142	Ad		2002	646	Am
8420	2001	734*	R		2002		
	2002	1025	Ad		Initiative		
8421	2001	734*	R		(Prop. 49		
	2002	1025	Ad		adopted		
8422	2001	734*	R		Nov. 5, 2002)		Am
	2002	1025	Ad	8482.5	2002		
8423	2001	734*	R		Initiative		
	2002	1025	Ad		(Prop. 49		
8424	2001	734*	R		adopted		
8425	2001	734*	R		Nov. 5, 2002)		Am
	2002	1025	Ad	8482.55	2002		
8426	2001	734*	R		Initiative		
	2002	1025	Ad		(Prop. 49		
8427	2001	734*	R		adopted		
	2002	1025	Ad		Nov. 5, 2002)		Ad
8428	2001	734*	R	8482.6	2001	545	R (as ad by
	2002	1025	Ad				Stats. 1998,
8429	2001	734*	R				Ch. 318 and
8430	2001	734*	R				Ch. 319)
8431	2001	734*	R				Am (as ad by
8432	2001	734*	R				Stats. 1998,
8447	1999	78*	Am				Ch. 320)

**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>
8482.8	1999	872 *	Ad	8484.3	2001	545	R (as ad by
	2001	545	Am				Stats. 1998,
8483	1999	872 *	Am				Ch. 318 and
	2000	582	Am				Ch. 319)
	2001	545	R (as ad by				Am (as ad by
			Stats. 1998,	8484.6	1999	108	Stats. 1998,
			Ch. 318 and		2002		Ch. 320)
			Ch. 319)				Ad
			Am (as am by				
			Stats. 1999,				
			Ch. 872)				
	2002	495	Am				
8483.1	2001	545	Ad				
8483.2	2001	545	Ad				
8483.25	2002			8484.7	2002	1036	Ad
	Initiative			8484.8	2002	1036	Ad
	(Prop. 49			8488.5	2001	453	Ad & R <sup>18</sup>
	adopted			8488.7	2001	453	Ad & R <sup>18</sup>
	Nov. 5, 2002)		Ad	8488.9	2001	453	Ad & R <sup>18</sup>
8483.4	2001	545	R (as ad by	8489.1	2001	453	Ad & R <sup>18</sup>
			Stats. 1998,	8489.2	2001	453	Ad & R <sup>18</sup>
			Ch. 318 and	8489.3	2001	453	Ad & R <sup>18</sup>
			Ch. 319)	8489.4	2001	453	Ad & R <sup>18</sup>
			Am (as ad by	8489.6	2001	453	Ad & R <sup>18</sup>
			Stats. 1998,	8489.8	2001	453	Ad & R <sup>18</sup>
			Ch. 320)	8489.9	2001	453	Ad & R <sup>18</sup>
8483.5	2001	545	Ad	8494	2000	1057	Am
	2002			8499.10	2001	629	Ad
	Initiative			8499.3	2002	435	Am
	(Prop. 49			8499.5	2002	435	Am
	adopted			8660	1999	78 *	Am <sup>57</sup>
	Nov. 5, 2002)		Am	8661	1999	78 *	Am <sup>57</sup>
8483.55	2002			8662	1999	78 *	Am <sup>57</sup>
	Initiative			8663	1999	78 *	Am <sup>57</sup>
	(Prop. 49			8664	1999	78 *	Am <sup>57</sup>
	adopted			8665	1999	78 *	R
	Nov. 5, 2002)		Ad	8666	1999	78 *	Am <sup>57</sup>
8483.6	2002			8667	1999	78 *	Am <sup>57</sup>
	Initiative			8668	1999	78 *	Am <sup>57</sup>
	(Prop. 49			8669	1999	78 *	Am <sup>57</sup>
	adopted			8669.1	1999	78 *	Am <sup>57</sup>
	Nov. 5, 2002)		Ad	8669.2	1999	78 *	R
8483.7	1999	872 *	Am	8810	2002	497	S <sup>68</sup>
	2001	545	Am (as am by	8811	2002	497	S <sup>68</sup>
			Stats. 1999,	8812	2002	497	S <sup>68</sup>
			Ch. 872)	8813	2002	497	Am <sup>68</sup>
8483.75	2001	545	Ad	8813.5	2002	497	S <sup>68</sup>
8483.8	2001	545	R (as ad by	8814	2002	497	S <sup>68</sup>
			Stats. 1998,	8815	2001	750	Am
			Ch. 318 and		2002	497	S <sup>68</sup>
			Ch. 319)	8816	2002	497	S <sup>68</sup>
			Am (as ad by	8817	2002	497	S <sup>68</sup>
			Stats. 1998,	8818	2002	497	S <sup>68</sup>
			Ch. 320)	8819	2002	497	S <sup>68</sup>
8484	2001	545	R (as ad by	8920	2001	541	Ad <sup>73</sup>
			Stats. 1998,				R <sup>22</sup>
			Ch. 318 and		2002	497	Am <sup>68</sup>
			Ch. 319)	8921	2001	541	Ad <sup>73</sup>
			Am (as ad by				R <sup>22</sup>
			Stats. 1998,	8922	2001	541	Ad <sup>73</sup>
			Ch. 320)				R <sup>22</sup>

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

## EDUCATION CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
8923	2001	541	Ad <sup>73</sup> R <sup>22</sup>	14550	2000	71*	Ad
8924	2001	541	Ad <sup>73</sup> R <sup>22</sup>	15100	1999	667	Am
8925	2001	541	Ad <sup>73</sup> R <sup>22</sup>	15101	2002	199	Ad
8926	2001	541	Ad <sup>73</sup> R <sup>22</sup>	15102	2000	44	Am <sup>185</sup>
8927	1999	83	Am <sup>30</sup>	15106	2000	44	Am <sup>185</sup>
8951	2001	734*	Am	15120	1999	646	Am
8980	1999	965	Ad	15140	1999	667	Am
8981	1999	965	Ad	15146	1999	667	Am
8982	1999	965	Ad	15148	2002	221	Am
8990	2002	1163	Ad <sup>391 37</sup>	15150	1999	667	Ad
8993	2002	1163	Ad <sup>391 37</sup>	15205	1999	667	Ad
8995	2002	1163	Ad <sup>391 37</sup>	15232	2001	176	Am
8996	2002	1163	Ad <sup>391 37</sup>	15233	2001	176	Am
8997	2002	1163	Ad <sup>391 37</sup>	15264	2000	44	Ad <sup>185</sup>
9000	2002	1163	Ad <sup>391 37</sup>	15266	2000	44	Ad <sup>185</sup>
9001	2002	1163	Ad <sup>391 37</sup>		2001	132	Am
9002	2002	1163	Ad <sup>391 37</sup>	15268	2000	44	Ad <sup>185</sup>
9003	2002	1163	Ad <sup>391 37</sup>		2000	580	Am (as ad by Stats. 2000, Ch. 44)
9004	2002	1163	Ad <sup>391 37</sup>		2000	44	Ad <sup>185</sup>
10551	2000	71*	Am	15270	2000	580	Am (as ad by Stats. 2000, Ch. 44)
10554	1999	646	Am <sup>14</sup>		2001	132	Am
	2000	71*	Am <sup>191</sup>	15271	2001	132	Ad
	2001	891*	Am <sup>334</sup>	15272	2000	44	Ad <sup>185</sup>
	2002	1167*	Am <sup>382</sup>	15274	2000	44	Ad <sup>185</sup>
10555	2000	71*	Am	15276	2000	44	Ad <sup>185</sup>
10901	2001	734*	Am	15278	2000	44	Ad <sup>185</sup>
11020	1999	78*	Am	15280	2000	44	Ad <sup>185</sup>
	2001	734*	S <sup>79 43</sup>	15282	2000	44	Ad <sup>185</sup>
11021	1999	78*	Am	15284	2000	44	Ad <sup>185</sup>
	2001	734*	S <sup>79 43</sup>	15288	2000	44	Ad <sup>185</sup>
11022	2001	734*	S <sup>79 43</sup>	15340	1999	858	Am
11023	2001	734*	Am <sup>79 43</sup>		2001	132	Am
11024	2001	734*	S <sup>79 43</sup>		2002	199	Am
11024.5	2001	734*	Am <sup>79 43</sup>	15341	1999	858	R
11700	2000	462	Ad		2002	199	Ad
	2001	159	Am <sup>305</sup>	15348	2001	132	Am
13030	2000	132	Am	15359.1	2002	221	Am
13040	2001	870*	Ad <sup>37</sup>	15359.3	2001	132	Ad
13041	2001	870*	Ad <sup>37</sup>	15720	2000	1058	R
13042	2001	870*	Ad <sup>37</sup>	15750	2001	745*	R
14002	1999	78*	Am <sup>21</sup> R <sup>34</sup> Ad <sup>35</sup>	16098	2000	1058	R
				16730	2000	1058	R
14002.3	2002	1168*	Ad(RN) <sup>70</sup> R <sup>63</sup> Ad <sup>391</sup>	17001.5	2001	745*	R
				17009.5	1999	858	Am
14501	2002	1128	Am		2000	753	Am
14502	2002	1128	Am <sup>73</sup> R <sup>22</sup>	17052	2000	753	Ad
				17070.15	1999	858	Am
14502.1	2002	1128	Ad <sup>175</sup>		2002	33*	Am
14503	2002	1128	Am	17070.35	2002	33*	Am
14504	2002	1128	Am	17070.40	2002	33*	Am
14504.2	2000	1055*	Am	17070.43	2002	33*	Am
	2002	1128	Am	17070.46	2002	935	Ad
14505	2000	1055*	Am	17070.50	1999	992	Am
				17070.51	2000	590	Ad
					2002	33*	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>
17070.65	2002	33 *	Am	Title 1,			
17070.70	2000	127 *	Am	Div. 1,			
	2002	33 *	Am	Pt. 10,			
17070.71	2000	530 *	Ad	Ch. 12.5,			
17070.73	2002	935	Ad	Art. 10,			
17070.75	1999	858	Am	heading			
	2001	734 *	Am	(Sec. 17077.10			
17070.77	2001	194	Ad	et seq.)	2002	33 *	Am (as ad by
17070.95	2002	33 *	Ad				Stats. 1999,
17071.10	1999	857	Am				Ch. 981) & RN
	1999	858	Am	17077.10	1999	709	Ad
17071.25	1999	858	Am		1999	981	Ad
17071.33	2002	33 *	Am		2002	33 *	Am (as ad by
17071.46	2000	458	Ad				Stats. 1999,
	2001	159	Am <sup>305</sup>				Ch. 981) & RN
17071.75	1999	858	Am	Title 1,			
	2002	33 *	Am	Div. 1,			
	2002	935	Am (as am by	Pt. 10,			
			Stats. 2002,	Ch. 12.5,			
			Ch. 33)	Art. 10.5,			
17072.10	1999	858	Am <sup>147</sup>	heading			
	2002	33 *	Am	(Sec. 17077.30			
17072.12	2001	647	Am	et seq.)	2002	33 *	Ad(RN)
17072.13	1999	992	Ad	17077.30	2002	33 *	Ad(RN)
	2000	725	Am	17077.35	2002	33 *	Ad
	2002	935	Am	17077.40	2002	33 *	Ad
17072.17	1999	858	Ad	17077.42	2002	33 *	Ad
17072.18	2000	443 *	Ad	17077.45	2002	33 *	Ad
	2002	935	Am		2002	935	Am
17072.20	1999	858	Am	17078.10	2002	33 *	Ad
	2002	935	Am	17078.15	2002	33 *	Ad
17072.25	1999	178	Am	17078.18	2002	33 *	Ad
	2002	33 *	Am	17078.20	2002	33 *	Ad
17072.35	2002	935	Am		2002	935	Am (as ad by
17073.25	2002	935	Ad				Stats. 2002,
17074.10	1999	858	Am				Ch. 33)
	2002	33 *	Am	17078.22	2002	33 *	Ad
17074.15	2002	33 *	Am	17078.24	2002	33 *	Ad
	2002	935	Am (as ad by	17078.25	2002	33 *	Ad
			Stats. 2002,	17078.27	2002	33 *	Ad
			Ch. 33)	17078.30	2002	33 *	Ad
17074.16	2002	33 *	Ad		2002	935	Am (as ad by
	2002	935	Am (as ad by				Stats. 2002,
			Stats. 2002,				Ch. 33)
			Ch. 33)	17078.50	2002	935	Ad
17074.26	2002	33 *	Ad	17078.52	2002	935	Ad
17074.27	2002	1075	Ad	17078.53	2002	935	Ad
17074.30	2002	1075	Ad	17078.54	2002	935	Ad
17074.50	2001	725	Ad	17078.56	2002	935	Ad
17074.52	2001	725	Ad	17078.57	2002	935	Ad
17074.54	2001	725	Ad	17078.58	2002	935	Ad
17074.56	2001	725	Ad	17078.62	2002	935	Ad
17075.10	2002	33 *	Am	17078.64	2002	935	Ad
17075.15	2002	33 *	Am	17088.2	2000	590	Ad
17076.10	1999	858	Am		2002	33 *	Am
	2002	33 *	Am	17092	2000	590	Am
17076.11	1999	133	Ad	17096	1999	709	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
17150	1999	646	Am	17584.1	1999	390	Ad (by Sec. 3 of Ch.)
	2001	734 *	Am				
	2002	1168 *	Am	17584.2	2002	1075	Ad
17180	1999	718 *	Am	17591	2002	1084	Am
	2000	193	Am	17592.5	2002	1084	Am
17180.5	2002	935	Ad	17608	2000	718	Ad
17199.1	1999	718 *	Am	17609	2000	718	Ad
	2000	193	Am	17610	2000	718	Ad
17210	1999	1002	Ad	17610.5	2000	718	Ad
	2000	135	Am <sup>203</sup>		2001	159	Am <sup>305</sup>
	2000	443 *	Am	17611	2000	718	Ad
	2001	159	Am <sup>305</sup>	17612	2000	718	Ad
17210.1	1999	1002	Ad	17613	2000	718	Ad
	2000	443 *	Am	17620	1999	300	Am
	2001	865 *	Am		2000	135	Am <sup>203</sup>
17212.5	2001	422	Am	18025	2000	506	Am
17213.1	1999	1002	Ad	18181	1999	646	Am
	2000	443 *	Am	18182	1999	646	Am
	2001	865 *	Am	18185	1999	646	Ad
	2002	935	Am		2000	1058	R
17213.2	1999	992	Ad	18200	1999	78 *	Ad
	2000	443 *	Am		2002	802	R
17213.3	1999	992	Ad	18201	1999	78 *	Ad
	2001	750	R		2002	802	R
17215	1999	837	Am	18202	1999	78 *	Ad
17215.5	2000	135	Ad(RN) <sup>203</sup>	18203	1999	78 *	Ad
17250.10	2001	421	Ad & R <sup>75</sup>	19325	2001	654	Am
17250.15	2001	421	Ad & R <sup>75</sup>	19325.1	2001	654	Ad
17250.20	2001	421	Ad & R <sup>75</sup>		2002	664	Am <sup>431</sup>
17250.25	2001	421	Ad & R <sup>75</sup>	19420	2002	221	Am
17250.30	2001	421	Ad & R <sup>75</sup>	19985	1999	726 *	Ad <sup>165</sup>
	2002	664	Am <sup>431</sup>	19985.5	1999	726 *	Ad <sup>165</sup>
17250.35	2001	421	Ad & R <sup>75</sup>	19986	1999	726 *	Ad <sup>165</sup>
17250.40	2001	421	Ad & R <sup>75</sup>	19987	1999	726 *	Ad <sup>165</sup>
17250.45	2001	421	Ad & R <sup>75</sup>	19988	1999	726 *	Ad <sup>165</sup>
17250.50	2001	421	Ad & R <sup>75</sup>	19989	1999	726 *	Ad <sup>165</sup>
17251.5	2002	33 *	Ad	19990	1999	726 *	Ad <sup>165</sup>
17255	2002	498	Ad	19991	1999	726 *	Ad <sup>165</sup>
17262	2002	33 *	Am	19992	1999	726 *	Ad <sup>165</sup>
17268	1999	992	Am	19993	1999	726 *	Ad <sup>165</sup>
17280	2002	33 *	Am	19994	1999	726 *	Ad <sup>165</sup>
17280.5	2002	33 *	Ad	19995	1999	726 *	Ad <sup>165</sup>
17284.5	1999	304	Ad	19996	1999	726 *	Ad <sup>165</sup>
	2000	135	Am <sup>203</sup>	19997	1999	726 *	Ad <sup>165</sup>
	2000	202	Am	19998	1999	726 *	Ad <sup>165</sup>
17292	2000	747 *	Am	19999	1999	726 *	Ad <sup>165</sup>
17293.5	2000	65 *	Ad & R <sup>5</sup>	20000	1999	726 *	Ad <sup>165</sup>
17295	2001	422	Am	20001	1999	726 *	Ad <sup>165</sup>
17307.5	2000	463	Ad	20002	1999	726 *	Ad <sup>165</sup>
17316	2000	348	Am	20003	1999	726 *	Ad <sup>165</sup>
17317	1999	622	Ad	20004	1999	726 *	Ad <sup>165</sup>
	2001	159	Am <sup>305</sup>	20005	1999	726 *	Ad <sup>165</sup>
17453.1	2001	896	Ad	20006	1999	726 *	Ad <sup>165</sup>
17524	2001	430	Am	20007	1999	726 *	Ad <sup>165</sup>
17578	1999	646	Am	20008	1999	726 *	Ad <sup>165</sup>
17582	2001	734 *	Am	20009	1999	726 *	Ad <sup>165</sup>
	2002	1075	Am	20010	1999	726 *	Ad <sup>165</sup>
17584	1999	390	Ad(RN)	20011	1999	726 *	Ad <sup>165</sup>
	2001	734 *	Am	20050	2002	1126	Ad <sup>37</sup>
	2002	1084	Am	20051	2002	1126	Ad <sup>37</sup>

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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20052	2002	1126	Ad <sup>37</sup>		2000	1025	Am <sup>287</sup>
20052.5	2002	1126	Ad <sup>37</sup>	22132	2000	74	Am
20053	2002	1126	Ad <sup>37</sup>	22133.5	2000	74	Ad
20054	2002	1126	Ad <sup>37</sup>	22134	1999	939	Am <sup>30</sup>
20056	2002	1126	Ad <sup>37</sup>	22134.5	2000	1028	Ad
20057	2002	1126	Ad <sup>37</sup>	22135	1999	939	Am <sup>30</sup>
20058	2002	1126	Ad <sup>37</sup>	22136	1999	939	Am <sup>30</sup>
20059	2002	1126	Ad <sup>37</sup>	22136.5	2000	1028	Ad
20060	2002	1126	Ad <sup>37</sup>		2001	803	R <sup>373</sup>
20070	2002	1126	Ad <sup>37</sup>	22138.5	1999	939	Am <sup>30</sup>
20071	2002	1126	Ad <sup>37</sup>		2000	1025	Am <sup>287</sup>
20072	2002	1126	Ad <sup>37</sup>		2002	375	Am <sup>428</sup>
20073	2002	1126	Ad <sup>37</sup>	22138.6	2001	803	Am <sup>373</sup>
20074	2002	1126	Ad <sup>37</sup>	22139	2001	802	R (as ad by
20080	2002	1126	Ad <sup>37</sup>				Sec. 12.5,
20081	2002	1126	Ad <sup>37</sup>				Stats. 1996,
20082	2002	1126	Ad <sup>37</sup>				Ch. 1165)
20090	2002	1126	Ad <sup>37</sup>	22139.5	2000	74	Ad
20091	2002	1126	Ad <sup>37</sup>	22140	2000	74	Am
22000	1999	939	Am <sup>30</sup>		2002	375	Am <sup>428</sup>
22007	1999	939	Am <sup>30</sup>	22141	2000	1025	Am <sup>287</sup>
22008	1999	939	Am <sup>30</sup>		2000	1026	Am
	2000	74	Am		2000	1027	Am
22101.5	2000	74	Ad	22144.5	2000	1021	Ad
	2000	1021	Ad	22146	2000	1025	Am <sup>287</sup>
22102	2000	74	Am	22146.7	2000	74	Ad
	2000	1021	Am		2000	1021	Ad
22104.5	1999	939	Ad <sup>30</sup>	22147.5	1999	939	Am <sup>30</sup>
22104.7	2000	74	Ad		2000	1025	Am <sup>287</sup>
22104.9	2000	74	Ad	22148	1999	939	Am <sup>30</sup>
22105	2000	74	Am		2000	1025	Am <sup>287</sup>
22105.5	2000	74	Ad	22149	2000	1025	Am <sup>287</sup>
22106	2000	1025	Am <sup>287</sup>	22151	2000	1025	Am <sup>287</sup>
22106.1	1999	939	Ad <sup>30</sup>		2001	803	Am <sup>373</sup>
22106.2	1999	939	Ad <sup>30</sup>	22156	2000	1025	Am <sup>287</sup>
22107	2000	74	Am	22156.05	2000	74	Ad
22108	2000	74	Am	22156.1	1999	939	Ad <sup>30</sup>
22109.5	1999	939	Ad <sup>30</sup>		2000	1025	Am <sup>287</sup>
22115	2000	1021	Am <sup>269</sup>	22156.2	1999	939	Ad <sup>30</sup>
22115.2	1999	939	Ad <sup>30</sup>	22156.5	1999	939	Ad <sup>30</sup>
22115.5	1999	939	Ad <sup>30</sup>	22158	2000	1021	R & Ad
22119.2	1999	939	Am <sup>30</sup>	22160	2000	1025	Am <sup>287</sup>
	2000	1021	Am <sup>70</sup>	22161	1999	939	Am <sup>30</sup>
			R <sup>22</sup>	22161.5	2000	74	Am
			Ad <sup>269</sup>		2000	1021	Am
	2001	803	Am <sup>373</sup>	22162	2000	74	R & Ad
22119.5	2002	375	Am (as am by	22163	1999	939	Am <sup>30</sup>
			Stats. 1996,		2000	1025	Am <sup>287</sup>
			Ch. 608) <sup>428</sup>	22164	1999	465	Ad
22122.7	2000	74	Am	22165	2000	1025	Am <sup>287</sup>
22123	2001	802	R (as ad by	22166.5	2000	74	Ad
			Sec. 9.5,	22170	2000	1021	Am
			Stats. 1996,	22170.5	1999	939	Ad <sup>30</sup>
			Ch. 1165)	22176	2000	74	Ad
			Am (as ad by	22177	2000	1021	Ad
			Sec. 9,	22200	2002	1049	R & Ad <sup>22</sup>
			Stats. 1996,	22200.5	2002	1049	Ad
			Ch. 1165) <sup>13</sup>	22206	2000	1021	Am
22127.2	2000	74	Ad	22261	2002	903	Ad
22128	1999	939	Am <sup>30</sup>	22302	2000	74	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>	
22302 (Cont.)							
	2000	1021	Am (as ad by Stats. 2000, Ch. 74) & RN	22660	2000	1021	Am
22302.5	2000	1021	Ad(RN)		2000	74	Am
22303.5	2001	734*	Am		2000	1021	Am
22304	2000	74	Am		2001	159	Am <sup>305</sup>
22306	1999	939	Am <sup>30</sup>	22661	2000	74	Am
22307	2000	1025	Am <sup>287</sup>		2000	1021	Am
22309	2000	74	Am	22662	2000	74	Am
22311	2000	74	R & Ad		2000	1020	Am <sup>96</sup>
22311.5	2000	74	Ad		2000	1021	Am (by Sec. 25.5 of Ch.)
	2000	1021	Ad	22664	1999	939	Am <sup>30</sup>
22311.7	2000	74	Ad		2000	74	Am
22315	1999	465	R		2000	1021	Am
22316	1999	465	R		2001	803	Am <sup>373</sup>
22317	1999	465	R		2002	375	Am <sup>428</sup>
22327	1999	939	Am <sup>30</sup>	22665	2000	74	Am
22352	2001	803	Am <sup>373</sup>	22701	2000	1025	Am <sup>287</sup>
22360	1999	939	Am <sup>30</sup>	22703	2000	1021	Am <sup>269</sup>
	2001	802	Am	22705	2000	1020	Am
22360.5	1999	939	Ad <sup>30</sup>	22706	2000	74	Am
22400	1999	939	Am <sup>30</sup>		2000	1021	Am
22402	2000	1025	Am <sup>287</sup>	22713	1999	939	Am <sup>30</sup>
22453	2000	74	Am		2000	1025	Am <sup>287</sup>
	2000	1021	Am		2002	375	Am <sup>428</sup>
22455.5	1999	939	Am <sup>30</sup>	22714	1999	939	Am <sup>30</sup>
22457	1999	939	Am <sup>30</sup>	22717	1999	939	Am <sup>30</sup>
22458	1999	939	Am <sup>30</sup>	22717.5	2000	402*	Ad
22459	1999	939	Am <sup>30</sup>	22718	1999	939	Am <sup>30</sup>
22460	2000	74	R & Ad	22724	1999	939	Ad <sup>30</sup>
	2000	1021	R & Ad	22801	1999	939	Am <sup>30</sup>
22500	2000	1025	Am <sup>287</sup>	22801.5	2000	402*	Ad
22502	1999	939	Am <sup>30</sup>	22802	2000	1020	Am
22503	1999	939	Am <sup>30</sup>		2001	802	Am
22504	1999	939	Am <sup>30</sup>	22803	1999	939	Am <sup>30</sup>
22508	1999	939	Am <sup>30</sup>	22805	1999	939	Am <sup>30</sup>
	2000	880	Am	22811	2001	803	Ad <sup>373</sup>
	2000	1025	Am <sup>287</sup>	22820	1999	939	Am <sup>30</sup>
22508.5	1999	939	Am <sup>30</sup>		2001	803	Am <sup>373</sup>
22508.6	2000	402*	Ad	22823	1999	939	Am <sup>30</sup>
22514	1999	939	Am <sup>30</sup>	22826	1999	939	Am <sup>30</sup>
22515	2002	375	Am <sup>428</sup>	22900	2000	1025	Am <sup>287</sup>
22516	1999	939	Am <sup>30</sup>		2001	803	Am <sup>373</sup>
22601.5	1999	939	Am <sup>30</sup>	22901.1	2001	365*	Ad <sup>73</sup>
22602	1999	939	Am <sup>30</sup>		2002	14*	R <sup>22</sup>
22604	1999	939	Am <sup>30</sup>	22901.2	2002	14*	Am
22651	2000	74	Am		2002	14*	Ad <sup>73</sup>
	2000	1021	Am		2002	14*	R <sup>22</sup>
22652	2000	74	Am	22901.3	2002	14*	Ad
	2000	1020	Am <sup>96</sup>	22901.5	2000	74	Ad & R <sup>111</sup>
	2000	1021	Am (by Sec. 19.5 of Ch.)		2000	1021	Am (as ad by Stats. 2000, Ch. 74)
22655	2000	74	Am	22905	2000	1021	Am <sup>270</sup>
	2000	1021	Am				R <sup>22</sup>
22656	2000	74	Am				Ad <sup>269</sup>
	2000	1021	Am		2002	115*	Am (as am by Sec. 30 and as ad by Sec. 31, Stats. 2000, Ch. 1021)
22657	2002	375	Am <sup>428</sup>				
22658	2000	74	Am				
22659	2000	74	Am				

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<i>Section</i>	<i>Affected By</i>			<i>Section</i>	<i>Affected By</i>		
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22905 (Cont.)							
	2002	375	Am (as am by Sec. 2, Stats. 2002, Ch. 115) <sup>428</sup>	24203.6	2001	803	Am <sup>373</sup>
					2000	1029	Ad
					2001	803	Am <sup>373</sup>
					24205	1999	R & Ad <sup>30</sup>
					24206	2000	74
22906	2000	74	R & Ad	24209	2000	1025	Am <sup>287</sup>
	2000	1021	R & Ad		2001	803	Am <sup>373</sup>
22909	2002	115*	Ad	24209.3	2001	800*	Ad
22950	2000	1032	Am		2002	375	Am <sup>428</sup>
	2001	159	Am <sup>305</sup>		2002	664	Am <sup>431</sup>
22951	2000	1025	Am <sup>287</sup>	24211	1999	939	Am <sup>30</sup>
22954	2000	1021	Am <sup>274</sup>		2000	1025	Am <sup>287</sup>
			R <sup>63</sup>		2001	803	Am <sup>373</sup>
			Ad <sup>275</sup>	24212	1999	939	Am <sup>30</sup>
22955	1999	939	Am <sup>30</sup>		2001	803	Am <sup>373</sup>
	2000	1021	Am <sup>274</sup>	24213	1999	939	Am <sup>30</sup>
			R <sup>63</sup>	24214	2000	896	Am
			Ad <sup>275</sup>				R & Ad <sup>69</sup>
22955.5	2000	1021	Ad		2002	903	Am (as am by Sec. 2 and as ad by Sec. 3, Stats. 2000, Ch. 896)
22956	2000	1025	Am <sup>287</sup>				Am <sup>24</sup>
23001	2000	1025	Am <sup>287</sup>	24216	2000	22*	Ad <sup>25</sup>
23003	1999	939	Am <sup>30</sup>				R <sup>175</sup>
23004	1999	939	Am <sup>30</sup>				Am <sup>68</sup> 428
23006	1999	939	Am <sup>30</sup>				Am <sup>187</sup>
23008	2000	1025	Am <sup>287</sup>	24216.5	2002	375	Am <sup>68</sup> 428
23100	2000	74	Am		1999	40*	Am
23102	2000	1025	Am <sup>387</sup>		2000	70*	Am <sup>187</sup>
23200	2000	1020	Am <sup>96</sup>	24216.6	2000	351	Ad
23201	1999	939	Am <sup>30</sup>	24221	2002	375	Ad <sup>428</sup>
	2000	1020	Am <sup>96</sup>	24230	2000	897	Ad & R <sup>111</sup>
23202	2000	1020	Am <sup>96</sup>		2002	375	R <sup>428</sup>
23300	2000	74	R	24231	2000	897	Ad & R <sup>111</sup>
			Ad <sup>82</sup>		2002	375	R <sup>428</sup>
	2000	1025	R	24232	2000	897	Ad & R <sup>111</sup>
			Ad (by Sec. 28.5 of Ch.)		2002	375	R <sup>428</sup>
23702	1999	939	Am <sup>30</sup>	24233	2000	897	Ad & R <sup>111</sup>
23800	2000	1025	Am <sup>287</sup>		2002	375	R <sup>428</sup>
23805.5	1999	939	Ad <sup>30</sup>	24234	2000	897	Ad & R <sup>111</sup>
23812	1999	432	Ad		2002	375	R <sup>428</sup>
	2000	135	Am <sup>203</sup>	24235	2000	897	Ad & R <sup>111</sup>
23850	2000	1025	Am <sup>287</sup>		2002	375	R <sup>428</sup>
23851	1999	939	Am <sup>30</sup>	24236	2000	897	Ad & R <sup>111</sup>
23881	2000	74	R & Ad		2002	375	R <sup>428</sup>
24001	2001	803	Am <sup>373</sup>	24237	2000	897	Ad & R <sup>111</sup>
24001.5	2001	803	Am <sup>373</sup>		2002	375	R <sup>428</sup>
24002	2002	375	Am <sup>428</sup>	24237.5	2000	897	Ad & R <sup>111</sup>
24010	2002	375	Am <sup>428</sup>		2002	375	R <sup>428</sup>
24012	2002	375	Am <sup>428</sup>	24238	2000	897	Ad & R <sup>111</sup>
24101	2001	803	Am <sup>373</sup>		2002	375	R <sup>428</sup>
24101.5	1999	939	Am <sup>30</sup>	24250	1999	465	Ad
24102	2002	375	Am <sup>428</sup>	24255	1999	465	Ad
24109	2002	375	Am <sup>428</sup>		2000	135	Am <sup>203</sup>
24111	2002	375	Am <sup>428</sup>		2001	803	Am <sup>373</sup>
24114	2002	375	Am <sup>428</sup>	24260	1999	465	Ad
24201	1999	939	Am <sup>30</sup>		2001	803	Am <sup>373</sup>
	2000	1025	Am <sup>287</sup>	24270	1999	465	Ad
24202.5	2000	74	Am		2001	803	Am <sup>373</sup>
24203.5	1999	939	Am <sup>30</sup>	24275	1999	465	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>
24300	1999	939	Am (as ad by Sec. 2, Stats. 1998, Ch. 349) <sup>30</sup>		2001	802	R (as ad by Sec. 42, Stats. 2000, Ch. 1021)
	2002	903	R & Ad				Am (as am by Sec. 40, Stats. 2000, Ch. 1021) <sup>13</sup>
24300.5	2000	74	Ad				Am <sup>30</sup>
	2001	803	Am <sup>373</sup>				Am
24300.6	2000	1020	Ad <sup>96</sup>	24615	1999	939	Am
24305.3	2000	74	Ad	24616	2000	1021	Am
	2000	1021	Ad	24617	2000	1021	Am
24305.5	1999	939	Am <sup>30</sup>	24705	2002	375	Am <sup>428</sup>
24306	1999	939	Am (as ad by Sec. 4, Stats. 1998, Ch. 349) <sup>30</sup>	24750	2000	1020	Am <sup>96</sup>
				24751	2000	1020	Am <sup>96</sup>
				24950	2002	375	Am <sup>428</sup>
24307	1999	939	Am (as ad by Sec. 7, Stats. 1998, Ch. 349) <sup>30</sup>	24975	1999	740*	Ad(RN)
					2002	375	Am <sup>428</sup>
	2000	1025	Am <sup>287</sup>	24976	1999	740*	Ad(RN)
	2001	803	Am <sup>373</sup>		2001	430	Am
24402	2000	74	Am	25000	1999	740*	Am & RN & Ad
	2001	803	Am <sup>373</sup>		2000	74	Am & RN & Ad
24404	2001	803	Am <sup>373</sup>		2000	1021	Am (as ad by Stats. 2000, Ch. 74)
24410.5	1999	632	Ad		2000	1032	Am & RN
	2000	1025	Am <sup>287</sup>	25000.5	2000	74	Ad
	2000	1026	Am		2000	1021	Am (as ad by Stats. 2000, Ch. 74)
24410.6	2000	1026	Ad				
	2001	803	Am <sup>373</sup>	25000.7	2000	74	Ad
24410.7	2000	1027	Ad	25000.9	2002	375	Ad <sup>428</sup>
24411	2000	74	Am	25001	1999	740*	Am & RN
	2001	840	Am		2000	74	Ad
24412	2000	74	Am		2000	1021	Am (as ad by Stats. 2000, Ch. 74)
	2001	840	Am				
24415	2000	74	Am	25002	2000	74	Ad
	2000	1025	Am (by Sec. 36.5 of Ch.)		2000	1021	Am (as ad by Stats. 2000, Ch. 74)
	2000	1026	Am				
	2000	1027	Am	25003	2000	74	Ad
	2001	840	Am	25004	2000	74	Ad
24416	2001	840	Am	25005	2000	74	Ad
24417	2000	74	Am	25006	2000	74	Ad
	2000	1025	Am (by Sec. 37.5 of Ch.)		2000	1021	Am (as ad by Stats. 2000, Ch. 74)
	2000	1026	Am				
	2000	1027	Am	25007	2000	74	Ad
	2001	840	Am		2002	375	Am <sup>428</sup>
24600	1999	939	Am (as am by Sec. 204, Stats. 1998, Ch. 965) <sup>30</sup>	25008	2000	74	Ad
					2000	1021	Am (as ad by Stats. 2000, Ch. 74)
	2000	74	Am				
	2000	1021	Am (as am by Stats. 1998, Ch. 965)	25009	2000	74	Ad
					2000	1021	Am (as ad by Stats. 2000, Ch. 74)
			R (as am by Stats. 2000, Ch. 74)	25010	2000	74	Ad
			Ad <sup>8</sup>				

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

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	Year	Chapter	Effect		Year	Chapter	Effect
25010 (Cont.)	2000	1021	Am (as ad by Stats. 2000, Ch. 74)	25022	2000	74	Ad
25011	2000	74	Ad	25022.5	2002	375	Am <sup>428</sup>
	2000	1021	Am (as ad by Stats. 2000, Ch. 74)	25023	2000	74	Ad
25012	2001	803	Am <sup>373</sup>	2000	1021		Am (as ad by Stats. 2000, Ch. 74)
	2002	375	Am <sup>428</sup>		2002	375	Am <sup>428</sup>
	2002	903	Am		Title 1, Div. 1, Pt. 13, Ch. 38, Art. 6, heading (Sec. 25024 et seq.)	2001	803
2000	74	Ad					
25013	2000	375	Am <sup>428</sup>	25024	2000	74	Ad
	2000	74	Ad		2000	1021	Am (as ad by Stats. 2000, Ch. 74)
25014	2000	1021	Am (as ad by Stats. 2000, Ch. 74)	25025	2000	74	Ad
	2001	803	Am <sup>373</sup>		25026	2000	74
25015	2000	74	Ad	25100	1999	740*	Ad
	2000	1021	Am (as ad by Stats. 2000, Ch. 74)		2000	74	Am & RN
25016	2001	803	Am <sup>373</sup>	2002	1095	Ad	
	2000	74	Ad	25101	2002	1095	Ad
25017	2000	74	Ad	25102	2002	1095	Ad
	2000	1021	Am (as ad by Stats. 2000, Ch. 74)	25103	2002	1095	Ad
25018	2002	375	Am <sup>428</sup>	25104	2002	1095	Ad
	2000	74	Ad	25105	2002	1095	Ad
	2000	1021	Am (as ad by Stats. 2000, Ch. 74)	25106	2002	1095	Ad
25018.5	2001	803	Am <sup>373</sup>	25107	2002	1095	Ad
	2002	375	Am <sup>428</sup>	25108	2002	1095	Ad
	2002	903	Am	25109	2002	1095	Ad
25019	2002	375	Ad <sup>428</sup>	25110	1999	740*	Ad
	2000	74	Ad	2000	74	Am & RN	
25020	2000	1021	Am (as ad by Stats. 2000, Ch. 74)	2002	1095	Ad	
	2001	803	Am <sup>373</sup>	25111	2002	1095	Ad
	2000	74	Ad	25112	2002	1095	Ad
25021	2000	1021	Am (as ad by Stats. 2000, Ch. 74)	25113	2002	1095	Ad
	2002	375	Am <sup>428</sup>	25114	2002	1095	Ad
	2000	74	Ad	25115	1999	740*	Ad
25021	2000	1021	Am (as ad by Stats. 2000, Ch. 74)	2000	74	Am & RN	
	2002	375	Am <sup>428</sup>	2002	1095	Ad	
	2000	74	Ad	25120	1999	740*	Ad
25018.5	2001	803	Am <sup>373</sup>	2000	74	Am & RN	
	2002	375	Am <sup>428</sup>	25125	1999	740*	Ad
	2002	903	Am	2000	74	Am & RN	
25019	2000	74	Ad	25900	2000	74	Ad(RN)
	2000	1021	Am (as ad by Stats. 2000, Ch. 74)	2000	1032	Ad(RN)	
25020	2001	803	Am <sup>373</sup>	25901	2000	74	Ad(RN)
	2002	375	Am <sup>428</sup>				

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

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25910	2000	74	Ad(RN)	Title 1,			
25915	2000	74	Ad(RN)	Div. 1,			
25920	2000	74	Ad(RN)	Pt. 19,			
25921	2001	803	Ad <sup>373</sup>	Ch. 2,			
25923	2000	1032	Ad	Art. 3.6,			
25925	2000	74	Ad(RN)	heading			
	2001	803	Ad <sup>373</sup>	(Sec. 32228			
25926	2001	803	Ad <sup>373</sup>	et seq.)	1999	86	Am (as ad by
25930	2000	1032	Ad				Stats. 1999,
	2001	803	Am <sup>373</sup>				Ch. 51)
25931	2000	1032	Ad		1999	645*	Am (as ad by
25932	2000	1032	Ad				Stats. 1999,
25933	2000	1032	Ad				Ch. 51)
	2001	159	Am <sup>305</sup>	32228	1999	51*	Ad
Title 1,					2000	71*	Am
Div. 1,					2000	955	Am
Pt. 13.5,					2001	734*	Am
Ch. 4,					2001	735	Am (by Sec. 1.5
heading							of Ch.)
(Sec. 25940							
et seq.)	2001	803	Am <sup>373</sup>	32228.1	1999	51*	Ad
25940	2000	1032	Ad		1999	86	Am (as ad by
	2001	803	Am <sup>373</sup>				Stats. 1999,
	2002	375	Am <sup>428</sup>		1999	645*	Ch. 51)
25950	2000	874	Ad				Am (as ad by
25955	2002	375	Ad <sup>428</sup>				Stats. 1999,
26104	2000	1025	Am <sup>287</sup>		1999	646	Ch. 51)
26135	1999	939	Am <sup>30</sup>				Am (as ad by
26144.5	2000	1020	Ad				Stats. 1999,
26202	1999	939	Am <sup>30</sup>		2000	71*	Ch. 51)
26215	1999	939	Am <sup>30</sup>		2000	955	Am
26301	1999	939	Am <sup>30</sup>		2001	734*	Am
26303	1999	939	Am <sup>30</sup>		2002	165	Am
26400	2001	803	Am <sup>373</sup>	32228.2	1999	51*	Ad
	2002	375	Am <sup>428</sup>		1999	646	Am (as ad by
26401	2001	803	Am <sup>373</sup>				Stats. 1999,
26401.5	1999	939	Am <sup>30</sup>				Ch. 51)
	2000	1020	R	32228.3	1999	645*	Ad
26402	2001	803	Am <sup>373</sup>	32228.5	1999	646	Ad
26403	2000	1020	Ad	32230	2002	1168*	R
26501.5	2000	1020	Ad	32231	2002	1168*	R
26503.5	2000	1020	Ad	32232	2002	1168*	R
26504	1999	939	Am <sup>30</sup>	32233	2002	1168*	R
26603	1999	939	Am <sup>30</sup>	32234	2002	1168*	R
26604	1999	939	Am <sup>30</sup>	32235	2002	1168*	R
26807	2001	803	Am <sup>373</sup>	32236	2002	1168*	R
	2002	903	Am	32237	2001	745*	Am
26906	2001	803	Am <sup>373</sup>		2001	750	R
	2002	903	Am	32238	2002	1168*	R
26911	2001	803	Am <sup>373</sup>	32239	2002	1168*	R
27004	2001	803	R & Ad <sup>373</sup>	Title 1,			
	2002	375	Am <sup>428</sup>	Div. 1,			
27007	2001	803	Am <sup>373</sup>	Pt. 19,			
27008	2001	803	Am <sup>373</sup>	Ch. 2,			
27410	1999	939	Am <sup>30</sup>	Art. 3.8,			
32000	2001	725	R	heading			
32001	2001	725	Am	(Sec. 32239.5			
32002	2001	725	R	et seq.)	1999	86	Am (as ad by
32003	2001	725	R				Stats. 1999,
32004	2001	725	Am				Ch. 51)

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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>
32239.5	1999	51 *	Ad	33353	2000	585	Am <sup>5</sup>
	1999	86	Am (as ad by Stats. 1999, Ch. 51)		2001	888	Am <sup>75</sup>
					2001	889	Am <sup>75</sup>
	2001	745 *	Am	33354	2000	585	Am <sup>5</sup>
32261	2001	890	Am		2001	888	Am <sup>75</sup>
32270	2001	890	Am		2001	889	Am <sup>75</sup>
32270.5	1999	872 *	Ad	33420	2000	1055 *	Am
32271	2001	890	Am	33533	2001	734 *	Am
32280	2001	890	Am	33541	2001	926	Ad
32290	2001	890	Am	35001	2002	221	Am
32295	2001	890	Am	35012	2000	135	Am <sup>203</sup>
32296.8	2002	120	Am	35021	2001	40	Am
Title 1, Div. 1, Pt. 19, Ch. 3, Art. 3, heading (Sec. 32320 et seq.)				35021.2	1999	476	Ad
	2002	202	R	35029.1	2001	135 *	Ad
32320	1999	689	Am	35041.3	1999	189	Ad
	2002	202	Am & RN	35106	2000	1058	Am
32425	2002	701	Ad	35120	2001	401	Am
33009.5	2002	1020 *	Ad		2002	1168 *	Am
33042	2002	508	Ad	35160.5	1999	389	Am
33050	2000	71 *	Am		2000	135	Am <sup>203</sup>
	2000	1058	Am (as am by Stats. 2000, Ch. 71)		2002	1013	Am
	3X 2001–02	2 *	Am	35178.4	2001	598 *	Ad
33054	2000	464	Ad <sup>79</sup> R <sup>80</sup>	35179	2000	585	Am <sup>5</sup>
					2001	888	Am <sup>75</sup>
33126	2000	996 *	Am		2001	889	Am <sup>75</sup>
	2002	1166	Am	35179.2	2001	745 *	Am
	2002	1168 *	Am		2002	1032 *	Am
33126.1	2000	996 *	Ad	35182.5	1999	374	Ad
	2001	159	Am <sup>305</sup>	35183.5	2001	575	Ad
	2002	1168 *	Am		2002	266	Am
33126.2	2000	996 *	Ad	35233	2000	44	Am <sup>185</sup>
33128	2002	1168 *	Am (as am by Sec. 1, Stats. 1998, Ch. 784) <sup>70 18</sup>	35254	1999	646	Am
			Am (as ad by Sec. 2, Stats. 1998, Ch. 784) <sup>391</sup>	35291	2002	1032 *	Am
				35291.5	2002	1032 *	Am
33128.5	2001	872 *	Ad	35294.1	1999	996	Am
33319.3	2000	642	Ad		2002	735	Am
33328	1999	1009 *	Ad	35294.10	1999	996	Ad
33333	2001	430	Am	35294.11	1999	996	Ad
33350	2002	1166	Am	35294.12	1999	996	Ad
33352	2000	585	R (as am by Stats. 1993, Ch. 487)	35294.13	1999	996	Ad
			Am (as am by Stats. 1996, Ch. 151) <sup>5</sup>	35294.14	1999	996	Ad
	2001	888	Am <sup>75</sup>	35294.15	1999	996	Ad
	2002	943	Am	35294.2	1999	996	R (as ad by Sec. 4, Stats. 1997, Ch. 736)
							Am (as ad by Sec. 3, Stats. 1997, Ch. 736) <sup>13</sup>
					2001	646	Am
					2001	890	Am
				35294.20	2002	506	Ad & R <sup>68</sup>
				35294.21	2002	506	Ad & R <sup>68</sup>
				35294.22	2002	506	Ad & R <sup>68</sup>
				35294.23	2002	506	Ad & R <sup>68</sup>
				35294.25	2002	506	Ad & R <sup>68</sup>
				35294.4	2002	457	Ad
				35294.5	1999	996	Am
				35294.6	1999	996	Am
					2002	91	Am

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

## EDUCATION CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
35294.7	1999	996	Am	38030	1999	646	R
35294.8	1999	996	Am	38040	1999	646	R
	2002	506	Am	38045	1999	646	R
35294.9	1999	996	Am	38046	1999	646	R
35400	1999	295*	Ad & R <sup>24</sup>	38047	1999	646	R
	2000	750	Am <sup>18</sup>	38047.5	1999	648	Ad
	2002	462	Am <sup>423</sup>	38047.6	2002	360	Ad
35401	1999	295*	Ad & R <sup>24</sup>	38048	1999	646	R
	2000	750	Am <sup>18</sup>		1999	647*	Am & RN (by
	2002	462	Am				Sec. 1 of Ch.)
35500	2000	1058	Am				Ad(RN) (by
35556	1999	205	Am				Sec. 1 of Ch.)
35700.5	2000	761	Ad		1999	648	Am & RN (by
35704	2000	1058	Am				Sec. 2.5 of Ch.)
35706.5	2000	599	Ad	38049	1999	646	R
35707	2000	1058	Am	38050	1999	646	R
35720.5	2000	1058	Am	38051	1999	646	R
35721	2000	761	Am	38052	1999	646	R
35721.5	2000	761	Ad	38053	1999	646	R
35735.3	2000	1058	R	38054	1999	646	R
	2002	1168*	Ad	38055	1999	646	R
35756	2000	1058	Am	38056	1999	646	R
37220.5	2000	213	Am	38057	1999	646	R
37220.6	2000	213	Ad	38058	1999	646	R
	2000	1058	Am (as ad by	38059	1999	646	R
			Stats. 2000,	38060	1999	646	R
			Ch. 213)	38065	1999	646	R
	2001	734*	Am	38133	2002	1168*	Am
	2002	1124*	Am	38139	1999	832	Am
37220.8	2002	1124*	Ad <sup>70</sup>	38150	1999	646	R
			R <sup>63</sup>	38155	1999	646	R
37252	1999	78*	Am (as am by	38156	1999	646	R
			Stats. 1999-2000	38157	1999	646	R
			(1st Ex. Sess.),	38158	1999	646	R
			Ch. 1) <sup>1</sup>	38159	1999	646	R
	2000	72*	Am	38160	1999	646	R
	2000	135	Am <sup>203</sup>	38161	1999	646	R
	1X 1999-2000	1	Am	38162	1999	646	R
	2001	159	Am <sup>305</sup>	38163	1999	646	R
37252.1	2002	59*	Ad <sup>70</sup>	38164	1999	646	R
			R <sup>63</sup>	38165	1999	646	R
37252.2	2000	72*	Ad <sup>34</sup>	38166	1999	646	R
	2001	159	Am <sup>305</sup>	38167	1999	646	R
37252.5	1999	78*	Am	38168	1999	646	R
	2000	72*	Am & R <sup>20</sup>	39006	2000	135	Am & RN <sup>203</sup>
37252.6	2000	72*	Ad & R <sup>20</sup>	39619	1999	390	Am & RN
37252.8	2000	72*	Ad <sup>188</sup>	39800	1999	646	Ad
37253	1999	78*	Am	39801	1999	646	Ad
	2000	72*	Am	39801.5	1999	646	Ad
37253.5	2000	72*	Ad	39802	1999	646	Ad
37619	2001	159	Am <sup>305</sup>	39803	1999	646	Ad
38020	1999	646	R	39805	1999	646	Ad
38021	1999	646	R	39806	1999	646	Ad
38022	1999	646	R	39807	1999	646	Ad
38023	1999	646	R	39807.5	1999	646	Ad
38024	1999	646	R	39808	1999	646	Ad
38025	1999	646	R	39809.5	1999	646	Ad
38026	1999	646	R	39820	1999	646	Ad
38027	1999	646	R	39830	1999	646	Ad
38028	1999	646	R	39830.1	1999	646	Ad
38029	1999	646	R	39831	1999	646	Ad

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

**EDUCATION CODE—Continued**

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
39831.5	1999	646	Ad <sup>82</sup>	41329.3	2001	159	Am <sup>305</sup>
	1999	648	Ad(RN) (by Sec. 2.5 of Ch.)	41344	2002	1069	Ad & R <sup>459</sup>
39832	1999	646	Ad		1999	78*	Ad
39833	1999	646	Ad		2000	1058	Am
39834	1999	646	Ad	41344.1	2002	1128	Am
39835	1999	646	Ad	41344.2	1999	646	Ad
39836	1999	646	Ad	41344.3	2001	574*	Ad
39837	1999	646	Ad	41365	1999	736*	Am
39837.5	1999	646	Ad		2000	429*	Am (by Sec. 1 of Ch.)
39838	1999	646	Ad		2000	586	Am (by Sec. 1.5 of Ch.)
39839	1999	646	Ad	41366.5	2000	586	Ad
39840	1999	646	Ad	41366.7	2000	586	Ad
39841	1999	646	Ad	41367	2000	586	Ad
39842	1999	646	Ad	41372	2002	1168*	Am
39860	1999	646	Ad	41374	2001	734*	Am
40070	1999	646	Ad	41380	1999	646	R
40080	1999	646	Ad	41403	2002	1168*	Am
40081	1999	646	Ad	41404	2002	1168*	Am
40082	1999	646	Ad	41405	2002	1168*	R
40083	1999	646	Ad	41407	2001	750	R
40084	1999	646	Ad		2002	1168*	Ad
40084.5	1999	646	Ad	41409	2001	734*	Am
40085	1999	646	Ad	41601.1	2000	942	Am <sup>5</sup>
40085.5	1999	646	Ad		2001	382	Am <sup>20</sup>
40086	1999	646	Ad	41609	2002	1128	R
40087	1999	646	Ad	41841.6	2000	640*	Am <sup>45</sup>
40088	1999	646	Ad				R <sup>25</sup>
40089	1999	646	Ad				Ad <sup>56</sup>
40090	1999	646	Ad		2002	1067	Am
40090.5	1999	646	Ad	41851.12	2000	1058	Am
41020	2000	1055*	Am	41852	1999	646	Am
	2002	1128	Am	41857	1999	78*	Ad
41020.3	2002	1128	Am	42100	2002	1058	Am
41020.5	2000	1055*	Am	42101	1999	646	R
41020.6	2001	750	Am	42127	2002	1168*	Am
41023	1999	646	Am	42127.1	2002	1168*	Am
	2002	1168*	Am	42127.6	2001	620	Am
Title 2, Div. 3, Pt. 24, Ch. 1, Art. 3, heading (41030 et seq.)	2002	1168*	Am	42127.8	2000	584	Am
41031	2002	1168*	Am	42127.85	2000	584	Ad & R <sup>43</sup>
41032	2002	1168*	Am	42129	2002	1168*	Am
41033	2002	1168*	Am	42238	1999	78*	Am
41035	2002	1168*	Am		1999	646	Am (as am by Stats. 1999, Ch. 78) <sup>164</sup>
41038	2002	1168*	Am		2000	1058	Am (by Sec. 26 of Ch.)
41203.1	1999	78*	Am		2002	1167*	Am
	2000	71*	Am	42238.1	1999	78*	Am
	2001	891*	Am	42238.12	2001	794*	Am
	2002	1167*	Am		2002	1167*	Am
41204.1	1999	84*	Am <sup>29</sup>		2002	1168*	Am
41303	2002	1168*	Am		3X 2001–02	2*	Am
41325	2002	94	Am	42238.145	1999	78*	Am
41329	2000	578	Ad <sup>79</sup>	42238.146	2001	891*	Ad
			R <sup>80</sup>		2002	1168*	Am & RN
41329.1	2000	578	Ad & R <sup>19</sup>	42238.2	2000	581	Am
				42238.23	2000	71*	Ad

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

## EDUCATION 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>
42238.44	2001	155 *	Ad <sup>37</sup>	44000.5	2001	342	Ad
	2001	734 *	Am	44002	2001	342	Am
	2002	1167 *	Am <sup>37</sup>	44010	1999	281	Am
	3X 2001-02	2 *	Am		2001	342	Am
42238.445	2002	1167 *	Ad	44015.1	1999	286	Ad
42238.45	3X 2001-02	2 *	Ad	44031	2000	886	R & Ad
42238.46	2002	1167 *	Ad <sup>37</sup>	44049	2002	1168 *	Am
42238.51	2002	930	Ad(RN)	44110	2000	531	Ad
42238.52	2002	930	Ad(RN)	44111	2000	531	Ad
42238.53	2002	930	Ad	44112	2000	531	Ad
42238.75	2002	1128	Ad	44113	2000	531	Ad
42238.95	1999	83	Am <sup>30</sup>	44114	2000	531	Ad
42239	1999	78 *	Am		2001	159	Am <sup>305</sup>
	2000	72 *	R & Ad	44225.6	1999	381	Ad
	2000	1058	Am (as ad by Stats. 2000, Ch. 72)		2000	135	Am <sup>203</sup>
	2001	159	Am <sup>305</sup>	44225.7	1999	381	Ad
42239.1	1999	78 *	Am	44226	2001	342	R
	2000	72 *	Am	44227	1999	623 *	Am
	1X 1999-2000	2 *	Ad		2000	135	Am <sup>203</sup>
42239.15	2000	404 *	Ad		2001	342	Am
	2001	734 *	Am	44227.2	2001	342	R
42239.2	2000	72 *	Am	44227.3	2001	342	R
	2000	404 *	Am	44230	2001	342	Am
	2000	1058	Am (as am by Stats. 2000, Ch. 72)	44235	1999	78 *	Am
	1X 1999-2000	2 *	Ad	44239.5	2001	342	R
42239.5	2000	72 *	R	44242.5	2001	342	Am
42239.6	2000	72 *	R	44242.7	2001	342	Am
42241.7	2002	1168 *	Am	44243	2001	342	Am
42243.6	2001	891 *	R	44244	2001	342	Am
42243.8	2001	891 *	R	44244.1	2001	342	Am
42243.9	2001	891 *	R	44245	2001	342	Am
42246	2001	891 *	R	44252.1	2001	565	Ad <sup>276</sup>
42247	2001	891 *	R	44252.5	1999	704	Am
42247.1	2001	891 *	R	44252.6	2001	342	R
42247.2	2001	891 *	R	44252.9	1999	704	Ad
42247.3	2001	891 *	R		2001	745 *	Am
42247.4	2001	891 *	R	44253	1999	623 *	Am
42247.5	1999	78 *	Am		2000	703 *	Am
42249	2001	891 *	R	44253.10	1999	685	Am
42249.2	2001	891 *	R	44253.2	2000	955	Am
42249.4	2001	891 *	R	44253.3	2000	955	Am
42249.6	2001	891 *	R	44253.8	1999	737	Am
42249.65	2001	891 *	R	44255.5	2001	342	R
42249.8	2001	891 *	R	44255.6	2001	342	Am
42261	2000	1058	Am	44259	1999	623 *	Am
42263	2000	1058	Am		2000	135	Am <sup>203</sup>
42263.5	2000	751	Ad	44259.2	2001	269	Ad
42267	2000	1058	Am	44259.3	1999	83	Am <sup>30</sup>
42269	1999	154	Ad	44259.5	1999	711	Ad
42285.3	1999	191 *	Am <sup>21 20</sup>		2001	745 *	Am
	2001	561	Am <sup>70 18</sup>	44259.8	1999	737	Ad & R <sup>18</sup>
42638	2001	620	Am	44265.10	2000	951	Ad
42650	2001	734 *	Am	44268.5	2000	109	Ad & R <sup>18</sup>
42850	2001	734 *	Am	44270.3	2000	703 *	Ad
	2002	1168 *	Am	44270.4	2000	703 *	Ad
				44270.5	2002	225 *	Ad
				44274	2000	703 *	Am
				44274.1	2000	703 *	Ad

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**EDUCATION 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>
44274.2	2000	703 *	Am	44471	2001	884	Ad
	2001	342	Am	44472	2001	884	Ad
44274.4	2000	703 *	R	44490	1X 1999–2000	4	S <sup>4 5</sup>
44275.3	1999	623 *	Am	44491	1X 1999–2000	4	S <sup>4 5</sup>
	2000	135	Am <sup>203</sup>	44492	1X 1999–2000	4	S <sup>4 5</sup>
	2000	703 *	Am	44492.3	1X 1999–2000	4	S <sup>4 5</sup>
	2001	342	Am	44493	1X 1999–2000	4	S <sup>4 5</sup>
44275.4	2000	703 *	Ad	44494	1999	939	Am <sup>30</sup>
	2001	342	Am		1X 1999–2000	4	S <sup>4 5</sup>
44277	2000	283	Am (by Sec. 1 of Ch.)	44495	1X 1999–2000	4	S <sup>4 5</sup>
	1X 1999–2000	2 *	Am	44496	1X 1999–2000	4	S <sup>4 5</sup>
44279.2	2001	745 *	Am	44497	1X 1999–2000	4	S <sup>4 5</sup>
44283.2	1999	623 *	Am	44498	1999	646	Am
44285	2001	342	R		1X 1999–2000	4	Ad <sup>4</sup>
44300	2001	585 *	Am	44500	1X 1999–2000	4	Ad
44302	1999	400 *	Ad	44501	1X 1999–2000	4	Ad
44303	2001	576	Ad & R <sup>37 75</sup>	44502	1X 1999–2000	4	Ad
	2002	664	Am <sup>431</sup>	44503	1999	646	Am
44305	1999	623 *	Am		1X 1999–2000	4	Ad
	2001	342	Am		2001	734 *	Am
44309	2000	986	Ad & R <sup>20</sup>	44504	1999	646	Am
44322	2001	342	Am		1X 1999–2000	4	Ad
44325	2002	1087	Am	44505	1999	646	Am
44326	2002	1087	Am		1X 1999–2000	4	Ad
44328	2002	1087	Am	44506	1999	646	Am
44329	2001	745 *	R		1X 1999–2000	4	Ad
	2002	1087	Ad	44507	1999	646	Am
44332	1999	281	Am		1X 1999–2000	4	Ad
44341	2001	342	Am	44508	1X 1999–2000	4	Ad
44346	2002	471 *	Am	44510	2001	697	Ad <sup>98</sup>
44346.1	1999	281	Am				R <sup>100</sup>
	1999	710	Am	44511	2001	697	Ad <sup>98</sup>
	2001	342	Am				R <sup>100</sup>
44386	2000	70 *	Am	44512	2001	697	Ad <sup>98</sup>
44393	2001	342	Am				R <sup>100</sup>
44395	2000	70 *	Am	44513	2001	697	Ad <sup>98</sup>
44395.5	2001	734 *	Ad				R <sup>100</sup>
44396	2000	70 *	Am	44514	2001	697	Ad <sup>98</sup>
44397	2000	70 *	Am & RN				R <sup>100</sup>
44398	2000	70 *	Ad(RN)	44515	2001	697	Ad <sup>98</sup>
44399	2001	342	Ad				R <sup>100</sup>
44403	1999	83	Am <sup>30</sup>		2002	1167 *	Am
44420	2001	342	Am	44516	2001	697	Ad <sup>98</sup>
44421.1	2001	342	Am				R <sup>100</sup>
44421.5	2001	342	Am	44517	2001	697	Ad <sup>98</sup>
44423	2001	342	Am				R <sup>100</sup>
44424	1999	281	Am	44579.1	1999	78 *	Am
	1999	710	Am	44579.4	1999	83	Am <sup>30</sup>
	2000	135	Am <sup>203</sup>		1999	646	Am
44425	2002	471 *	Am	44579.5	2001	737	Ad
44439	2001	342	Am	44650	1999	52 *	Ad
44440	2001	342	Am	44651	1999	52 *	Ad
44452	2001	342	Am	44652	1999	52 *	Ad
44453	2001	342	Am	44653	1999	52 *	Ad
44454	2001	342	Am	44654	1999	52 *	Ad
44456	2001	342	Am	44661.5	1999	279	Ad
44468	2001	269	Ad	44662	1X 1999–2000	4	Am
	2002	664	Am <sup>431</sup>	44664	1X 1999–2000	4	Am
44470	2001	884	Ad	44670.1	2002	1032 *	R

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

## EDUCATION CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
44670.2	2002	1032 *	R	45005.30	2000	1022	Ad <sup>284</sup>
44670.3	2000	960	Am				R <sup>192</sup>
	2002	1032 *	R		2001	159	Am & RN <sup>305</sup>
44670.4	2002	1032 *	R		2001	394 *	Am & RN
44670.5	2002	1032 *	R	45023.1	2000	69 *	Ad
44670.7	2002	1032 *	R		2000	1058	Am (as ad by
44670.9	2002	1032 *	R				Stats. 2000,
44671	2002	1032 *	R				Ch. 69)
44671.1	2002	1032 *	R		2001	159	Am <sup>305</sup>
44671.2	2002	1032 *	R		2001	891 *	Am
44671.3	2002	1032 *	R	45023.4	1999	53 *	Ad
44671.4	2002	1032 *	R		1999	646	Am (as ad by
44671.5	2002	1032 *	R				Stats. 1999,
44680	2002	1032 *	R				Ch. 53)
44680.1	2002	1032 *	R		2000	405 *	Am
44680.2	2002	1032 *	R	45037	2002	1069	Ad
44680.4	2002	1032 *	R	45048	1999	287	Am
44680.5	2002	1032 *	R	45049	1999	287	Am
44680.6	2002	1032 *	R	45103	2002	867	Am (by Sec. 1
44680.7	2002	1032 *	R				of Ch.)
44680.8	2002	1032 *	R		2002	1100	Am (by Sec. 2.5
44689.1	2000	935	Ad				of Ch.)
44689.2	2000	935	Ad	45103.1	2002	894	Ad
44689.5	2000	1058	R	45105	2000	1 *	Am
44695	1999	646	Am	45113	2001	839	Am (by Sec. 1
44695.7	1999	646	Am				of Ch.)
44731	1999	83	Am <sup>30</sup>		2001	844	Am (by Sec. 1.5
44735	2000	70 *	Ad				of Ch.)
	2001	268	Am	45122	2000	1 *	Am
	2002	668	Am	45125	1999	78 *	Am
44751	2000	70 *	Ad	45201	1999	80	Am
44751.5	2000	70 *	Ad	45210	2001	260	Am
44752	2000	70 *	Ad	45243	2000	1 *	Am
44752.5	2000	70 *	Ad	45244	2000	1 *	Am
44753	2000	70 *	Ad	45245	2000	1 *	Am
44753.5	2000	70 *	Ad	45246	2000	1 *	Am
44754	2000	70 *	Ad	45249	2000	1 *	Am
44754.5	2000	70 *	Ad		2000	488	Am
44775.1	2002	702	Ad & R <sup>18</sup>	45256	2002	1100	Am
44775.2	2002	702	Ad & R <sup>18</sup>	45286	2000	1 *	Am
44775.3	2002	702	Ad & R <sup>18</sup>	45304	2000	1 *	Am
44775.4	2002	702	Ad & R <sup>18</sup>	45330	2002	1080	Ad
44775.5	2002	702	Ad & R <sup>18</sup>	45344.5	2002	1080	Am
44775.6	2002	702	Ad & R <sup>18</sup>	45361.5	2002	1080	Am
44775.7	2002	702	Ad & R <sup>18</sup>	45452	2002	590	Ad & R <sup>75</sup>
44775.8	2002	702	Ad & R <sup>18</sup>	46111	2001	87	Am
44784	2001	745 *	Am	46200	2001	573	Am
44810	1999	1013	Am		2002	1168 *	Am
44811	1999	1013	Am	46200.5	2001	573	Am
44830.3	2002	1087	Am		2002	1168 *	Am
44831	1999	623 *	Am	46201	2001	573	Am
44922	2000	1025	Am <sup>287</sup>	46201.5	2001	573	Am
44930	1999	80	Am	46202	2001	573	Am
44940	2002	471 *	Am		2002	1168 *	Am
44955.5	2002	1167 *	Am <sup>531</sup>	46206	2001	573	R & Ad
45005.25	2000	1022	Ad <sup>284</sup>		2002	942	Am
			R <sup>192</sup>	46300	1999	78 *	Am
	2001	159	Am & RN <sup>305</sup>	46300.8	2002	801	Ad & R <sup>43</sup>
	2001	394 *	Am & RN	47602	2002	1058	Am

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

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47604.3	2002	1058	Am	47626	1999	828	Ad
47604.4	2002	1058	Ad	47630	1999	78*	Ad
47605	1999	828	Am	47630.5	1999	78*	Ad
	2000	580	Am	47631	1999	78*	Ad
	2001	344	Am	47632	1999	78*	Ad
	2001	892	Am (by Sec. 1.5 of Ch.)		1999	646	Am (as ad by Stats. 1999, Ch. 78) <sup>164</sup>
	2002	209	Am				
	2002	1058	Am	47632.5	1999	78*	Ad
47605.1	2002	1058	Ad	47633	1999	78*	Ad
47605.3	2002	586*	Ad	47634	1999	78*	Ad
47605.6	2002	1058	Ad		1999	646	Am (as ad by Stats. 1999, Ch. 78) <sup>164</sup>
47605.7	2000	88	Ad		2001	586*	Am
47605.8	2002	1058	Ad	47634.2	2001	892	Ad
47607.5	2000	160	Ad		2002	664	Am <sup>431</sup>
Title 2, Div. 4, Pt. 26.8, Ch. 3, heading (Sec. 47610 et seq.)				47634.3	1999	646	Ad <sup>164</sup>
	1999	78*	Am	47634.5	1999	78*	Ad
47611	1999	939	Am <sup>30</sup>		2002	1167*	Am
	2000	1025	Am <sup>287</sup>	47635	1999	78*	Ad
47611.3	2000	466	Ad		2001	586*	Am
47611.5	1999	828	Ad	47636	1999	78*	Ad
	2000	135	Am <sup>203</sup>		1999	646	Am (as ad by Stats. 1999, Ch. 78) <sup>164</sup>
47612	1999	78*	Am		2000	1058	Am
	2002	36*	Am <sup>70</sup>	47638	1999	78*	Ad
			R <sup>63</sup>	47640	1999	78*	Ad
			Ad <sup>391</sup>	47641	1999	78*	Ad
47612.1	2002	1058	Ad	47642	1999	78*	Ad
47612.5	1999	162	Ad		1999	646	Am (as ad by Stats. 1999, Ch. 78) <sup>164</sup>
	2000	135	Am <sup>203</sup>	47643	1999	78*	Ad
	2001	586*	Am	47644	1999	78*	Ad
	2001	892	Am (by Sec. 2.5 of Ch.)	47645	1999	78*	Ad
47613	1999	78*	R & Ad(RN)	47646	1999	78*	Ad
47613.1	1999	646	Ad		1999	646	Am (as ad by Stats. 1999, Ch. 78) <sup>164</sup>
	2002	1058	Am		2002	117	Am
47613.2	2002	932	Ad	47647	1999	78*	Ad
47613.5	1999	78*	R	47650	1999	78*	Ad
47613.7	1999	78*	Am & RN	47651	1999	78*	Ad
47614	2000			47652	1999	646	Ad <sup>164</sup>
	Initiative (Prop. 39 adopted Nov. 7, 2000)				2000	71*	Am
			Am		2002	1058	Am
47614.5	2001	892	Ad	47660	1999	78*	Ad
	2002	586*	Am		1999	646	Am (as ad by Stats. 1999, Ch. 78) <sup>164</sup>
47616.7	2001	892	Ad				
Title 2, Div. 4, Pt. 26.8, Ch. 5, Art. 1, heading (Sec. 47620 et seq.)				47661	1999	78*	Ad
	1999	828	Ad		1999	736*	Am (as ad by Stats. 1999, Ch. 78)
					2002	930	Am & RN
				47661.5	2001	734*	Ad
					2002	930	Am & RN
				47662	1999	78*	Ad

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

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47663	1999	78 *	Ad				
	2001	586 *	Am	48209.10	2002	1032 *	Am
47664	1999	78 *	Ad		1999	397	S <sup>73 19</sup>
47763.5	1999	78 *	Am	48209.11	2002	1032 *	Am
	2000	662 *	Am		1999	397	S <sup>73 19</sup>
47771.5	1999	78 *	Am	48209.12	2002	1032 *	Am
	2000	662 *	Am		1999	397	S <sup>73 19</sup>
47773	2001	734 *	Am	48209.13	2002	1032 *	Am
48005.10	2000	1022	Ad <sup>284</sup>		1999	397	S <sup>73 19</sup>
			R <sup>192</sup>	48209.14	2002	1032 *	Am
	2001	394 *	Am <sup>319 38</sup>		1999	397	S <sup>73 19</sup>
	2002	1167 *	Am <sup>384 111</sup>	48209.15	2002	1032 *	Am
48005.11	2001	394 *	Ad <sup>319 38</sup>		1999	397	S <sup>73 19</sup>
	2002	1167 *	S <sup>384 111</sup>	48209.16	2002	1032 *	Am
48005.13	2000	1022	Ad <sup>284</sup>		1999	397	Am <sup>73 19</sup>
			R <sup>192</sup>	48209.17	1999	397	Ad <sup>73</sup>
	2001	394 *	Am <sup>319 38</sup>				R <sup>22</sup>
	2002	1167 *	Am <sup>384 111</sup>	48209.2	1999	397	S <sup>73 19</sup>
48005.15	2000	1022	Ad <sup>284</sup>	48209.3	1999	397	S <sup>73 19</sup>
			R <sup>192</sup>	48209.4	1999	397	S <sup>73 19</sup>
	2001	394 *	Am <sup>319 38</sup>	48209.5	1999	397	S <sup>73 19</sup>
	2002	1167 *	Am <sup>384 111</sup>	48209.6	1999	397	S <sup>73 19</sup>
48005.20	2000	1022	Ad <sup>284</sup>	48209.7	1999	397	S <sup>73 19</sup>
			R <sup>192</sup>	48209.9	1999	397	S <sup>73 19</sup>
	2001	394 *	Am <sup>319 38</sup>		2000	1058	Am
	2002	1167 *	S <sup>384 111</sup>		2002	1032 *	Am
48005.25	2001	159	Ad(RN) <sup>305</sup>	48264.5	2001	734 *	Am
	2001	394 *	Ad(RN) <sup>319 38</sup>	48293	2000	465	Am
	2002	1167 *	Am <sup>384 111</sup>	48321	2000	222	Am
48005.30	2001	159	Ad(RN) <sup>305</sup>	48325	2000	222	Am
	2001	394 *	Ad(RN) <sup>319 38</sup>	48431.6	2002	664	Am <sup>431</sup>
	2002	1167 *	Am <sup>384 111</sup>	48660	1999	646	Ad <sup>164</sup>
48005.33	2000	1022	Ad <sup>284</sup>	48661	1999	646	Am
			R <sup>192</sup>	48664	1999	78 *	Am
	2001	394 *	S <sup>319 38</sup>		2000	71 *	Am
	2002	1167 *	S <sup>384 111</sup>		2000	1058	Am (as am by
48005.35	2000	1022	Ad <sup>284</sup>				Stats. 2000,
			R <sup>192</sup>		2001	159	Ch. 71)
	2001	394 *	S <sup>319 38</sup>				Am <sup>305</sup>
	2002	1167 *	Am <sup>384 111</sup>	48800	2000	1073	Am
48005.40	2000	1022	Ad <sup>284</sup>	48800.5	2000	1073	Am
			R <sup>192</sup>	48900	2001	484	Am
	2001	394 *	R		2002	151	Am
48005.45	2000	1022	Ad <sup>284</sup>		2002	643	Am (by Sec. 1.5
			R <sup>192</sup>				of Ch.)
	2001	394 *	Am <sup>319 38</sup>	48900.3	1999	646	Am
	2002	1167 *	Am <sup>384 111</sup>	48900.4	2002	643	Am
48005.50	2000	1022	Ad <sup>284</sup>	48900.6	2000	225	R (as ad by
			R <sup>192</sup>				Sec. 1,
	2001	394 *	Am <sup>319 38</sup>				Stats. 1993,
	2002	1167 *	S <sup>384 111</sup>				Ch. 212)
48005.55	2000	1022	Ad <sup>284</sup>				Am (as am by
			R <sup>192</sup>				Stats. 1995,
	2001	394 *	Am <sup>319 38</sup>	48901.5	2002	253	Ch. 972)
	2002	1167 *	Am <sup>384 111</sup>	48902	2002	492	Am
48200.7	2000	942	Am <sup>13</sup>	48904.3	2002	492	Am
48200.8	2001	382	Ad	48911	2002	492	Am
48201	2000	345	Am	48915	2001	116	Am
48205	1999	312	Am	48915.5	2002	492	R & Ad
48209	1999	397	S <sup>73 19</sup>	48915.6	2002	492	R
48209.1	1999	397	S <sup>73 19</sup>	48916.1	1999	646	Am

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48918	1999	332	Am	49557.2	2001	894	Ad
48918.6	2002	136	Ad		2002	1161*	Am
48919	2000	147	Am	49558	2001	894	Am
48923	2000	147	Am	49581	2000	1058	R
48927	2002	492	Ad	49590.5	2001	745*	R
48938	2001	430	Am	49605	2001	250	Ad & R <sup>20</sup>
48980	2000	73*	Am	51008	2000	213	Ad
	1X 1999–2000	1	Am	51009	2002	366	Ad
48980.3	2000	718	Ad	Title 2,			
49068.6	1999	832	Ad	Div. 4,			
49069.3	2000	67	Ad	Pt. 28,			
49070	2002	492	Am	Ch. 1.5,			
49075	2001	894	Am	Art. 1,			
49076	2000	222	Am	heading			
49079	2000	345	Am	(Sec. 51100			
49080	1999	78*	Ad	et seq.)	1999	78*	Ad
49080.5	1999	78*	Ad	51101	2001	749*	Am
49081	1999	78*	Ad		2002	1037	Am
49082	1999	78*	Ad	51101.1	2002	1037	Ad
49082.5	1999	78*	Ad	Title 2,			
49083	1999	78*	Ad	Div. 4,			
49084	2002	1002*	Ad	Pt. 28,			
49335	2000	265	Ad	Ch. 1.5,			
49370	1999	1013	Ad	Art. 2,			
49413	2001	745*	Am	heading			
	2001	750	Am	(Sec. 51120			
49414	2001	458	Ad	et seq.)	1999	734	Am (as ad by
49415	2002	1096	Ad				Stats. 1999,
49423.5.1	2000	281	Ad				Ch. 78)
49423.6	2000	281	Ad	51120	1999	78*	Ad
49430	2001	913	Ad <sup>37</sup>	51121	1999	78*	Ad
49430.3	2001	913	Ad <sup>37</sup>		1999	734	R (as ad by
49430.5	2001	913	Ad <sup>37, 335</sup>				Stats. 1999,
	2002	361	Am <sup>415</sup>				Ch. 78) & Ad
49431	2001	913	Ad <sup>37, 22</sup>	51122	2002	25*	Am
	2002	361	Am <sup>416</sup>		1999	78*	Ad
	2002	664	Am <sup>431</sup>		1999	734	R (as ad by
49432	2001	913	Ad <sup>37</sup>				Stats. 1999,
49433	2001	913	Ad <sup>37</sup>				Ch. 78) & Ad
	2002	361	Am		2002	25*	Am
49433.5	2001	913	Ad <sup>37</sup>	51123	1999	734	Ad
49433.7	2001	913	Ad <sup>37</sup>	51124	2002	25*	Ad
	2002	361	Am	51130	1999	734	Ad
49433.9	2001	913	Ad <sup>37</sup>	51131	1999	734	Ad
	2002	361	Am	51132	1999	734	Ad
	2002	664	Am <sup>431</sup>	51133	1999	734	Ad
49434	2001	913	Ad <sup>37</sup>	51140	1999	734	Ad
	2002	361	Am	51141	1999	734	Ad
49435	2001	913	Ad <sup>37</sup>	51142	1999	734	Ad
49436	2001	913	Ad <sup>37</sup>	51143	1999	734	Ad
49494	2000	20*	Ad	51201.5	1999	83	Am <sup>30</sup>
49545.5	1999	78*	Ad	51210	2001	734*	Am
49550.3	2000	71*	Am	51210.1	2002	943	Ad(RN)
49553	2002	1168*	R (as am by	51210.2	2002	943	Ad
			Stats. 1997,	51210.4	2002	1163	Ad
			Ch. 825)	51215	1X 1999–2000	1	S <sup>11, 2</sup>
			Am (as am by	51216	1X 1999–2000	1	S <sup>11, 2</sup>
			Stats. 1998,	51217	1X 1999–2000	1	S <sup>11, 2</sup>
			Ch. 1078)	51217.5	1X 1999–2000	1	S <sup>11, 2</sup>
49557	2001	894	Am	51217.7	1X 1999–2000	1	S <sup>11, 2</sup>
49557.1	2000	93*	Ad	51218	1X 1999–2000	1	S <sup>11, 2</sup>

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

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51220	2000	1058	Am	Title 2,			
	2001	734*	Am	Div. 4,			
	2002	943	Am	Pt. 28,			
51220.3	2001	386	Ad	Ch. 5,			
	2002	51*	Am	Art. 15,			
51220.4	2000	833	Ad	heading			
51221.3	2002	739	Ad	(Sec. 51870			
51221.5	2002	988	Ad	et seq.)	2001	734*	S <sup>18</sup>
51223.1	2002	943	Am & RN	51870	1999	830	Ad
51223.5	2002	943	R	51871	1999	83	Am <sup>30</sup>
51224	2000	1058	Am		2001	734*	S <sup>18</sup>
51224.5	2000	1024	Ad	51871.3	1999	830	Ad
	2001	734*	Am	51871.4	1999	830	Ad
51225.3	2000	1058	Am	51871.5	1999	830	Ad
51225.4	2000	1058	Am		2000	135	Am <sup>203</sup>
51226	2000	1058	Am	51872	1999	830	Am
	2002	988	Am		2001	734*	S <sup>18</sup>
	2002	989	Am	51873	2001	734*	S <sup>18</sup>
51226.1	2002	989	Ad	51874	2001	734*	Am <sup>18</sup>
51226.3	2002	702	Am	51940	2002	755	Ad
51226.4	2001	926	Ad & R <sup>75</sup>	52050	1X 1999–2000	3	Ad
51228	2002	989	Am	52050.5	1X 1999–2000	3	Ad
51241	2002	1166	Am	52051	1X 1999–2000	3	Ad
51264	2001	750	Am	52051.5	1X 1999–2000	3	Ad
51280	2002	541	Ad	52052	2000	695*	Am
51282	2002	541	Ad		1X 1999–2000	3	Ad
51284	2002	541	Ad		2001	745*	Am
51412	2000	1058	Am		2001	887	Am
51421	2002	163	Am		2002	1035	Am
51422	2002	163	Am	52052.2	2001	887	Ad
51424	2002	163	Am	52052.3	2000	71*	Ad
51511	2001	734*	Am		2000	695*	Am (as ad by
51553	1999	234	Am				Stats. 2000,
	1999	853	Am (by Sec. 2.5				Ch. 71)
			of Ch.)		2002	1035	R
	2002	1099	Am	52052.5	1X 1999–2000	3	Ad
51554	1999	83	Am <sup>30</sup>	52053	2000	695*	Am
51555	1999	83	Am <sup>30</sup>		1X 1999–2000	3	Ad
51700	2002	730	Ad		2001	887	Am
51702	2002	730	Ad	52053.5	1X 1999–2000	3	Ad
51725	2001	705	Ad & R <sup>20</sup>	52054	2000	190	Am
	3X 2001–02	2*	Am <sup>19</sup>		2000	695*	Am
51726	2001	705	Ad & R <sup>20</sup>		1X 1999–2000	3	Ad
	3X 2001–02	2*	Am <sup>19</sup>		2001	159	Am <sup>305</sup>
51727	2001	705	Ad & R <sup>20</sup>		2001	749*	Am <sup>37</sup>
	2002	664	Am <sup>431</sup>		2001	887	Am
	3X 2001–02	2*	Am <sup>19</sup>		2002	42*	Am
51728	2001	705	Ad & R <sup>20</sup>		2002	1168*	Am
	3X 2001–02	2*	S <sup>19</sup>	52054.3	2001	749*	Ad <sup>37</sup>
51729	2001	705	Ad & R <sup>20</sup>	52054.5	2000	695*	Am
	3X 2001–02	2*	S <sup>19</sup>		1X 1999–2000	3	Ad
51747.3	1999	162	Am	52055	2000	695*	Am
51795	1999	713	Ad		1X 1999–2000	3	Ad
51796	1999	713	Ad	52055.5	2000	695*	Am
51797	1999	713	Ad		1X 1999–2000	3	Ad
51798	1999	713	Ad		2001	887	Am
51810	2001	734*	Am		2002	1035	Am
51852	2002	774*	Am <sup>70</sup>	52055.51	2001	749*	Ad <sup>37</sup>
			R <sup>63</sup>		2002	1035	Am
			Ad <sup>513</sup>	52055.52	2002	1020*	Ad

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52055.52 (Cont.)	2002	1035	Am	52084	1999	78*	Am
52055.53	2002	1035	Ad	52086	1999	78*	Am
52055.600	2001	749*	Ad <sup>37</sup>	52122	1999	83	Am <sup>30</sup>
	2002	42*	Am		2000	743	Am
52055.605	2001	749*	Ad <sup>37</sup>	52122.1	2000	749	Am
	2002	42*	Am	52123	2000	743	Am
52055.610	2001	749*	Ad <sup>37</sup>	52136	2001	750	R
	2002	42*	Am	52177	2001	750	Am
	2002	1168*	Am	52201	2000	1073	Am
52055.615	2001	749*	Ad <sup>37</sup>	52204	2000	748	R
	2002	42*	Am	52205	2000	748	Am
52055.620	2001	749*	Ad <sup>37</sup>	52206	2000	748	Am
	2002	42*	Am	52208	2000	748	R
52055.625	2001	749*	Ad <sup>37</sup>	52209	2000	748	Am
	2002	42*	Am	52211	2000	748	R & Ad
52055.630	2001	749*	Ad <sup>37</sup>	52212	2000	748	Am
52055.640	2001	749*	Ad <sup>37</sup>	52244	1999	646	Am
	2002	42*	Am	52247	2000	73*	Ad
	2002	1168*	Am	52262	2001	546	Am
52055.645	2001	749*	Ad <sup>37</sup>	52263.5	2002	1167*	Ad <sup>73</sup>
	2002	42*	Am				R <sup>22</sup>
52055.647	2001	749*	Ad <sup>37</sup>	52270	2000	78*	Ad
52055.650	2001	749*	Ad <sup>37</sup>		2000	1058	Am (as ad by
52055.655	2001	749*	Ad <sup>37</sup>				Stats. 2000,
	2002	42*	Am		2001	159	Ch. 78)
52055.656	2002	42*	Ad				Am <sup>305</sup>
	2002	1168*	Am (as ad by	52272	2000	78*	Ad
			Sec. 11,	52290	2001	709	Ad & R <sup>20</sup>
			Stats. 2002,	52291	2001	709	Ad & R <sup>20</sup>
			Ch. 42)	52292	2002	1168*	Am
52055.660	3X 2001–02	2*	Ad	52292	2001	709	Ad & R <sup>20</sup>
52056	2000	695*	Am	52292.5	2001	709	Ad & R <sup>20</sup>
	1X 1999–2000	3	Ad	52293	2001	709	Ad & R <sup>20</sup>
52056.5	1X 1999–2000	3	Ad	52294	2001	709	Ad & R <sup>20</sup>
52057	2000	695*	Am (by Sec. 8	52295.10	2002	582*	Ad
			of Ch.)	52295.15	2002	582*	Ad
	1X 1999–2000	3	Ad	52295.20	2002	582*	Ad
	2001	891*	Am	52295.25	2002	582*	Ad
	2002	1166	Am (by Sec. 5	52295.30	2002	582*	Ad
			of Ch.)	52295.35	2002	582*	Ad
52058	2000	695*	Am	52295.40	2002	582*	Ad
	1X 1999–2000	3	Ad	52295.45	2002	582*	Ad
	2001	749*	Am	52295.50	2002	582*	Ad
	2002	42*	Am	52295.55	2002	582*	Ad
52058.1	2002	1020*	Ad	Title 2,			
52059	2002	1020*	Ad	Div. 4,			
52060	2001	734*	S <sup>19</sup>	Pt. 28,			
52061	2001	734*	S <sup>19</sup>	Ch. 9,			
52062	2001	734*	S <sup>19</sup>	heading			
52063	2001	734*	S <sup>19</sup>	(Sec. 52300			
52064	2001	734*	S <sup>19</sup>	et seq.)	2000	1058	Am
52065	2001	734*	S <sup>19</sup>	52300	2000	1058	Am
52066	2001	734*	Am <sup>19</sup>	52301	2000	1058	Am
52067	2001	734*	Am <sup>19</sup>	52302	2000	1058	Am
52070	2002	1028	Ad & R <sup>38</sup>	52302.3	2000	1058	Am
52071	2002	1028	Ad & R <sup>38</sup>	52302.5	2000	1058	Am
52072	2002	1028	Ad & R <sup>38</sup>	52302.7	2000	1058	Am
52073	2002	1028	Ad & R <sup>38</sup>	52302.9	2000	1058	Am
52074	2002	1028	Ad & R <sup>38</sup>	52303	2000	1058	Am
52075	2002	1028	Ad & R <sup>38</sup>	52305	2000	1058	Am
				52309	2000	1058	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>
52310.5	2002	1168 *	Am	Title 2,			
52314	2002	1168 *	Am	Div. 4,			
52329	2000	1058	Am	Pt. 28,			
52331	2000	1058	Am	Ch. 9,			
52334	2000	1058	Ad	Art. 7.5,			
	2001	734 *	Am	heading			
52336	2000	1058	Am	(Sec. 52460			
52336.5	2000	1058	Am	et seq.)	2000	1058	Am
52342	2000	1058	Am	52460	2000	1058	Am
Title 2,				52461	2000	1058	Am
Div. 4,				52461.5	2000	1058	Am
Pt. 28,				Title 2,			
Ch. 9,				Div. 4,			
Art. 3,				Pt. 28,			
heading				Ch. 9,			
(Sec. 52350				Art. 9,			
et seq.)	2000	1058	Am	heading			
52350	2000	1058	Am	(Sec. 52485			
52351	2000	1058	Am	et seq.)	2000	1058	Am
52353	2000	1058	Am	52485	2000	1058	Am
52354	2000	1058	Am		2001	159	Am <sup>305</sup>
52360	2001	886	Ad <sup>37</sup>	52487	2000	1058	Am
52361	2001	886	Ad <sup>37</sup>	52488	2000	1058	Am
52362	2001	886	Ad <sup>37</sup>	52489	2000	1058	Am
52363	2001	886	Ad <sup>37</sup>	52490	2000	1058	Am
52364	2001	886	Ad <sup>37</sup>	Title 2,			
52365	2001	886	Ad <sup>37</sup>	Div. 4,			
Title 2,				Pt. 28,			
Div. 4,				Ch. 9,			
Pt. 28,				Art. 9.5,			
Ch. 9,				heading			
Art. 4,				(Sec. 52495			
heading				et seq.)	2000	1058	Am
(Sec. 52370				52495	2000	1058	Am
et seq.)	2000	1058	Am		2002	651	S <sup>68</sup>
52370	2000	1058	Am	52496	2002	651	S <sup>68</sup>
52371	2000	1058	Am	52497	2000	1058	Am
52372	2000	1058	Am		2002	651	S <sup>68</sup>
52372.1	2000	1058	Am	52498	2000	1058	Am
52373	2000	1058	Am		2002	651	S <sup>68</sup>
52375	2000	1058	Am	52499	2000	1058	Am
52376	2000	1058	Am		2002	651	S <sup>68</sup>
52377	2000	1058	Ad	52499.3	2000	1058	Am
52381	2000	1058	Am		2002	651	S <sup>68</sup>
52382	2000	1058	Am	52499.5	2002	651	S <sup>68</sup>
52383	2000	1058	Am	52499.6	2002	651	Am <sup>68</sup>
52384	2000	1058	Am	52523	2001	734 *	Am
52388	2000	1058	Am	52525	2002	988	Ad
Title 2,				52656	2001	745 *	Am
Div. 4,					2001	750	Am
Pt. 28,				52761	2001	734 *	Am
Ch. 9,				52853	1999	646	Am
Art. 7,				52900	2000	1058	S <sup>149.5</sup>
heading					2001	187 *	S <sup>36.75</sup>
(Sec. 52450				52900.1	2000	1058	S <sup>149.5</sup>
et seq.)	2000	1058	Am		2001	187 *	S <sup>36.75</sup>
52450	2000	1058	Am	52901	2000	1058	S <sup>149.5</sup>
52452	2000	1058	Am		2001	187 *	S <sup>36.75</sup>
52453	2000	1058	Am	52902	2000	1058	S <sup>149.5</sup>
52454	2000	1058	Am		2001	187 *	S <sup>36.75</sup>

**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>
52902.5	2001	187 *	Ad	53093	2001	734 *	Ad(RN)
52903	2000	1058	S <sup>149 5</sup>	53094	2001	734 *	Ad(RN)
	2001	187 *	S <sup>36 75</sup>	54200	2001	891 *	Ad
52904	2000	1058	Am <sup>149 5</sup>	54201	2001	891 *	Ad
	2001	187 *	Am <sup>36 75</sup>		2002	1167 *	Am
52922	2001	557	Am	54203	2001	891 *	Ad
52980	2000	1058	R	54204	2002	49	Ad
52981	2000	1058	R	54205	2002	1167 *	Ad
52982	2000	1058	R	54444.5	1999	691 *	Ad
53025	1X 1999–2000	2 *	Ad	54685	1999	955	Am <sup>70 18</sup>
53027	1X 1999–2000	2 *	Ad	54685.1	1999	955	S <sup>70 18</sup>
53029	1X 1999–2000	2 *	Ad	54685.2	1999	955	Am <sup>70 18</sup>
	2001	734 *	Am		2000	135	Am <sup>203</sup>
53031	1999	78 *	Am	54685.3	1999	955	Am <sup>70 18</sup>
	1X 1999–2000	2 *	Ad		2000	135	Am <sup>203</sup>
53050	1X 1999–2000	2 *	Ad	54685.6	1999	955	S <sup>70 18</sup>
53053	1X 1999–2000	2 *	Ad	54685.7	1999	955	Am <sup>70 18</sup>
53055	1X 1999–2000	2 *	Ad	54685.8	1999	955	S <sup>70 18</sup>
53057	1X 1999–2000	2 *	Ad	54685.9	1999	955	Am <sup>70 18</sup>
53075	1X 1999–2000	2 *	Ad	54686	1999	955	Am <sup>70 18</sup>
	2002	1167 *	Am	54686.2	1999	955	Am <sup>70 18</sup>
53080	2000	793	Ad	54691	2001	216	Am
Title 2, Div. 4, Pt. 28, Ch. 17, heading (Sec. 53081 et seq.)	2001	734 *	Am (as ad by Stats. 2000, Ch. 404) & RN	54696	2001	745 *	Am
Title 2, Div. 4, Pt. 28, Ch. 18, heading (Sec. 53081 et seq.)	2001	734 *	Ad(RN)		2001	750	Am
53081	2000	404 *	Ad	54742	2000	1057	Am
	2000	793	Ad	54743	2000	71 *	Am
	2001	734 *	Am (as ad by Stats. 2000, Ch. 404) & RN		2002	1168 *	Am
53082	2000	404 *	Ad	54744	2000	71 *	Am
	2000	793	Ad	54745	1999	83	Am <sup>30</sup>
	2001	734 *	Am (as ad by Stats. 2000, Ch. 404) & RN		2000	71 *	Am
	2002	166	Am		2000	1057	Am
53083	2000	404 *	Ad	54746	2000	71 *	Am
	2000	793	Ad		2000	1057	Am
	2001	734 *	Am (as ad by Stats. 2000, Ch. 404) & RN		2001	734 *	Am
53084	2000	404 *	Ad	54746.5	2001	734 *	Ad
	2000	793	Ad <sup>37</sup>	54747	2000	71 *	Am
	2001	734 *	Am (as ad by Stats. 2000, Ch. 404) & RN		2000	1057	Am
53091	2001	734 *	Ad(RN)	54748	1999	83	Am <sup>30</sup>
53092	2001	734 *	Ad(RN)		2000	71 *	Am
				54749	2000	71 *	Am
					2000	1057	Am
					2001	159	Am <sup>305</sup>
					2001	734 *	Am
				54749.5	2000	71 *	Am
					2000	1057	Am
				54750	2000	1058	R
				54751	2000	1058	R
				54751.1	2000	1058	R
				54752	2000	1058	R
				54761.3	1999	83	Am <sup>30</sup>
				56001	2002	1168 *	Am
				56021.1	2002	492	Ad
				56026	2001	734 *	Am
					2002	492	Am
				56026.1	2002	492	Ad
				56028	2002	785	Am
				56029	2001	734 *	Am
				56043	2002	492	Am

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
56044	1999	78 *	Ad	56385	2002	492	Ad
	2001	734 *	R	56390	2000	1058	Ad(RN)
56045	1999	78 *	Ad	56391	2000	1058	Ad(RN)
	1999	646	Am (as ad by Stats. 1999, Ch. 78)		2001	734 *	Am
	2000	286	Am	56392	2000	1058	Ad(RN)
	2001	159	Am <sup>305</sup>		2002	1168 *	Am
56046	2002	944	Ad	56393	2000	1058	Ad(RN)
56055	2001	734 *	Ad		2002	1168 *	R
56100	2002	1168 *	Am	56400	2001	690	Ad
56125	2002	492	Am	56402	2001	690	Ad
56129	2002	1168 *	Am	56404	2001	690	Ad
56130	2002	1168 *	Am		2002	664	Am <sup>431</sup>
56138	2000	1058	R	56406	2001	690	Ad
	2002	492	Ad	56408	2001	690	Ad
56171	2002	492	Am	56410	2001	690	Ad
56173	2002	492	Am	56412	2001	690	Ad
56174.5	2002	492	Ad	56414	2001	690	Ad
56175	2002	492	Am	56426.9	2002	492	Am
56176	2002	492	Am	56435	2001	629	Ad
56195.1	1999	78 *	Am	56441.1	2002	1168 *	Am
56200	2001	734 *	Am	56449	2001	629	Ad
	2002	1168 *	Am	56473	2002	1168 *	Am
56203	1999	78 *	Ad	56475	2002	585	Am
56205	2002	1168 *	Am	56476	2002	585	Ad
56207	2001	734 *	Am	56490	2000	591	Ad & R <sup>19</sup>
56207.5	1999	78 *	Ad	56491	2000	591	Ad & R <sup>19</sup>
56213	2001	551	Ad	56492	2000	591	Ad & R <sup>19</sup>
56304	2002	492	Ad	56493	2000	591	Ad & R <sup>19</sup>
56320	2002	492	Am	56494	2000	591	Ad & R <sup>19</sup>
56321	2002	492	Am	56495	2000	591	Ad & R <sup>19</sup>
56329	2002	492	Am	56500.2	2002	492	R & Ad
56330	2002	492	Ad	56500.4	2002	492	Ad
56340	2002	492	Am	56500.5	2002	492	Ad
56341	2001	405	R & Ad	56501	2002	492	Am
56341.1	2001	405	Ad	56502	2002	492	Am
56341.5	2002	492	Am	56504.5	2002	492	Am
56342	2002	492	Am	56505	2002	492	Am
56342.1	2002	492	Ad	56505.1	2002	492	Am
56344	2002	492	Am	56600	2002	492	Am
56345	2002	1168 *	Am	56600.5	2002	492	R
56347	2002	492	Am	56600.6	2002	492	Ad
56351.5	2001	736	Ad <sup>37</sup>	56601.5	2002	492	Ad
56351.7	2002	653	Ad	56602	2002	492	R & Ad
56352	2001	736	Am <sup>37</sup>	56603	2002	492	R
56361	2002	1168 *	Am	56836.02	2001	734 *	Am
56363.5	2002	492	Am	56836.06	1999	78 *	Am
56365	2002	492	Am	56836.08	1999	78 *	Am
56366.1	2001	734 *	Am	56836.095	2001	891 *	Ad
56366.3	2001	215	Am	56836.10	2000	1058	Am
56375	1999	392	Ad	56836.11	2000	1058	Am
	2000	1058	Am & RN	56836.15	1999	78 *	Am
56376	1999	392	Ad	56836.155	2002	1168 *	Am
	2000	1058	Am & RN	56836.156	2001	203 *	Ad
56377	1999	392	Ad	56836.157	2001	203 *	Ad
	2000	1058	Am & RN	56836.158	2001	891 *	Ad
56378	1999	392	Ad		2002	1167 *	Am
	2000	1058	Am & RN	56836.159	2001	891 *	Ad
56381	2002	492	Am	56836.23	2002	1168 *	Am
56383	2002	492	Ad	56845	2000	286	Ad
					2001	159	Am <sup>305</sup>
				56867	2001	536 *	Ad & R <sup>75</sup>

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<i>Affected By</i>				<i>Affected By</i>			
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56885	2001	745 *	Am	58604	2002	1032 *	R
58000	1999	646	R	58605	2002	1032 *	R
58001	1999	646	R	58606	2002	1032 *	R
58002	1999	646	R	58608	2002	1032 *	R
58010	1999	646	R	58922	2001	745 *	R
58011	1999	646	R	58930	2001	629	Ad
58012	1999	646	R	59008	2002	1043	Ad
58013	1999	646	R	59104	2002	1043	Ad
58014	1999	646	R	59150	2000	93 *	Ad
58015	1999	646	R	59201	2002	1168 *	Am
58016	1999	646	R	59203	2002	1168 *	Am
58017	1999	646	R	59204	2002	1168 *	R
58018	1999	646	R	59204.5	2002	1168 *	Am
58019	1999	646	R	59205	2002	1043	Ad
58020	1999	646	R	59210	2002	1168 *	Am
58021	1999	646	R	59211	2002	1168 *	R
58022	1999	646	R	59220	2002	1168 *	R & Ad
58023	1999	646	R	59223	2002	1168 *	R
58024	1999	646	R	60045	1999	276	Am
58025	1999	646	R	60048	1999	276	Ad
58026	1999	646	R	60061	2001	734 *	Am
58027	1999	646	R		2001	736	Am <sup>37</sup>
58028	1999	646	R	60119	1999	646	Am
58040	1999	646	R	60200	1999	276	Am
58041	1999	646	R	60200.2	1999	276	Ad
58050	1999	646	R		2000	135	Am <sup>203</sup>
58051	1999	646	R	60240	2001	734 *	Am
58060	1999	646	R		2002	802	Am
58061	1999	646	R	60242	2002	802	Am
58523	2001	745 *	Am	60242.5	2002	802	Am
	2001	750	Am	60246	2002	802	Am <sup>334</sup>
58550	2001	187 *	Ad <sup>313 73</sup>				R <sup>100</sup>
			R <sup>22</sup>	60246.5	2002	802	Ad
58551	2001	187 *	Ad <sup>313 73</sup>	60247	2002	802	Am <sup>334</sup>
			R <sup>22</sup>				R <sup>100</sup>
58552	2001	187 *	Ad <sup>313 73</sup>	60247.5	2002	802	Ad
			R <sup>22</sup>	60248	2002	802	Am
58553	2001	187 *	Ad <sup>313 73</sup>	60252	2002	802	Am <sup>334</sup>
			R <sup>22</sup>				R <sup>100</sup>
58553.5	2001	187 *	Ad <sup>313 73</sup>	60313	2001	734 *	Am
			R <sup>22</sup>	60400	2001	734 *	Am
58554	2001	187 *	Ad <sup>313 73</sup>	60420	2002	802	Ad <sup>424</sup>
			R <sup>22</sup>				R <sup>69</sup>
58555	2001	187 *	Ad <sup>313 73</sup>	60421	2002	802	Ad <sup>424</sup>
			R <sup>22</sup>				R <sup>69</sup>
58556	2001	187 *	Ad <sup>313 73</sup>	60422	2002	802	Ad <sup>424</sup>
			R <sup>22</sup>				R <sup>69</sup>
58557	2001	187 *	Ad <sup>313 73</sup>	60424	2002	802	Ad <sup>424</sup>
			R <sup>22</sup>				R <sup>69</sup>
58558	2001	187 *	Ad <sup>313 73</sup>	60450	2002	1168 *	S <sup>62 19</sup>
			R <sup>22</sup>	60450.1	2001	914	Ad
58560	2001	187 *	Ad <sup>313 73</sup>		2002	1168 *	S <sup>62 19</sup>
			R <sup>22</sup>	60450.5	2002	1168 *	S <sup>62 19</sup>
58561	2001	187 *	Ad <sup>313 73</sup>	60451	1999	15 *	Am
			R <sup>22</sup>		2001	591	Am
58562	2001	187 *	Ad <sup>313 73</sup>		2002	1168 *	Am <sup>62 19</sup>
			R <sup>22</sup>	60451.5	2002	1168 *	S <sup>62 19</sup>
58600	2002	1032 *	R	60452	2002	1168 *	S <sup>62 19</sup>
58601	2002	1032 *	R	60452.5	2002	1168 *	S <sup>62 19</sup>
58602	2002	1032 *	R	60453	2002	1168 *	Am <sup>62 19</sup>
58603	2002	1032 *	R	60501	2000	461	Ad

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
60600	2001	722	S <sup>18</sup>	60643.1	1999	735*	Ad <sup>129</sup>
60601	2001	722	Am <sup>18</sup>		2000	576	Am
60602	2001	722	S <sup>18</sup>		2001	722	S <sup>18</sup>
60603	1999	83	Am <sup>30</sup>	60643.5	1999	78*	Ad
	2001	722	S <sup>18</sup>		2001	722	Am <sup>18</sup>
60604	2000	576	Am	60644	1999	735*	Am
	2001	20*	Am		2000	576	Am
	2001	722	S <sup>18</sup>		2001	722	S <sup>18</sup>
60605	1999	78*	Am	60645	2000	576	Am
	1999	735*	Am (as am by Stats. 1999, Ch. 78)		2001	722	S <sup>18</sup>
	2000	576	Am	60646	1999	735*	R
	2001	722	Am <sup>18</sup>	60647	2001	722	S <sup>18</sup>
60605.1	2000	432	Ad	60648	2000	576	Am
	2001	722	S <sup>18</sup>		2001	722	S <sup>18</sup>
60605.2	2002	943	Ad	60649	2000	576	Ad
60605.5	1999	735*	Ad		2001	722	S <sup>18</sup>
	2001	722	S <sup>18</sup>	60650	2001	722	Am <sup>18</sup>
60605.6	2001	722	Ad & R <sup>18</sup>	60650.5	2001	722	S <sup>18</sup>
60606	2001	722	S <sup>18</sup>	60651	2001	722	S <sup>18</sup>
60607	2001	722	Am <sup>18</sup>	60652	2001	722	S <sup>18</sup>
60608	2001	722	S <sup>18</sup>	60653	2001	722	Ad & R <sup>18</sup>
60609	2001	722	R	60800	2002	1166	Am
60610	2001	722	S <sup>18</sup>	60810	1999	78*	Am
60611	2001	722	S <sup>18</sup>		2001	745*	Am
60612	2001	722	S <sup>18</sup>		2001	891*	Am
60613	2001	722	S <sup>18</sup>	60811	1999	78*	Am
60614	2001	722	S <sup>18</sup>	60812	1999	678	Ad
60615	2001	722	S <sup>18</sup>	Title 2, Div. 4, Pt. 33, Ch. 8, heading (Sec. 60850 et seq.)	2000	135	Am & RN <sup>203</sup>
60616	2001	722	S <sup>18</sup>				
60617	2001	722	S <sup>18</sup>				
60618	2001	722	S <sup>18</sup>				
60630	2001	722	Am <sup>18</sup>				
60640	1999	78*	Am				
	1999	83	Am <sup>30</sup>				
	1999	735*	Am (as am by Stats. 1999, Ch. 78)				
	2000	576	Am				
	2001	20*	Am				
	2001	722	S <sup>18</sup>	60850	1X 1999-2000	1	Ad
	2002	492	Am		2002	808	Am
60640.1	2001	722	R	60851	1X 1999-2000	1	Ad
60641	1999	735*	Am (by Sec. 4 of Ch.)		2001	716	Am
	2000	576	Am		2002	808	Am (by Sec. 2 of Ch.)
	2001	20*	Am	60852	1X 1999-2000	1	Ad
	2001	722	Am <sup>18</sup>	60853	1X 1999-2000	1	Ad
60642	2001	722	Am <sup>18</sup>	60855	2000	135	Am <sup>203</sup>
60642.5	2000	576	Ad		1X 1999-2000	1	Ad
	2001	722	Am <sup>18</sup>	60856	1X 1999-2000	1	Ad
	2002	1168*	Am	60857	2001	716	Ad
60643	1999	78*	Am	60859	2001	716	Ad
	1999	735*	Am (by Sec. 5 of Ch., as am by Stats. 1999, Ch. 78)	60900	2002	1002*	Ad
	2000	576	Am	62000.14	2001	611*	Am
	2001	20*	Am	62000.4	2001	591	Am
	2001	722	Am <sup>18</sup>	62000.5	2002	1032*	R
				62000.8	2000	137*	Am
					2001	64*	R
				63000	2000	369	Am

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<i>Affected By</i>				<i>Affected By</i>			
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63050	2000	369	Ad	66947	2000	467	R
63051	2000	369	Ad	66948	2000	467	R
	2001	734*	Am	67301	2001	745*	Am
63052	2000	369	Ad	67302	1999	379	Ad
63053	2000	369	Ad	67359.20	2001	745*	Am
63054	2000	369	Ad	67382	2002	804	Ad
63055	2000	369	Ad	67385.3	2002	1066	Ad & R <sup>18 37</sup>
63056	2000	369	Ad	68074	2000	571	Am
64000	2001	724	Am	68074.1	2000	571	R
64001	2001	724	Am	68075	2000	571	Am
	2002	664	Am <sup>431</sup>	68075.1	2000	571	R
64200	2002	1026	Ad & R <sup>68</sup>	68078	2000	949*	Am
64201	2002	1026	Ad & R <sup>68</sup>	68120	1999	953*	Am
64202	2002	1026	Ad & R <sup>68</sup>				R & Ad <sup>8</sup>
64203	2002	1026	Ad & R <sup>68</sup>		2000	40	Am (as am by
66015	2001	745*	Am				Sec. 1 and as ad
66015.7	2002	458	Ad				by Sec. 2,
66021.2	2000	403*	Am				Stats, 1999,
66025	1999	72*	Am				Ch. 953)
66025.3	2002	202	Ad(RN)		2001	347	Am (as am by
66055	2002	1093	Ad				Sec. 1,
66055.5	2002	1093	Ad				Stats. 2000,
66057	2000	383	Ad				Ch. 40) <sup>19</sup>
66085	2002	541	Ad				Am (as am by
66201.7	2000	355	Ad				Sec. 2,
66204	2002	320	Am				Stats. 2000,
66205.5	2002	988	Ad				Ch. 40) <sup>22</sup>
66251	1999	587	Am	68120.5	2002	450	Ad
66270	1999	587	Am	68121	1999	953*	R
66270.5	1999	587	Ad(RN)		2002	450	Ad
66271	1999	587	Am & RN	68130.5	2001	814	Ad
66293	2000	135	Am <sup>203</sup>	68130.7	2002	19*	Ad
	2001	745*	R	69430	2000	403*	Ad
66450	2000	574	Ad	69431	2000	403*	Ad
66451	2000	574	Ad	69432	2000	403*	Ad
66452	2000	574	Ad	69432.5	2000	403*	Ad
66602	1999	251	Am	69432.7	2000	403*	Ad
66721.5	2000	187	Ad		2001	159	Am <sup>305</sup>
66750	1999	688	S <sup>19</sup>	69432.8	2000	403*	Ad
66751	1999	688	S <sup>19</sup>	69432.9	2000	403*	Ad
66752	1999	688	S <sup>19</sup>	69433	2000	403*	Ad
66752.5	1999	688	S <sup>19</sup>	69433.5	2000	403*	Ad
66753	1999	688	S <sup>19</sup>	69433.6	2000	403*	Ad
66753.5	1999	688	S <sup>19</sup>	69433.7	2000	403*	Ad
66754	1999	688	S <sup>19</sup>	69433.8	2000	403*	Ad
66755	1999	688	Am <sup>19</sup>	69433.9	2000	403*	Ad
	2001	745*	Am	69434	2000	403*	Ad
66756	1999	688	Am <sup>19</sup>		2001	8*	Am
66903	1999	916	Am	69434.5	2000	403*	Ad
	2001	571	Am (by Sec. 1		2001	159	Am <sup>305</sup>
			of Ch.)	69435	2000	403*	Ad
	2001	580	Am (by Sec. 2	69435.3	2000	403*	Ad
			of Ch.)		2001	8*	Am
66903.5	2001	443	Ad & R <sup>37 19</sup>	69436	2000	403*	Ad
66940	2000	467	R & Ad		2001	8*	Am
66941	2000	467	R & Ad	69436.5	2000	403*	Ad
66942	2000	467	R	69437	2000	403*	Ad
66943	2000	467	R	69437.3	2000	403*	Ad
66944	2000	467	R	69437.5	2000	403*	Ad
66945	2000	467	R	69437.6	2000	403*	Ad
66946	2000	467	R		2001	8*	Am

**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>
69437.6 (Cont.)	2001	159	Am <sup>305</sup>	69613.1	1999	650	Am (by Sec. 4 of Ch.)
69437.7	2000	403 *	Ad		1999	651	Am (by Sec. 4.5 of Ch.)
69439	2000	403 *	Ad				
	2001	159	Am <sup>305</sup>		2000	70 *	Am
69440	2000	403 *	Ad		2000	583	Am (as am by Stats. 2000, Ch. 70)
69505	1999	471 *	Ad				
69514.5	2000	403 *	Ad				
69522	1999	636	Am		2001	159	Am <sup>305</sup>
69529	1999	636	Am	69613.15	1999	904	Ad
69530	2000	403 *	R <sup>232</sup>		2000	583	R
69531	2000	403 *	R <sup>232</sup>	69613.2	2000	583	Am
69532	2000	70 *	Am	69613.3	2000	70 *	R
	2000	403 *	R <sup>232</sup>	69613.4	2000	583	Am
69532.5	2000	403 *	R <sup>232</sup>	69613.5	2000	70 *	Am
69533	2000	403 *	R <sup>232</sup>		2000	583	Am (as am by Stats. 2000, Ch. 70)
69534.1	2000	403 *	R <sup>232</sup>				
69534.3	2000	403 *	R <sup>232</sup>	69613.55	1999	650	R (as ad by Stats. 1998, Ch. 545)
69534.4	2000	403 *	R <sup>232</sup>				
69535	2000	403 *	R <sup>232</sup>		2000	70 *	R
69535.1	2000	403 *	R <sup>232</sup>				
69535.5	2000	403 *	R <sup>232</sup>		2000	70 *	Am
69537	2000	403 *	R <sup>232</sup>	69613.6	2000	70 *	Ad
69538	2000	403 *	R <sup>232</sup>	69613.7	2000	371	Ad
69539	2000	403 *	R <sup>232</sup>	69613.8	2000	583	Ad
69540	2000	403 *	R <sup>232</sup>	69614	2000	70 *	Am
69541	2000	108 *	Ad		2000	583	Am (as am by Stats. 2000, Ch. 70)
	2000	403 *	R <sup>232</sup>				
69544	2000	403 *	R <sup>232</sup>	69615	2000	583	Am
69545	2000	403 *	R <sup>232</sup>	69615.2	2000	583	R
69546	2000	403 *	R <sup>232</sup>	69615.4	1999	650	Am (by Sec. 6 of Ch.)
69546.5	2000	403 *	R <sup>232</sup>				
69547	2000	403 *	R <sup>232</sup>		1999	651	Am (by Sec. 5.5 of Ch.)
69547.5	2000	403 *	Ad & R <sup>38</sup>				
69547.9	2000	403 *	Ad & R <sup>38</sup>		2000	70 *	Am
69561.5	2000	588	Ad & R <sup>43</sup>		2000	583	Am (as am by Stats. 2000, Ch. 70)
69612	1999	650	Am (by Sec. 1 of Ch.)				
	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
				69620	2002	659 *	S <sup>54,57</sup>

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**EDUCATION CODE—Continued**

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
69621	1999	83	Am <sup>30</sup>		2001	734*	Am
	2002	659*	S <sup>54 57</sup>	69997	2000	404*	Ad
69622	2002	659*	S <sup>54 57</sup>		2001	734*	Am
69623	2002	659*	S <sup>54 57</sup>	69998	2000	404*	Ad <sup>204</sup>
69624	2002	659*	S <sup>54 57</sup>		2001	734*	Am <sup>379</sup>
69625	2002	659*	Am <sup>54 57</sup>	69999	2000	404*	Ad
69626	2002	659*	S <sup>54 57</sup>	70000	2000	70*	Ad
69627	2002	659*	S <sup>54 57</sup>		2002	1167*	Am
69628	2002	659*	S <sup>54 57</sup>	70001	2000	70*	Ad
69629	2002	659*	R	70002	2000	70*	Ad
69630	2002	659*	R	70003	2000	70*	Ad
69631	2002	659*	R	70004	2000	70*	Ad
69632	2002	659*	R	70005	2000	70*	Ad
69633	2002	659*	R	70010	2002	38*	Ad
69634	2002	659*	R	70010.1	2002	38*	Ad
69635	2002	659*	R		2002	406*	Am (as ad by Stats. 2002, Ch. 38)
69636	2002	659*	R				
69637	2002	659*	R	70010.5	2002	38*	Ad
69638	2002	659*	R		2002	406*	Am (as ad by Stats. 2002, Ch. 38)
69639	2002	659*	R				
69733	2001	745*	R	70010.7	2002	38*	Ad
69740	2001	881	Ad		2002	406*	Am (as ad by Stats. 2002, Ch. 38)
69741	2001	881	Ad				
69741.5	2001	881	Ad				
69742	2001	881	Ad				
69743	2001	881	Ad				
69743.5	2001	881	Ad	70011	2002	38*	Ad
69744	2001	881	Ad		2002	406*	Am (as ad by Stats. 2002, Ch. 38)
69745	2001	881	Ad				
69746	2001	881	Ad				
69747	2001	881	Ad	70011.3	2002	38*	Ad
69748	2001	881	Ad	70011.5	2002	38*	Ad
69761	1999	636	Am	70011.7	2002	38*	Ad
69763	1999	636	Am		2002	406*	Am (as ad by Stats. 2002, Ch. 38)
69763.1	2002	784	Am <sup>490</sup>				
69763.2	2002	784	Am <sup>490</sup>	70011.9	2002	38*	Ad
69766	1999	636	Am	70901.2	2001	799	Ad
69766.1	1999	636	Am	71000	2000	390	Am
69767	1999	636	Am	71028	2001	745*	Am
69768	1999	636	Am	72425	2001	401	Am
69980	1999	664	Am	72533	2000	44	Am <sup>185</sup>
	2002	406*	Am	72681	2001	745*	R
69981	1999	664	Am	74265	1999	82*	Am
	2000	404*	Am	74265.5	1999	82*	Ad
69982	1999	664	Am	76001	2000	1073	Am
	2002	406*	Am	76300	1999	72*	Am
69983	1999	664	Am		2000	71*	Am
	2002	406*	Am		2002	450	Am
69984	1999	664	Am	78217	2001	745*	R
69985	1999	664	Am	78275	2001	714	Ad
	2002	406*	Am	78275.5	2001	714	Ad
69986	1999	664	Am	78300	2001	734*	Am
	2002	406*	Am	79210	2001	514	Ad
69989	1999	664	Am	81133.5	2000	463	Ad
69990	2002	406*	Am	81149	1999	179	Am
69993.5	1999	664	Am		2000	135	Am <sup>203</sup>
69993.7	1999	664	Ad	81400	2001	430	Am
69995	2000	404*	Ad	81450.5	2001	98	Ad
	2001	734*	Am		2002	88	Am
	2002	1055	Am				
69996	2000	404*	Ad	81452	2002	88	Am

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.



**EDUCATION 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>
89307	2000	330	Ad	92900	2000	79*	Ad
89307.1	2000	330	Ad		2001	891*	Am
89307.2	2000	330	Ad	92901	2000	79*	Ad
89307.4	2000	330	Ad		2001	159	Am <sup>305</sup>
89415	2000	752	Ad & R <sup>38</sup>		2001	891*	Am
89415.3	2000	752	Ad & R <sup>38</sup>	94050	2002	405	Am
89415.5	2000	752	Ad & R <sup>38</sup>	94100	2001	569	Am (by Sec. 1 of Ch.)
89416	2000	752	Ad & R <sup>38</sup>		2002	1081	Am
89416.3	2000	752	Ad & R <sup>38</sup>		2001	569	Am (by Sec. 2 of Ch.)
89416.5	2000	752	Ad & R <sup>38</sup>	94110			
89417	2000	752	Ad & R <sup>38</sup>		2002	1081	Am
89417.3	2000	752	Ad & R <sup>38</sup>		2001	569	Am
89417.5	2000	752	Ad & R <sup>38</sup>	94123	2001	569	Am
Title 3,				94140	2001	569	Am (by Sec. 4 of Ch.)
Div. 8,					2002	1081	Am
Pt. 55,				94144	2001	569	Am
Ch. 4.7,				94146	2001	569	Am
heading				94147	2001	569	Am (by Sec. 7 of Ch.)
(Sec. 89440					2002	1081	Am
et seq.)	2001	403	Am		2001	569	Am (by Sec. 8 of Ch.)
89440	1999	285	Ad	94154			
	2001	403	Am		2002	1081	Am
89450	1999	1020	Ad		2001	569	Am
89451	1999	1020	Ad				
89452	1999	1020	Ad	94190	2001	569	Am
89519.5	2002	869	Ad	94191	2001	569	Am
89538	1999	283	Am	94192	2001	569	Am
89539	1999	283	Am	94193	2001	569	Am
89542.5	2001	808	Am	94195	2001	569	Am
89701	2000	285	Am	94215	2002	1081	Ad & R <sup>317</sup>
89702	2000	285	Am	94215.3	2002	1081	Ad & R <sup>317</sup>
89702.1	2000	285	R	94215.5	2002	1081	Ad & R <sup>317</sup>
89703	2000	285	Ad	94215.7	2002	1081	Ad & R <sup>317</sup>
89704	2000	285	Am	94215.9	2002	1081	Ad & R <sup>317</sup>
89753	2001	745*	Am	94216	2002	1081	Ad & R <sup>317</sup>
89761	2001	745*	Am	94216.11	2002	1081	Ad & R <sup>317</sup>
89903	2002	252	Am	94216.9	2002	1081	Ad & R <sup>317</sup>
89928	2000	330	Am	94729.3	2000	625	Ad
90000	2000	285	Am	94742.1	2000	273	Am
90001	2000	285	Am				R & Ad <sup>63</sup>
90011	2000	285	Am	94770.1	2002	107	Ad
92440.5	2002	376	Ad	94771	2002	405	Am
92605	2002	1140	Ad	94806	2001	621	Am
92611.5	2002	869	Ad	94808	2001	621	Am
92615	2000	1038	Ad	94810	2001	621	Am
92625	2002	1040	Ad	94814.5	2000	625	Ad
92625.1	2002	1040	Ad	94825	2001	621	Am
92625.3	2002	1040	Ad	94840	2001	621	Am
92625.5	2002	1040	Ad	94877	2001	621	Am
92625.7	2002	1040	Ad	94931	2002	581	Am
92625.9	2002	1040	Ad	94944	2001	621	Am
92655	2001	459	Ad & R <sup>19</sup>	94945	2001	621	Am
92655.1	2002	664	Ad(RN) <sup>431</sup>		2002	581	Am
92665.1	2001	459	Ad		2002	664	Am <sup>431</sup>
	2002	664	Am & RN <sup>431</sup>	94950	2002	581	Am
92820	2000	71*	Am	94952	2002	581	Am
92850	1X 1999–2000	2*	Ad	94955	2002	581	Am
	2001	717	Am	94957	2002	581	Am
92851	1X 1999–2000	2*	Ad	94960	2001	621	Am
92855	1X 1999–2000	2*	Ad	94960.5	2002	581	Ad
92856	1X 1999–2000	2*	Ad	94965	2002	581	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
94975	2002	581	Am	99234	2001	737	Ad <sup>37 79</sup>
94980	2002	581	Am				R <sup>80</sup>
94985	2001	621	Am		2002	1167 *	Am <sup>98 75</sup>
94995	2002	581	Am	99234.5	2001	737	Ad <sup>37 79</sup>
94995.3	2001	621	Ad				R <sup>80</sup>
99030	2001	294	Ad		2002	1167 *	S <sup>98 75</sup>
99105	2001	745 *	R	99235	2001	737	Ad <sup>37 79</sup>
99200	2002	463	Am <sup>457 68</sup>				R <sup>80</sup>
99200.5	2002	463	S <sup>457 68</sup>		2002	1167 *	Am <sup>98 75</sup>
99201	2002	463	S <sup>457 68</sup>	99236	2001	737	Ad <sup>37 79</sup>
99201.5	2002	463	S <sup>457 68</sup>				R <sup>80</sup>
99202	2002	463	S <sup>457 68</sup>		2002	1167 *	S <sup>98 75</sup>
99203	2002	463	S <sup>457 68</sup>	99237	2001	737	Ad <sup>37 79</sup>
99204	2002	463	S <sup>457 68</sup>				R <sup>80</sup>
99206	2002	463	Am <sup>457 68</sup>		2002	1167 *	S <sup>98 75</sup>
				99238	2001	737	Ad <sup>37 79</sup>
							R <sup>80</sup>
					2002	1167 *	S <sup>98 75</sup>
				99239	2001	737	Ad <sup>37 79</sup>
							R <sup>80</sup>
					2002	1167 *	S <sup>98 75</sup>
				99240	2001	737	Ad <sup>37 79</sup>
							R <sup>80</sup>
					2002	1167 *	Am <sup>98 75</sup>
				99241	2001	737	Ad <sup>37 79</sup>
							R <sup>80</sup>
					2002	1167 *	S <sup>98 75</sup>
				99242	2001	737	Ad <sup>37 79</sup>
							R <sup>80</sup>
					2002	1167 *	Am <sup>98 75</sup>
				99306	2001	745 *	Am
					2001	750	R
				100420	1999	858	Am
				100600	2002	33 *	Ad <sup>394</sup>
				100601	2002	33 *	Ad <sup>394</sup>
				100603	2002	33 *	Ad <sup>394</sup>
				100610	2002	33 *	Ad <sup>394</sup>
				100615	2002	33 *	Ad <sup>394</sup>
				100620	2002	33 *	Ad <sup>394</sup>
				100625	2002	33 *	Ad <sup>394</sup>
				100627	2002	33 *	Ad <sup>394</sup>
				100630	2002	33 *	Ad <sup>394</sup>
				100632	2002	33 *	Ad <sup>394</sup>
				100634	2002	33 *	Ad <sup>394</sup>
				100635	2002	33 *	Ad <sup>394</sup>
				100636	2002	33 *	Ad <sup>394</sup>
				100638	2002	33 *	Ad <sup>394</sup>
				100640	2002	33 *	Ad <sup>394</sup>
				100642	2002	33 *	Ad <sup>394</sup>
				100644	2002	33 *	Ad <sup>394</sup>
				100646	2002	33 *	Ad <sup>394</sup>
				100650	2002	33 *	Ad <sup>394</sup>
				100652	2002	33 *	Ad <sup>394</sup>
				100653	2002	33 *	Ad <sup>394</sup>
				100654	2002	33 *	Ad <sup>394</sup>
				100700	2002	33 *	Ad <sup>394</sup>
				100710	2002	33 *	Ad <sup>394</sup>
				100720	2002	33 *	Ad <sup>394</sup>
				100725	2002	33 *	Ad <sup>394</sup>
				100730	2002	33 *	Ad <sup>394</sup>
				100735	2002	33 *	Ad <sup>394</sup>

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**EDUCATION CODE—Continued**

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
100740	2002	33 *	Ad <sup>394</sup>	100840	2002	33 *	Ad (by Sec. 31 of Ch.) <sup>395</sup>
100745	2002	33 *	Ad <sup>394</sup>				Ad (by Sec. 31.5 of Ch.) <sup>396</sup>
100750	2002	33 *	Ad <sup>394</sup>				Ad (by Sec. 31.5 of Ch.) <sup>396</sup>
100755	2002	33 *	Ad <sup>394</sup>				Ad (by Sec. 31 of Ch.) <sup>395</sup>
100760	2002	33 *	Ad <sup>394</sup>	100842	2002	33 *	Ad (by Sec. 31 of Ch.) <sup>395</sup>
100800	2002	33 *	Ad (by Sec. 31 of Ch.) <sup>395</sup>				Ad (by Sec. 31.5 of Ch.) <sup>396</sup>
			Ad (by Sec. 31.5 of Ch.) <sup>396</sup>	100844	2002	33 *	Ad (by Sec. 31 of Ch.) <sup>395</sup>
100801	2002	33 *	Ad (by Sec. 31 of Ch.) <sup>395</sup>				Ad (by Sec. 31.5 of Ch.) <sup>396</sup>
			Ad (by Sec. 31.5 of Ch.) <sup>396</sup>	100846	2002	33 *	Ad (by Sec. 31 of Ch.) <sup>395</sup>
100803	2002	33 *	Ad (by Sec. 31 of Ch.) <sup>395</sup>				Ad (by Sec. 31.5 of Ch.) <sup>396</sup>
			Ad (by Sec. 31.5 of Ch.) <sup>396</sup>	100850	2002	33 *	Ad (by Sec. 31 of Ch.) <sup>395</sup>
100810	2002	33 *	Ad (by Sec. 31 of Ch.) <sup>395</sup>				Ad (by Sec. 31.5 of Ch.) <sup>396</sup>
			Ad (by Sec. 31.5 of Ch.) <sup>396</sup>	100852	2002	33 *	Ad (by Sec. 31 of Ch.) <sup>395</sup>
100815	2002	33 *	Ad (by Sec. 31 of Ch.) <sup>395</sup>				Ad (by Sec. 31.5 of Ch.) <sup>396</sup>
			Ad (by Sec. 31.5 of Ch.) <sup>396</sup>	100853	2002	33 *	Ad (by Sec. 31 of Ch.) <sup>395</sup>
100820	2002	33 *	Ad (by Sec. 31 of Ch.) <sup>395</sup>				Ad (by Sec. 31.5 of Ch.) <sup>396</sup>
			Ad (by Sec. 31.5 of Ch.) <sup>396</sup>	100854	2002	33 *	Ad (by Sec. 31 of Ch.) <sup>395</sup>
100825	2002	33 *	Ad (by Sec. 31 of Ch.) <sup>395</sup>				Ad (by Sec. 31.5 of Ch.) <sup>396</sup>
			Ad (by Sec. 31.5 of Ch.) <sup>396</sup>	100900	2002	33 *	Ad (by Sec. 31 of Ch.) <sup>395</sup>
100827	2002	33 *	Ad (by Sec. 31 of Ch.) <sup>395</sup>				Ad (by Sec. 31.5 of Ch.) <sup>396</sup>
			Ad (by Sec. 31.5 of Ch.) <sup>396</sup>	100910	2002	33 *	Ad (by Sec. 31 of Ch.) <sup>395</sup>
100830	2002	33 *	Ad (by Sec. 31 of Ch.) <sup>395</sup>				Ad (by Sec. 31.5 of Ch.) <sup>396</sup>
			Ad (by Sec. 31.5 of Ch.) <sup>396</sup>	100920	2002	33 *	Ad (by Sec. 31 of Ch.) <sup>395</sup>
100832	2002	33 *	Ad (by Sec. 31 of Ch.) <sup>395</sup>				Ad (by Sec. 31.5 of Ch.) <sup>396</sup>
			Ad (by Sec. 31.5 of Ch.) <sup>396</sup>	100925	2002	33 *	Ad (by Sec. 31 of Ch.) <sup>395</sup>
100834	2002	33 *	Ad (by Sec. 31 of Ch.) <sup>395</sup>				Ad (by Sec. 31.5 of Ch.) <sup>396</sup>
			Ad (by Sec. 31.5 of Ch.) <sup>396</sup>	100930	2002	33 *	Ad (by Sec. 31 of Ch.) <sup>395</sup>
100835	2002	33 *	Ad (by Sec. 31 of Ch.) <sup>395</sup>				Ad (by Sec. 31.5 of Ch.) <sup>396</sup>
			Ad (by Sec. 31.5 of Ch.) <sup>396</sup>	100935	2002	33 *	Ad (by Sec. 31 of Ch.) <sup>395</sup>
100836	2002	33 *	Ad (by Sec. 31 of Ch.) <sup>395</sup>				Ad (by Sec. 31.5 of Ch.) <sup>396</sup>
			Ad (by Sec. 31.5 of Ch.) <sup>396</sup>	100940	2002	33 *	Ad (by Sec. 31 of Ch.) <sup>395</sup>
100838	2002	33 *	Ad (by Sec. 31 of Ch.) <sup>395</sup>				Ad (by Sec. 31.5 of Ch.) <sup>396</sup>
			Ad (by Sec. 31.5 of Ch.) <sup>396</sup>				

**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>Effect</i>	<i>Section</i>	<i>Affected By</i>		<i>Effect</i>
	<i>Year</i>	<i>Chapter</i>			<i>Year</i>	<i>Chapter</i>	
100945	2002	33 *	Ad (by Sec. 31 of Ch.) <sup>395</sup> Ad (by Sec. 31.5 of Ch.) <sup>396</sup>	100960	2002	33 *	Ad (by Sec. 31 of Ch.) <sup>395</sup> Ad (by Sec. 31.5 of Ch.) <sup>396</sup>
100950	2002	33 *	Ad (by Sec. 31 of Ch.) <sup>395</sup> Ad (by Sec. 31.5 of Ch.) <sup>396</sup>	100970	2002	33 *	Ad (by Sec. 31 of Ch.) <sup>395</sup> Ad (by Sec. 31.5 of Ch.) <sup>396</sup>
100955	2002	33 *	Ad (by Sec. 31 of Ch.) <sup>395</sup> Ad (by Sec. 31.5 of Ch.) <sup>396</sup>	125704	1999	819	Ad
				125710	1999	819	Ad

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**ELECTIONS 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>
9	1999	312	Am	3017	2001	916	Am
13.5	1999	550*	Am <sup>1</sup>		2002	664	Am <sup>431</sup>
	2000	1081	Am	3018	1999	368	Am
	2002	784	Am <sup>490</sup>	3024	2002	1032*	Ad
100.5	2001	922	Am	3201	2001	918	Am
101.5	2002	959	Ad & R <sup>18</sup>		2001	922	Am
102	2001	105	Am		2002	664	Am <sup>431</sup>
307	2002	221	Am	3203	2001	922	Am
308	2002	221	Am	3205	2001	925*	Am
311	2002	221	R	4001	2001	385	Ad & R <sup>208</sup>
325	2002	784	R <sup>490</sup>	5000	2000	1081	Am
327	2002	784	Am <sup>490</sup>	5100.5	2000	1081	Ad
354.5	2001	922	Ad	6020	1999	791*	Am
1000	1999	2*	Am	6022	1999	791*	Am
	1999	6*	Am	6023	1999	791*	Am
1003	1999	858	Am	6041	1999	791*	Am
	2000	1081	Am	6042	1999	312	Am
1405	2000	55	Am		1999	791*	Am
	2001	159	Am <sup>305</sup>	6081	1999	791*	Am
	2001	924	Am	6084	1999	791*	Am
	2002	664	Am <sup>431</sup>	6086	1999	791*	Am
1500	2002	344	Am	6101	1999	791*	Am
2001	2000	898	R	6108	1999	790	Am
2035	2000	899	Am	6120	1999	790	R
2102	2000	899	Am	6121	1999	790	R
2107	2000	899	Am	6122	1999	790	Am
2119	2000	899	Am		1999	791*	Am
2150	1999	312	Am	6123	1999	790	Am
	2000	89	Am	6140	1999	790	Am
2151	2000	898	R (as ad by Stats. 1994, Ch. 920 and as am by Prop. 198) & Ad	6160	1999	312	Am
					1999	791*	Am
				6180	1999	312	Am
2154	2000	899	Am	6201	1999	791*	Am
2155	2000	899	Am	6202	1999	791*	Am
	2002	665*	Am	6203	1999	791*	Am
2156	2002	665*	Am	6204	1999	791*	Am
2157	2002	959	Am & R <sup>18</sup>	6220	2000	55	Am
			Ad <sup>63</sup>	6221	1999	791*	R
2162.5	2002	959	Ad & R <sup>18</sup>	6300	1999	159*	Am
2166	2000	89	Am	6341	1999	312	Am
2166.5	2000	89	Am	6342	1999	312	Am
	2000	562	Am (by Sec. 1.5 of Ch.)	6365	1999	790	Am
	2002	380	Am <sup>68</sup>	6380	1999	790	R
2185	2001	923	Am	6381	1999	790	R
	2002	664	Am <sup>431</sup>	6382	1999	790	Am
2187	1999	312	Am	6383	1999	790	Am
	2000	899	Am	6400	1999	790	Am
	2000	1081	Am	6420	2000	55	Am
2195	2002	959	Ad & R <sup>18</sup>	6421	2000	55	Am
2196	2002	959	Ad & R <sup>18</sup>	6422	2000	55	Am
2212	2002	784	Am <sup>490</sup>	6521	1999	312	Am
3001	2002	753	Am	6522	1999	312	Am
3006	2000	898	Am	6560	1999	790	Am
	2001	925*	Am	6586	1999	790	Am
3007.5	2002	753	Ad	6587	1999	790	Am
3007.7	2002	753	Ad	6588	1999	790	R
3008	2002	753	Am	6589	1999	790	R
3011	2001	916	Am	6590	1999	790	R
				6591	1999	790	Am
				6592	1999	790	Am
				6593	1999	790	Am

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**ELECTIONS CODE—Continued**

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
6640	2000	55	Am	9115	2001	70	Am
6641	2000	55	Am	9116	2000	55	Am
6642	2000	55	Am	9117	2000	55	R
6643	2000	55	Am	9118	2000	55	Am
6723	1999	312	Am		2001	159	Am <sup>305</sup>
6724	1999	312	Am	9164	2000	1081	Am
6760	1999	790	Am	9167	2002	228	R & Ad
6786	1999	790	Am	9190	2002	228	Am
6787	1999	790	Am	9203	1999	312	Am
6788	1999	790	R	9204	1999	312	Am
6789	1999	790	R		2002	237	Am
6790	1999	790	R	9209	2001	105	Am
6791	1999	790	Am	9212	2000	496	Am
6792	1999	790	Am	9214	2000	55	Am
6797	1999	790	Am	9215	2000	55	Am
6842	2000	55	Am	9222	2002	371	Am
6843	2000	55	Am	9225	2000	55	R
6844	2000	55	Am	9237	2001	105	Am
6845	2000	55	Am	9237.5	1999	312	Ad
6951	1999	312	Am	9238	2001	105	Am
6953	1999	312	Am	9255	2002	53	Am
6954	1999	312	Am	9265	2002	53	Am
7400.1	2002	257	Ad	9283	2000	1081	Am
7400.3	2002	257	Ad	9286	2002	371	Am
7411	2002	257	Am	9295	2002	228	Am
7420	1999	159*	Am	9305	2001	105	Am
	2000	494	Am	9307	2001	105	Am
7441	1999	159*	Am	9309	2001	70	Am
	1999	791*	Am	9310	2000	55	Am
	2000	494	Am	9311	2000	55	Am
7443	1999	159*	Am	9317	2002	228	R & Ad
7772.1	1999	312	Ad	9380	2002	228	Am
8023	2000	1081	Am	9401	2000	1081	Am
8040	2000	135	Am <sup>203</sup>	9402	2000	1081	Am
	2001	159	Am <sup>305</sup>	9501	2000	1081	Am
	2002	221	Am	9501.5	2000	1081	Ad
8041	1999	790	Am	9504	2002	228	R & Ad
8042	1999	790	R	9506	2000	1081	R
8065	1999	790	Am	9507	2000	1081	R
8066	1999	790	Am	9509	2002	228	Am
8150	1999	312	Am	9607	2002	959	Ad & R <sup>18</sup>
8203	2002	784	Am <sup>490</sup>	9608	2002	959	Ad & R <sup>18</sup>
8409	1999	790	Am	9609	2002	959	Ad & R <sup>18</sup>
8450	1999	790	R	9610	2002	959	Ad & R <sup>18</sup>
8451	1999	790	Am	10104	2002	371	Ad
8452	1999	790	Am	10262	1999	83	Am <sup>30</sup>
	2002	228	Am		2002	371	R & Ad
8453	1999	790	R	10263	2002	371	R & Ad
8454	1999	790	Am	10500	2002	221	Am
8500	1999	790	Am	10509	2002	454	Am
8602	1999	790	Am	10511	2002	454	Am
9014	2000	1081	Am	10531	2000	1081	Am
9021	2001	105	Am	10540	2000	1081	Am
9022	2001	105	Am		2002	221	Am
9085	1999	312	Ad	10700	2002	658	Am
9088	2002	213	Am	10702	2002	658	Am
9094	2000	899	Am	10703	2002	658	Am
	2002	221	Am	10730	2002	658	Ad
9105	1999	312	Am	10731	2002	658	Ad
9106	2002	237	Am	10732	2002	658	Ad
9111	2000	496	Am	10733	2002	658	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>
10734	2002	658	Ad				
11002	2002	221	Am		2000	899	R (as am by
11221	2002	784	Am <sup>490</sup>				Stats. 1994,
12110	2002	344	Am				Ch. 920 and as
12223	2001	904	Am				am by
			R & Ad <sup>63</sup>				Prop. 198) & Ad
12241	2001	904	Am				(by Sec. 11.5 of
			R & Ad <sup>63</sup>	13300.5	1999	312	Ch.)
12261	2001	904	Am	13301	2000	898	Ad
			R & Ad <sup>63</sup>				R (as ad by
12285	2000	1081	Am				Stats. 1994,
12287	2000	29	Ad				Ch. 920 and as
12288	2002	228	Ad(RN)				am by
12304	2001	904	Am	13302	2000	898	Prop. 198) & Ad
			R & Ad <sup>63</sup>				R (as ad by
13001	1999	790	Am (as am by				Stats. 1994,
			Stats. 1996,				Ch. 920 and as
			Ch. 1102) <sup>18</sup>				am by
			Am (as am by	13303	2000	899	Prop. 198) & Ad
			Sec. 2,	13306	2000	899	Am
			Stats. 1996,	13313	2002	228	Am
			Ch. 1102) <sup>63</sup>	14025	2002	129	Ad
13102	2000	898	R (as ad by	14026	2002	129	Ad
			Stats. 1994,	14027	2002	129	Ad
			Ch. 920 and as	14028	2002	129	Ad
			am by	14029	2002	129	Ad
			Prop. 198) & Ad	14030	2002	129	Ad
	2001	925 *	Am	14031	2002	129	Ad
	2002	10 *	Am	14032	2002	129	Ad
			R & Ad <sup>390</sup>	14107	2002	344	Am
	2002	664	Am <sup>431</sup>	14222	2001	104	Am
13107	1999	312	Am	14226	2002	228	Am & RN
	2002	784	Am <sup>490</sup>	14310	2000	260	Am
13107.5	2002	364	Ad	15111	1999	697	Am
13109	2002	784	Am <sup>490</sup>	15112	1999	83	Am <sup>30</sup>
13111	2002	784	Am <sup>490</sup>	15151	1999	18 *	Am
13112	1999	312	Am		1999	83	Am <sup>30</sup>
	2000	1081	Am	15278	2002	344	Am (as ad by
13203	2000	898	R (as ad by				Stats. 1998,
			Stats. 1994,				Ch. 1073) & RN
			Ch. 920 and as	15278.5	2002	344	Ad(RN)
			am by	15321	1999	697	Ad & R <sup>24</sup>
			Prop. 198) & Ad	15375	1999	18 *	Am
13206	2000	898	R (as ad by		2000	55	Am
			Stats. 1994,		2001	159	Am <sup>305</sup>
			Ch. 920 and as	15500	1999	18 *	Am
			am by	15653	2000	1081	Am
			Prop. 198) & Ad	15700	2001	919	Ad <sup>386</sup>
13230	2000	898	R (as ad by	15701	2001	919	Ad <sup>386</sup>
			Stats. 1994,	15702	2001	919	Ad <sup>386</sup>
			Ch. 920 and as	18107.5	2002	753	Ad
			am by				
			Prop. 198) & Ad	Div. 18,			
13300	2000	898	R (as ad by	Ch. 4,			
			Stats. 1994,	Art. 3,			
			Ch. 920 and as	heading			
			am by	(Sec. 18320			
			Prop. 198) & Ad	et seq.)	2001	927	R
			(by Sec. 20 of	18320	2001	927	Ad & R <sup>20</sup>
			Ch.)	18321	2001	927	Ad & R <sup>20</sup>
				18322	2001	927	Ad & R <sup>20</sup>

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**ELECTIONS CODE—Continued**

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
18323	2001	927	Ad & R <sup>20</sup>	21126	2001	348*	Ad
18324	2001	927	Ad & R <sup>20</sup>	21127	2001	348*	Ad
18546	2002	221	Am	21128	2001	348*	Ad
18577	2001	922	Am	21129	2001	348*	Ad
19225	2002	950	Ad	21130	2001	348*	Ad
19226	2002	950	Ad	21131	2001	348*	Ad
19227	2002	950	Ad	21132	2001	348*	Ad
19227.5	2002	950	Ad	21133	2001	348*	Ad
19228	2002	950	Ad	21134	2001	348*	Ad
19229	2002	950	Ad	21135	2001	348*	Ad
19229.5	2002	950	Ad	21136	2001	348*	Ad
19230	2001	902*	Ad <sup>381</sup>	21137	2001	348*	Ad
19231	2001	902*	Ad <sup>381</sup>	21138	2001	348*	Ad
19232	2001	902*	Ad <sup>381</sup>	21139	2001	348*	Ad
19233	2001	902*	Ad <sup>381</sup>	21140	2001	348*	Ad
19234	2001	902*	Ad <sup>381</sup>	21200	2001	349*	Ad
19234.5	2001	902*	Ad <sup>381</sup>	21201	2001	349*	Ad
19235	2001	902*	Ad <sup>381</sup>	21202	2001	349*	Ad
19236	2001	902*	Ad <sup>381</sup>	21203	2001	349*	Ad
19237	2001	902*	Ad <sup>381</sup>	21204	2001	349*	Ad
19238	2001	902*	Ad <sup>381</sup>	21205	2001	349*	Ad
19239	2001	902*	Ad <sup>381</sup>	21206	2001	349*	Ad
19240	2001	902*	Ad <sup>381</sup>	21207	2001	349*	Ad
19241	2001	902*	Ad <sup>381</sup>	21208	2001	349*	Ad
19242	2001	902*	Ad <sup>381</sup>	21209	2001	349*	Ad
19243	2001	902*	Ad <sup>381</sup>	21210	2001	349*	Ad
19244	2001	902*	Ad <sup>381</sup>	21211	2001	349*	Ad
19245	2001	902*	Ad <sup>381</sup>	21212	2001	349*	Ad
21000	1999	697	Am	21213	2001	349*	Ad
21001	2000	1081	Am	21214	2001	349*	Ad
Div. 21, Ch. 2, heading (Sec. 21100 et seq.)	2002	664	Ad <sup>431</sup>	21215	2001	349*	Ad
21100	2001	348*	Ad	21216	2001	349*	Ad
21101	2001	348*	Ad	21217	2001	349*	Ad
21102	2001	348*	Ad	21218	2001	349*	Ad
21103	2001	348*	Ad	21219	2001	349*	Ad
21104	2001	348*	Ad	21220	2001	349*	Ad
21105	2001	348*	Ad	21221	2001	349*	Ad
21106	2001	348*	Ad	21222	2001	349*	Ad
21107	2001	348*	Ad	21223	2001	349*	Ad
21108	2001	348*	Ad	21224	2001	349*	Ad
21109	2001	348*	Ad	21225	2001	349*	Ad
21110	2001	348*	Ad	21226	2001	349*	Ad
21111	2001	348*	Ad	21227	2001	349*	Ad
21112	2001	348*	Ad	21228	2001	349*	Ad
21113	2001	348*	Ad	21229	2001	349*	Ad
21114	2001	348*	Ad	21230	2001	349*	Ad
21115	2001	348*	Ad	21231	2001	349*	Ad
21116	2001	348*	Ad	21232	2001	349*	Ad
21117	2001	348*	Ad	21233	2001	349*	Ad
21118	2001	348*	Ad	21234	2001	349*	Ad
21119	2001	348*	Ad	21235	2001	349*	Ad
21120	2001	348*	Ad	21236	2001	349*	Ad
21121	2001	348*	Ad	21237	2001	349*	Ad
21122	2001	348*	Ad	21238	2001	349*	Ad
21123	2001	348*	Ad	21239	2001	349*	Ad
21124	2001	348*	Ad	21240	2001	349*	Ad
21125	2001	348*	Ad	21241	2001	349*	Ad
				21242	2001	349*	Ad
				21243	2001	349*	Ad
				21244	2001	349*	Ad
				21245	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>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>	
21246	2001	349 *	Ad		21409	2001	348 *	Ad	
21247	2001	349 *	Ad		21410	2001	348 *	Ad	
21248	2001	349 *	Ad		21411	2001	348 *	Ad	
21249	2001	349 *	Ad		21412	2001	348 *	Ad	
21250	2001	349 *	Ad		21413	2001	348 *	Ad	
21251	2001	349 *	Ad		21414	2001	348 *	Ad	
21252	2001	349 *	Ad		21415	2001	348 *	Ad	
21253	2001	349 *	Ad		21416	2001	348 *	Ad	
21254	2001	349 *	Ad		21417	2001	348 *	Ad	
21255	2001	349 *	Ad		21418	2001	348 *	Ad	
21256	2001	349 *	Ad		21419	2001	348 *	Ad	
21257	2001	349 *	Ad		21420	2001	348 *	Ad	
21258	2001	349 *	Ad		21421	2001	348 *	Ad	
21259	2001	349 *	Ad		21422	2001	348 *	Ad	
21260	2001	349 *	Ad		21423	2001	348 *	Ad	
21261	2001	349 *	Ad		21424	2001	348 *	Ad	
21262	2001	349 *	Ad		21425	2001	348 *	Ad	
21263	2001	349 *	Ad		21426	2001	348 *	Ad	
21264	2001	349 *	Ad		21427	2001	348 *	Ad	
21265	2001	349 *	Ad		21428	2001	348 *	Ad	
21266	2001	349 *	Ad		21429	2001	348 *	Ad	
21267	2001	349 *	Ad		21430	2001	348 *	Ad	
21268	2001	349 *	Ad		21431	2001	348 *	Ad	
21269	2001	349 *	Ad		21432	2001	348 *	Ad	
21270	2001	349 *	Ad		21433	2001	348 *	Ad	
21271	2001	349 *	Ad		21434	2001	348 *	Ad	
21272	2001	349 *	Ad		21435	2001	348 *	Ad	
21273	2001	349 *	Ad		21436	2001	348 *	Ad	
21274	2001	349 *	Ad		21437	2001	348 *	Ad	
21275	2001	349 *	Ad		21438	2001	348 *	Ad	
21276	2001	349 *	Ad		21439	2001	348 *	Ad	
21277	2001	349 *	Ad		21440	2001	348 *	Ad	
21278	2001	349 *	Ad		21441	2001	348 *	Ad	
21279	2001	349 *	Ad		21442	2001	348 *	Ad	
21280	2001	349 *	Ad		21443	2001	348 *	Ad	
21300	2001	349 *	Ad		21444	2001	348 *	Ad	
21301	2001	349 *	Ad		21445	2001	348 *	Ad	
21302	2001	349 *	Ad		21446	2001	348 *	Ad	
21303	2001	349 *	Ad		21447	2001	348 *	Ad	
21304	2001	349 *	Ad		21448	2001	348 *	Ad	
21400	2001	348 *	Ad		21449	2001	348 *	Ad	
21401	2001	348 *	Ad		21450	2001	348 *	Ad	
21402	2001	348 *	Ad		21451	2001	348 *	Ad	
21403	2001	348 *	Ad		21452	2001	348 *	Ad	
21404	2001	348 *	Ad		21453	2001	348 *	Ad	
21405	2001	348 *	Ad		21500.1	1999	429	Ad	
21406	2001	348 *	Ad		21601.1	1999	429	Ad	
21407	2001	348 *	Ad		21620	1999	429	Am	
21408	2001	348 *	Ad						

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

## EVIDENCE CODE

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
250	2002	945	Am	1033	2002	806	Am
300	2002	784	Am <sup>490</sup>	1034	2002	806	Am
452.5	2002	784	Am <sup>490</sup>	1036.2	2001	854	Am
670	2001	854	Am	1037.8	2002	629	Ad
795	2002	1013	Am	1043	2002	391	Am
822	2000	948	Am	1045	2002	391	Am
912	2002	72	Am	1046	2002	391	Am
915	2001	812	Am	1047	2002	391	Am <sup>490</sup>
917	2002	72	Am	1061	2002	784	Am <sup>490</sup>
952	2002	72	Am	1107	2000	1001	Am
1010	2001	142	Am	1108	2001	517	Am
	2001	420 *	Am (by Sec. 1 of Ch.) <sup>191</sup>		2002	194	Am
			Am (by Sec. 1.5 of Ch.) <sup>8</sup>		2002	828	Am
1014	2002	1013	Am	1109	2000	97	Am
Div. 8, Ch. 4, Art. 8, heading (Sec. 1030 et seq.)				1157	2000	136	Am
				1160	2000	195	Ad
				1350	2001	854	Am
				1370	2000	1001	Am
				1380	1999	383	Ad
				1550	2002	124	Am <sup>408</sup>
				1560	1999	444	Am
	2002	806	Am		2000	287	Am <sup>216</sup>
1030	2002	806	Am	1561	1999	444	Am
1031	2002	806	Am	1563	1999	444	Am
1032	2002	806	Am				

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**FAMILY 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>
113	2000	808 *	Ad		2000	135	Am <sup>203</sup>
126	1999	980	Ad	3027	2000	926	Am & RN & Ad
145	1999	661	Am	3027.1	2000	926	Ad(RN)
150	2000	808 *	Am	3027.5	1999	985	Ad
155	2002	539	Am	3030	2000	808 *	Am
210	2002	1118	Am	3041	2002	1118	Am
215	1999	980	Am	3044	1999	445	Ad
240.5	2002	784	R <sup>490</sup>	3046	1999	980	Ad
243	1999	980	Am	3048	2002	856	Ad <sup>517</sup>
	2000	90 *	Am	3110.5	1999	932	Ad
	2000	135	Am <sup>203</sup>		2000	926	Am
290	2000	808 *	Am	3111	1999	932	Am
291	2000	808 *	R & Ad	3112	2000	926	Am
297	1999	588	Ad	3118	2000	926	Ad
	2001	893	Am		2002	305	Am
298	1999	588	Ad	3135	1999	867	Ad
298.5	1999	588	Ad	3176	2002	1077	Am
299	1999	588	Ad	3183	2002	1077	Am
299.5	1999	588	Ad	3184	2002	1077	Am
	2001	893	Am	3188	2002	1077	Ad <sup>279</sup>
299.6	1999	588	Ad	Div. 8,			
308.5	2000			Pt. 2,			
	Initiative			Ch. 13,			
	(Prop. 22			heading			
	adopted			(Sec. 3200			
	March 7,			et seq.)	1999	1004	Am
	2000)	Ad		3201	1999	985	Ad
357	2001	39	Am		1999	1004	Ad
359	2001	39	Am	3202	1999	1004	Ad
360	2001	39	Am	3203	1999	1004	Ad
423	2001	39	Am	3204	1999	1004	Ad
506	2001	39	Am	3400	1999	867	R & Ad
507	2001	39	R	3401	1999	867	R
508	2001	39	Am	3402	1999	867	R & Ad
509	2001	39	Am	3403	1999	867	R & Ad
510	2001	39	Am	3404	1999	867	R & Ad
531	2001	39	Am	3405	1999	867	R & Ad
721	2002	310	Am	3406	1999	867	R & Ad
750	2001	754	Am	3407	1999	867	R & Ad
771	1999	940	Am	3408	1999	867	R & Ad
911	1999	991	Am <sup>96 114</sup>	3409	1999	867	R & Ad
914	2001	702	Am	3410	1999	867	R & Ad
1101	2001	703	Am	3411	1999	867	R & Ad
1612	2001	286	Am	3412	1999	867	R & Ad
1615	2001	286	Am	3413	1999	867	R
1816	2000	926	Am	3414	1999	867	R
2024	2001	417	Am	3415	1999	867	R
2040	1999	118	Am	3416	1999	867	R
	2000	135	Am <sup>203</sup>	3417	1999	867	R
	2001	417	Am	3418	1999	867	R
2100	2001	703	Am	3419	1999	867	R
2102	2001	703	Am	3420	1999	867	R
2105	2001	703	Am	3421	1999	867	R & Ad
2106	2001	703	Am	3422	1999	867	R & Ad
	2002	1008	Am	3423	1999	867	R & Ad
2107	2001	703	Am	3424	1999	867	R & Ad
2122	2001	703	Am	3425	1999	867	R & Ad
2628	2002	374	Ad	3426	1999	867	Ad
3011	1999	980	Am	3427	1999	867	Ad
3020	1999	980	Am	3428	1999	867	Ad
3021	1999	980	Am	3429	1999	867	Ad

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

## FAMILY 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>
3430	1999	867	Ad	4203	2000	808*	Am
3441	1999	867	Ad	4204	2000	808*	Am
3442	1999	867	Ad	4205	2000	808*	Am
3443	1999	867	Ad	4250	2000	808*	Am
3444	1999	867	Ad	4251	2000	808*	Am
3445	1999	867	Ad	4252	1999	83	Am <sup>30</sup>
3446	1999	867	Ad		2002	784	Am <sup>490</sup>
3447	1999	867	Ad	4320	1999	284	Am
3448	1999	867	Ad		1999	846	Am (by Sec. 1.5 of Ch.)
3449	1999	867	Ad				
3450	1999	867	Ad		2001	293	Am
3451	1999	867	Ad	4325	2001	293	Ad
3452	1999	867	Ad	4330	1999	846	Am
3453	1999	867	Ad	4351	1999	83	Am <sup>30</sup>
3454	1999	867	Ad		2000	808*	Am
3455	1999	867	Ad	4352	2000	808*	Am
3456	1999	867	Ad	4502	2000	808*	Am
3457	1999	867	Ad		2002	304	Am
3461	1999	867	Ad	4504	2001	651	Am
3462	1999	867	Ad	4506	2002	927	Am
3465	1999	867	Am	4506.3	2000	808*	Am
3555	2000	808*	Am	4508	1999	980	Am
3600	2001	293	Am		2001	755*	Am
	2002	759	Am	4550	2001	755*	Am
				4572	2001	755*	Am
				4573	2000	808*	Am
				4701	2000	808*	Am
				4721	2000	808*	Am
				4729	2000	808*	Am
				4901	1999	83	Am <sup>30</sup>
					2002	349	Am <sup>433</sup>
				4903	2002	349	Am <sup>433</sup>
				4905	2002	349	Am <sup>433</sup>
				4906	2002	349	Am <sup>433</sup>
				4909	2002	349	Am <sup>433</sup>
				4910	2002	349	Am <sup>433</sup>
				4911	2002	349	Am <sup>433</sup>
				4912	2002	349	Am <sup>433</sup>
				4913	2002	349	Am <sup>433</sup>
				4913.5	2002	349	Ad <sup>433</sup>
				4914	2002	349	Ad <sup>433</sup>
				4915	2002	349	Am <sup>433</sup>
				4917	2002	349	Am <sup>433</sup>
				4918	2002	349	Am <sup>433</sup>
				4919	2002	349	Am <sup>433</sup>
				4920	2002	349	Am <sup>433</sup>
				4921	2002	349	Am <sup>433</sup>
				4922	2002	349	Am <sup>433</sup>
				4924	2002	349	Am <sup>433</sup>
				4925	2002	349	Am <sup>433</sup>
				4926	2002	349	R & Ad <sup>433</sup>
				4928	2002	349	Am <sup>433</sup>
				4930	2002	349	Am <sup>433</sup>
				4931	2002	349	Am <sup>433</sup>
				4933	2002	349	Am <sup>433</sup>
				4935	2002	349	Am <sup>433</sup>
				4940	2002	349	Am <sup>433</sup>
				4941	2002	349	Am <sup>433</sup>
				4942	2002	349	Am <sup>433</sup>
				4945	2002	349	Am <sup>433</sup>
				4946	2002	349	Am <sup>433</sup>
Div. 9, Pt. 1, Ch. 6, heading (Sec. 3650 et seq.)	1999	653	Am				
	1999	653	Am				
	1999	653	Am				
	1999	653	Am				
	1999	652	Ad				
	1999	653	Ad (by 2nd text)				
	1999	653	Ad				
	1999	653	Ad				
	1999	653	Ad				
	1999	653	Ad				
	2000	808*	Am (by Sec. 28 of Ch.)				
	2000	809	Am				
	2001	755*	Am				
3752	2000	808*	Am				
3760	2000	119	Am				
3761	2000	808*	Am				
3766	2002	927	Am				
3767	2001	755*	Am				
3771	2000	808*	Am				
3773	2000	119	Am				
4006	2000	808*	Am				
4009	1999	653	Am (by Sec. 8 of Ch.)				
	2000	808*	Am				
4054	2002	927	Am				
4065	1999	980	Am				
	2000	135	Am <sup>203</sup>				
	2000	808*	Am				
4071.5	1999	653	R				
4200	2000	808*	Am				
4201	2000	808*	Am				
4202	2000	808*	Am				

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

**FAMILY 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>
4950	2002	349	Am <sup>433</sup>	6250	1999	561	Am
4951	2002	349	Am <sup>433</sup>	6250.5	1999	659	Ad
4953	2002	349	Am <sup>433</sup>	6251	1999	561	Am
4954	2002	349	Am <sup>433</sup>	6252	1999	561	Am
4956	2002	349	Am <sup>433</sup>	6300	2001	572	Am
4959	2002	349	Am <sup>433</sup>	6304	1999	662	Am
4960	2002	349	Am <sup>433</sup>	6306	2001	572	Ad
4961	2002	349	Am <sup>433</sup>	6341	1999	980	Am
4964	2002	349	Ad <sup>433</sup>	6343	1999	662	Am
4965	2002	349	Am <sup>433</sup>	6380	1999	83	Am <sup>30</sup>
4970	2002	349	Am <sup>433</sup>		1999	561	Am (by Sec. 4 of Ch.)
4971	2002	349	Am <sup>433</sup>				
4975	2002	349	Am <sup>433</sup>		1999	661	Am (by Sec. 5.5 of Ch.)
5000	1999	980	Ad				
	2000	808 *	Am		2001	698	Am (by Sec. 2 of Ch.) <sup>320</sup>
5001	1999	980	Ad				
	2000	808 *	Am		2001	816	Am (by Sec. 1.5 of Ch.)
5002	1999	980	Ad				
	2000	135	Am <sup>203</sup>		2002	265	Am
	2000	808 *	Am	6380.5	1999	661	Am (by Sec. 6 of Ch.)
5005	1999	652	Ad				
5100	2000	808 *	Am		1999	662	Am (by Sec. 4.5 of Ch.)
5101	2000	808 *	R				
5102	2000	808 *	R		2001	816	R
5208	1999	480	Am	6381	1999	661	Am
5212	1999	480	Am	6383	1999	661	Am
5214	2000	808 *	Am		2001	698	Am <sup>320</sup>
	2001	755 *	Am	6385	2002	265	Am
5230	2000	808 *	Am	6387	2001	176	Am
5231	2000	808 *	Am	6389	1999	662	Am
5234	1999	480	Am	6390	2002	784	R <sup>490</sup>
5235	2000	808 *	Am	6400	2001	816	Ad
5237	2000	808 *	Am	6401	2001	816	Ad
5241	2000	808 *	Am	6402	2001	816	Ad
	2001	371	Am	6403	2001	816	Ad
5244	2000	808 *	Am	6404	2001	816	Ad
5245	2000	808 *	Am	6405	2001	816	Ad
5246	1999	480	Am	6406	2001	816	Ad
	1999	652	Am <sup>82</sup>	6407	2001	816	Ad
	2000	808 *	Am	6408	2001	816	Ad
	2001	111 *	Am	6409	2001	816	Ad
	2001	651	Am	6750	1999	940	Am
5247	2000	808 *	Am	6751	1999	940	Am
5252	2000	808 *	Am	6752	1999	940	R & Ad
5260	2000	808 *	Am	6753	1999	940	R & Ad
	2001	755 *	Am	6924	2000	519	Am
5261	2000	808 *	Am	6929	2002	1013	Am
5280	2000	808 *	Am	7122	2002	784	Am <sup>490</sup>
5600	2000	808 *	Am	7134	2002	784	Am <sup>490</sup>
5601	2000	808 *	Am	7500	1999	940	Am
5602	2000	808 *	Am	7551.5	1999	652	Ad
5603	2000	808 *	Am	7552.5	1999	652	Am
6210	2001	110	Ad	7558	2000	808 *	Am
6219	2002	192	Ad	7571	1999	652	Am (by Sec. 8 of Ch.)
6221	1999	661	Am				
6222	2000	1001	Am		2001	745 *	Am
	2002	1009	Am		2001	755 *	Am
			R & Ad <sup>100</sup>	7572	1999	83	Am <sup>30</sup>
6228	1999	1022	Ad		1999	652	Am (by Sec. 10 of Ch.)
	2002	377	Am				
6240	1999	659	Am	7573	2000	808 *	Am

**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
7574	2000	808 *	Am	9201	2000	910	Am
7575	1999	83	Am <sup>30</sup>	9202	2000	910	Am
	1999	652	Am (by Sec. 11 of Ch.)	9203	2000	910	Am
	1999	653	Am (by Sec. 10.5 of Ch.)	9210	2002	260	Ad
	2000	808 *	Am	9211	2002	260	Ad
	2002	927	Am	9212	2002	260	Ad
7630	2000	808 *	Am	10003	1999	652	Am
	2001	353	Am	10004	1999	652	Am
7634	2000	808 *	Am	10005	1999	652	Am
7642	1999	653	Am	10008	2000	808 *	Am
7660	2000	937	Am	10013	1999	652	Ad
7662	2000	937	Am	10014	1999	652	Ad
7666	2002	260	Am	10015	1999	652	Ad
7669	2002	260	Am	10100	1999	1004	R
7807	2002	260	Am	10101	1999	1004	R
7810	1999	275 *	Ad	10102	1999	1004	R
7827	2002	1013	Am	15000	1999	886	S <sup>19</sup>
7850	2002	260	Am	15010	1999	886	Am <sup>19</sup>
7851	2002	260	Am	15012	1999	886	Am <sup>19</sup>
7895	2000	447	Am	17000	1999	478	Ad
	2001	754	Am		1999	480	Am (as ad by Stats. 1999, Ch. 478)
7901	2002	260	Am		2000	808 *	Am
7908.5	2002	260	Ad	17200	1999	478	Ad
7911	1999	881 *	Am	17202	1999	478	Ad
7911.1	1999	881 *	Am	17204	1999	478	Ad
8502	2002	1013	Am	17206	1999	478	Ad
8613	2002	784	Am <sup>490</sup>	17208	1999	478	Ad
8614	2002	784	Am <sup>490</sup>	17210	1999	478	Ad
8702	2002	784	Am <sup>490</sup>	17211	1999	478	Ad
8703	2000	910	Am		1999	480	Am (as ad by Stats. 1999, Ch. 478)
8714	2000	910	Am				
	2000	930	Am				
	2002	1112	Am	17212	1999	478	Ad
8714.5	2000	910	Am		1999	653	Am (as ad by Stats. 1999, Ch. 478)
	2000	930	Am				
	2002	784	Am <sup>490</sup>				
8714.7	2000	910	Am		2000	808 *	Am
	2000	930	Am		2001	755 *	Am
8715	2000	910	Am	17300	1999	478	Ad
	2000	930	Am		1999	480	Am (as ad by Stats. 1999, Ch. 478)
	2002	1112	Am				
8801.3	2000	937	Am				
	2001	688	Am	17302	1999	478	Ad
8802	2000	937	Am		1999	480	Am (as ad by Stats. 1999, Ch. 478)
	2002	1112	Am				
8804	2002	1118	Am				
8807	2002	1112	Am	17303	1999	478	Ad
8814.5	2000	937	Am	17304	1999	478	Ad
	2001	688	Am		1999	480	Am (as ad by Stats. 1999, Ch. 478)
	2002	664	Am <sup>431</sup>				
8818	2002	784	Am <sup>490</sup>				
8919	2001	353	Am		2000	808 *	Am
9000	2001	893	Am		2001	755 *	Am
9001	2001	353	Am	17305	1999	478	Ad
9002	2001	893	Am		1999	480	Am (as ad by Stats. 1999, Ch. 478)
9004	2001	893	Am				
9005	2001	893	Am				
9102	2000	937	Am	17306	1999	478	Ad
9200	2002	784	Am <sup>490</sup>				

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>	
17306 (Cont.)	1999	480	Am (as ad by Stats. 1999, Ch. 478)	17406	1999	478	Ad
	2001	111 *	Am		1999	480	Am (as ad by Stats. 1999, Ch. 478)
	2002	927	Am <sup>525</sup>		2000	808 *	Am
17308	1999	478	Ad	17407	2001	176	Am
17309	1999	478	Ad	17408	1999	652	Ad
17310	1999	478	Ad	17410	1999	478	Ad
	1999	480	Am (as ad by Stats. 1999, Ch. 478)	17412	1999	478	Ad
				17414	1999	478	Ad
17312	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)
					2001	463	Am
17314	1999	478	Ad	17416	1999	478	Ad
17316	1999	478	Ad	17418	1999	478	Ad
17318	1999	478	Ad	17420	1999	478	Ad
17320	1999	478	Ad	17422	1999	478	Ad
17400	1999	478	Ad		2000	119	Am
	1999	480	Am (as ad by Stats. 1999, Ch. 478)		2002	927	Am
				17424	1999	478	Ad
	1999	980	Am (by Sec. 14.2 of Ch., as ad by Stats. 1999, Ch. 478)	17428	1999	478	Ad
				17430	1999	478	Ad
	2000	808 *	Am		1999	480	Am (as ad by Stats. 1999, Ch. 478)
	2001	111 *	Am		1999	652	Am (as am by Stats. 1999, Ch. 480)
	2002	927	Am		2000	808 *	Am
17400.5	1999	653	Ad		2002	927	Am
	2000	808 *	R	17432	1999	478	Ad
	2001	651	Ad		2002	927	Am
	2002	787	Am <sup>422</sup>	17433	1999	653	Ad
17401	1999	653	Ad		2000	808 *	Am
	1999	803	Ad	17434	1999	478	Ad
	2000	808 *	Am (as ad by Stats. 1999, Ch. 653)		2000	808 *	Am
				17500	1999	478	Ad
					1999	480	Am (as ad by Stats. 1999, Ch. 478)
	2001	755 *	Am		2001	111 *	Am
17401.5	2000	808 *	Ad(RN)		2001	651	Am
17402	1999	478	Ad	17501	1999	480	Ad
	1999	653	Am (as ad by Stats. 1999, Ch. 478)		2001	111 *	R
				17502	1999	478	Ad
	2000	808 *	Am	17504	1999	478	Ad
17402.1	2001	111 *	Ad		2000	808 *	Am
17404	1999	478	Ad		2001	159	Am <sup>305</sup>
	1999	480	Am (as ad by Stats. 1999, Ch. 478)	17505	1999	478	Ad
					2000	808 *	Am
	2000	808 *	Am	17506	1999	478	Ad
	2001	755 *	Am		1999	652	Am (as ad by Stats. 1999, Ch. 478)
17405	1999	652	Ad		2002	759	Am
				17508	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>	
17508 (Cont.)	1999	652	Am (as ad by Stats. 1999, Ch. 478)		1999	480	Am (as ad by Stats. 1999, Ch. 478)
	2000	808 *	Am	17604	2002	927	Am
17509	1999	652	Ad		1999	478	Ad
17510	1999	478	Ad		1999	480	Am (as ad by Stats. 1999, Ch. 478)
17512	1999	478	Ad		2000	808 *	Am
17514	1999	478	Ad	17700	1999	480	Ad
17516	1999	478	Ad		2002	927	R
17518	1999	478	Ad	17702	1999	478	Ad <sup>118</sup>
	2000	808 *	Am	17702.5	2001	111 *	Ad
17520	1999	478	Ad	17703	2000	108 *	Ad
	1999	652	Am (as ad by Stats. 1999, Ch. 478)	17704	1999	478	Ad
	1999	654	R (as ad by Stats. 1999, Ch. 478) Ad (by Sec. 3.5 of Ch.)		1999	480	Am (as ad by Stats. 1999, Ch. 478)
	2001	755 *	Am		2001	111 *	Am
17521	1999	653	Ad	17706	2002	927	Am
	2002	784	Am <sup>490</sup>		1999	478	Ad
17522	1999	478	Ad		1999	480	Am (as ad by Stats. 1999, Ch. 478)
	2001	755 *	Am		2001	111 *	Am
17523	1999	980	Ad	17708	2002	1022 *	Am <sup>529</sup>
17524	1999	478	Ad		1999	478	Ad
17525	1999	654	Ad		2001	755 *	Am
	2000	808 *	Am	17710	1999	478	Ad
	2001	755 *	Am		1999	479 *	Am (as ad by Stats. 1999, Ch. 478) <sup>1</sup>
17526	1999	478	Ad		1999	480	Am (as ad by Stats. 1999, Ch. 478)
	2001	755 *	Am				
	2002	927	Am				
17528	1999	478	Ad	17712	1999	478	Ad
17530	1999	653	Ad	17714	1999	478	Ad
	2001	755 *	Am		2000	808 *	Am
17531	2000	808 *	Ad		2001	755 *	Am
17540	2000	808 *	Ad	17800	1999	803	Ad
17550	2001	463	Ad		2001	755 *	Am
17552	2001	463	Ad	17801	1999	803	Ad
17600	1999	478	Ad <sup>117</sup>		2002	927	Am
	1999	480	Am (as ad by Stats. 1999, Ch. 478)	17802	1999	803	Ad
	2002	927	Am	17803	1999	803	Ad
17602	1999	478	Ad	17804	1999	803	Ad
					2001	755 *	Am

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**FINANCIAL 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>
22	2000	375	Am	3825	2000	1015 *	Am
100	2000	1015 *	Am	3826	2000	1015 *	Am
102	2000	1015 *	Am	3827	2000	1015 *	Am
103	2000	1015 *	Am	3903	2000	1015 *	Am
105	2000	1015 *	Am	4002	2001	493	Ad
105.2	2000	1015 *	Ad	4805.01	2000	1015 *	Am
105.5	2000	1015 *	Ad	4805.02	2000	1015 *	Ad
105.7	2000	1015 *	Ad	4805.10	2000	1015 *	Ad
107	2000	1015 *	Am	4821.5	2000	1015 *	Am
107.5	2000	1015 *	Ad	4823	2000	1015 *	Am
109	2000	1015 *	Am	4826.5	2000	1015 *	Am
116	2000	1015 *	Am	4827	2000	1015 *	Am
139.6	2000	1015 *	R		2001	159	Am <sup>305</sup>
146.1	2000	913	Ad <sup>288</sup> R <sup>63</sup>	4827.7	2000	1015 *	Am
				4871.5	2000	1015 *	Am
200	2000	1015 *	Am	4877.03	2000	1015 *	Am
205	1999	513	Ad & R <sup>5</sup>	4901.5	2000	1015 *	Am
256	2000	1015 *	Am	4970	2001	732	Ad
	2001	745 *	R		2001	733	Am (as ad by Stats. 2001, Ch. 732)
258	2000	1015 *	Am				
274	2000	1015 *	Am	4973	2001	732	Ad
275	2000	1015 *	Am		2001	733	Am (as ad by Stats. 2001, Ch. 732)
276	2000	1015 *	Am				
277	2000	1015 *	Am				
500	2000	204	Am				
551	2000	204	R & Ad	4974	2001	732	Ad
552	2000	204	R		2001	733	Am (as ad by Stats. 2001, Ch. 732)
557	2000	204	R				
558	2000	204	R				
600	2000	1015 *	Am	4975	2001	732	Ad
701.1	2002	1162	Ad		2001	733	Am (as ad by Stats. 2001, Ch. 732)
761.5	2000	204	Ad				
	2001	159	Am <sup>305</sup>				
765.5	2000	565	Ad	4977	2001	732	Ad
	2001	563	R		2001	733	Am (as ad by Stats. 2001, Ch. 732)
1226	2002	158	Am				
1400	2000	1015 *	Ad				
1401	2000	1015 *	Ad	4978	2001	732	Ad
1402	2000	1015 *	Ad		2001	733	Am (as ad by Stats. 2001, Ch. 732)
1403	2000	1015 *	Ad				
1410	2000	1015 *	Ad				
1411	2000	1015 *	Ad	4978.6	2001	732	Ad
	2001	61	Am		2001	733	Am (as ad by Stats. 2001, Ch. 732)
1412	2000	1015 *	Ad				
1500.1	2000	1015 *	Am				
1500.6	2000	204	Ad	4979	2001	732	Ad
1561.1	1999	130	Am		2001	733	Am (as ad by Stats. 2001, Ch. 732)
	2002	433	Am				
1800.3	2000	1015 *	Am				
1909	2002	734 *	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 Stats. 2001, Ch. 732)
	2000	1015 *	Am				
3373	2000	1060	Am				
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				
3824	2000	1015 *	Am	8052	2001	745 *	R
				12100	2002	779	Am

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

## FINANCIAL 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>
12103	2002	779	Am	Div. 5,			
12104	2002	779	R & Ad	Ch. 10,			
12105	2002	779	Ad	heading			
12106	2002	779	Ad	(Sec. 16000			
12107	2002	779	Ad	et seq.)	2002	734 *	Am & RN
12108	2002	779	Ad	Div. 5,			
12307.4	2000	1015 *	Am	Ch. 11,			
14001.1	2002	734 *	Ad	heading			
14001.5	2002	734 *	Ad	(Sec. 16000			
14002.5	2002	734 *	Ad	et seq.)	2002	734 *	Ad(RN)
14100	2002	734 *	Am	16000	2000	612	Ad
14101	2002	734 *	Am	16001	2000	612	Ad
14101.2	2002	734 *	Am	16002	2000	612	Ad
14101.4	2002	734 *	Am	16003	2000	612	Ad
14101.8	2002	734 *	Ad	16004	2000	612	Ad
14102.2	2002	734 *	Ad	16005	2000	612	Ad
14102.4	2002	734 *	Ad	16006	2000	612	Ad
14102.6	2002	734 *	Ad	16007	2000	612	Ad
14157	1999	385	Am	16008	2000	612	Ad
	2000	612	R	16009	2000	612	Ad
14160	1999	385	Ad & R <sup>24</sup>	16010	2000	612	Ad
14202.5	2002	734 *	R	16011	2000	612	Ad
14211	2002	734 *	Ad	16012	2000	612	Ad
14254.5	2000	612	Am	16013	2000	612	Ad
Div. 5,				16020	2000	612	Ad
Ch. 3,				16021	2000	612	Ad
Art. 3,				16022	2000	612	Ad
heading				16023	2000	612	Ad
(Sec. 14300				16024	2000	612	Ad
et seq.)	2002	734 *	Am		2001	159	Am <sup>305</sup>
14300	2002	734 *	R & Ad	16075	2000	612	Ad
14301	2002	734 *	R & Ad	16076	2000	612	Ad
14302	2002	734 *	R & Ad	16077	2000	612	Ad
14303	2002	734 *	R & Ad	16100	2000	612	Ad
14304	2002	734 *	R & Ad	16101	2000	612	Ad
14305	2002	734 *	Ad	16102	2000	612	Ad
14306	2002	734 *	Ad	16103	2000	612	Ad
14307	2002	734 *	Ad	16150	2000	612	Ad
14308	2002	734 *	Ad	16151	2000	612	Ad
14309	2002	734 *	Ad	16152	2000	612	Ad
14310	2002	734 *	Ad	16153	2000	612	Ad
14311	2002	734 *	Ad	16154	2000	612	Ad
14312	2002	734 *	Ad	16200	2000	612	Ad
14313	2002	734 *	Ad	16200.5	2000	612	Ad
14314	2002	734 *	Ad	16201	2000	612	Ad
14315	2002	734 *	Ad	16202	2000	612	Ad
14316	2002	734 *	Ad	16203	2000	612	Ad
14317	2002	734 *	Ad	16204	2000	612	Ad
14318	2002	734 *	Ad	16205	2000	612	Ad
14319	2002	734 *	Ad	16206	2000	612	Ad
14400	2000	411 *	Am	Div. 5,			
14405	2000	411 *	Am	Ch. 11,			
14406	2000	529	Ad	heading			
14800	2000	411 *	Am	(Sec. 16500			
14860	2000	411 *	Am	et seq.)	2002	734 *	Am & RN
14864	2000	411 *	R	Div. 5,			
15256	2000	411 *	R	Ch. 12,			
				heading			
				(Sec. 16500			
				et seq.)	2002	734 *	Ad(RN)

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**FINANCIAL 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>
16500	2000	612	Ad	17207	2001	499	Am (as am by
16501	2000	612	Ad				Sec. 38,
	2001	159	Am <sup>305</sup>				Stats. 1997,
16502	2000	612	Ad				Ch. 17) <sup>43</sup>
16503	2000	612	Ad				Am (as ad by
16504	2000	612	Ad				Sec. 1.5,
16505	2000	612	Ad				Stats. 1996,
16506	2000	612	Ad				Ch. 670) <sup>80</sup>
16507	2000	612	Ad	17214	2002	772	Am
16508	2000	612	Ad	17215	1999	441	Ad
16509	2000	612	Ad	17302	2001	662	Am
16510	2000	612	Ad	17304	2001	662	Am
16511	2000	612	Ad	17310	2001	662	Am
16512	2000	612	Ad	17312	1999	253	Am
16525	2000	612	Ad		2000	636	Am
16526	2000	612	Ad		2001	662	Am
16527	2000	612	Ad	17314	2001	662	Am
16528	2000	612	Ad	17320	2000	636	Am
16529	2000	612	Ad	17331.1	2001	662	Am
16530	2000	612	Ad	17345.1	1999	486	Am
16550	2000	612	Ad	17400	1999	441	Am
16551	2000	612	Ad	17401	1999	441	R
16552	2000	612	Ad	17403.1	1999	441	Am
16553	2000	612	Ad	17403.2	1999	441	Am
16554	2000	612	Ad	17403.3	1999	441	Am
16555	2000	612	Ad	17403.4	1999	441	Am
16600	2000	612	Ad	17403.5	2000	437	Ad
16601	2000	612	Ad	17405	2001	499	Am
16602	2000	612	Ad	17409	1999	253	Am
16603	2000	612	Ad	17409.1	2000	437	Am
16604	2000	612	Ad	17423.1	2001	660	Ad
16605	2000	612	Ad	17606	2002	772	Am
16607	2000	612	Ad	17609.2	2002	772	Am
16700	2000	612	Ad	17627	2002	772	Am
16701	2000	612	Ad	18003	2000	1015*	Am
16702	2000	612	Ad	18003.2	2000	1015*	Ad
16703	2000	612	Ad	18003.7	1999	345	Ad
16704	2000	612	Ad	18210	1999	345	Am
16800	2000	612	Ad		2000	135	Am <sup>203</sup>
16900	2000	612	Ad	18321	1999	345	Am
16900.5	2000	612	Ad	18437	1999	345	Am
16901	2000	612	Ad	18586	2001	159	Am <sup>305</sup>
16902	2000	612	Ad	18608	1999	428	Am
16903	2000	612	Ad	18631	2000	101	Am
16904	2000	612	Ad	21200.1	2001	505	Am
16905	2000	612	Ad		2002	664	Am <sup>431</sup>
16906	2000	612	Ad	21200.6	2001	505	Am
17003	2000	437	Am	21201	2002	404	Am
17004.5	1999	441	Ad	21201.2	2001	505	Am
17005.2	2000	437	Ad	21201.3	2002	404	Am
17005.3	1999	441	Ad(RN)	21201.4	2000	128	Ad
	2000	437	Ad	21201.5	2002	404	Am
	2002	772	Am & RN	21203	2002	404	Am
17005.4	2002	772	Ad(RN)	22050	2000	1015*	Am
17005.5	1999	441	Am & RN & Ad		2002	777	Am <sup>511</sup>
17005.6	1999	441	Am				R <sup>63</sup>
17200	1999	441	Am				Ad <sup>512</sup>
17200.8	2000	437	Am	22056	2000	1055*	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
22105	2001	392	Am	23061	2002	777	Ad <sup>514</sup>
22109	2001	392	Am	23062	2002	777	Ad <sup>514</sup>
22154	2000	1015*	Am	23063	2002	777	Ad <sup>514</sup>
22157	2002	772	Am	23064	2002	777	Ad <sup>514</sup>
22203	1999	347	Am	23064.5	2002	777	Ad <sup>514</sup>
22251	1999	347	Am	23065	2002	777	Ad <sup>514</sup>
22305	1999	347	Am	23070	2002	777	Ad <sup>514</sup>
22330	1999	347	Am	23071	2002	777	Ad <sup>514</sup>
22337	1999	991	Am <sup>96 114</sup>	23072	2002	777	Ad <sup>514</sup>
22342	2002	772	Ad	23073	2002	777	Ad <sup>514</sup>
22467	1999	347	Am	23074	2002	777	Ad <sup>514</sup>
22470	2001	493	Ad	23100	2002	777	Ad <sup>514</sup>
22551	1999	347	Am	23101	2002	777	Ad <sup>514</sup>
22705	2002	772	Am	23102	2002	777	Ad <sup>514</sup>
22712	2002	772	Am	23103	2002	777	Ad <sup>514</sup>
23000	2002	777	Ad <sup>514</sup>	23104	2002	777	Ad <sup>514</sup>
23001	2002	777	Ad <sup>514</sup>	23105	2002	777	Ad <sup>514</sup>
23005	2002	777	Ad <sup>514</sup>	23106	2002	777	Ad <sup>514</sup>
23006	2002	777	Ad <sup>514</sup>	31220	2000	1015*	Am
23007	2002	777	Ad <sup>514</sup>	32301	2002	939*	Am
23008	2002	777	Ad <sup>514</sup>	32900	2X 2001–02	15*	S <sup>348 349</sup>
23009	2002	777	Ad <sup>514</sup>	32905	2X 2001–02	15*	S <sup>348 349</sup>
23010	2002	777	Ad <sup>514</sup>	32907	2X 2001–02	15*	S <sup>348 349</sup>
23011	2002	777	Ad <sup>514</sup>	32909	2X 2001–02	15*	S <sup>348 349</sup>
23012	2002	777	Ad <sup>514</sup>	32911	2X 2001–02	15*	S <sup>348 349</sup>
23013	2002	777	Ad <sup>514</sup>	32920	2X 2001–02	15*	S <sup>348 349</sup>
23014	2002	777	Ad <sup>514</sup>	32922	2X 2001–02	15*	S <sup>348 349</sup>
23015	2002	777	Ad <sup>514</sup>	32924	2X 2001–02	15*	S <sup>348 349</sup>
23016	2002	777	Ad <sup>514</sup>	32926	2X 2001–02	15*	S <sup>348 349</sup>
23017	2002	777	Ad <sup>514</sup>	32927	2X 2001–02	15*	S <sup>348 349</sup>
23018	2002	777	Ad <sup>514</sup>	32928	2X 2001–02	15*	S <sup>348 349</sup>
23019	2002	777	Ad <sup>514</sup>	32929	2X 2001–02	15*	S <sup>348 349</sup>
23020	2002	777	Ad <sup>514</sup>	32930	2X 2001–02	15*	S <sup>348 349</sup>
23021	2002	777	Ad <sup>514</sup>	32932	2X 2001–02	15*	S <sup>348 349</sup>
23023	2002	777	Ad <sup>514</sup>	32936	2X 2001–02	15*	S <sup>348 349</sup>
23024	2002	777	Ad <sup>514</sup>	32940	2X 2001–02	15*	S <sup>348 349</sup>
23025	2002	777	Ad <sup>514</sup>	32942	2X 2001–02	15*	S <sup>348 349</sup>
23026	2002	777	Ad <sup>514</sup>	32952	2X 2001–02	15*	S <sup>348 349</sup>
23027	2002	777	Ad <sup>514</sup>	32955	2001	745*	R
23035	2002	777	Ad <sup>514</sup>	32955	2X 2001–02	15*	S <sup>348 349</sup>
23036	2002	777	Ad <sup>514</sup>	32960	2X 2001–02	15*	Am <sup>348 349</sup>
23037	2002	777	Ad <sup>514</sup>	50003	2000	968	Am
23045	2002	777	Ad <sup>514</sup>	50204	2000	968	Am
23046	2002	777	Ad <sup>514</sup>	50302	2000	968	Am
23047	2002	777	Ad <sup>514</sup>	50314	2000	968	Am
23048	2002	777	Ad <sup>514</sup>	50320	2002	772	Am
23049	2002	777	Ad <sup>514</sup>	50325	2002	772	Am
23050	2002	777	Ad <sup>514</sup>	50401	2000	968	Am
23051	2002	777	Ad <sup>514</sup>	50700	1999	407	S <sup>74</sup>
23052	2002	777	Ad <sup>514</sup>	50701	1999	407	S <sup>74</sup>
23053	2002	777	Ad <sup>514</sup>	50702	1999	407	S <sup>74</sup>
23054	2002	777	Ad <sup>514</sup>	50703	1999	407	S <sup>74</sup>
23055	2002	777	Ad <sup>514</sup>	50704	1999	407	R
23056	2002	777	Ad <sup>514</sup>	50705	1999	407	S <sup>74</sup>
23057	2002	777	Ad <sup>514</sup>	50706	1999	407	S <sup>74</sup>
23058	2002	777	Ad <sup>514</sup>	50707	1999	407	Am <sup>74</sup>
23060	2002	777	Ad <sup>514</sup>				

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**FISH AND GAME 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>
16	2001	112	Ad	716.9	2001	398	Ad <sup>362</sup>
70	2001	112	Am	717	2001	398	Ad <sup>362</sup>
94	2002	559	Am	717.1	2001	398	Ad <sup>362</sup>
99	1999	483	Am	717.2	2001	398	Ad <sup>362</sup>
103	1999	483	Am	1000.5	2001	745*	Am
105	1999	483	Am		2001	753	R
200	1999	483	S <sup>20</sup>	1019	2002	8	Ad
	2001	398	S <sup>57</sup>	1050	2001	112	Am
201	1999	483	S <sup>20</sup>	1050.6	2001	753	Ad
	2001	398	S <sup>57</sup>	1051	2001	112	Am
202	1999	483	S <sup>20</sup>	1053	2001	112	R & Ad
	2001	398	S <sup>57</sup>		2001	753	Am (as ad by
	2002	389	Am				Stats. 2001,
203	1999	483	S <sup>20</sup>				Ch. 112)
	2001	398	S <sup>57</sup>	1055	2001	112	Am
203.1	1999	483	S <sup>20</sup>	1055.1	2001	112	Ad
	2001	398	S <sup>57</sup>	1055.5	2001	112	Am
204	1999	483	S <sup>20</sup>	1055.6	2001	112	Ad
	2001	398	S <sup>57</sup>		2002	453	Am
205	1999	483	S <sup>20</sup>	1056	2001	112	Am
	2001	398	S <sup>57</sup>	1057	2001	112	Am
206	1999	483	S <sup>20</sup>		2002	453	Am
	2001	398	S <sup>57</sup>	1058	2001	112	Am
207	1999	483	S <sup>20</sup>	1059	2001	112	Am
	2001	398	S <sup>57</sup>	1060	2001	112	Am
208	1999	483	S <sup>20</sup>	1061	2001	112	Ad
	2001	398	S <sup>57</sup>	1069	2002	973	Am
209	1999	483	S <sup>20</sup>	1348.3	2001	863	Ad
	2001	398	S <sup>57</sup>	1352.5	2000	395	Ad
210	1999	483	S <sup>20</sup>	1360	2001	588	Ad
	2001	398	S <sup>57</sup>	1361	2001	588	Ad
	2002	784	Am <sup>490</sup>	1362	2001	588	Ad
211	1999	483	S <sup>20</sup>	1363	2001	588	Ad
	2001	398	S <sup>57</sup>	1363.5	2001	588	Ad <sup>355</sup>
215	1999	483	S <sup>20</sup>				R <sup>356</sup>
	2001	398	S <sup>57</sup>	1364	2001	588	Ad
217.5	1999	483	S <sup>20</sup>	1365	2001	588	Ad
	2001	398	S <sup>57</sup>	1366	2001	588	Ad
217.6	1999	483	S <sup>20</sup>	1367	2001	588	Ad
	2001	398	S <sup>57</sup>	1368	2001	588	Ad
218	1999	483	S <sup>20</sup>	1369	2001	588	Ad
	2001	398	S <sup>57</sup>	1370	2001	588	Ad
219	1999	483	S <sup>20</sup>	1372	2001	588	Ad
	2001	398	S <sup>57</sup>	1506	2000	418	Ad & R <sup>111</sup>
220	1999	483	S <sup>20</sup>		2001	159	Am <sup>305</sup>
	2001	398	S <sup>57</sup>	1525	2000	385	Am
221	1999	483	Am <sup>20</sup>	1528	2000	385	Am
	2001	398	R	1580	2000	385	Am
309	1999	483	Am	1586	1999	66*	Am
391	2000	388	Am	1590	2000	385	Ad
704	2001	398	Am	1591	2000	385	Ad
714	2001	112	Am	1796	2001	745*	Am
716	2001	398	Ad <sup>362</sup>	1850	2000	950	Ad
716.1	2001	398	Ad <sup>362</sup>	1851	2000	950	Ad
716.2	2001	398	Ad <sup>362</sup>	1852	2000	950	Ad
716.3	2001	398	Ad <sup>362</sup>	2079	2001	745*	Am
716.4	2001	398	Ad <sup>362</sup>	2081.7	2002	617	Ad
716.5	2001	398	Ad <sup>362</sup>	2087	2002	32	R
716.6	2001	398	Ad <sup>362</sup>				Ad & R <sup>317</sup>
716.7	2001	398	Ad <sup>362</sup>	2099	2001	745*	R
716.8	2001	398	Ad <sup>362</sup>	2300	2001	338*	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
2357	2000	167	R	3508	2002	453	Am
2645	2001	745*	Am	3509	2002	453	R
2800	2002	4	R & Ad	3510	2002	453	R
2801	2000	87*	Ad	3511	2002	617	Am
	2002	4	R & Ad	3682	2001	112	Am
2802	2002	4	Ad	3682.1	2001	112	Ad
2805	2002	4	R & Ad	3682.2	2001	112	Ad
	2002	133	R (as ad by Sec. 2, Stats. 2002, Ch. 4) & Ad	3684	2001	112	Am
				3700	2001	112	Am
2809	2002	4	Ad	3700.1	2001	112	Ad
2810	2002	4	R & Ad	3700.2	2001	112	Ad
2811	2000	87*	Ad	3701	2001	112	Am
	2002	4	R	3701.5	2001	112	R
2815	2000	87*	Ad	3951	2001	745*	Am
	2002	4	R & Ad	4005	2002	571	Am
2820	2002	4	R & Ad	4152	2002	571	Am
2821	2002	4	Ad	4180	2002	571	Am
2822	2002	4	Ad	4301	2000	373	Am
2823	2002	4	Ad	4336	2001	112	Am
2825	2002	4	R & Ad	4654	2001	112	Am
2826	2002	4	Ad	4657	2001	112	Am
2827	2002	4	Ad	4700	2002	617	Am
2828	2002	4	Ad	4753	2001	112	Am
2829	2002	4	Ad	4801	1999	435*	Am
2830	2002	4	R & Ad	4904	2001	745*	Am
2835	2002	4	R & Ad	5050	2002	617	Am
2840	2002	4	R	5515	2002	617	Am
2850	1999	1015	Ad	5521.5	2000	388	Am
2851	1999	1015	Ad		2001	753	Am
2852	1999	1015	Ad	5521.6	1999	483	Ad
	2000	385	Am	6420	1999	83	Am <sup>30</sup>
2853	1999	1015	Ad	6430	1999	185	S <sup>19</sup>
2854	1999	1015	Ad		2001	753	Am
2855	1999	1015	Ad	6431	1999	185	S <sup>19</sup>
2856	1999	1015	Ad	6432	1999	185	S <sup>19</sup>
2857	1999	1015	Ad		2000	388	Am
2858	1999	1015	Ad	6433	1999	185	S <sup>19</sup>
2859	1999	1015	Ad		2000	388	R & Ad(RN)
	2001	753	Am	6434	1999	185	S <sup>19</sup>
	2002	559	Am		2000	388	R
2860	1999	1015	Ad	6435	1999	185	S <sup>19</sup>
2861	1999	1015	Ad		2000	388	R
	2001	753	Am	6436	1999	185	S <sup>19</sup>
2862	1999	1015	Ad		2000	388	R
2863	1999	1015	Ad	6437	1999	185	S <sup>19</sup>
2920	2000	223	Ad & R <sup>208</sup>		2000	388	R
	2001	398	S <sup>74</sup>	6438	1999	185	S <sup>19</sup>
2921	2000	223	Ad & R <sup>208</sup>		2000	388	R
	2001	159	Am <sup>305</sup>	6439	1999	185	Am <sup>19</sup>
	2001	398	S <sup>74</sup>		2000	388	Am & RN
2922	2000	223	Ad & R <sup>208</sup>	6450	2001	745*	Am
	2001	398	Am <sup>74</sup>	6453	2001	753	Am
2923	2000	223	Ad & R <sup>208</sup>	6455	2001	753	Am
	2001	398	Am <sup>74</sup>	6459	2001	745*	R
	2000	223	Ad & R <sup>208</sup>	6590	2001	89	S <sup>57</sup>
	2001	398	Am <sup>74</sup>	6591	2001	89	S <sup>57</sup>
3034	2001	112	R	6592	2001	89	S <sup>57</sup>
3050	2002	453	Am	6593	2001	89	S <sup>57</sup>
3055	2001	112	Am	6594	2001	89	S <sup>57</sup>
3055.1	2001	112	Ad	6595	2001	89	S <sup>57</sup>
3409	2001	745*	Am	6596	2001	89	S <sup>57</sup>

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
6596 (Cont.)	2001	112	Am	7149.05	2001	112	Ad R & Ad <sup>8</sup>
6596.1	2001	112	Ad	7149.1	2001	112	Am
6597	2001	89	S <sup>57</sup>	7149.15	2001	112	Ad
6597.5	2001	89	S <sup>57</sup>	7149.4	2001	112	Am
6598	2001	89	S <sup>57</sup>		2001	753	Am (as am by Stats. 2001, Ch. 112)
6599	2001	89	S <sup>57</sup>				
	2001	745*	Am	7149.45	2001	112	Ad
6600	2001	89	R		2001	753	Am (as ad by Stats. 2001, Ch. 112)
6930	2002	985	Ad				
6950	2002	599	Ad	7149.8	2001	112	R & Ad
6952	2002	599	Ad	7150	2000	238	Am
6953	2002	599	Ad	7151	1999	83	Am <sup>30</sup>
6954	2002	599	Ad	7153	2002	573	Am
6955	2002	599	Ad	7180	2001	112	Am
6956	2002	599	Ad	7180.1	2001	112	Ad
7000	1999	483	R	7181	2001	112	Am
7005	1999	483	R	7181.1	2001	112	Ad
7010	1999	483	R	7182	2001	112	Am
7011	1999	483	R	7182.1	2001	112	Ad
7015	1999	483	R	7183	2001	112	Am
7020	1999	483	R	7183.1	2001	112	Ad
7022	1999	483	R	7184	2001	112	Am
7025	1999	483	R	7184.1	2001	112	Ad
7030	1999	483	R	7186	2001	112	Am
7057	1999	483	Ad	7186.1	2001	112	Ad
	2002	559	R	7260	2002	645	Ad
7058	2002	559	Am	7261	2002	645	Ad
7059	1999	483	Am	7360	2001	112	R & Ad
7065	1999	483	Am		2001	753	S <sup>19</sup>
7066	1999	483	Am	7360.1	2001	112	Ad
7071	1999	483	Am		2001	753	S <sup>19</sup>
	2002	559	Am	7361	2001	753	Am <sup>19</sup>
7072	1999	483	Am	7362	2001	753	Am <sup>19</sup>
	2000	388	Am	7363	2001	753	Am <sup>19</sup>
	2002	559	Am	7380	2002	594	Am <sup>424</sup>
7073	1999	483	Am				R <sup>69</sup>
7074	1999	483	Am	7381	2002	594	Am <sup>424 68</sup>
Div. 6, Pt. 1.7, Ch. 8, heading (Sec. 7090 et seq.)				7382	2002	594	Ad <sup>424</sup>
	1999	483	Am				R <sup>69</sup>
7090	1999	483	Am	7630	2002	962*	Ad
	2002	559	Am	7650	2002	559	Am
7146	2001	112	R	7655	2000	388	Am
7149	2001	112	Am (as am by Sec. 5 and as ad by Sec. 6, Stats. 1998, Ch. 247)	7700	2001	112	Am
	2001	753	R (as am by Sec. 38, Stats. 2001, Ch. 112)	7704	1999	483	Am
			Am (as am by Sec. 37, Stats. 2001, Ch. 112) <sup>13</sup>	7710	1999	483	Am
				7712	1999	483	Am
				7715	2000	144*	Am
				7852.3	2001	753	Am
				7860	2000	410	S <sup>75</sup>
					2001	753	Am
				7861	2000	410	S <sup>75</sup>
				7861.1	2000	410	S <sup>75</sup>
				7861.2	2000	410	S <sup>75</sup>
				7861.3	2000	410	S <sup>75</sup>
				7861.4	2000	410	S <sup>75</sup>
				7862	2000	410	S <sup>75</sup>
				7862.5	2002	962*	Ad
				7863	2000	410	Am <sup>75</sup>

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

## FISH AND GAME 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>
7881	2001	753	Am		2001	318	S <sup>54 57</sup>
8022	2000	388	Am	8425	2000	717	S <sup>257 19</sup>
8043.2	1999	502 *	Ad		2001	318	R & Ad
8045	2002	962 *	Am	8426	2000	717	S <sup>257 19</sup>
8047	2002	962 *	Am		2001	318	S <sup>333</sup>
8051.2	2001	633	Am <sup>75</sup>	8427	2000	717	S <sup>257 19</sup>
8051.3	2001	314	Am <sup>75</sup>		2001	318	S <sup>333</sup>
8051.4	2001	314	Am <sup>68</sup>	8428	2000	717	S <sup>257 19</sup>
8053	2001	753	Am		2001	318	R & Ad
8100	1999	483	Am	8429	2000	717	S <sup>257 19</sup>
8101	1999	483	Am		2001	318	Am <sup>54 57</sup>
	2000	388	Am	8429.5	2000	717	S <sup>257 19</sup>
8113	2002	573	Am		2001	318	S <sup>54 57</sup>
8150.5	2000	388	Am	8429.7	2000	717	Am <sup>257 19</sup>
8150.7	2000	388	Am		2001	318	R & Ad
8150.8	2000	388	R	8510	2000	410	Ad
8150.9	2000	388	R		2002	559	Am
8151	2000	388	R	8550.5	2000	388	Am
8152	2000	388	R	8552.6	1999	502 *	Am
8210	2002	573	R		2001	753	Am
8226	1999	502 *	Am	8552.8	2000	388	Am
8276.2	2000	410	Am <sup>228 75</sup>	8568	2002	962 *	Am
8276.3	2000	410	Am <sup>228 75</sup>	8568.5	2002	962 *	Ad
	2001	159	Am <sup>305</sup>	8569	2002	962 *	Am
8279.1	2000	410	Am <sup>228 75</sup>	8585.5	1999	483	Am
8280.1	2000	410	Am <sup>228 75</sup>	8586	1999	483	Am
8280.2	2000	410	Am <sup>228 75</sup>	8587	1999	483	Am
8280.3	2000	410	Am <sup>228 75</sup>	8587.1	1999	483	R & Ad
8280.4	2000	410	Am <sup>228 75</sup>		2002	559	Am
8280.5	2000	410	Am <sup>228 75</sup>	8587.2	1999	483	R
8280.6	2000	410	Am <sup>228 75</sup>	8598	1999	483	Am
8282	2002	573	Am	Div. 6,			
8387	2002	573	Am	Pt. 3,			
8394.5	2000	388	Am	Ch. 2,			
8395	2002	573	Am	Art. 20,			
8405	2001	753	S <sup>146 43</sup>	heading			
8405.1	2001	753	S <sup>146 43</sup>	(Sec. 8599			
8405.2	2001	753	S <sup>146 43</sup>	et seq.)	1999	483	Am
8405.3	2001	753	S <sup>146 43</sup>	8599.4	1999	483	Ad
8405.4	2001	753	Am <sup>146 43</sup>	8601.5	2001	753	Am
8410	2000	388	R	8610.14	2000	385	Am
8411	2000	388	Am	8664.65	2000	388	R
8412	2000	388	Am	8681.5	1999	483	Am
8413	2000	388	R	8693.5	1999	483	R
8414	2000	388	R	8695.5	1999	483	R
8415	2000	388	R	8780.1	1999	483	Ad
8420	2000	717	S <sup>257 19</sup>	8837	1999	483	Am
	2001	318	Am <sup>54 57</sup>	9001.5	2001	753	Am
8420.5	2000	717	S <sup>257 19</sup>	9001.6	2001	753	Am <sup>146 43</sup>
	2001	318	S <sup>333</sup>	9001.8	2001	753	Ad
8421	2000	717	S <sup>257 19</sup>	10502.7	1999	502 *	Ad
	2001	318	S <sup>333</sup>	10503	2000	385	Am
8421.5	2000	717	S <sup>257 19</sup>	10656	1999	502 *	Ad
	2001	318	S <sup>333</sup>	10667	2002	573	Am
8422	2000	717	Am <sup>257 19</sup>	10711	2000	385	Am
	2001	318	S <sup>333</sup>	11019	2000	388	Am
8423	2000	717	Am <sup>257 19</sup>	12002	2000	374	Am
	2001	318	Am <sup>333</sup>	12002.3	2000	388	Am
8423.5	2000	717	S <sup>257 19</sup>	12002.5	2001	398	Am
	2001	318	S <sup>333</sup>	12002.8	2001	753	Am
8424	2000	717	S <sup>257 19</sup>	12006.6	2000	388	Am

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>
12006.6 (Cont.)				12157	2000	388	Am
	2001	753	Am	13005	2001	112	Am
12009	2000	388	Am	16533	2001	745*	R

**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	2282	1999	890*	Ad & R <sup>39</sup>
221	1999	83	Am <sup>30</sup>				Am (as am by
	2001	103*	Am				Sec. 5,
224	1999	890*	Am				Stats. 1998,
			R & Ad <sup>96</sup>				Ch. 870) <sup>56</sup>
	2001	145	Am (As ad by		2000	573*	R (as ad by
			Sec. 2,				Sec. 3,
			Stats. 1999,				Stats. 1999,
			Ch. 890) <sup>75</sup>				Ch. 890)
			R <sup>22</sup>				Am (as am by
			Ad <sup>175</sup>				Sec. 4,
227	2001	103*	Am				Stats. 1999,
411	2002	615	Ad				Ch. 890)
485	2002	982*	Ad	2282.5	1999	890*	Ad <sup>45</sup>
491	2000	589	Ad				R <sup>25</sup>
492	2000	589	Ad		2000	573*	Am <sup>36 13</sup>
	2001	159	Am <sup>305</sup>	2287	1999	890*	Ad
500	2000	670	Ad	3332.1	2001	423	Am
501	2000	670	Ad	4051.1	2001	423	Am
522	2000	1082	Am	4051.2	2001	423	Ad
529	2000	1082	Am	4101.2	1999	67*	Ad
531	2000	1082	Am	4101.5	2001	745*	R
705	2000	1055*	Am	4108	2001	479	Am
821	2000	670	Am	4155	1999	370	Am
884	2002	946	Am	5852	1999	83	Am <sup>30</sup>
951.5	2002	982*	Ad		2001	256	Am
Div. 1, Pt. 3, heading (Sec. 1101 et seq.)				6025	2000	338	S <sup>43</sup>
				6025.2	2000	338	S <sup>43</sup>
				6025.5	2000	338	S <sup>43</sup>
				6026	2000	338	S <sup>43</sup>
	2000	739*	Am (as ad by	6026.5	2000	338	S <sup>43</sup>
			Stats. 2000,	6027	2000	338	S <sup>43</sup>
			Ch. 144)	6027.5	2000	338	Am <sup>43</sup>
1101	2000	144*	Ad & R <sup>19</sup>	6028	2000	338	S <sup>43</sup>
	2000	739*	Am (as ad by	6029	2000	338	Am <sup>43</sup>
			Stats. 2000,	6045	2000	21*	Ad <sup>174</sup>
			Ch. 144)				R <sup>100</sup>
1102	2000	144*	Ad & R <sup>19</sup>	6046	2000	21*	Ad <sup>174</sup>
	2000	739*	Am (as ad by				R <sup>100</sup>
			Stats. 2000,		2001	159	Am <sup>305</sup>
			Ch. 144)	6047	2000	21*	Ad <sup>174</sup>
1103	2000	144*	Ad & R <sup>19</sup>				R <sup>100</sup>
	2000	739*	Am (as ad by	6047.1	2001	103*	Ad & R <sup>299</sup>
			Stats. 2000,	6047.10	2001	103*	Ad & R <sup>299</sup>
			Ch. 144)	6047.11	2001	103*	Ad & R <sup>299</sup>
	2002	664	Am <sup>431</sup>	6047.12	2001	103*	Ad & R <sup>299</sup>
	2X 2001-02	4*	Am	6047.13	2001	103*	Ad & R <sup>299</sup>
1104	2000	144*	Ad & R <sup>19</sup>	6047.14	2001	103*	Ad & R <sup>299</sup>
1105	2000	144*	Ad & R <sup>19</sup>	6047.15	2001	103*	Ad & R <sup>299</sup>
1106	2000	144*	Ad & R <sup>19</sup>	6047.16	2001	103*	Ad & R <sup>299</sup>
1107	2000	144*	Ad & R <sup>19</sup>	6047.17	2001	103*	Ad & R <sup>299</sup>
	2000	739*	Am (as ad by	6047.18	2001	103*	Ad & R <sup>299</sup>
			Stats. 2000,	6047.19	2001	103*	Ad & R <sup>299</sup>
			Ch. 144)	6047.2	2001	103*	Ad & R <sup>299</sup>
1108	2000	144*	Ad & R <sup>19</sup>	6047.3	2001	103*	Ad & R <sup>299</sup>
1109	2001	373	Ad	6047.35	2002	741*	Ad
1500	2002	348	Ad	6047.4	2001	103*	Ad & R <sup>299</sup>
1501	2002	348	Ad		2002	741*	Am
2181	2000	806	Am	6047.5	2001	103*	Ad & R <sup>299</sup>
2182	2000	806	Am		2002	741*	Am

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**FOOD AND AGRICULTURAL 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>
6047.6	2001	103 *	Ad & R <sup>299</sup>	6971	2000	154	Am <sup>206 43</sup>
	2002	741 *	Am	6972	2000	154	S <sup>206 43</sup>
6047.7	2001	103 *	Ad & R <sup>299</sup>	6973	2000	154	S <sup>206 43</sup>
	2002	664	Am <sup>431</sup>	6974	2000	154	S <sup>206 43</sup>
6047.8	2001	103 *	Ad & R <sup>299</sup>	6975	2000	154	S <sup>206 43</sup>
6047.9	2001	103 *	Ad & R <sup>299</sup>	6976	2000	154	S <sup>206 43</sup>
6070	2002	221	Am	6977	2000	154	S <sup>206 43</sup>
6076	2002	221	Am	6978	2000	154	Am <sup>206 43</sup>
6077	2002	221	Am	6979	2000	154	Am <sup>206 43</sup>
6078	2002	221	Am	7270	1999	961	Ad
6215	2002	221	Am		2000	315	Am
6253	2000	262	Am	7270.5	2000	315	Ad
6292	2001	442 *	Ad	7271	1999	961	Ad <sup>37</sup>
6292.1	2001	442 *	Ad		2000	315	Am
6292.2	2001	442 *	Ad	7272	1999	961	Ad
6292.3	2001	442 *	Ad		2000	315	Am
6293	2001	442 *	Ad	7272.5	2000	315	Ad
6293.1	2001	442 *	Ad	7273	1999	961	Ad
6293.10	2001	442 *	Ad		2000	315	Am
6293.11	2001	442 *	Ad	7274	1999	961	Ad
6293.12	2001	442 *	Ad	8456	2002	221	Am
6293.13	2001	442 *	Ad	Div. 4,			
6293.2	2001	442 *	Ad	Pt. 5.5,			
6293.3	2001	442 *	Ad	heading			
6293.4	2001	442 *	Ad	(Sec. 8760			
6293.5	2001	442 *	Ad	et seq.)	2001	179	Am
6293.6	2001	442 *	Ad	8760	2001	179	Am
6293.7	2001	442 *	Ad	8761	2001	179	Am
6293.8	2001	442 *	Ad	8762	2001	179	Am
6293.9	2001	442 *	Ad	8764	2001	179	Am
6294	2001	442 *	Ad	8764.5	2001	179	Am
6294.1	2001	442 *	Ad	8764.6	2001	179	Am
6294.2	2001	442 *	Ad	8765	2001	179	Am
6294.3	2001	442 *	Ad	8766	2001	179	Am
6294.4	2001	442 *	Ad	8767	2001	179	Am
6294.5	2001	442 *	Ad	8768	2001	179	Am
6294.6	2001	442 *	Ad	8769	2001	179	Am
6294.7	2001	442 *	Ad		2002	664	Am <sup>431</sup>
6295	2001	442 *	Ad	8770	2001	179	Am
6295.1	2001	442 *	Ad		2002	664	Am <sup>431</sup>
6295.2	2001	442 *	Ad	8771	2001	179	Am
6295.3	2001	442 *	Ad	8772	2001	179	Am
6295.4	2001	442 *	Ad	9101	2001	503	R & Ad
6295.5	2001	442 *	Ad	9202	2002	822	Am
6295.6	2001	442 *	Ad	9212	2002	822	Am
6296	2001	442 *	Ad	9221	2002	822	Am
6296.1	2001	442 *	Ad	9231	2002	822	Am
6296.2	2001	442 *	Ad	9266	2002	822	Ad
6296.3	2001	442 *	Ad	9267	2002	822	Ad
6296.5	2001	442 *	Ad	9268	2002	822	Ad
6296.6	2001	442 *	Ad	9269	2002	822	Ad
6296.7	2001	442 *	Ad	9561	2001	503	Am
6296.8	2001	442 *	Ad	9562	1999	447	Am
6296.9	2001	442 *	Ad	9563	2001	503	Am
6297	2001	442 *	Ad	9564	2001	503	Am
6298	2001	442 *	Ad	9565	2001	503	R
6299	2001	442 *	Ad	9566	2001	503	R
6723	1999	450	Am <sup>79</sup>	9567	2001	503	R
			R <sup>80</sup>	9568	2001	503	R
			Ad <sup>81</sup>	9569	2001	503	Am
6741	2002	535	Am	9570	2001	503	Am

**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
9571	2001	503	R	14033	2000	806	Am
9572	2001	503	R	14104	2001	745*	R
9573	2001	503	Am	14651	1999	83	Am <sup>30</sup>
9574	2001	503	Am	15051	2000	1000	Am
9592	2001	503	Am	15052	2000	1000	R
9593	2001	503	Am	15053	2000	1000	Am
9692	2001	503	Am	15054	2000	1000	Am
9693	2001	503	Am	15055	2000	1000	Am
9694	2001	503	Am	15061	2000	1000	Am
9695	2001	503	Am	15062	2000	1000	Am
9696	2001	503	Am	15072.5	2001	397	Ad
9697	2001	503	Am	15080	2001	397	Am
10511	2001	503	Am	15204	2000	1000	Am
10512	2001	503	Am	18943	2000	373	Am
10610	2000	425	Ad	18946	2000	373	Am
	2001	503	Am	18947	2000	373	Am
10704	1999	447	Ad	18963	2000	373	Ad
10721	1999	447	Am	18991	2000	373	Am
10782	1999	447	Am & RN	19000	2000	373	Am
			Ad	19001	2000	373	Am
10783	1999	447	Am & RN	19013	2000	373	Am
			Ad	19016	2000	373	Am
10784	1999	447	Ad	19020	2000	373	Am
10785	1999	447	Ad(RN)	19213	1999	329	Am
10786	1999	447	Ad(RN)		2002	535	Am
11480	1999	609	Ad	19215	2002	535	Am
11481	1999	609	Ad	19300	1999	329	Am
11482	1999	609	Ad	19300.5	1999	329	Ad
11483	1999	609	Ad	19302	1999	329	Am
11484	1999	609	Ad	19304	1999	329	Am
11485	1999	609	Ad	19305	1999	329	Am
11503.5	2002	457	Ad	19306	1999	329	Am
11517	1999	609	Am	19447	1999	329	Am
11518	1999	889	Ad	19501	2000	373	Am
11734	2000	1000	Am	20437	2001	182	Am
11937	2001	44	Am		2002	664	Am <sup>431</sup>
12798.1	1999	627*	Ad & R <sup>18</sup>	20634	2001	182	R
12841	2001	523	Am <sup>37</sup>	20755	2001	182	Am
12841.1	2001	523	Am <sup>37 375</sup>	20797	1999	83	Am <sup>30</sup>
12847.5	2001	523	Ad	21051	2001	182	Am
12976	2000	806	Am	21052	2001	182	Am
12999.4	2000	806	Am		2002	664	Am <sup>431</sup>
12999.5	2000	806	Am	21067	2001	182	Am
	2002	457	Am	21286	2001	182	R
12999.6	2000	806	Ad & R <sup>244</sup>	21855	1999	991	Am <sup>96 114</sup>
13000	1999	609	Am	24000	2002	434	Am
13127.93	2001	745*	R	24001	2002	434	Am
13135	2001	745*	Am	24002	2002	434	Am
13180	2000	718	Ad	24007	2002	434	Am
13181	2000	718	Ad	24009	2002	434	Am
13182	2000	718	Ad	24010	2002	434	Am
13183	2000	718	Ad	24011	2002	434	Am
13184	2000	718	Ad	24011.5	2002	434	Ad
13185	2000	718	Ad	24012	2002	434	Am
13186	2000	718	Ad	24013	2002	434	Am
13187	2000	718	Ad	24017	2002	434	Am
13188	2000	718	Ad	24713	2002	535	Am
13190	2002	591	Ad	25023	2002	535	Am
13191	2002	591	Ad	25703	2002	535	Am
13192	2002	591	Ad	27522	1999	197	Ad
14008	2000	806	Am	27523	1999	197	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
27571	1999	197	Am		2002	533	Ad
27573	2002	535	Am	46009	2002	533	R & Ad
27644	1999	197	Am	46011	2002	533	R & Ad
	2002	535	Am	46013.1	2002	533	Ad
30801	2002	784	Am <sup>490</sup>	46013.2	2002	533	Ad
31108	2000	567	Am	46014.1	2002	533	Ad
31108.5	2000	567	Ad	46014.2	2002	533	Ad
31503	2002	784	Am <sup>490</sup>	46014.4	2002	533	Ad
31621	2002	784	Am <sup>490</sup>	46014.6	2002	533	Ad
31622	2002	784	Am <sup>490</sup>	46015	2002	533	R & Ad
31752	2000	567	Am	46016.1	2002	533	Ad
31752.2	2000	567	Ad	46016.2	2002	533	Ad
31753	1999	83	Am <sup>30</sup>	46016.3	2002	533	Ad
	2000	567	Am	46016.4	2002	533	Ad
31754	2000	57	Am (as ad by	46016.5	2002	533	Ad
			Sec. 16 and	46017	2002	533	Ad
			Sec. 16.5,	46018.1	2002	533	Ad
			Stats. 1998,	46018.2	2002	533	Ad
			Ch. 752)	46020	2002	533	Ad
	2000	567	Am (by Sec. 6.5	46021	2002	533	Ad
			of Ch., as ad by	46022	2002	533	Ad
			Sec. 16,	46023	2002	533	Ad
			Stats. 1998,	46024	2002	533	Ad
			Ch. 752) <sup>21 20</sup>	46027	2002	533	Ad
			Am (by Sec. 7.5	46028	2002	533	Ad
			of Ch., as ad by	46029	2002	533	Ad
			Sec. 16.5,	47000	1999	833	Am
			Stats. 1998,	47001	1999	833	Am
			Ch. 752) <sup>35</sup>	47002	1999	833	R & Ad
31755	1999	81 *	Ad & R <sup>39</sup>	47003	1999	833	Am
33227	2000	115	Am	47004	1999	833	Am
33481	2002	524	Am	47004.1	1999	833	Ad
42801	1999	240	S <sup>18</sup>	47005	2001	373	Ad
42802	1999	240	S <sup>18</sup>	47005.1	2001	373	Ad
42803	1999	240	S <sup>18</sup>	47005.2	2001	373	Ad
42804	1999	240	S <sup>18</sup>	47005.3	2001	373	Ad
42805	1999	240	S <sup>18</sup>	47010	1999	833	S <sup>57</sup>
42806	1999	240	S <sup>18</sup>	47011	1999	833	Am <sup>57</sup>
42807	1999	240	S <sup>18</sup>	47012	1999	833	S <sup>57</sup>
42808	1999	240	S <sup>18</sup>	47013	1999	833	Am <sup>57</sup>
42809	1999	240	S <sup>18</sup>	47014	1999	833	R
42810	1999	240	S <sup>18</sup>	47020	1999	833	R (as ad by
42811	1999	240	S <sup>18</sup>				Sec. 1.5,
42812	1999	240	S <sup>18</sup>				(2nd text),
42813	1999	240	S <sup>18</sup>				Stats. 1966,
42814	1999	240	S <sup>18</sup>				Ch. 606)
42815	1999	240	Am <sup>18</sup>				Am (as ad by
42943	1999	452	Am				Sec. 1.5,
43100	2002	535	Am				(1st text),
44975	1999	609	Am				Stats. 1996,
45040	2002	946	Am				Ch. 606) <sup>13</sup>
46000	2002	533	Am	47021	1999	833	Ad & R <sup>18</sup>
46001	2002	533	Ad	47022	2001	373	Ad
46002	2002	533	R & Ad	47022.1	2001	373	Ad
46003	1999	609	Am	47022.2	2001	373	Ad
	2002	533	Am	47022.3	2001	373	Ad
46003.5	1999	609	Am	47022.4	2001	373	Ad
46004.1	2002	533	Ad	47022.5	2001	373	Ad
46005	2002	533	R & Ad	47022.6	2001	373	Ad
46007	2002	533	R & Ad	47022.7	2001	373	Ad
46008	1999	609	R	47025	1999	833	S <sup>18</sup>

**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>
47025 (Cont.)	2001	373	Am	55107	2000	579	Ad
	1999	833	Am <sup>18</sup>	55108	2000	579	Ad
47026	2002	946	S <sup>57</sup>	55484.75	1999	198	Am
48000	2002	946	S <sup>57</sup>	55523	1999	198	Am
48001	2002	946	S <sup>57</sup>		2000	768	Am
48002	1999	507*	Am	55601.5	1999	199	Am
	2002	946	S <sup>57</sup>	55702	1999	991	Am <sup>96 114</sup>
48002.5	1999	507*	Ad		2000	135	Am <sup>203</sup>
	2002	946	S <sup>57</sup>	55722.5	2000	768	Am
48003	2002	946	S <sup>57</sup>	55861	1999	143	Am
48004	2002	946	R	55862	1999	198	Am
52100	2000	359	Ad	55882	2000	768	Am
52456	2000	589	Am	55901	2000	412	Am (by Sec. 1 of Ch.)
55000	2000	579	Ad		2000	768	Am (by Sec. 4.5 of Ch.)
55001	2000	579	Ad	55922	2000	412	Am (by Sec. 2 of Ch.)
55002	2000	579	Ad		2000	768	Am (by Sec. 5.5 of Ch.)
55003	2000	579	Ad	56133.5	2000	768	Am
55006	2000	579	Ad	56183.5	1999	198	Am
55007	2000	579	Ad	56185.75	1999	198	Am
55008	2000	579	Ad	56382.5	2000	768	Am
55009	2000	579	Ad	56572	1999	198	Am
55010	2000	579	Ad	56621	2000	768	Am
55010.5	2000	579	Ad	56631	2000	412	Am (by Sec. 3 of Ch.)
55011	2000	579	Ad		2000	768	Am (by Sec. 9.5 of Ch.)
55012	2000	579	Ad	56652	2000	412	Am (by Sec. 4 of Ch.)
55013	2000	579	Ad		2000	768	Am (by Sec. 10.5 of Ch.)
55014	2000	579	Ad	57405	1999	991	Am <sup>96 114</sup>
55015	2000	579	Ad	57408	1999	991	Am <sup>96 114</sup>
55020	2000	579	Ad	57409	1999	991	Am <sup>96 114</sup>
55020.5	2000	579	Ad	57411	1999	991	Am <sup>96 114</sup>
55021	2000	579	Ad	57516	1999	991	Am <sup>96 114</sup>
55022	2000	579	Ad	57517	1999	991	Am <sup>96 114</sup>
55040	2000	579	Ad	57519	1999	991	Am <sup>96 114</sup>
55045	2000	579	Ad	57530	1999	991	Am <sup>96 114</sup>
55046	2000	579	Ad	57531	1999	991	Am <sup>96 114</sup>
55047	2000	579	Ad	57540	1999	991	Am <sup>96 114</sup>
55050	2000	579	Ad	57567	1999	991	Am <sup>96 114</sup>
55051	2000	579	Ad	57568	1999	991	Am <sup>96 114</sup>
55052	2000	579	Ad	57570	1999	991	Am <sup>96 114</sup>
55060	2000	579	Ad	57581	1999	991	Am <sup>96 114</sup>
55061	2000	579	Ad	57582	1999	991	Am <sup>96 114</sup>
55062	2000	579	Ad	57590	1999	991	Am <sup>96 114</sup>
55063	2000	579	Ad	58553.5	2002	982*	Ad
55070	2000	579	Ad	58579	2002	982*	R
55071	2000	579	Ad	58750	2001	118*	Ad
55072	2000	579	Ad	58889	2002	157	R (as ad by Sec. 2, Stats. 1998, Ch. 912)
55074	2000	579	Ad				Am (as am by Sec. 1, Stats. 1998, Ch. 912) <sup>13</sup>
55075	2000	579	Ad				
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				
55105	2000	579	Ad				
55106	2000	579	Ad				

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**FOOD AND AGRICULTURAL 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>
58897	1999	609	Ad	67033	2002	946	R
58937	2000	1055 *	Am	67036	2002	946	R
59947	2000	1055 *	Am	67036.5	2002	946	Am
61371	2000	164	R	67039	2002	946	Am
61371.5	2000	164	R	67040.5	2002	946	Ad
61372	2000	164	R	67041	2002	946	Am
61373	2000	164	R	67042	2002	946	Am
61375	2000	164	R	67044	2002	946	Am
61375.5	2000	164	R	67045	2002	946	R
61376	2000	164	R	67051	2002	946	Am
61377	2000	164	R	67051.1	2002	946	Am
61378	2000	164	R	67051.3	2002	946	R
61378.5	2000	164	R	67051.5	2002	946	Am
61379	2000	164	R	67051.6	2002	946	Am
61384	2000	164	Am	67052	2002	946	Am
61581	1999	682	Ad & R <sup>5</sup>	67053	2002	946	Am
61582	1999	682	Ad & R <sup>5</sup>	67054	2000	587	Am
61583	1999	682	Ad & R <sup>5</sup>		2002	946	Am
61584	1999	682	Ad & R <sup>5</sup>	67055	2002	946	Am
61585	1999	682	Ad & R <sup>5</sup>	67055.5	2002	946	R
61586	1999	682	Ad & R <sup>5</sup>	67055.6	2002	946	R
61587	1999	682	Ad & R <sup>5</sup>	67056	2002	946	Am
62560	2002	769	Am	67058	2002	946	Am
62569	2002	524	Am	67059	2002	946	Am
62765	2001	828 *	Ad	67059.5	2002	946	Am
63901	2001	510	Am	67060	2002	946	Am
63901.3	2001	510	Ad	67061	2002	946	Am
63901.4	2001	510	Ad	67062	2002	946	Am
63902	2001	510	Am	67081	2002	946	Am
63905	2001	510	Ad	67082	2002	946	Am
64101	2000	298	Am	67091	2002	946	Am
64114	2000	298	Am	67092	2002	946	R
64301	2000	298	Am	67093	2002	946	R
64309	2000	1055 *	Am	67094	2002	946	Am
64320	2000	298	Am	67101	2002	946	Am
64321	2000	298	Am	67102	2002	946	Am
64321.5	2000	298	Am	67103	2002	946	Am
64322	2000	298	Am	67104	2002	946	Am
64591	2001	291	Am	67105	2000	587	Am
64593	2001	291	Am		2002	946	Am
64600	2001	291	Am	67106	2002	946	R
64601	2001	291	Am	67107	2002	946	Am
64605	2001	291	Am	67111	2002	946	Am
64662	2001	291	Am	67112	2002	946	Am
64663	2001	291	Am	67112.5	2002	946	Ad
64691	2001	291	Am	67121	2002	946	Am
64691.5	2001	291	Am	67121.5	2002	946	R
64696	2000	1055 *	Am	67122	2002	946	Am
64702	2001	291	Am	67123	2002	946	Am
67003	2002	946	Am	67124	2002	946	Am
67005	2002	946	Am	67125	2002	946	Am
67006	2002	946	Am	67126	2002	946	Am
67024	2002	946	R	67131	2002	946	Am
67026	2002	946	R	67131.5	2002	946	R
67027	2002	946	R	67131.6	2002	946	R
67028	2002	946	Am	67132	2002	946	Am
67030	2002	946	Am	67133	2002	946	Am
67031	2002	946	R	67134	2002	946	Am
67032	2002	946	R	67140	2002	946	Am
67032.5	2002	946	R	67141	2002	946	Am

**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
67142	2002	946	Am	79026	2002	973	Ad
67143	2002	946	Am	79040	2002	973	Ad
74901	2000	587	Am	79041	2002	973	Ad
74901.5	2000	587	Ad	79042	2002	973	Ad
75030	2001	384	Am	79043	2002	973	Ad
75033.5	2001	384	Ad	79044	2002	973	Ad
75090.5	2001	384	Ad	79045	2002	973	Ad
	2002	664	Am <sup>431</sup>	79046	2002	973	Ad
75131	2000	587	Am	79047	2002	973	Ad
	2001	159	Am <sup>305</sup>	79048	2002	973	Ad
	2001	384	Am	79049	2002	973	Ad
76227	2001	397	Am	79050	2002	973	Ad
76229	2001	397	Am	79051	2002	973	Ad
76230	2001	397	Am	79052	2002	973	Ad
76233	2001	397	Am	79053	2002	973	Ad
76293	2001	397	Am	79054	2002	973	Ad
76293.5	2001	397	Ad	79055	2002	973	Ad
76294	2001	397	Am	79056	2002	973	Ad
76341	2001	397	Am	79057	2002	973	Ad
76341.7	1999	29*	Ad	79061	2002	973	Ad
76342	2001	397	Am	79062	2002	973	Ad
76343	2001	397	Am	79063	2002	973	Ad
76361	2001	397	Am	79064	2002	973	Ad
76363	2001	397	Am	79065	2002	973	Ad
76906	2000	1055*	Am	79066	2002	973	Ad
	2001	745*	Am	79067	2002	973	Ad
77002	1999	609	Am	79068	2002	973	Ad
77003.5	1999	609	Ad	79069	2002	973	Ad
77003.6	1999	609	Ad	79070	2002	973	Ad
77007.5	1999	609	Am	79071	2002	973	Ad
77008	1999	609	Am	79072	2002	973	Ad
77030	1999	609	Am	79073	2002	973	Ad
77032	1999	609	Am	79074	2002	973	Ad
77034	1999	609	Am	79075	2002	973	Ad
77090	1999	609	Am	79076	2002	973	Ad
77091	1999	609	Am	79077	2002	973	Ad
77093	1999	609	Am	79078	2002	973	Ad
77095	1999	609	Am	79079	2002	973	Ad
77096	1999	609	Am	79080	2002	973	Ad
77097	1999	609	Am	79081	2002	973	Ad
77123	1999	609	Am	79100	2002	973	Ad
78558	2000	1055*	Am	79101	2002	973	Ad
78636	2001	373	Am	79102	2002	973	Ad
78674	2001	373	Am	79103	2002	973	Ad
79000	2002	973	Ad	79104	2002	973	Ad
79001	2002	973	Ad	79120	2002	973	Ad
79002	2002	973	Ad	79121	2002	973	Ad
79003	2002	973	Ad	79122	2002	973	Ad
79004	2002	973	Ad	79123	2002	973	Ad
79005	2002	973	Ad	79124	2002	973	Ad
79006	2002	973	Ad	79125	2002	973	Ad
79007	2002	973	Ad	79126	2002	973	Ad
79008	2002	973	Ad	79127	2002	973	Ad
79009	2002	973	Ad	79128	2002	973	Ad
79020	2002	973	Ad	79129	2002	973	Ad
79021	2002	973	Ad	79130	2002	973	Ad
79022	2002	973	Ad	79131	2002	973	Ad
79023	2002	973	Ad	79132	2002	973	Ad
79024	2002	973	Ad	79140	2002	973	Ad
79025	2002	973	Ad	79141	2002	973	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>		
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79142	2002	973	Ad	79144	2002	973	Ad
79143	2002	973	Ad	79145	2002	973	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>
7.6	2002	1008	Am	3309.5	2002	1156	Am
402	1999	416	Am	3312	2002	170	Ad
402.5	2001	387	Ad	3400	2002	226	Ad
424.3	2001	100	Ad	3401	2002	226	Ad
429.7	2002	365	Ad	3402	2002	226	Ad
434.5	2002	73	Am	3403	2002	226	Ad
811.9	2000	447	Ad	3404	2002	226	Ad
818.9	2002	806	Am	3405	2002	226	Ad
831.8	2001	756	Am <sup>316</sup>	3500	2000	901	Am
831.9	2001	756	Am <sup>75</sup>	3500.5	2000	901	Ad(RN)
900.2	2002	1007	Am	3501	2000	901	Am
900.3	2002	1007	Ad	3501.5	2000	1010	Am
910.4	2002	1124 *	Am <sup>533</sup>		2002	784	Am <sup>490</sup>
911.4	1999	620	Am	3501.6	2000	1010	R
912.4	2002	1007	Am	3502.1	2001	788	Ad
912.7	2002	1007	Ad	3502.5	2000	901	Am
912.8	2002	1007	Am		2001	259	Am
913	2002	1007	Am	3504.5	2002	1041	Am <sup>441</sup>
915	2002	1007	Am	3505.4	2000	316	Ad
915.2	2002	1124 *	Am	3507.1	2000	901	R & Ad
927.1	2000	151	Am		2001	790	Am
927.2	1999	784 *	Am	3508	1999	157	Am
927.5	1999	784 *	Am		2002	865	Am
935.6	2002	1007	Am	3508.1	2001	801	Ad
935.7	2002	1124 *	Am	3508.5	2000	901	Am
935.8	2002	1007	Am	3509	2000	901	Am & RN
940.2	2002	1007	Am				Ad <sup>96</sup>
940.3	2002	1007	Ad		2002	1137	Am
945.3	2002	784	Am <sup>490</sup>	3509.5	2002	1137	Ad
946.6	2001	44	Am	3510	2000	901	Am & RN
	2002	1007	Am				& Ad(RN)
948	2002	1007	Am	3511	2000	901	Ad
948.1	2002	1007	Ad	3513	1999	918	Am
955.4	2002	1007	Am	3515.7	2000	879	Am
955.9	2002	1007	Ad	3517.6	1999	446 *	Am
965	2002	1007	Am		2001	364 *	Am
965.2	2002	1007	Am	3517.61	2002	1 *	Am
965.6	2002	1007	Am	3517.65	1999	83	Am <sup>30</sup>
965.65	2002	1007	Am		1999	446 *	R
1031	2001	29	Am	3517.8	2000	879	Ad
1091	1999	349	Am	3540.1	1999	828	Am (by Sec. 5
1091.2	2000	108 *	Am				of Ch.)
1091.3	2001	101	Ad		2000	135	Am <sup>203</sup>
	2002	664	Am <sup>431</sup>		2000	893	Am
1091.5	1999	349	Am	3540.2	2001	734 *	Am
	2000	87 *	Am		2002	1168 *	Am
1151.5	2002	1144	Am	3543	2000	893	Am
1156	1999	971	Am		2001	805	Am
1156.1	2001	118 *	Ad	3543.4	2001	159	Am <sup>305</sup>
1322	1999	525	Am <sup>112</sup>	3546	2000	893	R & Ad
	2000	857	Am <sup>203</sup>		2001	805	Am
1770	2002	784	Am <sup>490</sup>	3562	1999	971	Am
1773.5	2002	658	Ad		2002	1046	Am
1780	1999	312	Am	3562.2	2000	1030	Ad
1997.53	1999	446 *	R		2001	159	Am <sup>305</sup>
3102	2000	506	Am		2001	793	Am
3105	2000	506	Am	3566	1999	971	Am
	2001	176	Am	3572.5	2001	808	Am
3114	2001	745 *	Am	3579	1999	971	Am
3306.5	2000	209	Ad	3583	1999	952	Am
3307.5	1999	338	Ad	3583.5	1999	952	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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3583.5 (Cont.)	2000	893	Am	4529.15	2000		
	2001	159	Am <sup>305</sup>		Initiative		
3584	1999	952	Ad		(Prop. 35		
3585	1999	952	Am		adopted		
3593	2002	1046	Am		Nov. 7,		Ad
4005	2002	221	Am	4529.16	2000		
4240	1X 2001–02	7 *	Ad & R <sup>37 20</sup>		Initiative		
4241	1X 2001–02	7 *	Ad & R <sup>37 20</sup>		(Prop. 35		
	1X 2001–02	13 *	Am		adopted		
4242	1X 2001–02	7 *	Ad & R <sup>37 20</sup>		Nov. 7,		Ad
4243	1X 2001–02	7 *	Ad & R <sup>37 20</sup>	4529.17	2000		
4244	1X 2001–02	7 *	Ad & R <sup>37 20</sup>		Initiative		
4245	1X 2001–02	7 *	Ad & R <sup>37 20</sup>		(Prop. 35		
4246	1X 2001–02	7 *	Ad & R <sup>37 20</sup>		adopted		
4246.5	1X 2001–02	7 *	Ad & R <sup>37 20</sup>		Nov. 7,		Ad
4247	1X 2001–02	7 *	Ad & R <sup>37 20</sup>	4529.18	2000		
4420	1999	521 *	R & Ad		Initiative		
	2000	763	Am		(Prop. 35		
4420.5	1999	521 *	Am		adopted		
	2001	734 *	Am		Nov. 7,		Ad
4451	2000	989	Am	4529.19	2000		
4454	2000	989	Am		Initiative		
4459	2000	989	Ad		(Prop. 35		
4460	1999	386	Ad		adopted		
4461	2002	244	Ad		Nov. 7,		Ad
4529.10	2000			4529.20	2000		
	Initiative				Initiative		
	(Prop. 35				(Prop. 35		
	adopted				adopted		Ad
	Nov. 7,				Nov. 7,		
	2000)				2000)		
4529.11	2000		Ad	4560	1999	83	Ad
	Initiative			6103.2	2002	1009	Am <sup>30</sup>
	(Prop. 35						Am
	adopted						R & Ad <sup>100</sup>
	Nov. 7,			6103.5	2002	784	Am <sup>490</sup>
	2000)			6103.9	2000	808 *	Am
4529.12	2000			6159	1999	514	Am
	Initiative				2001	108	Am
	(Prop. 35				2001	824	Am
	adopted			6162	2001	427	Am
	Nov. 7,			6163	2001	427	Am
	2000)			6166	1999	203	Ad
4529.13	2000		Ad				
	Initiative			Title 1,			
	(Prop. 35			Div. 7,			
	adopted			Ch. 3.1,			
	Nov. 7,			heading			
	2000)			(Sec. 6205			
4529.14	2000			et seq.)	2000	562	Am
	Initiative			6205	2000	33	Am
	(Prop. 35				2000	562	Am (by Sec. 3.5
	adopted						of Ch.)
	Nov. 7,						
	2000)						

**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
6205 (Cont.)	2002	380	S <sup>68</sup>	6254.24	2002	621	Ad
6205.5	2000	33	Am	6254.4	1999	312	Am
	2000	562	Am		2000	89	Am
	2002	380	S <sup>68</sup>	6254.5	1999	525	Am <sup>112</sup>
6206	2000	562	Am		2000	857	Am <sup>203</sup>
	2002	380	S <sup>68</sup>	6255	2000	982	Am
6206.4	2000	33	Ad	6276.10	2001	214	Am
	2002	380	S <sup>68</sup>	6276.46	2000	198	Am
6206.5	2000	33	Am	6277	1999	784*	Ad <sup>149</sup>
	2000	562	Am (by Sec. 6.5 of Ch.)				R <sup>8</sup>
6206.7	2002	380	S <sup>68</sup>	6500	1999	649	Am
	2000	33	Am	6500.1	2000	506	Ad
	2000	562	Am	6503.1	2002	339	Ad
6207	2002	380	S <sup>68</sup>	6505.5	1999	83	Am <sup>30</sup>
	2000	562	Am	6512.2	2001	38	Am
6207.5	2002	380	S <sup>68</sup>	6516.6	1999	649	Am
	2000	562	Am		2000	71*	Am <sup>190</sup>
6208	2002	380	S <sup>68</sup>		2000	1058	Am
	2000	33	Am		2001	159	Am <sup>305</sup>
6208.5	2002	380	S <sup>68</sup>		2001	734*	Am
	2000	562	Am	6518	1999	1000	Am
6209	2002	380	S <sup>68</sup>	6520	2002	784	Am <sup>490</sup>
	2000	562	R	6523.4	2002	55	Ad
6209.5	2000	562	R	6523.5	2000	506	Am
	2000	562	Am	6523.6	2000	506	Am
6209.7	2002	380	S <sup>68</sup>	6523.7	2000	506	Am
	2000	33	Am	6523.75	2000	506	Am & RN
6210	2002	380	S <sup>68</sup>	6523.8	2000	227	Ad
	2002	380	Am <sup>68</sup>	6523.9	2000	506	Ad(RN)
6211	2002	380	Ad & R <sup>68</sup>	6527	2002	750*	Am
6215	2002	380	Ad & R <sup>68</sup>	6528	2000	14*	Ad
6215.1	2002	380	Ad & R <sup>68</sup>	6530	2001	19	Ad
6215.2	2002	380	Ad & R <sup>68</sup>	6531	2002	961	Ad
6215.3	2002	380	Ad & R <sup>68</sup>	6547.9	2001	186	Ad
6215.4	2002	380	Ad & R <sup>68</sup>	6586.5	2000	723	Am
6215.5	2002	380	Ad & R <sup>68</sup>		2001	56	Am
6215.6	2002	380	Ad & R <sup>68</sup>	6586.7	2000	723	Ad
6215.7	2002	380	Ad & R <sup>68</sup>		2000	724	Ad
6215.8	2002	380	Ad & R <sup>68</sup>	6588	1999	649	Am
6215.9	2002	380	Ad & R <sup>68</sup>		2002	454	Am
6216	2002	380	Ad & R <sup>68</sup>	6598.5	2002	454	Am
6217	2002	380	Ad & R <sup>68</sup>	6599	2000	723	Ad
6252	2002	945	Am (by Sec. 2 of Ch.)	6599.1	2002	454	Am
	2002	1073	Am (by Sec. 1.5 of Ch.)	6599.2	2000	723	Ad
6253	1999	83	Am <sup>30</sup>		2001	159	Am <sup>305</sup>
	2000	982	Am	6701	2002	784	Am <sup>490</sup>
	2001	355	Am	6704	2002	784	Am <sup>490</sup>
6253.1	2001	355	Ad	6718	2002	155	Ad
	1999	804*	Ad	7060	1999	968	Am
6253.2	1999	525	Am <sup>112</sup>	7060.2	1999	968	Am
	2000	857	Am <sup>203</sup>		2002	301	Am
6253.4	2000	783	Ad <sup>253</sup>	7060.4	1999	968	Am
	2000	982	Ad	7060.7	1999	968	Am
6253.8	2000	184	Am	7072	2000	616	Am
	2001	159	Am <sup>305</sup>	7073	1999	83	Am <sup>30</sup>
6253.9	2002	175	Am		2000	616	Am
	2000	198	Ad	7073.3	2000	616	R
6254	2001	159	Am <sup>305</sup>	7073.9	2000	865	Ad
6254.17	2000	198	Ad	7074	1999	137*	Am
6254.21	2002	621	Am		2000	616	Am
6254.22	1999	769	Ad				

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

**GOVERNMENT 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>
7074 (Cont.)	2001	159	Am <sup>305</sup>	8247	2001	836	Ad
7074.5	1999	137*	Ad	8248	2001	836	Ad <sup>336</sup>
7078	1999	61	Am (as ad by Stats. 1996, Ch. 955)	8249	2001	836	Ad
				8250	2001	836	Ad <sup>336</sup>
7110	2002	692	Am	8255	2002	716	Ad
7110.5	2002	692	Ad	8255.5	2002	716	Ad
7118	2001	412	Am	8256	2002	716	Ad
7150.5	2002	374	Am	8256.5	2002	716	Ad
7153	1999	991	Am <sup>96 114</sup>	8257	2002	716	Ad
7154	1999	991	Am <sup>96 114</sup>	8258	2002	716	Ad
7157	1999	991	Am <sup>96 114</sup>	8259	2002	716	Ad
7159	1999	991	Am <sup>96 114</sup>	8259.5	2002	716	Ad
7170	1999	991	Am <sup>96 114</sup>	8314	2002	154	Am
7222	1999	991	Am <sup>96 114</sup>	8331	1999	784*	Am
	2000	135	Am <sup>203</sup>	8333	1999	405	Ad <sup>71</sup>
7226	1999	991	Am <sup>96 114</sup>	8334	1999	405	Ad <sup>71</sup>
7260	1999	83	Am <sup>30</sup>	8546	2000	1060	Am
7262.5	1999	83	Am <sup>30</sup>	8547	1999	673	Am
7267.2	2001	428	Am	8547.1	1999	673	R & Ad
7285	2002	1071	Ad	8547.10	1999	673	Am
7299.4	2002	1124*	Am	8547.12	1999	673	Am
7299.6	2002	1124*	Am	8547.2	1999	673	Am
7480	2000	808*	Am	8547.3	1999	673	Am
	2001	493	Am (by Sec. 4 of Ch.)	8547.4	2001	883	Am
	2001	563	Am (by Sec. 3.5 of Ch.)	8547.8	1999	673	Am
7504	2000	1055*	Am		2001	883	Am
7513.5	1999	341	Ad	8548	2001	883	Ad
7515	2000	320	R & Ad	8548.1	2001	883	Ad
7516	2000	320	Ad	8548.2	2001	883	Ad
7550	2002	370	Am	8548.3	2001	883	Ad
7550.1	2002	370	Ad	8548.4	2001	883	Ad
Title 1, Div. 7, Ch. 26.5, heading (Sec. 7570 et seq.)	2002	1168*	Am	8548.5	2001	883	Ad
7579	2002	585	Am	8557	1999	784*	Am
7579.5	2002	492	Am	8558	1999	784*	Am
	2002	785	Am	8570.5	2000	698*	Ad
7585	2001	745*	Am	8571.5	2X 2001–02	13*	Ad & R <sup>20</sup>
7591	2000	1055*	Am	8571.6	2X 2001–02	13*	Ad & R <sup>20</sup>
8160.1	2002	468	Am	8574.10	2001	748	Am
8169.5	1999	625*	Am	8574.21	2000	343	Am
8169.6	2001	672	Ad	8574.9	2001	748	Am
8175	1999	732*	Ad <sup>31</sup>	8587.5	2001	462	Ad
			R <sup>34</sup>	8587.7	1999	294	Ad
8180	2002	468	Am	8588.10	2002	612*	Ad
8182.5	2002	468	Ad	8588.11	2002	612*	Ad
8183	2002	468	Am	8588.4	2002	243*	Ad
8191	2002	468	Am	8588.7	1999	356	Ad
8193.1	2002	468	Ad	8588.8	1999	784*	Ad
8193.2	2002	468	Ad	8589.3	1999	876	Am
8194	2002	468	Ad	8589.4	1999	876	Am
8205	1999	658	Am <sup>56</sup>	8590	2001	837*	Ad <sup>37</sup>
8211	2000	194	Am	8590.1	2001	837*	Ad <sup>37</sup>
8223	2000	194	Am	8590.2	2001	837*	Ad <sup>37</sup>
				8590.3	2001	837*	Ad <sup>37</sup>
				8590.4	2001	837*	Ad <sup>37</sup>
				8592	2002	1091	Ad
				8592.1	2002	1091	Ad
				8592.2	2002	1091	Ad
				8592.3	2002	1091	Ad
				8592.4	2002	1091	Ad
				8592.5	2002	1091	Ad
				8592.9	2002	1106	Ad

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

## GOVERNMENT CODE—Continued

Affected By				Affected By			
Section	Year	Chapter	Effect	Section	Year	Chapter	Effect
8592.9 (Cont.)	2002				2002	207	Am (as ad by Sec. 35,
8593.4	2002	1127 *	Ad <sup>37</sup>				Stats. 2001,
8594	2002	855	Ad				Ch. 748) <sup>43</sup>
8601	2002	517 *	Ad				Am (as ad by
8609	1999	460	Ad				Sec. 36,
8609.1	1999	784 *	Ad				Stats. 2001,
8609.2	1999	784 *	Ad				Ch. 748) <sup>80</sup>
8654.1	2001	784 *	Am		2002	514	Am (as ad by
8655.5	1999	745 *	Am				Sec. 35,
8670.10	2001	239	Am				Stats. 2001,
8670.14	2001	748	Am				Ch. 748) <sup>43</sup>
8670.16	2001	748	Am				Am (as ad by
8670.17	2001	748	Am				Sec. 36,
8670.17.2	2001	748	Am				Stats. 2001,
8670.2	2001	748	Am				Ch. 748) <sup>80</sup>
	2002	573	Am	8670.40	2002	512	Am (by Sec. 1
8670.20	2001	748	Am				of Ch.)
8670.21	2001	748	Am		2002	514	Am (by Sec. 3.5
8670.23	2001	748	Am				of Ch.)
8670.23.1	2001	748	Am	8670.41	2002	514	Ad
8670.25	2001	748	Am	8670.42	2002	514	Ad
8670.25.5	2001	748	Am	8670.54	2002	514	Am
8670.27	2001	748	Am	8670.55	2001	745 *	Am
8670.28	2001	748	Am		2001	748	Am
8670.29	2001	748	R & Ad		2002	514	Am
8670.3	2001	748	Am	8670.56.5	2001	748	Am
8670.30	2001	748	R & Ad	8670.56.6	2001	748	Am
8670.30.5	2001	748	Am	8670.56.7	2001	748	Ad
8670.31	2001	748	Am	8670.64	2001	748	Am
	2002	573	Am	8670.68.1	2001	748	Ad
8670.32	1999	687 *	Am	8670.9	2001	748	Am
	2000	721 *	R & Ad <sup>25</sup>	Title 2,			
			R (as ad by	Div. 1,			
			Sec. 2,	Ch. 7.5,			
			Stats. 1999,	heading			
			Ch. 687)	(Sec. 8680			
			Am (as am by	et seq.)	2002	461	Am
			Sec. 1,	8680	2002	461	Am
			Stats. 1999,	8680.25	2002	461	R
			Ch. 687) <sup>20</sup>	8680.3	2002	461	Am
			Ad <sup>34</sup>	8680.4	2002	461	Am
	2001	748	R (as am by	8680.5	2002	461	Am
			Sec. 1 and as ad	8680.9	2001	822	Am
			by Sec. 2,	8683	2002	461	Am
			Stats. 2000,	8684	2002	461	Am
			Ch. 721)	8684.2	2002	461	Am
8670.33	2001	748	Am	8685	2001	822	Am
	2002	573	Am		2002	461	Am
8670.34	2001	748	Am	8685.2	2001	822	Am
8670.35	1999	613	Am		2002	461	Am
8670.36.1	2001	748	Am	8685.4	2001	822	Am
8670.37	2001	748	Am	8686.1	2001	822	R
8670.37.5	2001	748	Am	8686.2	2002	461	Am
8670.37.51	2001	748	Am	8686.4	2001	822	Am
8670.37.53	2001	748	Am	8686.8	2001	822	Am
8670.37.55	2001	748	Am	8687	2001	822	Am
8670.37.58	2001	748	Ad	8687.6	2001	822	Am
			R & Ad <sup>34</sup>	8690.25	2002	461	Am

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**GOVERNMENT 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>
8690.45	2002	461	Am	9149.22	1999	156	Ad
8690.6	1999	67 *	Am <sup>21 20</sup>	9149.23	1999	156	Ad
	2001	822	Am <sup>73 19</sup>	9191.5	1999	20	Am
8690.8	2002	461	Am	9353.5	2002	664	Am <sup>431</sup>
8760	2001	206	Ad	9353.6	2002	664	Am <sup>431</sup>
8761	2001	206	Ad	9353.7	2002	664	Am <sup>431</sup>
8762	2001	206	Ad	9355	2002	664	Am <sup>431</sup>
8763	2001	206	Ad	9355.1	2002	664	Am <sup>431</sup>
8765	2001	206	Ad	9355.16	2002	664	Am <sup>431</sup>
8770	2002	980	Ad & R <sup>43</sup>	9355.2	2002	664	Am <sup>431</sup>
8771	2002	980	Ad & R <sup>43</sup>	9355.4	2002	664	Am <sup>431</sup>
8772	2002	980	Ad & R <sup>43</sup>	9355.45	2002	664	Am <sup>431</sup>
8773	2002	980	Ad & R <sup>43</sup>	9355.5	2002	664	Am <sup>431</sup>
8774	2002	980	Ad & R <sup>43</sup>	9355.7	2002	664	Am <sup>431</sup>
8775	2002	980	Ad & R <sup>43</sup>	9355.8	2002	664	Am <sup>431</sup>
8776	2002	980	Ad & R <sup>43</sup>	9356	2002	664	Am <sup>431</sup>
8777	2002	980	Ad & R <sup>43</sup>	9356.1	2002	664	Am <sup>431</sup>
8778	2002	980	Ad & R <sup>43</sup>	9356.15	2002	664	Am <sup>431</sup>
8840	2000	1087	Ad	9356.2	2002	664	Am <sup>431</sup>
8841	2000	1087	Ad	9356.3	2002	664	Am <sup>431</sup>
8842	2000	1087	Ad	9356.5	2002	664	Am <sup>431</sup>
8843	2000	1087	Ad	9357	2002	664	Am <sup>431</sup>
8844	2000	1087	Ad	9357.05	2002	664	Am <sup>431</sup>
8846	2000	1087	Ad	9357.1	2002	664	Am <sup>431</sup>
8850	2000	1059	R	9357.2	2002	664	Am <sup>431</sup>
8850.1	2000	1059	R	9357.3	1999	307	Am
8850.2	2000	1059	R	9357.4	2002	664	Am <sup>431</sup>
8850.3	2000	1059	R	9357.45	2002	664	Am <sup>431</sup>
8850.4	2000	1059	R	9357.46	2002	664	Am <sup>431</sup>
8850.5	2000	1059	R	9357.5	2002	664	Am <sup>431</sup>
8850.6	2000	1059	R	9358	1999	897	Am
8855	2000	687	Am	9359.01	1999	83	Am <sup>30</sup>
	2002	454	Am	9359.15	2002	664	Am <sup>431</sup>
8855.5	2001	745 *	R	9359.16	2002	664	Am <sup>431</sup>
8855.7	2001	745 *	R	9359.17	2002	664	Am <sup>431</sup>
8855.8	2001	745 *	R	9359.4	2002	664	Am <sup>431</sup>
8869.80	2000	331	Am	9359.85	2002	664	Am <sup>431</sup>
8869.83	1999	637	Am	9359.95	2002	664	Am <sup>431</sup>
8869.84	2000	331	Am	9360.11	2002	664	Am <sup>431</sup>
	2001	734 *	Am	9360.3	2002	664	Am <sup>431</sup>
8871.5	2002	461	Am	9360.4	2002	664	Am <sup>431</sup>
8878.125	2002	461	Am	9360.5	2002	664	Am <sup>431</sup>
8879.3	2001	745 *	Am	9360.6	2002	664	Am <sup>431</sup>
8880.12	2000	509	Am	9360.7	2002	664	Am <sup>431</sup>
8880.24	2000	131	Am	9361.1	2002	664	Am <sup>431</sup>
8880.28	2002	888	Am	9361.2	2002	664	Am <sup>431</sup>
8880.4	2000			9361.3	2002	664	Am <sup>431</sup>
		Legislative		9361.4	2002	664	Am <sup>431</sup>
		Initiative		9371	2002	664	Am <sup>431</sup>
		(Prop. 20		9374	2002	664	Am <sup>431</sup>
		adopted		9375	2002	664	Am <sup>431</sup>
		March 7,		9378	2002	664	Am <sup>431</sup>
		2000)	Am <sup>183</sup>	9380	1999	307	R
8880.56	2000	509	Am	9381	1999	307	R
8880.68	2000	180	Am	9382	1999	307	R
8899.10	2000	1055 *	Am	9383	1999	307	R
8899.12	2000	1055 *	Am	9384	1999	307	R
8899.16	2000	1055 *	Am	9385	1999	307	R
8899.21	2000	1055 *	Am	9509	2002	664	Am <sup>431</sup>
9149.20	1999	156	Ad	10205	2002	153	Am
9149.21	1999	156	Ad		2002	1124 *	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>
10242.5	2001	745 *	Am	11139.8	2002	1165	Ad
10601	2001	745 *	Am	11146	2002	663	Am
11005	2002	518	Am	11146.3	2002	663	Am
11006.5	1999	784 *	Ad	11181	2001	74	Am
11007	2001	745 *	Am	11187	2001	74	Am
11011.14	2002	746	Ad	11340.5	2000	1060	Am
11011.18	2001	825	Am	11340.8	2000	1059	Ad
11011.21	2001	610	Am		2001	59	R
	2002	974	Am	11340.85	2000	1060	Ad
11012	2001	776	Am		2001	59	Am
11015.5	1999	784 *	Am		2002	389	Am
11016.5	2000	62 *	Ad	11340.9	2000	1060	Ad
11018.5	1999	784 *	Am	11341	2000	1059	Ad
	2000	927	Am	Title 2,			
11019	2000	108 *	Am	Div. 3,			
	2000	295	Am (by Sec. 2 of Ch.)	Pt. 1,			
	2002	676	Am	Ch. 3.5,			
11019.9	2000	984	Ad	Art. 2,			
	2001	854	Am	heading			
11042	1999	768	Am	(Sec. 11342 et seq.)	2000	1060	R
11121	2001	243	Am	11342	2000	1059	R
11121.1	2001	243	Ad		2000	1060	R
11121.2	2001	243	R	11342.510	2000	1060	Ad
11121.7	2001	243	R	11342.520	2000	1060	Ad
11121.8	2001	243	R	11342.530	2000	1060	Ad
11122.5	2001	243	Ad	11342.535	2000	1059	Ad
11123	2001	243	Am	11342.540	2000	1060	Ad
11123.1	2002	300	Ad	11342.550	2000	1060	Ad
11125	1999	393	Am <sup>71</sup>	11342.560	2000	1060	Ad
	2001	243	Am	11342.570	2000	1060	Ad
	2002	300	Am	11342.580	2000	1060	Ad
11125.1	2001	670	Am	11342.590	2000	1060	Ad
	2002	156	Am	11342.595	2000	1059	Ad
	2002	300	Am (by Sec. 3.5 of Ch.)		2001	59	Am
11125.3	2001	243	Am	11342.600	2000	1060	Ad
11125.4	1999	393	Am <sup>71</sup>	11342.610	2000	1060	Ad
11125.5	1999	393	Am <sup>71</sup>	11343	2000	1060	Am
11126	1999	735 *	Am		2002	389	Am
	2000	1002	Am	11343.4	2000	1060	Am
	2000	1055 *	Am	11343.5	2000	1060	Am
	2001	21 *	Am	Title 2,			
	2001	243	Am (as am by Stats. 2001, Ch. 21)	Div. 3,			
	2002	664	Am <sup>431</sup>	Pt. 1,			
	2002	1113	Am & R <sup>43</sup>	Ch. 3.5,			
			Ad <sup>80</sup>	Art. 4,			
11126.3	2001	243	Am	heading			
11130	1999	393	Am	(Sec. 11344 et seq.)	2000	1060	Am
11130.3	1999	393	Am	11344	2000	1060	Am
11135	2001	708	Am	11344.1	2000	1059	Am
	2002	300	Am		2000	1060	Am (by Sec. 14.5 of Ch.)
	2002	1102	Am (by Sec. 2.5 of Ch.)	11344.2	2000	1060	Am
11139	1999	591	Am	11344.4	2000	1060	Am
	2001	708	Am	11344.6	2000	1060	Am
11139.3	2002	1074	Ad	11344.7	2000	1060	Am
11139.6	2002	1165	Ad	11344.9	2000	1060	Am
11139.7	2002	1165	Ad	11345	2000	1059	Ad
				11346	2000	1060	Am
				11346.1	2000	1060	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>
11346.2	2000	1059	Am (by Sec. 9 of Ch.)	11702	1999	873	R Ad <sup>21</sup> R <sup>34</sup>
	2000	1060	Am (by Sec. 22.5 of Ch.)	11710	1999	873	R Ad <sup>21</sup> R <sup>34</sup>
	2002	389	Am				
11346.3	2000	1059	Am	11711	1999	873	R Ad <sup>21</sup> R <sup>34</sup>
	2000	1060	Am				
11346.4	2000	1059	Am				
11346.45	2000	1059	Ad				
11346.5	2000	1059	Am (by Sec. 13 of Ch.)	11712	1999	873	R Ad <sup>21</sup> R <sup>34</sup>
	2000	1060	Am (by Sec. 24.5 of Ch.)	11713	1999	873	R Ad <sup>21</sup> R <sup>34</sup>
	2002	389	Am				
11346.54	2000	1059	R	11714	1999	873	R Ad <sup>21</sup> R <sup>34</sup>
	2000	1060	R				
11346.7	2000	1059	Ad				
11346.8	2000	1059	Am (by Sec. 16 of Ch.)	11720	1999	873	R Ad <sup>21</sup> R <sup>34</sup>
	2000	1060	Am (by Sec. 26.5 of Ch.)				
11346.9	2000	1060	Am	11725	1999	873	R Ad <sup>21</sup> R <sup>34</sup>
11347	2000	1059	Ad				
	2000	1060	Ad				
11347.1	2000	1060	Ad	11726	1999	873	R Ad <sup>21</sup> R <sup>34</sup>
11347.3	2000	1060	Am				
11347.6	2000	1059	Ad				
	2002	389	Am	11730	1999	873	R Ad <sup>21</sup> R <sup>34</sup>
11348	2000	1059	Ad				
11349	2000	1060	Am				
11349.1	2000	1060	Am	11735	1999	873	R Ad <sup>21</sup> R <sup>34</sup>
11349.2	2000	1060	Ad				
11349.6	2000	1060	Am				
11350	2000	1060	Am	11736	1999	873	R Ad <sup>21</sup> R <sup>34</sup>
11350.3	2000	1060	Am				
11353	2000	1060	Am				
11354.1	2002	389	Am	11737	1999	873	R Ad <sup>21</sup> R <sup>34</sup>
11356	2000	1060	Am				
11361	2000	87*	Ad				
11370.5	2002	370	Am	11738	1999	873	R Ad <sup>21</sup> R <sup>34</sup>
11371	2002	1085	Am <sup>13</sup>				
11440.45	2002	92	Ad				
11517	1999	339	R & Ad	11739	1999	873	R Ad <sup>21</sup> R <sup>34</sup>
11550	2002	664	Am <sup>431</sup>				
	2002	859	Am				
11552	1999	525	Am <sup>112</sup>	11751	1999	873	R Ad <sup>21</sup> R <sup>34</sup>
	1999	918	Am				
	2000	808*	Am (by Sec. 97 of Ch.)				
	2000	857	Am <sup>205</sup>	11752	2002	45*	R
	2002	812	Am		1999	873	R Ad <sup>21</sup> R <sup>34</sup>
	2002	859	Am				
11700	1999	873	R		2002	45*	R
			Ad <sup>21</sup>	11753	1999	873	R Ad <sup>21</sup> R <sup>34</sup>
			R <sup>31</sup>				
11701	1999	873	R		2002	45*	R
			Ad <sup>21</sup>	11753.1	2000	108*	Ad
			R <sup>34</sup>				

**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>
11753.1 (Cont.)	2002	45 *	R	12012.5	2000		
11754	1999	873	R Ad <sup>21</sup> R <sup>34</sup>		Referendum (Prop. 29 adopted March 7, 2000)		Ad <sup>184</sup>
11754.1	2002	45 *	R	12012.75	1999	874	Ad
	1999	67 *	Ad	12012.85	1999	874	Ad
	1999	873	R Ad <sup>21</sup> R <sup>34</sup>		2000	127 *	Am
	2002	45 *	R	12019	2001	577	Ad <sup>37</sup>
11755	1999	873	R Ad <sup>21</sup> R <sup>34</sup>	12078	2000	329 *	Ad & R <sup>19</sup>
	2002	45 *	R	12092	2001	111 *	Ad & R <sup>18</sup>
11770	1999	873	R Ad <sup>21</sup> R <sup>34</sup>	12095.60	2001	745 *	R
11771	1999	873	R Ad <sup>21</sup> R <sup>34</sup>	12152	2002	1127 *	Am
11772	1999	873	R Ad <sup>21</sup> R <sup>34</sup>	12164.5	1999	1000	R
11773	1999	873	R Ad <sup>21</sup> R <sup>34</sup>	12164.7	1999	1000	R
11774	1999	873	R Ad <sup>21</sup> R <sup>34</sup>	12168.5	1999	1000	Am
11775	1999	873	R Ad <sup>21</sup> R <sup>34</sup>	12168.7	2000	569	Am
11777	1999	873	R Ad <sup>21</sup> R <sup>34</sup>	12174	1999	416	Am
11778	1999	873	R Ad <sup>21</sup> R <sup>34</sup>	12175	1999	1000	Ad
11779	1999	873	R Ad <sup>21</sup> R <sup>34</sup>	12176	1999	1000	Ad
11780	1999	873	R Ad <sup>21</sup> R <sup>34</sup>		2002	1117	Am
11781	1999	873	R Ad <sup>21</sup> R <sup>34</sup>	12177	1999	1000	Ad
11782	1999	873	R Ad <sup>21</sup> R <sup>34</sup>	12178	1999	1000	Ad
11783	1999	873	R Ad <sup>21</sup> R <sup>34</sup>	12178.1	1999	1000	Ad
11784	1999	873	R Ad <sup>21</sup> R <sup>34</sup>	12179	1999	1000	Ad
11785	1999	873	R Ad <sup>21</sup> R <sup>34</sup>	12179.1	1999	1000	Ad
11786	2000	608 *	Ad	12180	1999	1000	R & Ad
11786.1	2000	608 *	Ad	12181	1999	1000	R
11786.2	2000	608 *	Ad	12182	1999	1000	R
11786.3	2000	608 *	Ad				Ad (by Sec. 54.5 of Ch.)
11786.4	2000	608 *	Ad	12182.1	1999	1000	Ad
11786.5	2000	608 *	Ad	12182.5	1999	1000	R
11786.6	2000	608 *	Ad	12183	1999	1000	R & Ad
11790	2002	45 *	Ad		2000	1003	Am <sup>96</sup>
11792	2002	45 *	Ad	12184	1999	1000	R
11793	2002	45 *	Ad		2002	480	Ad
11794	2002	45 *	Ad	12185	1999	1000	R & Ad <sup>63</sup>
11796	2002	45 *	Ad	12186	1999	1000	R & Ad
11797	2002	45 *	Ad	12187	1999	1000	Ad
11805	2001	115	R	12188	1999	1000	R & Ad
11806	2001	115	R	12189	1999	1000	Ad
11807	2001	115	R	12190	1999	1000	R & Ad
11815	2001	745 *	R	12191	1999	1000	R & Ad
11818	2001	745 *	R		2002	1117	Am
12012.25	1999	874	Ad	12192	1999	1000	R & Ad
				12193	1999	1000	R & Ad
				12194	1999	1000	R & Ad
					2000	1003	Am <sup>96</sup>
				12195	1999	1000	R & Ad
				12196	1999	1000	R
				12197	1999	1000	R & Ad
				12197.1	1999	1000	R
				12199	1999	1000	R
				12200	1999	1000	R
				12201	1999	1000	R

**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>
12202	1999	1000	R	12813	2002	859	Ad
12203.7	1999	1000	R	2002	GRP 1	S <sup>537</sup>	
12204	1999	1000	R	12814	1999	784*	Ad
12205	1999	1000	R	12920	1999	592	Am
12206	1999	1000	R	12921	1999	591	Am
12207	1999	1000	R	1999	592		Am (by Sec. 2.5 of Ch.)
12208	1999	999	Am	12922	1999	913	Ad
12209	1999	1000	R	12926	1999	311	Am
12210	1999	1000	R	1999	591		Am (by Sec. 5.1 of Ch.)
12210.5	1999	1000	R	1999	592		Am (by Sec. 3.7 of Ch.)
12211	1999	1000	R	2000	1049		Am (by Sec. 5 of Ch.)
12212	1999	1000	R	12926.1	2000	1049	Ad
12213	1999	1000	R	12926.2	1999	913	Ad
12214	1999	1000	R	2001	910		Am
12215	1999	1000	R	12927	1999	591	Am
12236	1999	360	Ad	12928	1999	797	Ad
12320	2001	430	Am	12930	1999	591	Am
12325	2001	430	Am	1999	592		Am (by Sec. 4.5 of Ch.)
12332	2000	723	Am	12931	1999	592	Am
12419.2	2000	940	Ad & R <sup>20</sup>	12935	1999	592	Am
12419.3	2000	299	Am	12940	1999	591	Am
	2000	808*	Am (by Sec. 98.1 of Ch.)	1999	592		Am (by Sec. 7.5 of Ch.)
12419.8	2001	176	Am	2000	1047		Am
12439	2000	127*	Am	2000	1049		Am (by Sec. 7.5 of Ch.)
	2002	1124*	Am	2001	909		Am
			R & Ad <sup>35</sup>	2002	525		Am
12440.1	2001	169	Am	2002	664		Am <sup>431</sup>
12463.1	2001	288	Am	12941	2002	525	R & Ad(RN)
12512	2000	626	Am	12941.1	1999	222	Ad
12519	2001	76	Am	2002	525		Am & RN
12520	2000	626	Am	12944	1999	592	Am
12529	1999	655	Am	12945	1999	591	Am
	2000	836	Am	12948	1999	591	Am
12529.5	1999	655	Am	12950	2002	490	Am
12544	2000	626	Am	12951	2001	295	Ad
12586.1	2000	475	Ad	12955	1999	589	Am (by Sec. 2 of Ch.) <sup>162</sup>
12586.2	2000	475	Ad	1999	590		Am (by Sec. 4 of Ch.) & R <sup>18</sup>
12591.1	2000	475	Ad	2002	525		Ad (by Sec. 5 of Ch.) <sup>63</sup>
12591.2	2000	475	Ad	1999	591		Am & R (by Sec. 11.4 of Ch.) <sup>162 18</sup>
12598	2000	475	Am	12803	1999	478	Am
12652	1999	83	Am <sup>30</sup>	2002	859		Am
12656	2001	69	Ad	2002	GRP 1	S <sup>536</sup>	
12759	2002	1022*	Am <sup>530</sup>	1999	895		Ad & R <sup>75</sup>
12800	2002	664	Am <sup>431</sup>	2002	1088		Ad
	2002	859	Am	12803.65	2002	1088	Ad
	2002	GRP 1	S <sup>536</sup>	12803.7	2002	1088	Ad
12803	1999	478	Am	12805	2002	758	Am (by Sec. 1 of Ch.)
	2002	859	Am				Ad (by Sec. 9.7 of Ch.) <sup>162 18</sup>
	2002	GRP 1	S <sup>536</sup>				Ad (by Sec. 9.83 of Ch.) <sup>63</sup>
12803.2	1999	895	Ad & R <sup>75</sup>	12805.1	2000	87*	Ad
12803.6	2002	1088	Ad	12805.2	2002	8	Ad
12803.65	2002	1088	Ad	12812.2	1999	65	Ad
12803.7	2002	1088	Ad	12812.3	1999	65	Ad
12805	2002	758	Am (by Sec. 1 of Ch.)				
12805.1	2000	87*	Ad	12955.3	2000	1049	Am
12805.2	2002	8	Ad	12955.8	1999	592	Am
12812.2	1999	65	Ad	12956.1	1999	589	Ad
12812.3	1999	65	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
12956.1 (Cont.)	2000	291 *	Am	13957	2002	1141	Ad (by Sec. 2 of Ch.)
	2002	803	Am	13957.2	2002	1141	Ad
12960	1999	797	Am	13957.5	2002	1141	Ad
	2002	490	Am	13957.7	2002	1141	Ad (by Sec. 2 of Ch.)
12965	1999	591	Am				
	2000	189	Am	13957.9	2002	1141	Ad
	2001	813	Am	13958	2002	1141	Ad
	2002	294	Am	Title 2,			
	2002	664	Am <sup>431</sup>	Div. 3,			
12970	1999	591	Am	Pt. 4,			
12987	2000	189	Am	Ch. 5,			
12989	2002	784	Am <sup>490</sup>	heading			
12989.2	1999	591	Am	(Sec. 13959			
12989.3	1999	591	Am	et seq.)	2002	1141	R
12993	1999	592	Am	13959	2002	1141	R & Ad
13100	1999	606	R & Ad	13960	2001	712	R (as ad by
13101	1999	606	R & Ad				Sec. 2.7,
13101.5	1999	606	R				Stats. 1998,
13101.6	1999	606	R				Ch. 697)
13102	1999	606	R & Ad				Am (as am by
	2002	1016	Am				Sec. 1.3,
13103	1999	606	R & Ad				Stats. 1998,
	2002	1016	Am				Ch. 895) <sup>19</sup>
13103.5	2001	911 *	Ad <sup>357</sup>				Am (as ad by
	2002	1124 *	Am				Sec. 1.4,
13104	1999	606	R & Ad				Stats. 1998,
13332.06	2001	745 *	R				Ch. 895) <sup>22</sup>
13336.5	2001	745 *	R		2002	479	Am (as am by
13340	1999	50 *	Am				Sec. 1 and
	2000	52 *	Am				Sec. 2,
	2000	861 *	Am				Stats. 2001,
	2001	106 *	Am		2002	1141	Ch. 712)
Title 2,							R (as am by
Div. 3,							Sec. 1 and
Pt. 4,							Sec. 2,
heading							Stats. 2001,
(Sec. 13900							Ch. 712) & Ad
et seq.)	2002	1141	Am	13960.1	2002	1141	R
13900	2000	1016	Am	13960.2	2002	1141	R
13901	2000	1016	Am	13960.5	2002	1141	R
13915	2002	1124 *	Am	13960.6	2001	712	Ad & R <sup>75</sup>
13940	1999	95 *	Ad		2002	1141	R
13941	1999	95 *	Ad	13960.7	2001	420 *	Ad & R <sup>5</sup>
13942	1999	95 *	Ad		2002	1141	R
13943	1999	95 *	Ad	13961	2001	712	Am
13943.1	1999	95 *	Ad		2002	1141	R
13943.2	1999	95 *	Ad	13961.01	2001	552	Am <sup>19</sup>
13950	2002	1141	Ad		2001	712	Am (by Sec. 6.5
13951	2002	1141	Ad (by Sec. 2				of Ch.) <sup>19</sup>
			of Ch.)		2002	1141	R
13952	2002	1141	Ad	13961.05	2000	974	Ad
13952.5	2002	1141	Ad		2002	1141	R
13953	2002	1141	Ad	13961.1	1999	584	Am
13954	2002	1141	Ad		2000	1016	Am
13955	2002	1141	Ad (by Sec. 4		2001	419	Am
			of Ch.)		2002	1141	R
13955.5	2002	1141	Ad & R <sup>75</sup>	13961.2	2002	1141	R
13956	2002	1141	Ad	13961.3	2002	1141	R
				13961.6	2001	346 *	Ad & R <sup>19</sup>

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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>	
13961.6 (Cont.)					2001	712	Am (by
	2002	1141	R				Sec. 10.5 of Ch.,
13962	2002	1141	R & Ad				as am by Sec. 5,
13962.5	2002	1141	R				Stats. 2000,
13963	2002	1141	R & Ad				Ch. 1016) <sup>19</sup>
13963.1	2002	1141	R				Am (by
13964	2001	712	R (as ad by				Sec. 11.5 of Ch.,
			Sec. 2.7,				as am by Sec. 6,
			Stats. 1998,				Stats. 2000,
			Ch. 895)				Ch. 1016) <sup>22</sup>
			Am (as am by		2002	664	Am (as am by
			Sec. 2.5,				Sec. 10.5 and
			Stats. 1998,				Sec. 11.5,
			Ch. 895) <sup>19</sup>				Stats. 2001,
			Am (as ad by				Ch. 712) <sup>431</sup>
			Sec. 4.7,		2002	1141	R (as am by
			Stats. 1998,				Sec. 10.5 and
			Ch. 697) <sup>22</sup>				Sec. 11.5,
	2002	629	Am (as am by				Stats. 2001, Ch.
			Sec. 7 and				712) & Ad
			Sec. 8,	13965.1	2000	1016	Ad
			Stats. 2001,		2002	1141	R
			Ch. 712)	13965.2	1999	83	Am <sup>30</sup>
	2002	630	Am (as am by		2002	1141	R
			Sec. 7 and	13965.3	2002	1141	R
			Sec. 8,	13965.5	2000	974	Ad
			Stats. 2001,		2001	712	Am
			Ch. 712)		2002	1141	R
	2002	664	Am (as am by	13965.6	2001	346*	Ad & R <sup>19</sup>
			Sec. 7,		2002	1141	R
			Stats. 2001,	13966	2002	1141	R & Ad
			Ch. 712) <sup>431</sup>	13966.01	2002	1141	R
	2002	1141	R (as am by	13966.02	2002	1141	R
			Sec. 7 and	13967	2002	1141	R & Ad
			Sec. 8,	13967.2	2002	1141	R
			Stats. 2001,	13967.5	2002	1141	R
			Ch. 712) & Ad	13968	2000	198	Am
13965	1999	584	Am (as am by		2002	1141	R
			Sec. 3.5 and as				Ad & R <sup>19</sup>
			ad by Sec. 3.7,				Ad & R <sup>19</sup>
			Stats. 1998,	13968.5	1999	584	Ad & R <sup>19</sup>
			Ch. 895)		2000	1016	Am
	2000	1016	R (as ad by		2002	1141	R
			Sec. 5.7,	13968.7	2000	127*	Ad <sup>198</sup>
			Stats. 1998,				R <sup>63 37</sup>
			Ch. 697)		2001	346*	Ad & R <sup>19</sup>
			Am (as am by		2002	1141	R
			Sec. 1.5 and	13968.8	2001	346*	Ad & R <sup>19</sup>
			Sec. 2,		2002	1141	R
			Stats. 1999,	13969	2002	1141	R
			Ch. 584)				Ad & R <sup>19</sup>
	2001	419	Am (by Sec. 2	13969.1	2002	1141	R
			of Ch., as am by	13969.2	2002	1141	R
			Sec. 5,				Ad & R <sup>19</sup>
			Stats. 2000,	13969.3	2002	1141	R
			Ch. 1016) <sup>19</sup>	13969.4	2002	1141	R
			Am (by Sec. 3	13969.5	2000	93*	Ad
			of Ch., as am by		2002	1141	R
			Sec. 6,				Ad & R <sup>19</sup>
			Stats. 2000,	13969.7	2002	1141	Ad & R <sup>19</sup>
			Ch. 1016) <sup>22</sup>				

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Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
Title 2,				14529.17	1999	572	Ad
Div. 3,				14529.19	1999	572	Ad
Pt. 4,				14529.23	1999	572	Ad
Ch. 5,				14529.3	1999	783*	Ad
Art. 2,					2001	825	R (as ad by
heading							Stats. 1999,
(Sec. 13970							Ch. 783)
et seq.)	2002	1141	R	14529.5	2001	597	R
Title 2,				14529.6	1999	783*	Ad
Div. 3,				14532	2001	911*	Ad <sup>257</sup>
Pt. 4,				14536	2001	113*	Am
Ch. 5.5,				Title 2,			
heading				Div. 3,			
(Sec. 13970				Pt. 5.3,			
et seq.)	2002	1141	Ad	Ch. 4,			
13974.5	2000	1016	Ad & R <sup>18</sup>	heading			
13974.6	2001	138	Ad	(Sec. 14550			
13974.7	2000	1016	Ad & R <sup>18</sup>	et seq.)	1999	862	R & Ad
13975	1999	525	Am <sup>112</sup>	Title 2,			
	2000	857	Am <sup>203</sup>	Div. 3,			
13975.2	1999	525	Ad <sup>112</sup>	Pt. 5.3,			
	2000	857	Am <sup>203</sup>	Ch. 4,			
13978.6	2002	779	Am	Art. 1,			
14007.5	1999	783*	Ad <sup>62</sup>	heading			
			R <sup>22</sup>	(Sec. 14550			
14032.6	2002	392	Ad	et seq.)	1999	862	R & Ad
14035	1999	103	Am	14550	1999	862	Ad
	2002	438	Am <sup>426</sup>	14552	1999	862	Ad
14035.1	2001	115	R (as am by	14552.2	1999	862	Ad
			Sec. 1,		2001	113*	Am
			Stats. 1992,	14552.4	1999	862	Ad
			Ch. 25)	14552.6	1999	862	Ad
14035.55	1999	458	Ad	14553	1999	862	Ad
14035.56	2000	788*	Ad & R <sup>240</sup>	14553.2	1999	862	Ad
14035.57	2000	788*	Ad	14553.4	1999	862	Ad
14035.58	2001	245	Ad & R <sup>308</sup>	14553.6	1999	862	Ad
14035.6	2001	745*	R		2002	438	Am <sup>426</sup>
14036	1999	373	Am	14553.7	1999	862	Ad
	2001	597	Am	14553.8	1999	862	Ad
14038	2002	438	Am <sup>426</sup>		2002	438	Am <sup>426</sup>
14038.4	2002	588	Ad & R <sup>75</sup>	14553.9	1999	862	Ad
14045	2001	115	R	14554	1999	862	Ad
14053	1999	783*	Ad	14554.2	1999	862	Ad
14057	2001	333	Ad <sup>342 21</sup>	14554.4	1999	862	Ad
			R <sup>34</sup>	14554.6	1999	862	Ad
14070.2	2001	745*	Am	14554.8	1999	862	Ad
14076.2	1999	724	Am		2002	438	Am <sup>426</sup>
14102	2001	825	Ad	14555	1999	862	Ad
14105	2000	1034	Ad	14555.2	1999	862	Ad
14404	2002	438	R <sup>426</sup>	14555.4	1999	862	Ad
14451	1999	724	R	14555.6	1999	862	Ad
14524	2000	91*	Am	14555.8	1999	862	Ad
14525	2000	91*	Am	14555.9	1999	862	Ad
14526	2000	91*	Am	14556	2000	91*	Ad
14527	2000	91*	Am	14556.1	2000	91*	Ad
	2001	815	Am		2001	113*	Am
	2002	472	Am	14556.10	2000	91*	Ad
14529	2000	91*	Am	14556.11	2000	91*	Ad
14529.01	1999	783*	Ad	14556.12	2000	91*	Ad
14529.11	1999	783*	Ad	14556.13	2000	91*	Ad
14529.14	2001	597	R	14556.14	2000	91*	Ad

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

**GOVERNMENT 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>
14556.16	2000	91 *	Ad	14562.8	2001	597	R
14556.18	2000	91 *	Ad	14562.9	2001	597	R
14556.20	2000	91 *	Ad	14563	2001	597	R
14556.25	2000	91 *	Ad	14563.3	2001	597	R
14556.26	2000	91 *	Ad	14563.4	2001	597	R
	2000	656 *	Am	14563.5	2001	597	R
	2001	512 *	Am	14564	2001	597	R
14556.28	2000	91 *	Ad	14565	2001	597	R
14556.29	2000	656 *	Ad	14566	2001	597	R
14556.3	2000	91 *	Ad	14566.5	2001	597	R
14556.30	2000	91 *	Ad	14566.7	2001	597	R
14556.32	2000	91 *	Ad	14566.9	2001	597	R
14556.33	2001	908	Ad	14567	2001	597	R
14556.34	2000	91 *	Ad	14567.5	2001	597	R
14556.36	2000	91 *	Ad	14568	2001	597	R
14556.40	2000	91 *	Ad <sup>37</sup>	14569	2001	597	R
	2000	92	Ad <sup>37</sup>	14575	2001	597	R
	2000	656 *	R (as ad by	14576	2001	597	R
			Sec. 1,	14612	2001	118 *	Ad <sup>303</sup>
			Stats. 2000,				R <sup>34</sup>
			Ch. 92)		2002	1124 *	Am <sup>534</sup>
			Am (as ad by	14612.5	2002	1124 *	Ad
			Sec. 6,	14615.1	2000	590	Am
			Stats. 2000,	14660.1	2001	745 *	Am
			Ch. 91)	14664	2000	528	Am
14556.5	2000	91 *	Ad	14666.6	1999	676	Ad
	2000	656 *	Am	14666.7	1999	676	Ad & R <sup>18</sup>
	2002	445 *	Am	14669.14	1999	293	Ad
14556.50	2000	91 *	Ad	14669.15	2001	603 *	Am
	2000	656 *	Am	14669.16	1999	147 *	R
14556.52	2000	91 *	Ad		2001	603 *	Ad
	2000	656 *	Am	14669.17	2001	540	Ad
14556.6	2000	91 *	Ad	14669.21	2002	1124 *	Ad
	2001	113 *	Am	14669.7	1999	951	Ad & R <sup>24</sup>
14556.7	2001	113 *	Ad <sup>300</sup>	14670.12	2000	528	Ad
			R <sup>301</sup>	14672	1999	243 *	Am
14556.75	2002	445 *	Ad <sup>300</sup>	14672.14	2002	974	R & Ad
			R <sup>301</sup>	14672.86	2001	610	Ad <sup>18 70</sup>
14556.8	2001	113 *	Ad <sup>300</sup>	14672.9	2000	93 *	Am
			R <sup>301</sup>	14672.98	2001	271	Ad
	2002	445 *	Am	14672.99	2001	610	Ad
14556.9	2001	113 *	Ad <sup>300</sup>		2002	454	Am
			R <sup>301</sup>		2002	664	Am <sup>431</sup>
	2002	445 *	Am	14673.6	2000	449 *	Ad
14560	2001	597	R	14680.8	2001	115	R
14560.1	2001	597	R	14684	2002	664	Am <sup>431</sup>
14560.2	2001	597	R		2X 2001–02	10	Ad
14560.5	2001	597	R	14684.1	2002	561	Ad
14560.7	2001	597	R	14710	1X 2001–02	8 *	Ad
14561	2001	597	R	14711.5	1X 2001–02	8 *	Ad
14561.3	2001	597	R	14712	1X 2001–02	8 *	Ad
14562.1	2001	597	R	14713	1X 2001–02	8 *	Ad
14562.10	2001	597	R	14714	1X 2001–02	8 *	Ad
14562.11	2001	597	R	14717	2002	242	Ad
14562.15	2001	597	R	14735	1999	991	Am <sup>96 114</sup>
14562.2	2001	597	R	14756	2000	569	Am
14562.3	2001	597	R	14836	2001	882	Am
14562.4	2001	597	R	14837	2001	882	Am
14562.5	2001	597	R	14838	2001	882	R & Ad
14562.6	2001	597	R	14838.5	1999	83	Am <sup>30</sup>
14562.7	2001	597	R		2000	775	Am

**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>
14838.5 (Cont.)	2000	776*	Am (by Sec. 2 of Ch.) <sup>14</sup>	15313	2000	1056	Am
			Am (by Sec. 2.5 of Ch.) <sup>25</sup>	15314	2001	189	Am
	2001	183	Am	15315	2001	189	Am
	2001	882	Am	15316	2001	189	Am
	2002	951	Am	15317	2001	189	Am
14838.7	2002	951	Ad	15318	1999	519	Ad & R <sup>5</sup>
14839	2001	882	Am	15320	2002	1124*	Ad
14839.1	2001	882	Am	15323.5	2002	1124*	Am
14840	2001	882	Am	15325	2000	1056	Am
14842	2001	882	Am		2001	189	Am
14842.5	2001	882	Am	15329	2000	1056	Ad
14851	2002	220	Am	15330.05	1999	515	Ad & R <sup>5</sup>
			R & Ad <sup>80</sup>	15331	1999	431	Am
14859	2002	951	R	15333.10	2000	1056	Ad
14977	2002	483	Ad	15333.11	2000	1056	Ad
14977.1	2002	483	Ad	15333.3	2001	745*	Am
14977.5	2002	483	Ad		2001	752*	R
14978	2002	483	Ad	15333.4	2001	745*	Am
14979	2002	483	Ad		2001	752*	R
14980	2002	483	Ad	15333.6	2000	1056	R
14981	2002	483	Ad		2001	752*	Ad
14998.4	2000	1055*	Am	15333.7	2001	752*	Ad
14998.55	2002	1042	Ad	15333.8	2001	752*	Ad
14999.50	2000	700	Ad	15339.2	2000	605	Am
14999.55	2000	700	Ad	15339.3	2000	605	Am
15155	2002	545	Am <sup>422</sup>	15339.8	2000	605	Ad
15164.1	2001	34	Ad	15346	1999	425	Ad & R <sup>75</sup>
15202	2000	127*	Am <sup>63</sup>	15346.1	1999	425	Ad & R <sup>75</sup>
			Ad & R <sup>18</sup>	15346.10	1999	425	Ad & R <sup>75</sup>
					2002	436	Am (as ad by Stats. 1999, Ch. 425) & RN
15277	2001	745*	Am	15346.11	2002	436	Ad(RN)
15290	2001	115	R	15346.12	1999	425	Ad & R <sup>75</sup>
15291	2001	115	R		2002	436	R (as ad by Stats. 1998, Ch. 952)
15292	2001	115	R	15346.13	1999	425	Ad & R <sup>75</sup>
15293	2001	115	R	15346.2	1999	425	Ad & R <sup>75</sup>
15294	2001	115	R	15346.3	1999	425	Ad & R <sup>75</sup>
15295	2001	115	R		2000	769	Am
15296	2001	115	R	15346.4	1999	425	Ad & R <sup>75</sup>
15297	2001	115	R		2000	769	Am
15298	2001	115	R	15346.5	1999	425	Ad & R <sup>75</sup>
15299	2001	115	R	15346.8	1999	425	Ad & R <sup>75</sup>
15300	2001	115	R	15346.9	1999	425	Ad & R <sup>75</sup>
15301	1999	67*	Am		2000	135	Am <sup>203</sup>
	2000	958	Am	15348	2000	1056	Ad
15301.3	2000	958	Am	15348.5	2000	1056	Ad
15301.5	2001	745*	R	15350	1X 2001–02	8*	Ad
15301.6	2000	958	Am	15351	1X 2001–02	8*	Ad
Title 2,				15352	1X 2001–02	8*	Ad
Div. 3,				15353	1X 2001–02	8*	Ad
Pt. 6.7,				15354	1X 2001–02	8*	Ad
Ch. 1,				15355	1X 2001–02	8*	Ad
heading				15356	1X 2001–02	8*	Ad
(Sec. 15310					2X 2001–02	9	Am
et seq.)	2000	1055*	Am	15357	1X 2001–02	8*	Ad
	2001	189	Am	15358	1X 2001–02	8*	Ad
15310	2000	1056	Am	15359	1X 2001–02	8*	Ad
15310.1	2000	1056	Ad				
15311	2000	1055*	Am				
	2000	1056	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	
15360	1X	2001-02	8 *	Ad	15364.80	2001	189	R
15361	1X	2001-02	8 *	Ad		2002	863	Ad & R <sup>43</sup>
15362	1X	2001-02	8 *	Ad	15364.85	2001	189	R
15362.5	1X	2001-02	8 *	Ad	15365.11	1999	598	Ad
15363.10	2001		189	Am		2001	189	Am
	2002		307	Am	15365.12	2001	189	Am
15363.50	2001		189	Am	15365.30	1999	141	Ad
						2000	506	Am
Title 2,					15365.31	1999	141	Ad
Div. 3,					15365.40	1999	565	Ad
Pt. 6.7,					15365.41	1999	565	Ad
Ch. 1.3,					15365.42	1999	565	Ad
heading					15365.43	1999	565	Ad
(Sec. 15363.6					15365.44	1999	565	Ad
et seq.)	2001		189	Am	15365.45	1999	565	Ad
15363.6	2000		1055 *	Am	15365.46	1999	565	Ad
	2000		1056	Am	15365.6	2001	189	Am
	2001		189	Am	15372.100	2002	474	Am
15363.70	2000		127 *	Ad	15372.102	2002	474	Am
15363.71	2000		127 *	Ad	15372.103	2002	474	Am
	2002		715 *	Am	15372.87	2002	474	Am
15363.72	2000		127 *	Ad	15373.100	1999	597	Ad
	2000		699	Am	15373.101	1999	597	Ad
	2002		715 *	Am	15373.102	1999	597	Ad
15363.73	2000		127 *	Ad	15373.103	1999	597	Ad
	2000		699	R & Ad	15373.104	1999	597	Ad
	2002		715 *	Am	15373.105	1999	597	Ad
15363.74	2000		127 *	Ad	15373.106	1999	597	Ad
15363.75	2000		127 *	Ad	15373.107	1999	597	Ad
	2000		699	Am	15373.108	1999	597	Ad
15364.4	2001		189	R (as am by	15373.109	1999	597	Ad
				Sec. 3,	15373.110	1999	597	Ad
				Stats. 1994,	15373.111	1999	597	Ad
				Ch. 929)	15373.112	1999	597	Ad
				Am (as am by	15373.113	1999	597	Ad
				Sec. 1,	15373.114	1999	597	Ad
				Stats. 1995,	15376	2002	405	Am
				Ch. 824)	15378	2001	745 *	Am
15364.5	2001		189	Am		2002	405	Am
15364.6	2001		189	Am	15379.20	1999	78 *	S <sup>36 24</sup>
15364.7	2001		189	Am		2000	939	R
15364.71	2001		189	Am	15379.21	1999	78 *	S <sup>36 24</sup>
15364.72	2002		1125	Ad		2000	939	R
15364.725	2002		1124 *	Ad	15379.21.5	1999	78 *	S <sup>36 24</sup>
	2002		1125	R (as ad by		2000	939	R
				Stats. 2002,	15379.21.6	1999	78 *	S <sup>36 24</sup>
				Ch. 1124)		2000	939	R
15364.73	2002		1125	Ad & R <sup>18</sup>	15379.21.7	1999	78 *	S <sup>36 24</sup>
15364.74	2001		189	Am		2000	939	R
15364.76	2001		189	Am	15379.21.8	1999	78 *	S <sup>36 24</sup>
15364.77	2001		189	Am		2000	939	R
	2001		430	Am (by Sec. 9.5	15379.22	1999	78 *	S <sup>36 24</sup>
				of Ch.)		2000	939	R
15364.78	2001		189	Am	15379.23	1999	78 *	S <sup>36 24</sup>
15364.79	2001		189	Am		2000	939	R
Title 2,					15379.24	1999	78 *	S <sup>36 24</sup>
Div. 3,						2000	939	R
Pt. 6.7,					15379.25	1999	78 *	S <sup>36 24</sup>
Ch. 1.8,						2000	939	R
heading					15379.26	1999	78 *	S <sup>36 24</sup>
(Sec. 15364.80						2000	939	R
et seq.)	2002		863	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
15379.27	1999	78 *	S <sup>36 24</sup>		2001	118 *	S <sup>19</sup>
	2000	939	R	15399.14	1999	516	S <sup>5</sup>
15379.28	1999	78 *	S <sup>36 24</sup>		1999	812	Am
	2000	939	R		2001	118 *	S <sup>19</sup>
15379.30	1999	78 *	S <sup>36 24</sup>	15399.15	1999	812	Ad
	2000	939	R		2001	118 *	S <sup>19</sup>
15379.33	1999	78 *	S <sup>36 24</sup>		2002	999	Am
	2000	939	R	15399.15.1	1999	812	Ad
15379.35	1999	78 *	S <sup>36 24</sup>		2001	118 *	S <sup>19</sup>
	2000	939	R	15399.15.2	1999	812	Ad
15379.40	1999	78 *	S <sup>36 24</sup>		2001	118 *	S <sup>19</sup>
	2000	939	R		2002	999	Am
15379.50	1999	78 *	S <sup>36 24</sup>	15399.16	1999	516	S <sup>5</sup>
	2000	939	R		2001	118 *	S <sup>19</sup>
	2000	1059	Ad	15399.17	1999	516	S <sup>5</sup>
15379.51	1999	78 *	S <sup>36 24</sup>		1999	812	Am
	2000	939	R		2001	118 *	S <sup>19</sup>
15379.52	1999	78 *	S <sup>36 24</sup>	15399.18	1999	516	S <sup>5</sup>
	2000	939	R		2001	118 *	S <sup>19</sup>
15379.60	1999	78 *	S <sup>36 24</sup>	15399.19	1999	516	S (as ad by
	2000	939	R				Stats. 1989,
15379.61	1999	78 *	S <sup>36 24</sup>				Ch. 1442 and
	2000	939	R				Stats. 1995,
15379.62	1999	78 *	S <sup>36 24</sup>				Ch. 814) <sup>5</sup>
	2000	939	R		1999	812	Am (as ad by
15379.650	1999	78 *	S <sup>36 24</sup>				Sec. 6,
	2000	939	R				Stats. 1995,
15379.651	1999	78 *	S <sup>36 24</sup>				Ch. 814) & RN
	2000	939	R		2001	118 *	S <sup>19</sup>
15379.652	1999	78 *	S <sup>36 24</sup>	15399.19.1	1999	812	Ad(RN)
	2000	939	R		2001	118 *	S <sup>19</sup>
15379.653	1999	78 *	S <sup>36 24</sup>	15399.20	1999	516	S <sup>5</sup>
	2000	939	R		2001	118 *	S <sup>19</sup>
15379.655	1999	78 *	S <sup>36 24</sup>	15399.21	1999	516	Am <sup>5</sup>
	2000	939	R		2001	118 *	Am <sup>19</sup>
15379.656	1999	78 *	S <sup>36 24</sup>	15399.45	1999	596	Ad & R <sup>20</sup>
	2000	939	R		2002	558	Am <sup>75</sup>
15379.657	1999	78 *	S <sup>36 24</sup>	15399.46	1999	596	Ad & R <sup>20</sup>
	2000	939	R		2002	558	Am <sup>75</sup>
15379.658	1999	78 *	S <sup>36 24</sup>	15399.47	1999	596	Ad & R <sup>20</sup>
	2000	939	R		2002	558	S <sup>75</sup>
15379.70	1999	78 *	S <sup>36 24</sup>	15399.48	1999	596	Ad & R <sup>20</sup>
	2000	939	R		2002	558	Am <sup>75</sup>
15379.71	1999	78 *	S <sup>36 24</sup>	15422	2002	784	Am <sup>490</sup>
	2000	939	R	15432	2000	517	Am
15379.80	1999	78 *	Am <sup>36 24</sup>		2001	78	Am
	2000	939	R		2002	478	Am
15379.90	1999	78 *	S <sup>36 24</sup>	15434	2002	478	Am
	2000	939	R	15437	2002	478	Am
15392	2001	189	Am	15438	1999	842	Am
15392.1	2001	189	Am		2000	99	Am
15399.10	1999	516	S <sup>5</sup>		2000	517	Am (by Sec. 2.5
	1999	812	Am				of Ch.)
	2001	118 *	S <sup>19</sup>		2002	478	Am
15399.11	1999	516	S <sup>5</sup>	15438.1	2000	517	R
	1999	812	Am	15438.5	2000	517	Am
	2001	118 *	S <sup>19</sup>		2002	478	Am
15399.12	1999	516	S <sup>5</sup>	15438.6	2000	99	Ad
	2001	118 *	S <sup>19</sup>	15438.7	2002	478	Ad
15399.13	1999	516	S <sup>5</sup>	15439	1999	842	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>			
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15439 (Cont.)	2000	517	Am	16201	1999	991	Am <sup>96 114</sup>
	2002	478	Am	16262.5	1999	90*	Am
15440	2000	517	Am	16265	2000	375	Am
15461	2000	517	R	16265.2	2002	784	Am <sup>490</sup>
15463	2000	517	R	16301.6	1999	95*	R
15490	2002	33*	Am	16301.7	1999	95*	R
15550	2002	859	Ad	16301.8	1999	95*	R
	2002	GRP 1	S <sup>537</sup>	16302.1	1999	95*	Am
15551	2002	859	Ad	16304	2000	364	Am
	2002	GRP 1	S <sup>537</sup>	16304.3	2000	364	Ad
15552	2002	859	Ad	16305.2	2002	761*	Am
	2002	GRP 1	S <sup>537</sup>	16305.9	2002	761*	Ad
15553	2002	859	Ad	16320	2002	1124*	Ad
15554	2002	859	Ad	16365.5	1999	466	Ad
	2002	GRP 1	S <sup>537</sup>	16373	2000	481	Am
15555	2002	859	Ad	16404.5	1999	917	Ad
	2002	GRP 1	S <sup>537</sup>	16429.1	2002	761*	Am
15556	2002	859	Ad		2002	1124*	Am
	2002	GRP 1	S <sup>537</sup>	16429.30	2000	127*	Am
15557	2002	859	Ad	16429.34	2000	127*	R
	2002	GRP 1	S <sup>537</sup>	16429.36	2000	127*	R
15558	2002	859	Ad	16429.38	2000	127*	R
	2002	GRP 1	S <sup>537</sup>	16429.4	2002	761*	Ad
15559	2002	859	Ad	16429.40	2000	127*	R
	2002	GRP 1	S <sup>537</sup>	16429.49	2000	127*	R
15560	2002	859	Ad	16430	1999	468	Am
	2002	GRP 1	S <sup>537</sup>	16475	2002	1124*	Am
15561	2002	859	Ad	16475.5	2002	1124*	Am
	2002	GRP 1	S <sup>537</sup>	16480	2002	761*	Am
15562	2002	859	Ad	16500	2000	1036	Am
	2002	GRP 1	S <sup>537</sup>	16501	2000	1036	Am
15601	2000	1081	R	16522	2000	913	Am
15605.5	2002	1124*	Ad	16582	2001	745*	R
15620.5	1999	929	Ad	16600	2000	1036	Am
15703	2000	808*	Am	16612	2000	913	Am
15813.6	2001	745*	Am	16645	2000	872	Ad
15814.15	1999	981	Am <sup>18</sup>	16645.1	2000	872	Ad
15814.20	1X 2001–02	7*	Am	16645.2	2000	872	Ad
15817.5	1999	147*	R	16645.3	2000	872	Ad
15819.295	1999	54*	Ad	16645.4	2000	872	Ad
15819.60	2002	217*	Ad	16645.5	2000	872	Ad
15819.65	2002	217*	Ad	16645.6	2000	872	Ad
15819.90	1999	728*	Am <sup>88</sup>	16645.7	2000	872	Ad
15820.80	2000	71*	Ad	16645.8	2000	872	Ad
15820.81	2000	71*	Ad	16646	2000	872	Ad
15820.82	2000	71*	Ad	16647	2000	872	Ad
15820.83	2000	71*	Ad	16648	2000	872	Ad
15820.84	2000	71*	Ad <sup>189</sup>	16649	2000	872	Ad
			R <sup>192</sup>	16649.91	2001	745*	R
15820.85	2000	71*	Ad	16722	2001	97*	Am
15820.86	2000	71*	Ad	16724.6	2002	1124*	Am
15853	2002	518	Am	16724.7	2001	97*	Ad
15973	2002	168	R	16727	2002	1124*	Am
15975	2002	168	Am	16731	1999	522	Am
15975.1	2002	168	R		2001	97*	Am
15976	2002	168	R	16731.6	2002	1124*	Am
15977	2002	168	R	16733	1999	522	Am
16142	1999	1019	Am		2001	97*	Am
16142.1	1999	1019	Ad	16753	1999	468	Am
16153	2000	506	R		2001	97*	Am
				16754	1999	468	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>
16754.3	1999	468	Am (by Sec. 4 of Ch.)	19134	2000	127*	Ad
	1999	522	Am (by Sec. 3.5 of Ch.)		2000	895	Am
	2001	97*	Am		2002	1132	Am
16771	2001	97*	Am	19141	1999	446*	Am
16774	2001	97*	Am		2001	364*	Am
16781	1999	522	Am		2002	1*	Am
17311	2002	1124*	Am	19141.3	1999	83	Am <sup>30</sup>
17521	1999	643	Am		1999	446*	R
17551	2002	1124*	Am	19142	1999	446*	Am
17553	1999	643	Am		2001	364*	Am
17558.5	2002	1124*	Am		2002	1*	Am
	2002	1128	Am (by Sec. 14.5 of Ch.)	19142.2	1999	446*	R
				19144	1999	310	Am
17559	1999	643	Am	19170	2002	236	Am
17561	1999	643	Am	19170.1	1999	3*	Am
	2002	1124*	Am		1999	446*	Am
17562	2001	745*	Am		2001	364*	Am
	2002	1124*	Am		2002	1*	R
17564	1999	643	Am	19170.3	1999	446*	R
	2002	1124*	Am	19173.1	2001	365*	Am
17571	1999	643	Am	19173.3	1999	446*	R
17581.5	2002	1167*	Ad	19173.4	2002	1*	R
18001	2000	886	Ad	19175	2000	402*	Am
18523.1	1999	446*	Am	19175.3	2001	365*	Am
	2002	1*	R	19175.6	1999	83	Am <sup>30</sup>
18523.3	1999	83	Am <sup>30</sup>		1999	446*	R
	2001	365*	R	19175.7	2002	1*	R
18598	2001	219	R	19231	2000	1048	Am
18670	1999	446*	Am		2000	1049	Am
	2000	402*	Am	19240	2000	1048	Am
	2001	365*	Am	19253.5	1999	310	Am
18670.2	1999	446*	R	19401	1999	310	Am
18672	1999	310	Am	19402	1999	310	Am
18680	1999	310	Am	19403	1999	310	Am
18710	1999	310	Am	19404	1999	310	R
18717	1999	457*	Am	19405	1999	310	Am
18717.2	2001	365*	R	19406	1999	310	Am
18903	1999	3*	Am	19570.1	2001	365*	Am
	1999	446*	Am	19570.3	1999	446*	R
	2001	364*	Am	19572.1	1999	446*	Am
	2002	1*	Am	19572.3	1999	446*	R
18903.2	1999	446*	R	19574	1999	446*	Am
18935	1999	806	Am		2001	365*	Am
	2000	135	Am <sup>203</sup>	19574.1	2001	664	Am <sup>431</sup>
	2001	159	Am <sup>305</sup>	19574.2	2001	365*	Am
18939	1999	310	Am	19574.6	1999	446*	R
18979	1999	404	Am	19575	2001	365*	Am
19050.8	2000	1058	Am	19576.2	1999	446*	R
19056.5	1999	446*	Am	19576.4	1999	446*	R
	2001	364*	Am	19576.5	1999	83	Am <sup>30</sup>
	2002	1*	Am	19576.6	2000	402*	Ad
19056.6	1999	446*	R	19578	2001	365*	Am
19063	1999	310	Am	19582	1999	446*	Am
19063.1	1999	310	Am		2000	402*	Am
19063.2	1999	310	Am		2001	365*	Am
19063.5	1999	310	Am	19582.1	1999	446*	Am
19063.8	1999	310	Am	19582.2	1999	446*	R
19080.4	2001	859	Ad & R <sup>19</sup>	19582.3	1999	83	Am <sup>30</sup>
					1999	446*	R
				19582.6	1999	446*	Am

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

**GOVERNMENT 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>
19582.7	1999	446*	R	19826	2001	364*	Am
19583	2001	365*	Am	19826.1	1999	446*	Am
19585	1999	310	Am		2002	1*	R
19605	1999	357	Am	19826.3	2001	365*	R
19632	2000	1048	Ad	19827	2002	1*	Am
19682	2001	883	Am	19827.3	1999	926*	Ad
19683	1999	806	Am		2000	135	Am <sup>203</sup>
	2001	883	Am	19828	2001	364*	Am
19683.1	2001	883	Ad	19828.2	1999	446*	R
19702	1999	446*	Am	19829	1999	446*	Am
	2000	1048	Am		2001	364*	Am
	2001	364*	Am	19829.2	1999	446*	R
	2001	365*	Am	19832	1999	446*	Am
	2001	883	Am		2001	364*	Am
19702.7	1999	446*	R	19832.2	1999	446*	R
19770	2002	60*	Am	19834	1999	446*	Am
19771	2002	1*	Am		2001	364*	Am
19774	2002	1*	Am	19834.2	1999	446*	R
19775.17	2002	5*	Am	19835	1999	446*	Am
19775.18	2002	5*	Ad		2001	364*	Am
	2002	902	Am	19835.2	1999	446*	R
19786	1999	446*	Am	19836	2001	364*	Am
	2001	364*	Am	19836.1	1999	446*	Am
	2002	1*	Am		2001	364*	R
19786.2	1999	446*	R		2002	1044	Ad <sup>414</sup>
19793	2001	745*	Am				R <sup>80</sup>
19798	1999	446*	Am	19836.3	2001	365*	R
	2001	364*	Am	19841	1999	446*	Am
	2002	1*	Am		2001	364*	Am
19798.2	1999	446*	R		2002	1*	Am
19815	1999	918	Am	19841.2	1999	446*	R
19815.41	1999	446*	Am	19844.7	2001	780	Ad
19815.42	1999	446*	R	19849.15	1999	926*	Ad
19816.2	1999	446*	Am	19849.18	1999	792*	Ad
	2001	364*	Am	19849.22	2000	902	Ad
	2002	1*	Am		2001	797	Am
19816.20	1999	457*	Am	19849.9	1999	272*	Am
	2000	402*	Am	19853	2000	213	Am <sup>211</sup>
19816.21	2002	56	Ad	19853.1	1999	446*	Am
19816.22	1999	446*	R		2000	213	Am <sup>211</sup>
19816.23	1999	457*	R	19853.3	1999	446*	R
19817	1999	446*	Am	19854	1999	446*	Am
	1999	926*	Am		2001	364*	Am
	2001	364*	Am	19854.2	1999	446*	R
	2002	1*	R	19858.3	1999	457*	Am
19817.1	2002	1*	R	19858.4	1999	457*	Am
19817.10	1999	926*	Ad	19858.5	1999	457*	Am
19817.2	2002	1*	R	19858.6	1999	457*	R
19817.3	2002	1*	R	19863.1	1999	457*	Am
19817.4	2002	1*	R	19867	2002	871	Am
19817.5	2002	1*	R	19871.2	1999	272*	Am
19817.8	1999	446*	R	19876.5	2000	402*	Am <sup>230</sup>
19818.11	1999	446*	Am	19990.6	2001	411	Ad
	2002	1*	R	19991.11	2002	869	Ad
19818.15	1999	446*	R	19991.15	1999	784*	Ad & R <sup>5</sup>
19818.7	1999	446*	Am	19991.16	1999	784*	Ad & R <sup>5</sup>
	2002	1*	R	19991.17	1999	784*	Ad & R <sup>5</sup>
19818.8	1999	457*	Am	19991.18	1999	784*	Ad & R <sup>5</sup>
19818.9	2001	365*	R	19991.19	1999	784*	Ad & R <sup>5</sup>
19822.7	1999	770*	Ad	19993.05	2001	745*	Am
19823	2001	365*	Am	19994	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
19994 (Cont.)	2001	364 *	Am	20068.2	1999	83	Am <sup>30</sup>
	2002	1 *	Am		1999	457 *	R
19994.1	1999	446 *	Am	20069.1	2000	1010	Ad
	2001	364 *	Am	20070	2001	793	Am
	2002	1 *	Am	20090.1	2002	729	Ad
19994.2	1999	446 *	Am	20096.3	2002	1139	Ad
	2001	364 *	Am	20178	2000	483 *	Am <sup>56</sup>
	2002	1 *	Am	20225.5	1999	474	Ad
19994.6	1999	446 *	R		2002	1133	R
19994.7	1999	446 *	R	20300	2000	1002	Am
19994.8	1999	446 *	R		2001	159	Am <sup>305</sup>
19995.5	1999	446 *	Ad		2002	56	Am
	1999	630 *	Ad	20303	1999	474	Am
19997	1999	446 *	Am	20305	2002	1045	Am
	2001	364 *	Am	20309	2000	880	Am
	2002	1 *	Am		2001	77	Am
19997.11	1999	446 *	Am	20309.5	2000	402 *	Ad
	2001	364 *	Am	20320	2000	489	Am
	2002	1 *	Am	20322	2000	489	Am
19997.13	1999	446 *	Am	20324	2000	489	Am
	2001	364 *	Am	20325	2000	489	Am
	2002	1 *	Am	20350	1999	785	Am
19997.3	1999	446 *	Am	20356	2001	793	Am
	2001	364 *	Am	20370	2002	1133	Am
	2002	1 *	Am	20383	2002	1133	Am
19997.4	1999	446 *	Am	20391	1999	555	Am (by Sec. 2 of Ch.)
	2001	364 *	Am		1999	785	Am (by Sec. 2.5 of Ch.)
	2002	1 *	Am	20392	1999	555	Am
19997.40	1999	446 *	R		2000	1002	Am
19997.43	1999	446 *	R		2001	159	Am <sup>305</sup>
19997.44	1999	446 *	R	20393	1999	555	Am
19997.45	1999	446 *	R	20394	1999	971	Am
19997.46	1999	446 *	R	20395	1999	555	Am
19997.47	1999	446 *	R		2000	135	Am <sup>203</sup>
19997.48	1999	446 *	R		2000	402 *	Am
19997.5	1999	446 *	Am	20397	1999	555	Am
	2001	364 *	Am		2000	135	Am <sup>203</sup>
	2002	1 *	Am	20398	1999	555	Am
19997.51	1999	446 *	R	20400	1999	457 *	Am
19997.53	1999	446 *	R	20401.5	2002	1152	Ad
19997.6	1999	446 *	Am	20405.1	1999	457 *	Am
	2001	364 *	Am		1999	555	Am
	2002	1 *	Am		2000	402 *	Am
19997.7	1999	446 *	Am		2002	56	Am
	2001	364 *	Am	20405.2	1999	446 *	Ad
	2002	1 *	Am	20405.3	1999	457 *	R
19997.8	1999	446 *	Am		1999	555	Am
	2001	364 *	Am		2001	365 *	Ad
	2002	1 *	Am	20407	1999	555	Am
20022	2002	1133	Am	20407.5	2000	402 *	Ad
20028	2000	1010	Am	20409	1999	555	Am
	2001	159	Am <sup>305</sup>	20417	1999	785	R
20035.1	2002	1 *	Ad <sup>98</sup> R <sup>100</sup>	20420	2000	871	Am
20035.5	1999	555	Ad	20423.5	2001	787	Ad
20047.5	2001	365 *	Ad		2002	664	Am <sup>431</sup>
20057	2000	357	Am	20423.6	2002	1152	Ad
20057.1	2001	793	Am	20429	2002	664	Am <sup>431</sup>
20062.5	2002	1133	Ad	20432	2000	871	Ad
20063	2002	1133	Am		2001	149	Am

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

**GOVERNMENT 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>
20432.5	2002	114 *	Ad	20677.6	2002	278 *	Ad <sup>73</sup>
20433	2001	793	Am				R <sup>22</sup>
20434	2001	793	Am	20677.7	2002	190 *	Ad <sup>73</sup>
20434.5	2001	793	Am				R <sup>22</sup>
20436	2000	871	Am	20677.8	2002	190 *	Ad <sup>73</sup>
	2002	114 *	Am				R <sup>22</sup>
20437	2002	114 *	Am	20677.9	2002	456 *	Ad <sup>73</sup>
	2002	784	Am <sup>490</sup>				R <sup>22</sup>
20440	2002	784	Am <sup>490</sup>	20678	2000	1002	R (as am by
20441	2001	787	Am				SB 528) & Ad <sup>82</sup>
20441.5	2000	482	Ad		2001	21 *	Am <sup>298</sup>
	2001	787	R	20683	1999	555	Am
20443	2001	21 *	Am <sup>298</sup>		2002	14 *	Am
20445	2001	21 *	Am <sup>298</sup>	20683.1	2001	365 *	Ad <sup>73</sup>
20460.1	2000	1010	Ad				R <sup>22</sup>
20463	2002	889	Am		2002	1 *	Am
20464	2002	889	R	20683.2	2001	363 *	Ad <sup>73</sup>
20469.1	2000	1010	Ad				R <sup>22</sup>
20471.1	2000	1010	Ad		2002	1 *	Am
20474	2000	1010	Am		2002	664	Am <sup>431</sup>
20479.5	2000	882	Ad	20683.3	2002	14 *	Ad <sup>73</sup>
20480	1999	259	Ad & R <sup>5</sup>				R <sup>22</sup>
20481	2001	793	Am	20683.4	2002	190 *	Ad <sup>73</sup>
20486	2000	1002	Am (as ad by				R <sup>22</sup>
			Stats. 1996,	20683.5	2002	278 *	Ad <sup>73</sup>
			Ch. 502) & RN				R <sup>22</sup>
20487	2000	1002	Ad(RN)	20683.6	2002	456 *	Ad <sup>73</sup>
20515	2001	793	Am				R <sup>22</sup>
20570	2000	1010	Am	20686	2001	793	Am
20580	2001	793	Am	20687	1999	555	Am
20588	2000	966	Am		2001	21 *	Am <sup>298</sup>
	2001	793	Am		2001	785	Am
20616	2000	947	Am		2002	1 *	Am
20618	2000	947	Am (by Sec. 2		2002	14 *	Am
			of Ch.)		2002	56	Am
	2001	21 *	Am <sup>298</sup>	20687.1	2000	1030	Ad
20635.1	2000	1030	Ad		2001	785	R
20636	1999	971	Am		2001	793	R
	2002	1139	Am	20687.2	2000	902	Ad
20636.1	2000	1030	Ad		2001	797	Am
20639	1999	939	Am <sup>30</sup>	20687.3	2001	364 *	Ad & R <sup>347</sup>
	2001	433	Am		2002	1 *	Am <sup>388</sup>
20677	1999	83	Am <sup>30</sup>	20687.4	2002	1 *	Ad <sup>73</sup>
	1999	555	Am (by Sec. 12				R <sup>22</sup>
			of Ch.)	20688	2001	21 *	Am <sup>298</sup>
	2000	135	Am <sup>203</sup>	20694	1999	778 *	Ad
	2000	1030	Am (by Sec. 4	20720	1999	307	R
			of Ch.)	20721	1999	307	R
	2001	782	Am (by Sec. 1	20722	1999	307	R
			of Ch.)	20723	1999	307	R
	2002	14 *	Am	20724	1999	307	R
20677.1	1999	630 *	Ad	20725	1999	307	R
20677.2	2001	365 *	Ad <sup>73</sup>	20736	1999	785	R
			R <sup>22</sup>	20801	1999	778 *	Am
	2002	1 *	Am	20815	2000	1010	Am
20677.3	2001	363 *	Ad <sup>73</sup>	20815.5	1999	474	Ad
			R <sup>22</sup>		2002	1133	R
	2002	1 *	Am	20816	2001	781	Am
20677.4	2002	14 *	Ad		2002	664	Am <sup>431</sup>
20677.5	2002	40 *	Ad <sup>73</sup>		2002	1139	Am
			R <sup>22</sup>	20822	1999	555	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
20831.1	2000	1030	Ad	21077	1999	555	Am
20840	2002	1133	Ad	21130	1999	555	Am
20841	2002	1133	Ad	21151	2002	1152	Am (by Sec. 4 of Ch.)
20842	2002	1133	Ad				
20890.1	2001	793	Ad		2002	1153	Am (by Sec. 1.5 of Ch.)
	2002	114*	Am				
20890.2	2002	902	Ad	21159	2000	402*	Am <sup>230</sup>
20902.5	2002	1008	Ad	21160	2000	402*	Am <sup>230</sup>
20894	1999	474	Am	21161	2000	402*	Am <sup>230</sup>
20903	1999	684	Ad	21195	2000	402*	Am <sup>230</sup>
20962	2000	1030	Am	21201	1999	785	Am
20963.1	1999	770*	Ad	21251.13	1999	555	Ad
20966	2000	1030	Am		1999	800	Am (as ad by Stats. 1999, Ch. 555)
20992	1999	785	R				
21001	2001	793	R	21252	2000	346	Am
21002	2001	793	R	21259	2001	793	Am
21006	2000	489	Am	21290	2001	21*	Am <sup>298</sup>
	2001	159	Am <sup>305</sup>	21298	2001	21*	Am <sup>298</sup>
21007	2000	489	Am		2001	793	Am
21008	2000	489	Am	21317	2001	793	Am
21013	2000	489	Am	21318	2001	793	Am
21020	2000	489	Am	21319	2001	793	Am
21020.5	2002	56	Ad	21322	2001	793	Am
21021	2000	489	Am	21325	2001	793	Am
21023	2000	489	Am	21326	2001	793	Am
21023.5	1999	834	Ad	21327	2001	793	Am
	2000	489	Am		2002	664	Am <sup>431</sup>
	2002	546	Am	21328	1999	555	Ad
21024	2000	489	Am		2000	237	Am
	2001	793	Am		2001	793	Am
21027	2000	489	Am	21337	1999	555	Am (by Sec. 29 of Ch.)
	2001	793	Am				
21028	1999	83	Am <sup>30</sup>		2000	483*	Am <sup>56</sup>
21029	2000	489	Am	21337.1	2000	483*	Ad <sup>56</sup>
21030	2000	489	Am	21353	1999	555	Am
21031	2000	489	Am		2001	21*	Am <sup>298</sup>
21050	2000	489	Ad	21353.5	1999	555	Am <sup>77 169</sup>
21051	2000	489	Ad	21354.1	1999	555	Ad <sup>127</sup>
21052	2000	489	Ad		2000	1030	Am (by Sec. 9 of Ch.)
21053	2000	489	Ad				
21054	2000	489	Ad	21354.3	2001	782	Ad
	2001	793	Am		2002	664	Am <sup>431</sup>
21061	2001	21*	Am <sup>298</sup>	21354.4	2001	782	Ad
21063	2002	1139	Ad		2002	664	Am <sup>431</sup>
21070	1999	555	Am <sup>169</sup>	21354.5	2001	782	Ad
21070.5	1999	555	Ad <sup>127</sup>		2002	664	Am <sup>431</sup>
	2000	135	Am <sup>203</sup>	21355	2001	21*	Am <sup>298</sup>
21070.6	1999	555	Ad <sup>127</sup>	21357	1999	785	Am
21071	1999	555	Am <sup>77 169</sup>		2001	21*	Am <sup>298</sup>
	2000	135	Am <sup>203</sup>	21362	1999	555	Am (by Sec. 33 of Ch.)
21072	1999	555	Am <sup>77 169</sup>				
21073	1999	555	Am <sup>77 169</sup>		1999	633	Am (by Sec. 1.5 of Ch.)
21073.1	1999	555	Ad <sup>127</sup>				
	2001	21*	Am <sup>298</sup>				
21073.5	1999	555	Am <sup>169</sup>		2001	21*	Am <sup>298</sup>
	1999	785	Am <sup>82</sup>	21362.1	1999	3*	Ad
21073.7	1999	555	Ad <sup>127</sup>		2001	21*	R <sup>298</sup>
	2000	135	Am <sup>203</sup>	21362.2	1999	555	Ad <sup>127</sup>
	2001	21*	Am <sup>298</sup>		2001	21*	Am <sup>298</sup>

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**GOVERNMENT 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>
21362.3	2002	902	Ad <sup>504</sup>	21507	1999	785	Am
21363	1999	555	Am (by Sec. 35 of Ch.)	21537	2002	1152	Am
	1999	633	Am (by Sec. 2 of Ch.)	21537.5	2002	1077	Ad <sup>505</sup>
	1999	785	Am (by Sec. 9.6 of Ch.)	21540.5	2002	1152	Am
	2001	21 *	Am <sup>298</sup>	21541	1999	800	Am
	2002	664	Am <sup>431</sup>		2000	1031	Am
21363.1	1999	555	Ad <sup>127</sup>	21541.5	2000	1031	Ad
	2001	21 *	Am <sup>298</sup>	21546	1999	800	Am
21363.2	1999	778 *	Ad		2000	1002	Am
21363.3	2001	785	Ad	21547	1999	457 *	Am
21363.4	2002	1 *	Ad		2000	1002	Am
21363.5	1999	555	Am	21547.5	1999	457 *	Ad
	1999	800	Am (as am by Stats. 1999, Ch. 555)	21547.7	2000	855	Ad
	2001	21 *	R <sup>298</sup>		2001	159	Am <sup>305</sup>
21363.6	1999	555	R		2001	793	Am
21363.7	1999	778 *	Ad	21548	1999	800	Am
	2001	21 *	R <sup>298</sup>		2000	1002	Am
21363.8	2002	56	Ad	21549	2000	1002	R
21364	2001	21 *	Am <sup>298</sup>	21550	1999	800	R
21369	1999	555	Am (by Sec. 39 of Ch.)	21551	1999	800	Am
	1999	633	Am (by Sec. 3.5 of Ch.)	21571	1999	800	Am
21369.1	1999	555	Ad <sup>127</sup>	21572	1999	555	Am (by Sec. 46 of Ch.)
21370	2001	21 *	Am <sup>298</sup>		1999	800	Am (by Sec. 7.1 of Ch.)
	1999	555	Am (by Sec. 39 of Ch.)		2000	135	Am <sup>203</sup>
	1999	633	Am (by Sec. 3.5 of Ch.)		2001	21 *	Am <sup>298</sup>
	1999	785	Am (by Sec. 10.5 of Ch.)	21573	1999	555	Am (by Sec. 47 of Ch.)
	2000	135	Am <sup>203</sup>		1999	800	Am (by Sec. 8 of Ch.)
21372	1999	555	Am		1999	801	Am (by Sec. 1.3 of Ch.)
21373	1999	555	Am		2001	21 *	Am <sup>298</sup>
21374	1999	555	Am	21573.5	1999	3 *	Ad
21389	1999	633	Ad		1999	555	R
	2001	21 *	R <sup>298</sup>	21574	1999	800	Am
21390	2001	796	Ad		1999	801	Am (by Sec. 2.1 of Ch.)
21400	2001	21 *	R <sup>298</sup>		2001	21 *	Am <sup>298</sup>
21402	2001	21 *	R <sup>298</sup>	21574.5	1999	801	Ad
21403	1999	555	Am		2001	21 *	Am <sup>298</sup>
	2001	21 *	R <sup>298</sup>	21574.7	1999	555	Ad & R <sup>38</sup>
21404	2000	1002	Am		2001	21 *	Am <sup>298</sup>
21407	1999	555	Am	21581	1999	555	Am (by Sec. 50 of Ch.)
21419	2002	877	Am		1999	801	Am (by Sec. 4.1 of Ch.)
21419.5	1999	310	Ad	21620	2000	1002	Am
21423	2001	21 *	Am <sup>298</sup>	21621	2000	1002	Am
	2002	664	Am <sup>431</sup>	21622	2000	947	Am (by Sec. 3 of Ch.)
21461	1999	785	Am		2000	1002	Am (by Sec. 14.5 of Ch.)
21461.5	2001	793	Ad		2000	1002	Am (by Sec. 4 of Ch.)
21465	1999	785	Am <sup>298</sup>	21623	2000	947	Am (by Sec. 4 of Ch.)
	2001	21 *	Am <sup>298</sup>		2000	1002	Am (by Sec. 15.5 of Ch.)
21465.5	1999	3 *	Am		2000	947	Am (by Sec. 5 of Ch.)
	2001	21 *	R <sup>298</sup>	21623.5	2000	947	Am (by Sec. 5 of Ch.)
21490	2000	1002	Am				
21497	1999	785	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
21623.5 (Cont.)	2000	1002	Am (by Sec. 16.5 of Ch.)	22819	2001	793	Am
				22821.1	2000	904	Ad
					2001	793	Am
21623.6	2000	947	Ad	22821.2	2001	775	Ad
21624	1999	800	Am	22821.3	2002	733*	Ad
21629	1999	800	Am	22825	2002	896	Am
21630	1999	800	Am	22825.01	1999	743	R
21635	1999	800	Am				Ad <sup>142</sup>
21661	1999	525	Am <sup>112</sup>		2000	135	Am <sup>203</sup>
	2000	857	Am <sup>203</sup>		2000	402*	Am
	2001	185	Am	22825.1	2000	1002	Am
	2002	664	Am <sup>431</sup>	22825.16	2000	1002	R
	2002	871	Am	22825.17	2000	1002	Am
21662	2001	745*	Am	22825.3	1999	446*	Am
	2002	871	Am	22825.5	2001	798	R & Ad
21664	2002	871	Am	22825.7	2002	898	Am
21703	2000	882	Am	22825.8	2000	1002	R
21751	1999	785	Am	22827.5	2000	1002	Am
	2001	793	Am	22828	2001	775	Am
21754	1999	474	Am	22832	2002	898	Am
21757	2000	1002	Am	22840	2002	898	R & Ad
	2001	793	Am	22840.1	2000	1002	R
21758	2001	793	Am	22840.2	2002	898	Am
21761	2001	793	Am	22842	2002	898	Am
21764	2001	793	Am	22852	2002	898	Am
22013.77	1999	785	Ad	22854	2002	898	Am
22013.78	2002	1152	Ad	22856	2002	898	Am
22013.82	2001	365*	R	22857	2001	793	Am
22013.98	2001	793	Ad	22859	2002	898	Am
22200	1999	83	Am <sup>30</sup>	22867	1999	588	Ad
22209	1999	83	Am <sup>30</sup>	22868	1999	588	Ad
22754	1999	272*	Am (by Sec. 3 of Ch.)	22869	1999	588	Ad
	1999	446*	Am	22871	1999	588	Ad
	1999	457*	Am		2000	1002	Am
	2000	1010	Am	22871.1	1999	588	Ad
	2001	451	Am	22871.2	1999	588	Ad
22754.1	2000	12	Ad		2001	893	Am
22754.11	1999	446*	R	22871.3	1999	588	Ad
22754.2	2000	402*	R (as ad by Stats. 1998, Ch. 91)	22872	1999	588	Ad
				22873	1999	588	Ad
				22874	1999	588	Ad
22754.3	2000	1002	R	22875	1999	588	Ad
22754.5	1999	83	Am <sup>30</sup>		2000	135	Am <sup>203</sup>
	1999	446*	R	22876	1999	588	Ad
22754.7	1999	446*	R	22877	1999	588	Ad
22774	1999	785	Am	22878	2000	874	Ad
22778	2002	898	Am	22878.1	2000	874	Ad
22780	2002	898	Ad	22878.2	2000	874	Ad
22790	2002	1*	Am		2001	803	Am <sup>373</sup>
22790.1	2000	1002	R	22878.3	2000	874	Ad
22791.5	2002	898	Ad		2001	803	Am <sup>373</sup>
22793.2	2001	634	Ad	22890	2001	851	Ad
22794	2002	898	R & Ad	22891	2001	851	Ad
22810	2000	904	Am		2002	898	Am
	2002	898	Am	22892	2001	851	Ad
22810.2	2000	1002	R	22893	2001	851	Ad
22810.5	1999	971	Am	22955	1999	272*	Am
	2000	1002	R	22955.1	1999	3*	Ad
22811.6	1999	457*	R	22955.55	1999	457*	Ad
22816.3	2000	1002	R	22957.5	1999	457*	R
				22970	1999	307	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
22970.1	1999	307	Ad	23010	2001	767	Am
22970.10	1999	307	Ad	23115	2002	454	Am
22970.11	1999	307	Ad	23119	2000	506	Am
22970.12	1999	307	Ad		2002	454	Am
22970.13	1999	307	Ad	23130	2000	506	Am
22970.14	1999	307	Ad	23212	2000	506	Am
22970.15	1999	307	Ad	23220	2002	784	Am <sup>490</sup>
22970.16	1999	307	Ad	23285	2000	506	Am
	2001	433	Am	23296	2002	784	R <sup>490</sup>
22970.17	1999	307	Ad	23396	2002	784	Am <sup>490</sup>
22970.18	1999	307	Ad	23398	2002	784	R <sup>490</sup>
22970.19	1999	307	Ad	23579	2002	784	R <sup>490</sup>
22970.2	1999	307	Ad	23687	2002	221	Am
	1999	785	Am (as ad by Stats. 1999, Ch. 307)	23713	1999	643	Am
22970.20	1999	307	Ad	23731	2002	221	Am
22970.21	1999	307	Ad	24011	2000	35	Am
22970.22	1999	307	Ad		2000	227	Am (by Sec. 3 of Ch.)
22970.23	1999	307	Ad		2001	13	Am
22970.24	1999	307	Ad	24051	2001	824	Am
22970.25	1999	307	Ad	24764	2002	784	Am <sup>490</sup>
22970.26	1999	307	Ad	24767	2002	94	Am
22970.3	1999	307	Ad	25004.5	2001	387	Ad
22970.30	1999	307	Ad	25100.5	2002	784	Am <sup>490</sup>
22970.31	1999	307	Ad	25105	2000	569	Am
22970.32	1999	307	Ad	25115	2002	94	Am
22970.33	1999	307	Ad	25200	2002	454	Am
22970.40	1999	307	Ad	25201	2002	221	Am
22970.41	1999	307	Ad	25205	2002	454	Am
22970.42	1999	307	Ad	25210.4h	2001	340	Ad
22970.43	1999	307	Ad	25210.70a	2000	129*	Ad
22970.44	1999	307	Ad	25210.71	2001	606*	Ad
22970.50	1999	307	Ad	25210.9c	2002	82*	Am
22970.55	1999	307	Ad	25350.51	2001	176	Am
22970.56	1999	307	Ad	25372	2001	18	R & Ad
22970.57	1999	307	Ad		2002	97	Am
22970.60	1999	307	Ad	25526	2002	221	Am
22970.61	1999	307	Ad	25526.5	2002	454	Am
22970.62	1999	307	Ad	25536	1999	643	Am
22970.63	1999	307	Ad	25537	2002	221	Am
22970.64	1999	307	Ad	25842.5	2002	395	Am
22970.65	1999	307	Ad	25850	2002	395	R
22970.66	1999	307	Ad	25851	2002	395	R
22970.70	1999	307	Ad	25852	2002	395	R
22970.71	1999	307	Ad	25853	2002	395	R
22970.72	1999	307	Ad	25854	2002	395	R
22970.75	1999	307	Ad	26205	2000	569	Am
22970.76	1999	307	Ad	26205.1	2000	569	Am
22970.77	1999	307	Ad	26205.5	2000	569	Am
22970.78	1999	307	Ad	26509	2000	1055*	Am
22970.80	1999	307	Ad	26529	2001	767	Am
22970.81	1999	307	Ad	26603	2002	1010	R
22970.82	1999	307	Ad	26603.1	1999	641*	R
22970.83	1999	307	Ad	26608.3	2002	784	Am <sup>490</sup>
22970.84	1999	307	Ad	26608.4	2002	784	R <sup>490</sup>
22970.85	1999	307	Ad	26608.5	2002	784	R <sup>490</sup>
22970.86	1999	307	Ad	26625	2002	784	Am <sup>490</sup>
22970.87	1999	307	Ad	26625.1	2002	784	R <sup>490</sup>
22970.88	1999	307	Ad	26625.10	2002	784	R <sup>490</sup>
22970.89	1999	307	Ad	26625.11	2002	784	R <sup>490</sup>
				26625.12	2002	784	R <sup>490</sup>

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

## GOVERNMENT 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>
26625.13	2002	784	R <sup>490</sup>	26734	2000	629	Am
26625.14	2002	784	R <sup>490</sup>	26736	2000	629	Am
26625.15	2002	784	R <sup>490</sup>	26738	2000	629	Am
26625.2	2002	784	Am <sup>490</sup>	26742	2000	629	Am
26625.3	2002	784	Am <sup>490</sup>	26743	2000	629	Am
26625.4	2002	784	Am <sup>490</sup>	26746	2000	629	Am
26630	2002	784	R <sup>490</sup>		2000	808*	Am (by
26631	2002	784	R <sup>490</sup>				Sec. 100.1
26632	2002	784	R <sup>490</sup>				of Ch.)
26633	2002	784	R <sup>490</sup>	26746.1	2000	629	Am
26634	2002	784	R <sup>490</sup>	26750	2000	629	Am
26635	2002	784	R <sup>490</sup>	26800	2002	784	R <sup>490</sup>
26636	2002	784	R <sup>490</sup>	26802.5	2001	767	Am
26637	2002	784	R <sup>490</sup>	26820.6	2001	824	Am
26638.1	2002	784	R <sup>489 490</sup>	26826.3	1999	115	Ad & R <sup>38</sup>
26638.10	2002	784	Am & R <sup>489 490</sup>	26826.4	1999	150	Ad
26638.11	2002	784	Am & R <sup>489 490</sup>		2002	367	R
26638.12	2002	784	Ad & R <sup>489 490</sup>	26827.1	2002	784	Am <sup>490</sup>
26638.2	2002	784	Am & R <sup>489 490</sup>	26827.6	2001	824	Am
26638.3	2002	784	R <sup>489 490</sup>	26835.1	2002	784	Am <sup>490</sup>
26638.4	2002	784	Am & R <sup>489 490</sup>	26840.9	2001	90	Ad & R <sup>75</sup>
26638.5	2002	784	Am & R <sup>489 490</sup>	26856	2002	784	Am <sup>490</sup>
	2002	1072	Ad	26863	1999	344*	Am
26638.6	2002	784	Am & R <sup>489 490</sup>	26881	2002	454	Am
26638.7	2002	784	Am & R <sup>489 490</sup>	26905	2001	176	Am
26638.8	2002	784	Am & R <sup>489 490</sup>	26915	2000	1055*	Am
26638.9	2002	784	Am & R <sup>489 490</sup>	26920	2002	454	Am
26639	2002	784	R & Ad <sup>490</sup>	26921	2002	454	R
26639.1	2002	784	R <sup>490</sup>	26922	2002	221	Am
26639.2	2002	784	Am <sup>490</sup>		2002	454	Am
26639.3	2002	784	Am <sup>490</sup>	26923	2002	454	R
26639.5	2002	784	R <sup>489 490</sup>	26945	2000	1055*	Am
26639.6	2002	784	R <sup>489 490</sup>	27000.7	2000	1055*	Am
26639.7	2002	784	Ad & R <sup>489 490</sup>	27000.8	1999	550*	Am <sup>1</sup>
26665	2002	784	Am <sup>490</sup>	27000.9	1999	550*	Am <sup>1</sup>
26666	1999	335	R	27001	2000	924	Am
	1999	641*	R	27002.1	2000	924	Am
26667	2002	784	R <sup>490</sup>	27063	1999	550*	Am <sup>1</sup>
26668	2002	784	R <sup>490</sup>	27081	2002	784	Am <sup>490</sup>
26669	1999	138*	R	27132.3	1999	32	Am
	1999	641*	R	27201	2000	924	Am
26670	1999	641*	R	27255	2001	819	Ad
26671	2002	784	R <sup>489 490</sup>	27279.4	2001	745*	Am
26671.1	2002	784	Am & R <sup>489 490</sup>	27282	1999	991	Am <sup>96 114</sup>
26671.2	2002	784	R <sup>489 490</sup>		2001	176	Am
26671.4	2002	784	Am & R <sup>489 490</sup>	27291	2000	1003	Ad <sup>96</sup>
26671.5	2002	784	Am & R <sup>489 490</sup>	27322.2	2000	569	Am
26671.6	2002	784	Am & R <sup>489 490</sup>	27388	2000	765	Am
26671.7	2002	784	R <sup>489 490</sup>	27491.1	2000	1068	Am
26671.8	2002	784	Am & R <sup>489 490</sup>	27491.41	2000	1060	Am
26672	2002	784	Ad & R <sup>489 490</sup>	27491.45	2000	830	Am
26720.9	2000	629	Am	27491.8	2000	1068	Am
26721	2000	629	Am				R & Ad <sup>34</sup>
26721.1	2000	629	Am	27504.1	2002	221	Am
26721.2	2000	629	Ad	27521	2000	284	Ad
26722	2000	629	Am	27521.1	2000	284	Ad
26725	2000	629	Am	27706	2002	784	Am <sup>490</sup>
26726	2000	629	Am	27757	2000	808*	Am
26728	2000	629	Am	28003	2001	824	Am
26730	2000	629	Am	29145	2000	861*	Ad
26731	2000	629	Am	29321	2000	506	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
29410	2000	808 *	Am	30401	2001	745 *	Am
29411	2000	808 *	Am	30606	2001	745 *	R
29412	2000	808 *	Am	31000.6	2001	41	Am
29413	2000	808 *	Am	31011	2000	886	R & Ad
29414	2000	808 *	Am	31452.7	2000	497	Ad
29415	2000	808 *	Am	31461.3	2000	966	Am
29416	2000	808 *	Am		2001	159	Am <sup>305</sup>
29532.1	2002	743	Am	31461.4	1999	7 *	Ad <sup>10</sup>
29550.4	1999	79 *	Ad <sup>37</sup>	31461.45	2001	778 *	Ad <sup>351</sup>
	2000	1075 *	Am (by Sec. 1 of Ch.)		2002	664	Am <sup>431</sup>
	2000	1076	Am (by Sec. 2 of Ch.)	31461.6	2000	966	Ad
29610	2002	784	Am <sup>490</sup>	31462.3	2001	778 *	Ad <sup>354</sup>
29610.1	2001	824	R	31468	2002	74 *	Am
29746	2002	454	R	31469.1	2002	1152	Am
29965	2002	221	Am	31469.2	2002	1152	Ad
30003	2002	221	Am	31469.3	2002	1152	Am
30061	2000	100 *	Am <sup>70 18 37</sup>	31469.5	1999	116	Am
	2000	353 *	R (as am by Stats. 2000, Ch. 100)		2000	135	Am <sup>203</sup>
			Ad <sup>21</sup>	31469.8	2000	172	Ad
			R <sup>34</sup>	31470.11	2000	379	Am
	2001	475 *	Am <sup>54 57</sup>	31470.12	2000	379	Am
	2002	21 *	Am	31470.14	2002	1152	Ad (by Sec. 12 of Ch.) <sup>310</sup>
30062	2000	100 *	Am <sup>70 18 37</sup>	31470.2	2000	482	Am
	2000	353 *	R (as am by Stats. 2000, Ch. 100)		2002	1152	Am
			Ad <sup>21</sup>	31491.1	2001	31	Ad <sup>215</sup>
			R <sup>34</sup>		2002	664	Am <sup>431</sup>
	2001	475 *	S <sup>54 57</sup>	31491.2	2001	31	Ad <sup>215</sup>
30063	1999	550 *	Am <sup>1</sup>		2002	664	Am <sup>431</sup>
	2000	100 *	Am <sup>70 18 37</sup>	31491.3	2001	778 *	Ad <sup>354</sup>
	2000	353 *	R (as am by Stats. 2000, Ch. 100)	31492.1	2001	778 *	Ad <sup>354</sup>
			Ad <sup>21</sup>	31492.2	2001	778 *	Ad <sup>354</sup>
			R <sup>34</sup>	31494	2001	778 *	Am
	2001	475 *	S <sup>54 57</sup>	31494.2	2001	778 *	Ad <sup>354</sup>
	1999	550 *	Am <sup>1</sup>	31494.5	2001	778 *	Ad <sup>354</sup>
	2000	100 *	Am <sup>70 18 37</sup>	31495.5	2001	778 *	Ad <sup>354</sup>
	2000	353 *	R (as am by Stats. 2000, Ch. 100)	31499.17	2001	784 *	Am
			Ad <sup>21</sup>	31520	2002	784	Am <sup>490</sup>
			R <sup>34</sup>	31520.5	2000	486	Am
	2001	475 *	Am <sup>54 57</sup>		2001	168	Am
30064	2002	21 *	Am	31522.4	2001	120	Ad
	2000	100 *	S <sup>70 18</sup>	31522.5	2002	74 *	Ad
	2000	353 *	S <sup>21 20</sup>	31529.9	2002	116 *	Am
	2001	475 *	S <sup>54 57</sup>	31555	2002	784	R <sup>490</sup>
30064.1	2000	100 *	Am <sup>70 18</sup>	31557.3	2002	74 *	Ad
	2000	353 *	R (as am by Stats. 2000, Ch. 100)	31580.2	2002	74 *	Am
			Ad <sup>21</sup>	31582	2000	203	Am
			R <sup>34</sup>	31585.2	2002	74 *	Ad
	2001	159	Am <sup>305</sup>	31596	1999	771	Am
30065	2001	475 *	R	31621.11	2001	782	Am
	2000	100 *	S <sup>70 18</sup>	31621.8	2001	782	Ad
	2000	353 *	S <sup>21 20</sup>	31621.9	2001	784 *	Ad
	2001	475 *	S <sup>54 57</sup>	31625.2	1999	27	Am
30070	2001	205 *	Ad	31625.3	2000	317	Am
	2001	784 *	Am	31629.5	2002	883	Ad
	2002	720 *	Am	31639.76	2000	482	Ad
30071	2001	205 *	Ad	31639.95	2002	695 *	Ad
	2002	664	Am <sup>431</sup>	31646.5	1999	271	Ad
				31657	2000	966	Am
					2001	793	Am
				31662.6	2002	784	Am <sup>490</sup>

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

## GOVERNMENT 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>
31663	2002	784	Am <sup>490</sup>	31831.2	2000	966	Am
31663.1	2001	33 *	Ad <sup>215</sup>	31831.3	2002	883	Ad
31664	2001	32	Am	31832	2000	966	Am
31664.1	2000	237	Ad	31833	2000	966	Am
31664.2	2000	237	Ad	31833.1	2000	966	Ad
31676.16	2000	882	Ad	31834	2000	966	Am
31676.17	2001	782	Ad	31835	2000	966	Am
	2002	664	Am <sup>431</sup>		2001	433	Am
31676.18	2001	782	Ad	31835.02	2000	966	Am
31676.19	2001	782	Ad		2001	159	Am <sup>305</sup>
	2002	664	Am <sup>431</sup>	31835.1	2000	966	Am
31678.1	1999	42	Am	31836	2000	966	Am
31678.2	2000	495	Ad	31837.1	2000	966	Am
31678.3	2002	74 *	Ad	31840.2	2000	966	Am
31681.55	2000	237	Ad <sup>215</sup>	31840.8	2001	433	Am
	2001	159	Am <sup>305</sup>	31870.4	2001	239	Ad <sup>307</sup>
31683	2001	67	Ad	31874.3	2000	317	Am
31693	2001	30	Ad	31874.5	1999	39	Ad
31694.5	2001	30	Ad	31897.6	2002	877	Ad
31696.1	1999	525	Am <sup>112</sup>	31966	2001	430	Am
	2000	857	Am <sup>203</sup>		2002	664	Am <sup>431</sup>
31700	2000	966	Am	32271	2001	430	Am
31720.6	1999	160	Ad		2002	664	Am <sup>431</sup>
	2000	317	Am	34090.5	2000	569	Am
31720.7	2000	138	Ad	34460	1999	643	Am
	2001	833	Am	34501.5	2001	387	Ad
31720.9	2002	870	Ad	34880	2000	761	Am
31722	2000	317	Am	36501	2000	506	Am
31751	2002	695 *	Am	36501.5	2000	886	Ad
31755.1	2002	695 *	Ad	36507	2002	221	Am
31755.2	2002	695 *	Ad	36801	2002	344	Am
31755.3	2002	695 *	Ad	36933	2002	159	Am
31760.12	2001	778 *	Ad <sup>354</sup>	36936	2002	454	Am
31760.13	2001	778 *	Ad <sup>354</sup>	37361	1999	550 *	Am <sup>1</sup>
31760.2	1999	161	Am <sup>55</sup>	37392	2002	454	Am
	2002	875	Am	37396	2002	507	Am
31765.2	2001	778 *	Ad <sup>354</sup>	37615.1	1999	525	Am <sup>112</sup>
31765.3	2001	778 *	Ad <sup>354</sup>		2000	857	Am <sup>203</sup>
31780.2	2001	146	Ad <sup>310</sup>	38772	2000	58	Am
	2001	893	Ad	38773.2	2000	58	Am
	2002	373	R (as ad by Stats. 2001, Ch. 146)	38773.6	2000	58	Am
			Am (as ad by Stats. 2001, Ch. 893)		2001	159	Am <sup>305</sup>
31781.12	2001	778 *	Ad <sup>354</sup>	38773.7	2000	58	Am
31781.13	2001	778 *	Ad <sup>354</sup>	41803.5	2002	784	Am <sup>490</sup>
31785.1	1999	161	Am <sup>55</sup>	43402	2000	861 *	Ad
	2002	875	Am	43739	2002	94	R
31785.4	2001	778 *	Ad <sup>354</sup>	45004.1	2002	732	Ad
31785.5	2001	778 *	Ad <sup>354</sup>	45308.5	1999	470	Am
31786.1	1999	161	Am <sup>55</sup>	45309	2002	883	Am
	2002	875	Am	45310.6	2002	883	Ad
31787	2000	497	R & Ad	45310.7	2002	883	Ad
31787.5	2000	497	Am	45311	2002	1152	Ad <sup>471</sup>
	2002	1152	Am	50052.5	2000	333	Am
31787.6	2002	1152	Am	50061.5	2000	262	Am
31808.9	2001	782	Ad	50063	2000	262	Am
31830	2000	966	Am	50064	2000	262	Am
31831	2000	966	Am	50064.5	2000	262	R
				50065	2000	262	R
				50065.5	2000	262	R
				50066.5	2000	262	R
				50067	2000	262	Am

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

**GOVERNMENT 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>
50068.5	2000	262	Am		1999	1019	Am
50075.1	2000	535	Ad		2000	506	R & Ad
50075.3	2000	535	Ad	51296.1	2000	506	Ad
50075.5	2000	535	Ad	51296.2	2000	506	Ad
50078.10	2000	262	R	51296.3	2000	506	Ad
50078.12	2000	262	R		2001	744	Am
50078.14	2000	262	R		2002	614	Am
50078.15	2000	262	R	51296.4	2000	506	Ad
50078.4	2000	262	Am		2002	614	Am
50078.6	2000	262	Am	51296.5	2000	506	Ad
50078.8	2000	262	R	51296.6	2000	506	Ad
50088	1999	201	Ad	51296.7	2000	506	Ad
50089	2002	900	Ad	51296.8	2000	506	Ad
50262	2001	66	Am	51296.9	2000	506	Ad
50264	2001	66	Am	51297	2000	506	Ad
50265	2001	66	Am	51297.1	2000	506	Ad
50593	2000	262	Am	51297.2	2000	506	Ad
50595	2000	262	R	51297.3	2000	506	Ad
50598	2000	262	R	51297.4	2000	506	Ad
50599	2000	262	R	51298	1999	24*	Am
50600	2000	262	R		2000	135	Am <sup>203</sup>
50601	2000	262	R	53060.3	2000	886	Ad
50602	2000	262	R	53060.7	2001	176	Ad
50606	2000	262	Am	53069.4	2002	784	Am <sup>490</sup>
50624	2000	262	Am	53069.8	2002	224	Am
50625	2000	262	R	53075.6	2002	784	Am <sup>490</sup>
50920	2002	784	Am <sup>490</sup>	53075.61	2002	784	Am <sup>490</sup>
50952	2001	331	Am	53084	1999	462	Ad & R <sup>18</sup>
50965	2001	331	Am		2000	471	Am
51033	2002	1053	Am	53090	2002	341	Am
51142	2001	407	Am	53091	2001	396	Am
51183.5	1999	876	Am		2002	267	Am
51201	1999	1018	Am	53094	2001	396	Am
51207	2001	745*	Am	53095	2000	1058	Am
51230	1999	1018	Am	53096	2002	267	Am
51230.2	1999	967	Ad	53097.3	2002	935	Ad
51234	1999	1018	Am	53114.1	1999	677	Am
51238	1999	967	Am	53126	2002	731	Ad
51238.3	2000	889	Am	53126.5	2002	731	Ad
51238.5	1999	967	Am	53127	2002	731	Ad
51243.5	2002	188	Am	53131	2000	1055*	Am
51243.6	2002	188	Ad	53205.1	2002	454	Am
51256	1999	994	Am	53216.2	2001	784*	Ad
	1999	1018	Am		2002	882	Am
51256.1	1999	994	Ad	53216.8	2000	34	Ad
	1999	1018	Ad		2002	883	Ad
51256.2	1999	994	Ad	53217.10	2002	883	Ad
	2000	431	Am	53217.6	2002	1152	Ad <sup>472</sup>
51257	1999	1018	Am	53227.2	2001	43	Am
	2002	616	Am <sup>19</sup>	53270	1999	305	Am
51282.3	1999	1018	Am	53292	1999	394	Am
51283	1999	1018	Am	53312.8	2002	174	Ad
51283.4	2000	506	Am	53340.2	2001	673	Am
51284.1	2000	889	Ad	53343.1	2002	960	Ad
51286	2000	1045*	Am <sup>153</sup>	53344.4	2002	960	Ad
	2001	176	Am	53356.05	2002	454	Am
51291	1999	1018	Am	53359.5	2002	454	Am
51291.5	1999	1018	Ad	53395.9	1999	59	Ad
51292	1999	1018	Am	53398	1999	773	Ad
51296	1999	1018	Am	53398.1	1999	773	Ad

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

## GOVERNMENT 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>
53398.10	1999	773	Ad		2002	83	Am
53398.11	1999	773	Ad		2002	454	Am (by
53398.12	1999	773	Ad				Sec. 21.5 of Ch.)
53398.13	1999	773	Ad	53635.2	1999	217	Ad
53398.14	1999	773	Ad		2000	339	Am
53398.15	1999	773	Ad		2001	57	R & Ad
53398.16	1999	773	Ad	53635.5	2001	57	R
53398.17	1999	773	Ad	53635.7	1999	217	Am
53398.18	1999	773	Ad		2001	176	Am
53398.19	1999	773	Ad	53646	2000	687	Am <sup>225</sup>
53398.2	1999	773	Ad		2002	454	Am
53398.20	1999	773	Ad	53661	2000	127*	Am <sup>25</sup>
53398.21	1999	773	Ad	53684	2000	168	Am
53398.3	1999	773	Ad	53750	2002	395	Am (by Sec. 3
	2000	595	Am				of Ch.)
53398.30	1999	773	Ad	53752	2002	981	Ad
53398.31	1999	773	Ad	53753	2000	220	Am
53398.4	1999	773	Ad		2001	636	Am
53398.40	1999	773	Ad	53754	2001	673	Ad
53398.41	1999	773	Ad	53760	2002	94	R & Ad
53398.42	1999	773	Ad	53761	2002	94	R
53398.43	1999	773	Ad	53892	2001	176	Am
53398.44	1999	773	Ad	53895	1999	442	Am
53398.45	1999	773	Ad	53961	2002	395	Am
53398.46	1999	773	Ad	54205	2001	176	Am
53398.47	1999	773	Ad	54238.7	2001	745*	Am
53398.5	1999	773	Ad	54716	2000	262	Am
53398.6	1999	773	Ad	54717	2000	262	R
53398.7	1999	773	Ad	54906	1999	269	Ad
53398.8	1999	773	Ad	54952	2002	1073	Am
53410	2000	535	Ad	54953	1999	83	R (as ad by
	2001	176	Am				Sec. 2,
53411	2000	535	Ad				Stats. 1998,
53412	2000	535	Ad				Ch. 399) <sup>30</sup>
53508.7	1999	667	Am	54953.2	2002	300	Ad
53571	1999	649	Am	54954.1	2002	300	Am
53583	1999	649	Am	54954.2	2002	300	Am
53601	1999	643	Am	54954.5	2002	1120	Am
	1999	644	Am (by Sec. 1.5	54956.5	2002	175	Am
			of Ch.)	54956.87	1999	769	Ad
	2000	135	Am <sup>205</sup>	54957	2002	1120	Am
	2000	339	Am	54957.10	2001	45	Ad
	2001	57	Am	54957.5	1999	769	Am
	2002	454	Am		2002	300	Am
	2002	664	Am <sup>431</sup>	54960.1	2002	454	Am
53601.2	1999	217	Ad	54963	2002	1119	Ad
	2000	339	Am	54964	2000	840	Ad
	2001	57	R	54975	1999	83	Am <sup>30</sup>
53601.5	2001	57	Am	54985	1999	991	Am <sup>96 114</sup>
53601.6	2001	57	Am		2000	135	Am <sup>203</sup>
53601.7	2002	162	Ad & R <sup>75</sup>	54988	1999	681	Ad
53631	2001	176	Am		2000	506	Am
53631.5	2001	57	R	54999.2	2000	146*	Am
53635	1999	643	Am	54999.35	2000	146*	Ad
	1999	644	Am (by Sec. 2.5	54999.4	2000	146*	Am
			of Ch.)	55704.5	1999	56	Ad
	2000	135	Am <sup>203</sup>	55707	1999	56	Am
	2000	339	Am	55720	2000	441	Ad & R <sup>43</sup>
	2000	1036	Am		2001	159	Am <sup>305</sup>
	2001	57	Am	55721	2000	441	Ad & R <sup>43</sup>

**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
55722	2000	441	Ad & R <sup>43</sup>	56133	1999	779*	Am
Title 5, Div. 3, heading (Sec. 56000 et seq.)					2000	761	Am
					2002	548	Am
56000	2000	761	Am	56150	2000	761	Am
56001	2000	761	Am	56154	2000	761	Am
56014	2001	388	Am	56156	2000	761	Am
56020.5	2000	761	Ad	56157	2000	761	Am
56020.7	2000	761	Ad		2001	388	Am
56022	2000	761	R		2002	548	Am
56026	2002	548	Am	56159	2000	761	Am
56029	2000	761	Am	56300	2000	761	Am
56035	2002	548	Am		2002	548	Am
56036	2000	761	Am	56301	2000	761	Am
	2002	395	Am	56325	2000	761	Am
56037.5	2000	761	Ad	56325.1	2000	761	Ad
56038	2000	761	Am	56326	2000	761	Am
56038.5	2000	761	Ad	56326.5	2000	761	Am
56046	2000	761	Am	56327	2000	761	Am
56048	2000	761	Am	56327.3	2000	761	Ad
	2002	548	Am	56328	2000	761	Am
56064	2000	761	Am	56329	2000	761	Am
56067	2000	761	Am	56330	2000	761	R
56068	2000	761	Am	56331	2001	388	Am
	2002	548	Am	56332	1999	550*	Am <sup>1</sup>
56069	2000	761	Am		2000	761	Am
56074	2000	761	Am	56332.5	2000	761	Ad
56100	2000	761	Am	56333	2001	388	Am
56100.1	2000	761	Ad	56334	2000	761	Am
56101	2000	761	Am		2001	388	Am
56103	2002	548	Am		2002	664	Am <sup>431</sup>
56106	2000	761	Am	56375	1999	921	Am
56107	2000	761	Am		2000	761	Am
56108	2000	761	R		2001	667	Am
56109	2000	761	R		2002	548	Am
56110	2000	761	R	56375.1	2000	761	R
56111	2000	761	R	56375.2	2000	761	Ad
56111.1	2000	761	R	56375.3	2002	548	Am
56111.10	2000	761	R	56375.4	2000	761	R
56111.11	2000	761	R		2002	548	Ad(RN)
56111.12	2000	761	R	56375.45	2000	761	R
56111.13	2000	761	R	56375.5	2000	761	Am
56111.14	2000	761	R	56377	2000	761	Am
56111.5	2000	761	R	56380	2000	761	R & Ad
56111.6	2000	761	R	56381	2000	761	R & Ad
56111.7	2000	761	R		2002	493	Am
56111.9	2000	761	R		2002	969*	Am
56112	2000	761	R	56381.6	2000	761	Ad
56113	1999	921	Am		2001	388	Am
	2000	761	R	56383	2000	761	Am
56114	2000	761	R		2002	548	Am
56122	2000	761	Am	56384	2000	761	Am
56123	2000	761	Am	56386	2000	761	Am
	2001	388	Am		2002	548	Am
56124	2000	761	Am	56425	2000	129*	Am
56129	2000	761	Am		2000	761	Am <sup>282</sup>
56131.7	2001	15	Ad		2001	667	Am
56132	2000	761	Am	56425.5	2000	761	Ad
	2001	176	Am <sup>19</sup>	56426	2000	761	R
					2002	614	Ad
				56426.5	2002	614	Ad
				56427	2002	548	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
56428	2001	388	Am		2001	388	Am
56429	2000	129*	Ad		2002	548	Am
	2000	761	Am	56664	2000	761	Ad
56430	2000	761	Ad	56665	2000	761	Ad
56434	2000	761	Ad & R <sup>75</sup>	56666	2000	761	Ad (by Sec. 97 of Ch.)
56450	2000	761	R		2001	530	Am
56451	2000	761	R	56667	2000	761	Ad
56452	2000	761	R	56668	2000	761	Ad
56453	2000	761	R	56668.3	2000	761	Ad(RN)
56454	2000	761	R		2002	548	Am
56455	2000	761	R	56668.5	2000	761	Ad
56456	2000	761	R	56700.1	2000	761	Ad
56457	2000	761	R	56700.3	2000	761	R
56458	2000	761	R	56700.4	2000	761	Ad
56459	2000	761	R		2001	388	Am
56460	2000	761	R	56700.5	2000	761	R
56461	2000	761	R	56701	2000	761	R
56462	2000	761	R	56702	2000	761	R
56463	2000	761	R	56705	2000	761	Am
56464	2000	761	R	56706	2000	761	Am
56465	2000	761	R		2001	388	Am
56466	2000	761	R	56708	2000	761	Am
56475	2000	761	R		2002	548	Am
56476	2000	761	R	56710	2000	761	Am
56477	2000	761	R		2002	548	Am
56478	2000	761	R	56720	2000	761	Ad
56479	2000	761	R	56722	2000	761	Ad
56480	2000	761	R	56723	2000	761	Ad
56481	2000	761	R	56724	2000	761	Ad
56482	2000	761	R	56730	2000	761	Ad
56483	2000	761	R	56732	2001	388	Ad(RN)
56484	2000	761	R	56734	2001	388	Ad(RN)
56485	2000	761	R	56737	2000	761	Ad
56486	2000	761	R	56738	2000	761	Ad
56487	2000	761	R	56740	2000	761	Ad
56488	2000	761	R	56741	2000	761	Ad
56489	2000	761	R	56742	2000	761	Ad
56490	2000	761	R		2002	507	Am
56491	2000	761	R	56742.5	2000	761	Ad
56492	2000	761	R	56743	2000	761	Ad
56493	2000	761	R	56744	2000	761	Ad
56494	2000	761	R		2001	388	Am
56495	2000	761	R	56745	2000	761	Ad
56496	2000	761	R		2002	548	R
56497	2000	761	R	56746	2000	761	Ad
56498	2000	761	R		2002	548	Am & RN
56653	2000	761	Am	56747	2000	761	Ad
56654	2000	761	Ad(RN)	56749	2000	761	Ad
56655	2000	761	Ad		2002	614	Am
56656	2000	761	R	56750	2000	761	R & Ad
56657	1999	924	Ad & R <sup>5</sup>	56751	2000	761	R & Ad
	2000	761	Ad		2001	388	Am
56658	2000	761	Ad (by Sec. 90 of Ch.)		2002	548	Am
			Am	56752	2000	761	R & Ad
	2001	530	Ad	56753	2000	761	R & Ad
56660	2000	761	Ad	56753.5	2000	761	Ad
56661	2000	761	Ad	56754	2000	761	R & Ad
	2001	388	Am		2002	188	Am
	2002	548	Am	56755	2000	761	R & Ad
56662	2000	761	Ad	56756	2000	761	R & Ad
56663	2000	761	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>
56757	2000	761	R & Ad	56821.5	2000	761	Ad
56758	2000	761	R & Ad		2001	667	Am
56759	2000	761	R & Ad	56821.7	2000	761	Ad
	2002	548	Am		2001	667	R
56760	2000	761	R & Ad	56822	2000	761	Ad
56761	2000	761	R		2001	667	Am
56762	2000	761	R	56822.3	2000	761	Ad
56764	2000	761	Ad	56822.5	2000	761	Ad
56765	2000	761	Ad	56823	2000	761	Ad
56766	2000	761	Ad	56824	2000	761	Ad
56767	2000	761	Ad	56824.1	2000	761	Ad
	2001	388	Am		2001	667	Am
56768	2000	761	Ad	56824.10	2001	667	Ad
Title 5,				56824.12	2001	667	Ad
Div. 3,				56824.14	2001	667	Ad
Pt. 3,				56824.3	2000	761	Ad
Ch. 4,				56824.5	2000	761	Ad
heading				56824.7	2000	761	Ad
(Sec. 56800					2001	667	Am
et seq.)	2000	761	Am	Title 5,			
Title 5,				Div. 3,			
Div. 3,				Pt. 3,			
Pt. 3,				Ch. 5,			
Ch. 4,				heading			
Art. 1,				(Sec. 56825			
heading				et seq.)	2000	761	R
(Sec. 56800				Title 5,			
et seq.)	2000	761	Ad	Div. 3,			
56800	2000	761	Am & RN	Pt. 3,			
			Ad (by Sec. 115	Ch. 5,			
			of Ch.)	Art. 2,			
	2001	530	Am	heading			
56800.3	2000	761	R	(Sec. 56825			
56801	2000	761	R & Ad	et seq.)	2000	761	Ad
56802	2000	761	R & Ad	56826	2000	761	R & Ad
56803	2000	761	Ad	56827	2000	761	R & Ad
56810	2000	761	Ad	56827.5	2000	761	R
56811	2000	761	Ad	56828	2000	761	R & Ad
	2001	667	R & Ad	56828.5	2000	761	R
56812	2000	761	Ad	56829	2000	761	R & Ad
56815	2000	761	Ad (by Sec. 123	56830	2000	761	R & Ad
			of Ch.)	56831	2000	761	R & Ad
	2001	530	Am	56832	2000	761	R & Ad
56815.2	2000	761	Ad	56833	2000	761	R & Ad
Title 5,				56833.1	2000	761	R
Div. 3,				56833.3	2000	761	R
Pt. 3,				56833.5	2000	761	R
Ch. 5,				56834	2000	761	R & Ad
heading					2001	667	Am
(Sec. 56820				56835	2000	761	R & Ad
et seq.)	2000	761	Ad	56836	2000	761	R & Ad
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

**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
56842.6	2000	761	R	56886	2000	761	Ad
56842.7	2000	761	R		2001	667	Am
56843	2000	761	R & Ad		2002	548	Am
56844	2000	761	R & Ad	56886.1	2001	388	Ad
56844.1	2000	761	R	56886.3	2000	761	Ad(RN)
56844.2	2000	761	R (as ad by Stats. 1997, Ch. 911 and Stats. 1998, Ch. 590)	56886.5	2000	761	Ad
					2001	388	Am
56845	2000	761	R & Ad	56887	2000	761	Ad
56846	2000	761	R & Ad	56887.5	2000	761	Ad
56847	2000	761	R & Ad	56888	2000	761	Ad
56848	2000	761	Ad		2001	388	Am & RN
56848.3	2000	761	R	56889	2000	761	Ad
56848.5	2000	761	R	56890	2000	761	Ad
56849	2000	761	R & Ad	56895	2000	761	Ad (by Sec. 211 of Ch.)
56850	2000	761	R		2001	388	Am (by Sec. 23 of Ch.)
56851	2000	761	R		2001	530	Am (by Sec. 6.5 of Ch.)
56852	2000	761	R		2002	548	Am
56852.3	2000	761	R	56897	2000	761	Ad
56852.5	2000	761	R	56898	2000	761	Ad
56852.7	2000	761	Ad	57000	2000	761	Am
	2001	388	Am & RN	57001	2000	761	Am
56853	1999	550*	Am <sup>1</sup>	57002	2000	761	Am (by Sec. 214 of Ch.)
	2000	761	R & Ad		2001	530	Am
	2001	667	Am		2002	548	Am
56854	2000	761	R & Ad	57003	2000	761	Am
56855	2000	761	R & Ad	57004	2000	761	R
56856	2000	761	R & Ad	57005	2000	761	R
56856.5	2002	614	Ad	57006	2000	761	R
56857	1999	550*	Am <sup>1</sup>	57007	2000	761	Am
	2000	761	R & Ad		2002	548	Am
	2001	388	Am	57008	2000	761	Am
	2002	547	Am	57025	2000	761	Am
	2002	548	Am		2002	548	Am
56858	2000	761	R	57026	2000	761	Am
56859	2000	761	R & Ad		2001	388	Am
56860	2000	761	R	57050	2000	761	Am (by Sec. 223 of Ch.)
56860.5	2000	761	Ad		2001	530	Am
56861	2000	761	Ad	57051	2000	761	Am
56862	2000	761	Ad	57052	2000	761	Am
56863	2000	761	Ad	57053	2000	761	Am & RN
	2001	667	Am	57075	2000	761	Am
56864	2000	761	Ad	57075.5	2000	761	Am
56864.1	2000	761	Ad	57076	2000	761	Am
56864.3	2000	761	Ad	57077	2000	761	Am
56865	2000	761	Ad		2002	548	Am
56866	2000	761	Ad	57078	2000	761	Am
56870	2000	761	Ad	57078.5	2000	761	Ad
56871	2000	761	Ad		2001	388	Am
56875	2000	761	Ad		2002	548	Am
56876	2000	761	Ad	57079	2000	761	R
56877	2001	667	Ad	57079.3	2001	388	R
56880	2000	761	Ad	57079.5	2000	761	Am & RN
56881	2000	761	Ad	57080	1999	921	Am
56882	2000	761	Ad		2000	761	Am
56883	2000	761	Ad		2002	548	Am
56884	2000	761	Ad	57081	2000	761	Am
56885	2000	761	Ad				
56885.5	2000	761	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
57082	2000	761	Am & RN	57138	2000	761	Am
57082.5	2000	761	Am & RN	57144	2000	761	Am
57083	2000	761	Am & RN	57145	2000	761	Am
57083.5	2000	761	Am & RN	57146	2000	761	Am
57084	2000	761	Am & RN	57148	2000	761	Am
57085	2000	761	Am & RN	57149	2000	761	Am
57086	2000	761	Am & RN	57150	2000	761	Am
57087	2000	761	Am & RN	57175	2000	761	R
57087.3	1999	921	Am	57176	2000	761	Am
57087.5	2000	761	Am & RN	57176.1	2000	761	Am
57087.7	2000	761	Am & RN	57177	2000	761	Am
57088	2000	761	Am & RN	57177.5	2000	761	Am
57089	2000	761	Am & RN	57178	2000	761	Am
57090	2000	761	Am	57179	2000	761	Am
57091	2000	761	Am & RN	57200	2000	761	Am
57092	2000	761	Am & RN	57201	2000	761	Am
57093	2000	761	Am & RN		2001	388	Am
57100	2000	761	Am & RN	57302	2000	761	Am
			& Ad(RN)		2002	548	Am
57101	2000	761	Am & RN	57303	2000	761	Am
			& Ad(RN)	57379	2000	761	Am
57102	2000	761	Am & RN	57384	2000	761	Am
			& Ad(RN)	57402	2000	761	Am
	2002	548	Am	57404	2000	761	Am
57103	2000	761	Am & RN	57450	2002	548	Am
			& Ad(RN)	59125	2002	94	Am
57103.1	2000	761	Am & RN	60203	2000	569	Am
57104	2000	761	Am & RN	60204	2001	767	Am
			& Ad(RN)	60400	2000	506	R
57105	2000	761	Ad(RN)	60401	2000	506	R
57106	2000	761	Ad(RN)	60410	2000	506	R
57107	2000	761	Ad(RN)	60411	2000	506	R
57108	2000	761	Ad(RN)	60412	2000	506	R
	2002	548	Am	60413	2000	506	R
57109	2000	761	Ad(RN)	60414	2000	506	R
	2002	548	Am	60415	2000	506	R
57110	2000	761	Ad(RN)	60416	2000	506	R
57111	2000	761	Ad(RN)	60417	2000	506	R
57112	2000	761	Ad(RN)	60418	2000	506	R
57113	2000	761	Ad(RN)	60419	2000	506	R
57114	2000	761	Ad(RN)	60420	2000	506	R
	2001	388	Am (by Sec. 27 of Ch.)	60421	2000	506	R
	2001	667	Am (by Sec. 19 of Ch.)	60422	2000	506	R
				60423	2000	506	R
57114.5	2001	606*	Ad	60424	2000	506	R
57115	2000	761	Ad(RN)	60425	2000	506	R
57116	2000	761	Ad(RN)	60426	2000	506	R
57117	2000	761	Ad(RN)	60427	2000	506	R
57118	2000	761	Ad(RN)	60428	2000	506	R
57119	2000	761	Ad(RN)	60429	2000	506	R
	2002	548	Am	60430	2000	506	R
57120	2000	761	Ad(RN)	60440	2000	506	R
	2001	388	Am	60500	2000	506	R
57125	2000	761	Am	60501	2000	506	R
57126	2000	761	Am	60502	2000	506	R
57127	2000	761	Am	60503	2000	506	R
57129	2000	761	Am	60504	2000	506	R
57130	2000	761	Am	60505	2000	506	R
57131	2000	761	Am	60506	2000	506	R
57133	2000	761	Am	60507	2000	506	R
				60520	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>
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
60542	2000	506	R	60782	2000	506	R
60543	2000	506	R	60783	2000	506	R
60544	2000	506	R	60784	2000	506	R
60545	2000	506	R	60785	2000	506	R
60546	2000	506	R	60786	2000	506	R
60547	2000	506	R	60787	2000	506	R
60548	2000	506	R	60788	2000	506	R
60549	2000	506	R	60789	2000	506	R
60550	2000	506	R	60790	2000	506	R
60551	2000	506	R	60791	2000	506	R
60600	2000	506	R	60792	2000	506	R
60602	2000	506	R	60793	2000	506	R
60603	2000	506	R	60794	2000	506	R
60604	2000	506	R	60795	2000	506	R
60605	2000	506	R	60796	2000	506	R
60606	2000	506	R	60797	2000	506	R
60607	2000	506	R	60798	2000	506	R
60608	2000	506	R	60799	2000	506	R
60609	2000	506	R	60800	2000	506	R
60610	2000	506	R	60801	2000	506	R
60611	2000	506	R	60802	2000	506	R
60612	2000	506	R	60803	2000	506	R
60613	2000	506	R	60804	2000	506	R
60614	2000	506	R	60805	2000	506	R
60615	2000	506	R	60806	2000	506	R
60616	2000	506	R	60807	2000	506	R
60617	2000	506	R	60808	2000	506	R
60630	2000	506	R	60809	2000	506	R
60631	2000	506	R	60810	2000	506	R
60632	2000	506	R	60811	2000	506	R
60650	2000	506	R	60812	2000	506	R
60651	2000	506	R	60813	2000	506	R
60652	2000	506	R	60814	2000	506	R
60653	2000	506	R	60815	2000	506	R
60700	2000	506	R	60820	2000	506	R
60725	2000	506	R	60821	2000	506	R
60726	2000	506	R	60822	2000	506	R
60727	2000	506	R	60823	2000	506	R
60728	2000	506	R	60824	2000	506	R
60740	2000	506	R	60825	2000	506	R
60741	2000	506	R	60826	2000	506	R
60742	2000	506	R	60830	2000	506	R
60742.5	2000	506	R	60831	2000	506	R
60743	2000	506	R	60832	2000	506	R
60744	2000	506	R	60833	2000	506	R
60745	2000	506	R	60834	2000	506	R
60746	2000	506	R	60835	2000	506	R
60747	2000	506	R	60836	2000	506	R
60748	2000	506	R	60837	2000	506	R
60749	2000	506	R	60838	2000	506	R
60750	2000	506	R	60839	2000	506	R
60751	2000	506	R	60840	2000	506	R
60752	2000	506	R	60841	2000	506	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
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
60850	2000	506	R	60952	2000	506	R
60851	2000	506	R	60953	2000	506	R
60852	2000	506	R	60960	2000	506	R
60853	2000	506	R	60961	2000	506	R
60854	2000	506	R	60962	2000	506	R
60860	2000	506	R	60963	2000	506	R
60861	2000	506	R	60964	2000	506	R
60862	2000	506	R	60970	2000	506	R
60863	2000	506	R	60971	2000	506	R
60864	2000	506	R	61103	2001	176	Am
60865	2000	506	R	61107	1999	550*	Am <sup>1</sup>
60866	2000	506	R	61601.1	2002	784	Am <sup>490</sup>
60867	2000	506	R	61601.18	1999	132*	Ad
60869	2000	506	R	61601.20	2002	454	Ad
60870	2000	506	R	61712	2000	262	Am
60871	2000	506	R	61737.04	2000	66	Am
60872	2000	506	R	61737.05	2000	506	Am
60880	2000	506	R	61737.06	2000	66	Am
60881	2000	506	R	63010	1999	936	Am (by Sec. 1 of Ch.)
60882	2000	506	R				
60883	2000	506	R		2000	1079	Am
60884	2000	506	R	63025.2	1999	84*	Ad
60885	2000	506	R	63035.5	1999	84*	Ad
60886	2000	506	R	63036	2001	938	Am
60887	2000	506	R	63041	1999	84*	Am
60888	2000	506	R	63041.5	1999	84*	Ad
60889	2000	506	R	Title 6.7,			
60890	2000	506	R	Div. 1,			
60891	2000	506	R	Ch. 2,			
60892	2000	506	R	Art. 5,			
60893	2000	506	R	heading			
60894	2000	506	R	(Sec. 63043			
60895	2000	506	R	et seq.)	1999	83	Am <sup>30</sup>
60896	2000	506	R	63048	2000	1078	Ad
60897	2000	506	R	63048.3	2000	1078	Ad
60898	2000	506	R	63048.5	2000	1078	Ad
60899	2000	506	R	63049	2002	414	Ad
60900	2000	506	R	63049.1	2002	414	Ad
60901	2000	506	R	63049.2	2002	414	Ad
60902	2000	506	R	63049.3	2002	414	Ad
60903	2000	506	R	63049.4	2002	414	Ad
60904	2000	506	R	63049.5	2002	414	Ad
60910	2000	506	R	63073	2001	508	Am
60911	2000	506	R	64000	2002	805*	Am
60912	2000	506	R	65008	2001	671	Am
60913	2000	506	R	65009	1999	968	Am
60914	2000	506	R		2002	221	Am
60915	2000	506	R	65040.12	1999	690	Ad
60916	2000	506	R		2000	728	Am
60917	2000	506	R		2001	762	Am
60920	2000	506	R	65040.2	2001	762	Am
60930	2000	506	R		2002	971	Am (by Sec. 1.5 of Ch.)
60931	2000	506	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
65040.9	2002	971	Ad	65583.1	2002	1062	Am
65041	2002	1016	Am	65584	2001	159	Am <sup>305</sup>
65041.1	2002	1016	Ad	65584.6	2000	358	Am
	2002	1109	Am (as ad by Sec. 4, Stats. 2002, Ch. 1016)	65585	2000	471	Am
				65585.1	2001	159	Am <sup>305</sup>
				65585.2	2002	711	Ad
65042	2002	1016	Am	65588	1999	107*	Am
65048	2002	424	Am		2000	117*	Am
	2002	1016	Am		2001	85*	Am
65049	2002	1016	Am	65588.1	2000	117*	Am
65050	2000	290	Am	65589.5	1999	966	Am <sup>82</sup>
	2000	769	S <sup>75</sup>		1999	968	Am
	2000	769	S <sup>75</sup>		2001	237	Am
65051	2000	769	S <sup>75</sup>		2002	147	Am
65051.5	2001	123	Ad	65601	2000	510	Ad
65052	2000	769	S <sup>75</sup>	65602	2000	510	Ad
65053	2000	769	Am <sup>75</sup>	65603	2000	510	Ad
65053.5	2001	612	Ad & R <sup>75</sup>	65604	2000	510	Ad
65053.6	2001	612	Ad & R <sup>75</sup>	65605	2000	510	Ad
65053.7	2001	612	Ad & R <sup>75</sup>	65606	2000	510	Ad
65054	2000	1059	Ad	65607	2000	510	Ad
65054.1	2000	1059	Ad	65850	1999	550*	Am <sup>1</sup>
65054.3	2000	1059	Ad	65850.4	1999	550*	Am <sup>1</sup>
65054.4	2000	1059	Ad	65850.5	2001	873	Am
65054.5	2000	1059	Ad	65852.2	2002	1062	Am
65055	1999	596	R	65858	2001	939	Am
	1999	597	R	65863	2002	706	Ad <sup>427</sup>
65055.5	1999	596	R	65863.10	1999	26*	Am
	1999	597	R		2000	666	Am <sup>111</sup>
65080	1999	1007	Am (by Sec. 1 of Ch.)		2002	1038	Am
	2000	91*	Am	65863.11	1999	26*	Am
	2000	832	Am		2000	666	Am <sup>111</sup>
	2001	99	Am		2002	1038	Am
65080.3	2000	832	Ad	65863.13	2001	117*	Ad & R <sup>111</sup>
65082	2000	91*	Am	65867.5	2001	642	Am
65083	2000	91*	Am	65891	2000	80	Ad <sup>193</sup>
	2001	115	R				R <sup>63</sup>
65088	2002	505	Am	65891.1	2000	80	Ad <sup>193</sup>
65088.1	2002	505	Am				R <sup>63</sup>
65088.4	2002	505	Ad	65891.10	2000	80	Ad <sup>193</sup>
65089	2001	597	Am				R <sup>63</sup>
	2002	505	Am	65891.11	2000	80	Ad <sup>82</sup>
65090	2000	785	Am				R <sup>82</sup>
65091	1999	460	Am		2000	665	Ad <sup>193</sup>
	2000	785	Am				R <sup>63</sup>
65302	2002	971	Am <sup>439</sup>	65891.12	2000	665	Ad <sup>193</sup>
65302.3	2002	971	Am <sup>439</sup>				R <sup>63</sup>
65302.6	2001	745*	R	65891.2	2000	80	Ad <sup>193</sup>
65307	1999	550*	Am <sup>1</sup>				R <sup>63</sup>
65352.2	2001	396	Ad	65891.3	2000	80	Ad <sup>82</sup>
65400	2000	506	Am				R <sup>82</sup>
65404	2002	1016	Ad		2000	665	Ad <sup>193</sup>
65460.2	2001	115	Am				R <sup>63</sup>
65560	2002	971	Am (by Sec. 5 of Ch.) <sup>339</sup>	65891.4	2000	80	Ad <sup>193</sup>
							R <sup>63</sup>
65580	1999	967	Am	65891.5	2000	80	Ad <sup>82</sup>
65583	1999	967	Am				R <sup>82</sup>
	2001	671	Am		2000	665	Ad <sup>193</sup>
	2002	971	Am <sup>439</sup>				R <sup>63</sup>
	2002	1038	Am <sup>82</sup>	65891.7	2000	80	Ad <sup>193</sup>
							R <sup>63</sup>

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		
65891.8	2000	80	Ad <sup>193</sup> R <sup>63</sup>	66445	2001	176	Am		
65891.9	2000	80	Ad <sup>193</sup> R <sup>63</sup>	66449	2001	176	Am		
Title 7, Div. 11, Ch. 4, Art. 2.11, heading (Sec. 65892.13 et seq.)	65892.13	2002	664	Ad <sup>431</sup>	66451.17	2000	506	Am	
		2001	562	Ad <sup>79</sup> R <sup>80</sup>	66451.2	1999	550*	Am <sup>1</sup>	
		2002	328	Am	66452.10	2000	26*	Am	
		2002	664	Am <sup>431</sup>	66452.6	2002	1013	Am	
		65913.1	2001	939	Am	66455.3	2001	642	Ad
		65913.5	2001	115	R	66455.9	2000	1058	Am
		65915	1999	968	Am	66458	1999	550*	Am <sup>1</sup>
			2000	556	Am	66463.5	2000	506	Am
			2002	1062	Am	66464	2001	176	Am
		65917	2001	115	Am	66466	2000	678	Am
		65950	1999	967	Am <sup>82</sup>	66469	2001	176	Am
			1999	968	Am	66470	2001	176	Am
		65956	1999	550*	Am <sup>1</sup>	66472	2001	176	Am
		65964	1999	812	Ad & R <sup>20</sup>	66472.1	2001	176	Am
65995.5	1999	858	Am	66473.1	2001	873	Am		
65995.6	1999	858	Am	66473.7	2001	642	Ad		
65995.7	2002	33*	Am <sup>397</sup>	66474.4	1999	1018	Am		
66014	2002	963	Am		2002	613	Am		
66037	2002	1016	Am	66474.5	2001	176	R		
Title 7, Div. 1, Ch. 10, heading (Sec. 66100 et seq.)	66100	1999	83	Ad(RN) <sup>30</sup>	66475.1	2001	873	Am	
		1999	83	Ad(RN) <sup>30</sup>	66475.2	2001	873	Am	
		1999	83	Ad(RN) <sup>30</sup>	66478.11	2002	1109	Am	
		1999	83	Ad(RN) <sup>30</sup>	66478.12	2002	1109	Am	
		1999	83	Ad(RN) <sup>30</sup>	66478.4	2002	1109	Am	
		1999	83	Ad(RN) <sup>30</sup>	66478.5	2002	1109	Am	
		1999	83	Ad(RN) <sup>30</sup>	66478.6	2002	1109	Am	
		1999	83	Ad(RN) <sup>30</sup>	66478.8	2002	1109	Am	
		1999	83	Ad(RN) <sup>30</sup>	66478.8	2002	1109	Am	
		1999	83	Ad(RN) <sup>30</sup>	66498.1	1999	550*	Am <sup>1</sup>	
Title 7, Div. 1, Ch. 6, heading (Sec. 66400 et seq.)	66400	1999	83	Am & RN <sup>30</sup>	66498.2	1999	550*	Am <sup>1</sup>	
		1999	83	Am & RN <sup>30</sup>	66498.3	1999	550*	Am <sup>1</sup>	
		1999	83	Am & RN <sup>30</sup>	66499.19	2000	506	Am	
		1999	83	Am & RN <sup>30</sup>	66499.2	2001	176	Am	
		1999	83	Am & RN <sup>30</sup>	66499.22	2002	221	Am	
		1999	83	Am & RN <sup>30</sup>	66499.35	2001	873	Am	
		1999	83	Am & RN <sup>30</sup>	66519	1999	1011	R	
		1999	83	Am & RN <sup>30</sup>	66535	2002	470	Ad	
		1999	83	Am & RN <sup>30</sup>	66540	1999	1011	Ad	
		1999	83	Am & RN <sup>30</sup>	66540.1	1999	1011	Ad	
		1999	83	Am & RN <sup>30</sup>	66540.10	1999	1011	Ad	
		1999	83	Am & RN <sup>30</sup>	66540.12	1999	1011	Ad	
		1999	83	Am & RN <sup>30</sup>	66540.14	1999	1011	Ad	
		1999	83	Am & RN <sup>30</sup>	66540.16	1999	1011	Ad	
1999	83	Am & RN <sup>30</sup>	66540.18	1999	1011	Ad			
1999	83	Am & RN <sup>30</sup>	66540.2	1999	1011	Ad			
1999	83	Am & RN <sup>30</sup>	66540.20	1999	1011	Ad			
1999	83	Am & RN <sup>30</sup>	66540.21	2001	404	Am			
2000	26*	Am	66540.22	1999	1011	Ad			
2000	506	Am		2001	404	Am			
2001	873	Am	66540.23	1999	1011	Ad			
2002	1109	Am	66540.24	1999	1011	Ad			
2002	1109	Am	66540.26	1999	1011	Ad			
2001	176	Am	66540.28	1999	1011	Ad			
2002	1143	Am	66540.30	1999	1011	Ad			
2001	176	Am	66540.32	1999	1011	Ad			
2001	176	Am	66540.34	1999	1011	Ad			
2001	176	Am	66540.36	1999	1011	Ad			
2001	176	Am	66540.38	1999	1011	Ad			
2001	176	Ad	66540.4	1999	1011	Ad			

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

## GOVERNMENT 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>
66540.40	1999	1011	Ad		2000	447	Am (as am by
66540.42	1999	1011	Ad				Stats. 2000,
66540.44	1999	1011	Ad				Ch. 15)
66540.46	1999	1011	Ad		2001	824	Am
66540.48	1999	1011	Ad		2002	1008	Am
66540.50	1999	1011	Ad	68085.5	2001	824	R
66540.52	1999	1011	Ad	68086	2001	115	Am
66540.54	1999	1011	Ad	68087	2002	1124*	Ad <sup>424</sup>
66540.56	1999	1011	Ad				R <sup>69</sup>
66540.58	1999	1011	Ad	68087.1	2002	1008	Ad
66540.6	1999	1011	Ad	68090.7	2002	784	Am <sup>490</sup>
66540.60	1999	1011	Ad	68093	2002	784	Am <sup>490</sup>
66540.62	1999	1011	Ad	68096	2002	784	R <sup>490</sup>
66540.64	1999	1011	Ad	68105	2002	784	Am <sup>490</sup>
66540.68	1999	1011	Ad	68108	2002	784	Am <sup>490</sup>
66540.70	1999	1011	Ad	68110	2002	664	Am <sup>431</sup>
66540.72	1999	1011	Ad	68112	2000	1055*	Am
66540.8	1999	1011	Ad	68113	2001	812	R
66605	1999	774	Am	68114.10	2002	905	Ad
66632.4	2000	498	Am	68115	2002	784	Am <sup>490</sup>
66907.7	2002	966	Am	68152	2002	784	Am <sup>490</sup>
66909	2000	688	S <sup>43</sup>	68202	2002	784	Am <sup>490</sup>
66909.1	2000	688	S <sup>43</sup>	68203	2000	196	Am
66909.2	2000	688	Am <sup>43</sup>	68203.1	2001	118*	Ad
66909.3	2000	688	S <sup>43</sup>		2002	1008	Am
66909.4	2000	688	S <sup>43</sup>	68206.2	2002	784	Am <sup>490</sup>
66909.5	2000	688	Am <sup>43</sup>	68502.5	2001	812	Am
67150	2000	764	Ad & R <sup>248</sup>		2002	784	Am <sup>490</sup>
67150.1	2000	764	Ad & R <sup>248</sup>	68511.2	2001	745*	Am
67150.2	2000	764	Ad & R <sup>248</sup>	68511.3	1999	892	Am
67150.3	2000	764	Ad & R <sup>248</sup>		2001	812	Am
67150.4	2000	764	Ad & R <sup>248</sup>	68520	2002	784	R <sup>490</sup>
67150.5	2000	764	Ad & R <sup>248</sup>	68540	2002	784	R <sup>490</sup>
67150.6	2000	764	Ad & R <sup>248</sup>	68542	2002	784	R <sup>490</sup>
67410	2000	596	R	68542.5	2002	784	R <sup>490</sup>
67421	2000	596	R	68543.5	2002	661	Am
67460	2000	596	R	68546	2002	784	R <sup>490</sup>
67461	2000	596	R	68547	1999	891	Am (as am by
67462	2000	596	R				Sec. 245.4,
67463	2000	596	R				Stats. 1998,
67464	2000	596	R				Ch. 931) <sup>24</sup>
67465	2000	596	R				Am (as am by
67466	2000	596	R				Sec. 245.5,
67467	2000	596	R				Stats. 1998,
67523	2001	745*	R				Ch. 931) <sup>25</sup>
67940	2001	472	Am	68562	2002	784	Am <sup>490</sup>
	2002	664	Am <sup>431</sup>	68604	2001	745*	Am
67941	2001	472	Ad	68611	2002	784	R <sup>490</sup>
68071	2002	784	Am <sup>490</sup>	68616	1999	67*	Am
68072	2002	784	Am <sup>490</sup>				R & Ad <sup>22</sup>
68073	2002	784	Am <sup>490</sup>	68617	1999	67*	Ad
	2002	1082	Am & RN	68618.5	2002	784	R <sup>490</sup>
68074.1	2002	784	Am <sup>490</sup>	68620	2002	784	Am <sup>490</sup>
68077	2002	784	R <sup>490</sup>	68650	2000	1010	R <sup>8</sup>
68079	2001	824	Am	68651	2000	1010	R <sup>8</sup>
68080.5	2001	387	Ad	68652	2000	1010	R <sup>8</sup>
68082	2002	784	Am <sup>490</sup>	68653	2000	1010	R <sup>8</sup>
68083	2002	784	R <sup>490</sup>	68654	2000	1010	R <sup>8</sup>
68085	2000	15	Am	68655	2000	1010	R <sup>8</sup>

**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
68656	2000	1010	Ad & R <sup>5</sup>	69590.7	2002	784	Am <sup>490</sup>
68660	1999	853	Am <sup>144</sup>	69591	2000	998	Am
68661	1999	853	Am <sup>144</sup>		2002	784	Am <sup>490</sup>
68806	1999	891	Am	69591.3	2002	784	Ad <sup>490</sup>
68926	1999	78*	Am	69591.7	2002	784	Ad <sup>490</sup>
68926.3	1999	78*	Am <sup>18</sup>	69592	2000	998	Am
69101	2000	998	Am		2002	784	Am <sup>490</sup>
69102	2000	998	Am	69593	2000	998	Am
69103	2000	998	Am		2002	784	Am <sup>490</sup>
69104	2000	998	Am	69593.5	2002	784	Ad <sup>490</sup>
69105	2000	998	Am	69594	2000	998	Am
69106	2000	998	Am		2002	784	Am <sup>490</sup>
69202	2002	1082	Ad	69595	2000	998	Am
69204	2002	1082	Ad		2002	784	Am <sup>490</sup>
69206	2002	1082	Ad	69595.5	2002	784	Am <sup>490</sup>
69502	2000	1081	R	69596	2000	998	Am
69505	2001	824	R & Ad		2002	784	Am <sup>490</sup>
69506	2001	824	R	69598	2000	998	Am
69508	1999	344*	Am		2002	784	Am <sup>490</sup>
69508.5	1999	344*	Am	69598.5	2002	784	Ad <sup>490</sup>
	2002	784	Am <sup>490</sup>	69599	2002	784	Am <sup>490</sup>
69510	2002	784	Am <sup>490</sup>	69599.5	2002	784	Am <sup>490</sup>
	2002	1008	R	69600	2002	784	Am <sup>490</sup>
69510.5	2002	784	Am <sup>490</sup>	69600.5	2002	784	Ad <sup>490</sup>
	2002	1008	R	69601	2002	784	Am <sup>490</sup>
69510.6	2002	784	Am <sup>490</sup>	69601.3	2002	784	Ad <sup>490</sup>
	2002	1008	R	69601.7	2002	784	Ad <sup>490</sup>
69580	2000	998	Am	69602	2002	784	Am <sup>490</sup>
	2002	784	Am <sup>490</sup>	69603	2000	998	Am
69580.3	2002	784	Ad <sup>490</sup>		2002	784	Am <sup>490</sup>
69580.7	2002	784	Ad <sup>490</sup>	69604	2002	784	Am <sup>490</sup>
69581	2000	998	Am	69604.3	2002	784	Ad <sup>490</sup>
	2002	784	Am <sup>490</sup>	69604.5	2002	784	Ad <sup>490</sup>
69581.3	2002	784	Ad <sup>490</sup>	69604.7	2002	784	Ad <sup>490</sup>
69581.7	2002	784	Ad <sup>490</sup>	69605	2002	784	Am <sup>490</sup>
69582	2000	998	Am	69605.5	2002	784	Am <sup>490</sup>
	2002	784	Am <sup>490</sup>	69606	2000	998	Am
69582.3	2002	784	Ad <sup>490</sup>		2002	784	Am <sup>490</sup>
69582.5	2002	784	Am <sup>490</sup>	69607	2002	784	R <sup>490</sup>
69583	2000	998	Am	69608	2002	784	R <sup>490</sup>
	2002	784	Am <sup>490</sup>	69609	2002	784	R <sup>490</sup>
69583.5	2002	784	Ad <sup>490</sup>	69610	2000	998	Am
69584	2002	784	Am <sup>490</sup>		2002	784	Am <sup>490</sup>
69584.5	2002	784	Am <sup>490</sup>	69611	2002	784	Am <sup>490</sup>
69584.7	2002	784	Ad <sup>490</sup>	69613	2000	998	Am
69585	2000	998	Am		2002	784	R <sup>490</sup>
	2002	784	Am <sup>490</sup>	69614	2002	784	R <sup>490</sup>
69585.5	2002	784	Am <sup>490</sup>	69615	2002	784	R <sup>490</sup>
69585.7	2002	784	Am <sup>490</sup>	69620	2000	998	R
69585.9	2002	784	Ad <sup>490</sup>	69645	2002	1008	Ad
69586	2000	998	Am	69648	2002	784	R <sup>490</sup>
	2002	784	Am <sup>490</sup>	69649	2002	784	Am <sup>490</sup>
69587	2002	784	Am <sup>490</sup>	69741	2002	784	Am <sup>490</sup>
69588	2002	784	Am <sup>490</sup>	69743	2002	784	Am <sup>490</sup>
69588.3	2002	784	Ad <sup>490</sup>	69744	2002	784	Am <sup>490</sup>
69588.7	2002	784	Ad <sup>490</sup>	69744.5	2002	784	Am <sup>490</sup>
69589	2002	784	Am <sup>490</sup>	69750	2002	784	R <sup>490</sup>
69589.3	2002	784	Ad <sup>490</sup>	69753	2002	784	R <sup>490</sup>
69589.7	2002	784	Ad <sup>490</sup>	69801	2002	784	R <sup>490</sup>
69590	2002	784	Am <sup>490</sup>	69840	2002	784	Ad <sup>490</sup>
69590.5	2002	784	Am <sup>490</sup>	69845.6	2001	115	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
69890	2002	784	R <sup>490</sup>	70141.1	2002	784	R <sup>490</sup>
69891.1	2002	784	R <sup>490</sup>	70141.10	2002	784	R <sup>490</sup>
69891.5	2002	784	R <sup>490</sup>	70141.11	2002	784	R & Ad <sup>490</sup>
69892	2002	784	R <sup>490</sup>	70141.12	2002	784	R <sup>490</sup>
69892.1	2002	784	R <sup>490</sup>	70141.13	2002	784	R <sup>490</sup>
69893.5	2002	784	R <sup>490</sup>	70141.4	2002	784	R <sup>490</sup>
69894	1999	891	Am	70141.5	2002	784	R <sup>490</sup>
69894.1	1999	891	Am (as am by	70141.6	2002	784	R <sup>490</sup>
			Sec. 1.5,	70141.7	2002	784	R <sup>490</sup>
			Stats. 1998,	70141.8	2002	784	R <sup>490</sup>
			Ch. 973) <sup>139</sup>	70141.9	2002	784	R <sup>490</sup>
			Am (as am by	70142	2002	784	R <sup>490</sup>
			Sec. 1.6,	70142.11	2002	784	R <sup>490</sup>
			Stats. 1998,	70142.12	2002	784	R <sup>490</sup>
			Ch. 973) <sup>25</sup>	70142.13	2002	784	R <sup>490</sup>
			Am (as am by	70142.16	2002	784	R <sup>490</sup>
			Sec. 1.7,	70143	2002	784	R <sup>490</sup>
			Stats. 1998,	70144	2002	784	R <sup>490</sup>
			Ch. 973) <sup>56, 24</sup>	70145	2002	784	R <sup>490</sup>
			R <sup>490</sup>	70146	2002	784	R <sup>490</sup>
			R <sup>490</sup>	70147	2002	784	R <sup>490</sup>
69895	2002	784	R <sup>490</sup>	70148	2002	784	R <sup>490</sup>
69896	2002	784	R <sup>490</sup>	70180	2002	784	R <sup>490</sup>
69897	2002	784	R <sup>490</sup>	70214.5	1999	891	Ad
69898	2002	784	R <sup>490</sup>		2002	784	R <sup>490</sup>
69899.5	1999	891	Am	70214.6	1999	891	Ad
			R <sup>490</sup>		2002	784	R <sup>490</sup>
69900	2002	784	R <sup>490</sup>	70217	1999	891	Am
69901	2002	784	R <sup>490</sup>	70218	2000	1010	Am
69903.3	2002	784	R <sup>490</sup>	70219	2001	745*	R
69904	2002	784	R <sup>490</sup>		2002	784	Ad <sup>490</sup>
69906	2002	784	R <sup>490</sup>	70301	2002	1082	Ad
69908	2002	784	R <sup>490</sup>	70303	2002	1082	Ad
69911	2002	784	R <sup>490</sup>	70311	2002	1082	Ad(RN)
69912	2002	784	R <sup>490</sup>	70312	2002	1082	Ad
69915	1999	641*	Ad	70313	2002	1082	Ad
			Am <sup>203</sup>	70321	2002	1082	Ad
			R <sup>490</sup>	70322	2002	1082	Ad
69917	2002	784	Ad <sup>490</sup>	70323	2002	1082	Ad
69920	2002	1010	Ad	70325	2002	1082	Ad
69921	2002	1010	Ad	70326	2002	1082	Ad
69921.5	2002	1010	Ad	70327	2002	1082	Ad
69922	2002	1010	Ad	70328	2002	1082	Ad
69925	2002	1010	Ad	70329	2002	1082	Ad
69926	2002	1010	Ad	70330	2002	1082	Ad
69927	2002	1010	Ad	70331	2002	1082	Ad
69941	2002	784	Am <sup>490</sup>	70332	2002	1082	Ad
69942	2002	784	Am <sup>490</sup>	70333	2002	1082	Ad
69944	2002	784	Am <sup>490</sup>	70341	2002	1082	Ad
69945	2002	784	R <sup>490</sup>	70342	2002	1082	Ad
69950	2002	71	Am	70343	2002	1082	Ad
69955	2002	784	Am <sup>490</sup>	70344	2002	1082	Ad
69957	2002	784	R & Ad(RN) <sup>490</sup>	70351	2002	1082	Ad
69958	2002	784	R <sup>490</sup>	70352	2002	1082	Ad
69959	2002	784	R <sup>490</sup>	70353	2002	1082	Ad
70050.5	2000	133	Am	70354	2002	1082	Ad
70140	2002	784	R <sup>490</sup>	70355	2002	1082	Ad
70140.5	1999	891	Ad	70356	2002	1082	Ad
			R <sup>490</sup>	70357	2002	1082	Ad
70141	2000	447	Am	70358	2002	1082	Ad
			R <sup>490</sup>	70359	2002	1082	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
70360	2002	1082	Ad	71092	2002	784	R <sup>490</sup>
70361	2002	1082	Ad	71093	2002	784	R <sup>490</sup>
70362	2002	1082	Ad	71094	2002	784	R & Ad <sup>490</sup>
70363	2002	1082	Ad	71095	2002	784	R <sup>490</sup>
70365	2002	1082	Ad	71098	2002	784	R <sup>490</sup>
70366	2002	1082	Ad	71099	2002	784	R <sup>490</sup>
70367	2002	1082	Ad	71100	2002	784	R <sup>490</sup>
70368	2002	1082	Ad	71140	2002	784	R <sup>490</sup>
70369	2002	1082	Ad	71140.1	2002	784	R <sup>490</sup>
70370	2002	1082	Ad	71140.2	2002	784	R <sup>490</sup>
70371	2002	1082	Ad	71140.3	2002	784	R <sup>490</sup>
70372	2002	1082	Ad	71141	2002	784	R <sup>490</sup>
70373	2002	1082	Ad				Ad & R <sup>68 490</sup>
70373.5	2002	1082	Ad <sup>424</sup> R <sup>69</sup>	71143	2002	784	R <sup>490</sup> Ad & R <sup>68 490</sup>
70374	2002	1082	Ad	71144	2002	784	R <sup>490</sup> Ad & R <sup>68 490</sup>
70375	2002	1082	Ad				Ad & R <sup>68 490</sup>
70376	2002	1082	Ad	71145	2002	784	R <sup>490</sup>
70377	2002	1082	Ad				Ad & R <sup>68 490</sup>
70378	2002	1082	Ad	71145.1	2002	784	R <sup>490</sup>
70391	2002	1082	Ad				Ad & R <sup>68 490</sup>
70392	2002	1082	Ad	71146	2002	784	Ad & R <sup>68 490</sup>
70393	2002	1082	Ad	71180	2002	784	R <sup>490</sup>
70401	2002	1082	Ad				Ad & R <sup>68 490</sup>
70402	2002	1082	Ad	71180.5	2002	784	R <sup>490</sup>
70403	2002	1082	Ad	71181	2002	784	R <sup>490</sup>
71001	2002	784	R <sup>490</sup>				Ad & R <sup>68 490</sup>
71002	2002	784	R & Ad <sup>490</sup>	71182	2002	784	R <sup>490</sup>
71003	2002	784	R <sup>490</sup>	71183	2002	784	R <sup>490</sup>
71004	2002	784	R <sup>490</sup>	71184	2002	784	R <sup>490</sup>
71005	2002	784	R <sup>490</sup>	71220	2002	784	R <sup>490</sup>
71006	2002	784	R <sup>490</sup>	71221	2002	784	R <sup>490</sup>
71009	2002	784	R <sup>490</sup>	71260	2002	784	R <sup>490</sup>
71010	2001	824	R	71261	2002	784	R <sup>490</sup>
71040	2002	784	R <sup>490</sup>	71262	2002	784	R <sup>490</sup>
71040.1	2002	784	R <sup>490</sup>	71263	2002	784	R <sup>490</sup>
71040.4	2002	784	R <sup>490</sup>	71264	2002	784	R <sup>490</sup>
71040.5	2001	824	R	71265	2002	784	R & Ad <sup>490</sup>
71040.6	2002	784	R <sup>490</sup>	71266	2002	784	R & Ad <sup>490</sup>
71040.7	2001	824	R	71267	2002	784	R & Ad <sup>490</sup>
71040.8	2002	784	R <sup>490</sup>	71268	2002	784	R <sup>490</sup>
71041	2002	784	R <sup>490</sup>	71269	2002	784	R <sup>490</sup>
71042	2002	784	R <sup>490</sup>	71270	2002	784	R <sup>490</sup>
71042.5	2002	784	R & Ad <sup>490</sup>	71273	2002	784	R <sup>490</sup>
71042.6	1999	344 *	Am	71280	2002	784	R <sup>490</sup>
	2002	784	R & Ad <sup>490</sup>	71280.1	2002	784	R <sup>490</sup>
71043	2002	784	R & Ad <sup>490</sup>	71280.2	2002	784	R <sup>490</sup>
71044	2002	784	R <sup>490</sup>	71280.3	2002	784	R <sup>490</sup>
71045	2001	824	R	71280.4	2002	784	R <sup>490</sup>
71046	2002	784	R <sup>490</sup>	71280.5	2002	784	R <sup>490</sup>
71081	2002	221	Am	71305	2002	784	Am <sup>490</sup>
	2002	784	R <sup>490</sup>	71380	2002	784	Am <sup>490</sup>
71082	2002	784	R <sup>490</sup>	71382	2002	784	Am <sup>490</sup>
71083	2002	784	R <sup>490</sup>	71384	2002	784	Am <sup>490</sup>
71083.1	2001	824	R	71600	2000	1010	Ad
71085	2002	784	R <sup>490</sup>	71601	2000	1010	Ad
71085.1	2001	824	R		2001	270	Am
71086	2002	784	R <sup>490</sup>		2002	784	Am <sup>490</sup>
71088	2002	784	R <sup>490</sup>		2002	905	Am
71089	2002	784	R <sup>490</sup>	71612	2000	1010	Ad
71091	2002	784	R <sup>490</sup>	71614	2000	1010	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
71615	2000	1010	Ad	71650	2000	1010	Ad
	2002	905	Am		2001	270	Am
71616	2000	1010	Ad	71651	2000	1010	Ad
71617	2000	1010	Ad	71652	2000	1010	Ad
71618	2000	1010	Ad		2002	905	Am
71620	2000	1010	Ad	71653	2000	1010	Ad
	2002	784	Am <sup>490</sup>	71654	2000	1010	Ad
71622	2000	1010	Ad	71655	2000	1010	Ad
71623	2000	1010	Ad	71656	2000	1010	Ad
71623.5	2000	1010	Ad	71657	2000	1010	Ad
	2001	270	Am		2001	270	Am
71624	2000	1010	Ad	71658	2000	1010	Ad
71625	2000	1010	Ad	71660	2000	1010	Ad
71626	2000	1010	Ad	71670	2000	1010	Ad
71626.5	2000	1010	Ad	71671	2000	1010	Ad
	2001	270	Am	71672	2000	1010	Ad
71627	2000	1010	Ad	71673	2000	1010	Ad
	2001	270	Am	71674	2000	1010	Ad
71628	2000	1010	Ad		2002	784	Am <sup>490</sup>
	2001	270	Am	71675	2001	270	Ad
71629	2000	1010	Ad	71800	2002	1047	Ad
	2001	270	Am	71801	2002	1047	Ad
	2001	812	Am	71802	2002	1047	Ad
71630	2000	1010	Ad	71803	2002	1047	Ad
71631	2000	1010	Ad	71804	2002	1047	Ad
71632	2000	1010	Ad & R <sup>242</sup>	71804.5	2002	1047	Ad
71632.5	2000	1010	Ad <sup>243</sup>	71805	2002	1047	Ad
	2001	270	Am	71806	2002	1047	Ad <sup>425</sup>
	2002	905	Am	71807	2002	1047	Ad
71632.6	2000	1010	Ad	71808	2002	1047	Ad
71633	2000	1010	Ad	71809	2002	1047	Ad
71634	2000	1010	Ad	71810	2002	1047	Ad
71634.1	2000	1010	Ad	71811	2002	1047	Ad
71634.2	2000	1010	Ad	71812	2002	1047	Ad
71634.3	2000	1010	Ad	71812.5	2002	1047	Ad
71634.4	2000	1010	Ad	71813	2002	1047	Ad
71635	2000	1010	Ad	71814	2002	1047	Ad
71635.1	2000	1010	Ad	71815	2002	1047	Ad
71636	2000	1010	Ad	71816	2002	1047	Ad
	2002	905	Am	71817	2002	1047	Ad
71636.1	2000	1010	Ad	71818	2002	1047	Ad
71636.3	2002	905	Ad	71819	2002	1047	Ad
71637	2000	1010	Ad	71820	2002	1047	Ad
71637.1	2000	1010	Ad	71821	2002	1047	Ad
	2001	270	Am	71822	2002	1047	Ad
71638	2000	1010	Ad	71823	2002	1047	Ad
71639	2000	1010	Ad	71824	2002	1047	Ad
71639.1	2000	1010	Ad	71825	2002	1047	Ad
	2001	270	Am	71826	2002	1047	Ad
	2001	824	Am	71827	2002	1047	Ad
	2002	664	Am <sup>431</sup>	71828	2002	1047	Ad
	2002	905	Am	71829	2002	1047	Ad
71639.2	2000	1010	Ad	72000	2002	784	R <sup>490</sup>
71639.3	2000	1010	Ad	72001	2002	784	R <sup>490</sup>
	2002	905	Am	72002	2002	784	R <sup>490</sup>
71640	2000	1010	Ad	72002.1	2002	784	R <sup>490</sup>
71641	2000	1010	Ad	72003	2002	784	R <sup>490</sup>
71642	2000	1010	Ad	72004	2002	784	R & Ad <sup>490</sup>
71643	2000	1010	Ad	72006	2002	784	R <sup>490</sup>
71644	2000	1010	Ad	72053	2001	824	R
71645	2000	1010	Ad	72053.5	2002	784	R <sup>490</sup>

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

**GOVERNMENT 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>
72055	2000	447	Am	72602.15	2002	784	R <sup>490</sup>
	2001	812	Am	72602.2	2002	784	R <sup>490</sup>
72110	2002	784	Am & R <sup>489-490</sup>	72602.20	2002	784	R <sup>490</sup>
72111	2002	784	R <sup>490</sup>	72602.3	2002	784	R <sup>490</sup>
72113	2002	784	R <sup>490</sup>	72602.4	2002	784	R <sup>490</sup>
72114	1999	335	R	72602.5	2002	784	R <sup>490</sup>
	1999	641 *	R	72602.6	2002	784	R <sup>490</sup>
72114.1	2002	784	R <sup>490</sup>	72602.7	2002	784	R <sup>490</sup>
72114.2	1999	335	Ad	72602.9	2002	784	R <sup>490</sup>
	1999	641 *	Ad <sup>92</sup>	72604	2002	784	R <sup>490</sup>
	2000	135	Am <sup>203</sup>	72604.1	2002	784	R <sup>490</sup>
	2002	784	R (as ad by Stats. 1999, Ch. 335) <sup>490</sup>	72605	2002	784	R <sup>490</sup>
			Am (as am by Stats. 2000, Ch. 135) & R <sup>18-490</sup>	72606	2002	784	R <sup>490</sup>
72115	1999	138 *	R & Ad <sup>489-490</sup>	72606.1	2002	784	R <sup>490</sup>
	2002	784	Am & R <sup>490</sup>	72606.2	2002	784	R <sup>490</sup>
72116	2002	784	Am <sup>490</sup>	72607	2002	784	R <sup>490</sup>
72150	2002	784	R <sup>490</sup>	72608	1999	891	Am
72151	2002	784	R <sup>490</sup>		2002	784	R <sup>490</sup>
72190	2002	784	Am <sup>490</sup>	72609	2002	784	R (as ad by Sec. 5.3 and Sec. 5.4, Stats. 1998, Ch. 973) <sup>490</sup>
72190.1	2002	784	Am <sup>490</sup>	72610	2002	784	R <sup>490</sup>
72190.2	2002	784	Am <sup>490</sup>	72620	2002	784	R <sup>490</sup>
72190.5	1999	891	Ad	72621	2002	784	R <sup>490</sup>
	2002	784	R <sup>490</sup>	72622	2002	784	R <sup>490</sup>
72191	2002	784	R <sup>490</sup>	72623	2002	784	R <sup>490</sup>
72192	2002	784	R <sup>490</sup>	72624	2002	784	R <sup>490</sup>
72194	2002	784	R <sup>490</sup>	72627	2002	784	R <sup>490</sup>
72194.5	2002	784	Am & RN <sup>490</sup>	72627.5	2002	784	R <sup>490</sup>
72195	2002	784	R <sup>490</sup>	72628	2002	784	R <sup>490</sup>
72196	2002	784	R <sup>490</sup>	72630	2002	784	R <sup>490</sup>
72197	2002	71	R	72631	2002	784	R <sup>490</sup>
72198	2002	784	R <sup>490</sup>	72632	2002	784	R <sup>490</sup>
72199	2002	784	R <sup>490</sup>	72635	1999	891	Am
72230	2002	784	R <sup>490</sup>		2002	784	R <sup>490</sup>
72232	2002	784	R <sup>490</sup>	72640	2002	784	R <sup>490</sup>
72270	2002	784	R <sup>490</sup>	72641	2002	784	R <sup>490</sup>
72271	2002	784	R <sup>490</sup>	72642	2002	784	R <sup>490</sup>
72271.5	2002	784	R <sup>490</sup>	72643	2002	784	R <sup>490</sup>
72272	2002	784	R <sup>490</sup>	72644	2002	784	R <sup>490</sup>
72273	2002	784	R <sup>490</sup>	72645	2002	784	R <sup>490</sup>
72274	2002	784	R <sup>490</sup>	72645.5	2002	784	R <sup>490</sup>
72301	2002	784	Am <sup>490</sup>	72646	2002	784	R <sup>490</sup>
72400	2002	784	R <sup>490</sup>	72648	2002	784	R <sup>490</sup>
72403	2002	784	Am <sup>490</sup>	72649	2002	784	R <sup>490</sup>
72404	2002	784	R <sup>490</sup>	72651	2002	784	R <sup>490</sup>
72405	2002	784	R <sup>490</sup>	72652	2002	784	R <sup>490</sup>
72406	2002	784	R <sup>490</sup>	72700	2002	784	R <sup>490</sup>
72407	2002	784	Am <sup>490</sup>	72701	2002	784	R <sup>490</sup>
72408	2002	784	R <sup>490</sup>	72702	2002	784	R <sup>490</sup>
72450	2002	784	R <sup>490</sup>	72702.5	2002	784	R <sup>490</sup>
72600	2002	784	R <sup>490</sup>	72703	2002	784	R <sup>490</sup>
72602	2002	784	R <sup>490</sup>	72704	2002	784	R <sup>490</sup>
72602.1	2002	784	R <sup>490</sup>	72704.5	2002	784	R <sup>490</sup>
72602.11	2002	784	R <sup>490</sup>	72705	2002	784	R <sup>490</sup>
72602.12	2002	784	R <sup>490</sup>	72706	2002	784	R <sup>490</sup>
72602.13	2002	784	R <sup>490</sup>	72708	2002	784	R & Ad <sup>490</sup>
72602.14	2002	784	R <sup>490</sup>	72708.5	1999	891	Am
					2002	784	R <sup>490</sup>

**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
72709	2002	784	R & Ad <sup>490</sup>	73084	2002	784	R <sup>490</sup>
72710	2002	784	R & Ad <sup>490</sup>	73084.1	2002	784	R <sup>490</sup>
72711	2002	784	R & Ad <sup>490</sup>	73084.2	2002	784	R <sup>490</sup>
72711.5	2002	784	R & Ad <sup>490</sup>	73084.3	2002	784	R <sup>490</sup>
72712	2002	784	R & Ad <sup>490</sup>	73084.4	2002	784	R <sup>490</sup>
72713	2002	784	R & Ad <sup>490</sup>	73084.5	2002	784	R <sup>490</sup>
72714	2002	784	R <sup>490</sup>	73084.6	2002	784	R <sup>490</sup>
72715	2002	784	R <sup>490</sup>	73085	2002	784	R <sup>490</sup>
72720	2002	784	R <sup>490</sup>	73086	2002	784	R <sup>490</sup>
72721	2002	784	R <sup>490</sup>	73086.5	2002	784	R <sup>490</sup>
72750	2002	784	R <sup>490</sup>	73087	2002	784	R <sup>490</sup>
72750.4	2002	784	R <sup>490</sup>	73088	2002	784	R <sup>490</sup>
72750.5	2002	784	R <sup>490</sup>	73089	2002	784	R <sup>490</sup>
72751	2002	784	R <sup>490</sup>	73089.1	2002	784	R <sup>490</sup>
72751.1	2002	784	R <sup>490</sup>	73091	2002	784	R <sup>490</sup>
72751.5	2002	784	R <sup>490</sup>	73092	2002	784	R <sup>490</sup>
72752	2002	784	R <sup>490</sup>	73093	2002	784	R <sup>490</sup>
72753	2002	784	R <sup>490</sup>	73094	2002	784	R <sup>490</sup>
72754	2002	784	R <sup>490</sup>	73095	2002	784	R <sup>490</sup>
72755	2002	784	R <sup>490</sup>	73096	2002	784	R <sup>490</sup>
72756	2002	784	R <sup>490</sup>	73096.1	2002	784	R <sup>490</sup>
72757	2002	784	R <sup>490</sup>	73100	2002	784	R <sup>490</sup>
72758	2002	784	R <sup>490</sup>	73101	2002	784	R <sup>490</sup>
72759	2002	784	R <sup>490</sup>	73101.5	2002	784	R <sup>490</sup>
72760	2002	784	R <sup>490</sup>	73102	2002	784	R <sup>490</sup>
72761	2002	784	R <sup>490</sup>	73103	2002	784	R <sup>490</sup>
72762	2002	784	R <sup>490</sup>	73104	2002	784	R <sup>490</sup>
72763	2002	784	R <sup>490</sup>	73105	2002	784	R <sup>490</sup>
72764	2002	784	R <sup>490</sup>	73106	2002	784	R <sup>490</sup>
72765	2002	784	R <sup>490</sup>	73107	2002	784	R <sup>490</sup>
72766	2002	784	R <sup>490</sup>	73109	2002	784	R <sup>490</sup>
72767	2002	784	R <sup>490</sup>	73110	2002	784	R <sup>490</sup>
72767.1	2002	784	R <sup>490</sup>	73110.5	2002	784	R <sup>490</sup>
72768	2002	784	R <sup>490</sup>	73111	2002	784	R <sup>490</sup>
72769	2002	784	R <sup>490</sup>	73111.5	2002	784	R <sup>490</sup>
72770	2002	784	R <sup>490</sup>	73112	2002	784	R <sup>490</sup>
72771	2002	784	R <sup>490</sup>	73113	2002	784	R <sup>490</sup>
72771.1	2002	784	R <sup>490</sup>	73113.5	2002	784	R <sup>490</sup>
72772	2002	784	R <sup>490</sup>	73114	2002	784	R <sup>490</sup>
72773	2002	784	R <sup>490</sup>	73115	2002	784	R <sup>490</sup>
72774	2002	784	R <sup>490</sup>	73116	2002	784	R <sup>490</sup>
72775	2002	784	R <sup>490</sup>	73117	2002	784	R <sup>490</sup>
72776	2002	784	R <sup>490</sup>	73118	2002	784	R <sup>490</sup>
72777	2002	784	R <sup>490</sup>	73119	2002	784	R <sup>490</sup>
72778	2002	784	R <sup>490</sup>	73120	2002	784	R <sup>490</sup>
72778.1	2002	784	R <sup>490</sup>	73121	2002	784	R <sup>490</sup>
72779	2002	784	R <sup>490</sup>	73122	2002	784	R <sup>490</sup>
72780	2002	784	R <sup>490</sup>	73300	2002	784	R <sup>490</sup>
72781	2002	784	R <sup>490</sup>	73301	2002	784	Am <sup>490</sup>
72782	2002	784	R <sup>490</sup>	73330	2002	784	R <sup>490</sup>
72783	2002	784	R <sup>490</sup>	73340	2002	784	R <sup>490</sup>
72784	2002	784	R <sup>490</sup>	73341	2002	784	R <sup>490</sup>
73075	2002	784	R <sup>490</sup>	73342	2002	784	R <sup>490</sup>
73075.1	2002	784	R <sup>490</sup>	73343	2002	784	R <sup>490</sup>
73076	2002	784	R <sup>490</sup>	73344	2002	784	R <sup>490</sup>
73077	2002	784	R <sup>490</sup>	73345	2002	784	R <sup>490</sup>
73078	2002	784	R <sup>490</sup>	73347	2002	784	R <sup>490</sup>
73079	2002	784	R <sup>490</sup>	73348	2002	784	R <sup>490</sup>
73080	2002	784	R <sup>490</sup>	73349	2002	784	R <sup>490</sup>
73082	2002	784	R <sup>490</sup>	73350	2002	784	R <sup>490</sup>
73083	2002	784	R <sup>490</sup>	73351	2002	784	R <sup>490</sup>

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

**GOVERNMENT 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>
73352	2002	784	R <sup>490</sup>	73438	2002	784	R <sup>490</sup>
73353	2002	784	R <sup>490</sup>	73439	2002	784	R <sup>490</sup>
73353.2	2002	784	R <sup>490</sup>	73440	2002	784	R <sup>490</sup>
73354	2002	784	R <sup>490</sup>	73441	2002	784	R <sup>490</sup>
73355	2002	784	R <sup>490</sup>	73442	2002	784	R <sup>490</sup>
73356	2002	784	R <sup>490</sup>	73443	2002	784	R <sup>490</sup>
73357	2002	784	R <sup>490</sup>	73480	2002	784	R <sup>490</sup>
73358	2002	784	R <sup>490</sup>	73481	2002	784	R <sup>490</sup>
73362	2002	784	R <sup>490</sup>	73482	2002	784	R <sup>490</sup>
73363	2002	784	R <sup>490</sup>	73483	2002	784	R <sup>490</sup>
73365	2002	784	R <sup>490</sup>	73486	2002	784	R <sup>490</sup>
73366	2002	784	R <sup>490</sup>	73487	2002	784	R <sup>490</sup>
73390	2002	784	R & Ad <sup>490</sup>	73489	2002	784	R <sup>490</sup>
73391	2002	784	R <sup>490</sup>	73490	2002	784	R <sup>490</sup>
73391.5	2002	784	R <sup>490</sup>	73520	2002	784	R <sup>490</sup>
73392	2002	784	R <sup>490</sup>	73521	2002	784	R <sup>490</sup>
73393	2002	784	R <sup>490</sup>	73522	2002	784	R <sup>490</sup>
73394	2002	784	R <sup>490</sup>	73523	2002	784	R <sup>490</sup>
73395.1	2002	784	R <sup>490</sup>	73524	2002	784	R <sup>490</sup>
73396	2002	784	R & Ad <sup>490</sup>	73524.1	2002	784	R <sup>490</sup>
73397	2002	784	R <sup>490</sup>	73525	2002	784	R <sup>490</sup>
73398	2002	784	R <sup>490</sup>	73526	2002	784	R <sup>490</sup>
73399	1999	891	R & Ad	73527	2002	784	R <sup>490</sup>
	2002	784	R <sup>490</sup>	73528	2002	784	R <sup>490</sup>
73399.1	2002	784	R <sup>490</sup>	73529	2002	784	R <sup>490</sup>
73399.2	2002	784	R <sup>490</sup>	73530	2002	784	R <sup>490</sup>
73399.3	2002	784	R <sup>490</sup>	73560	2002	784	R & Ad <sup>490</sup>
73399.4	2002	784	R <sup>490</sup>	73561	2002	784	R & Ad <sup>490</sup>
73399.5	2002	784	R <sup>490</sup>	73562	2002	784	R <sup>490</sup>
73399.6	2002	784	R <sup>490</sup>	73564	2002	784	R <sup>490</sup>
73399.7	2002	784	R <sup>490</sup>	73565	2002	784	R <sup>490</sup>
73400	2002	784	R <sup>490</sup>	73566	2002	784	R <sup>490</sup>
73401	2002	784	R <sup>490</sup>	73567	2002	784	R <sup>490</sup>
73402	2002	784	R <sup>490</sup>	73568	2002	784	R <sup>490</sup>
73404	2002	784	R <sup>490</sup>	73569	2002	784	R <sup>490</sup>
73405	2002	784	R <sup>490</sup>	73570	2002	784	R <sup>490</sup>
73406	2002	784	R <sup>490</sup>	73571	2002	784	R <sup>490</sup>
73407	2002	784	R <sup>490</sup>	73572	2002	784	R <sup>490</sup>
73408	2002	784	R <sup>490</sup>	73580	2002	784	R <sup>490</sup>
73430	2002	784	R <sup>490</sup>	73581	2002	784	R <sup>490</sup>
73431	2002	784	R <sup>490</sup>	73582	2002	784	R <sup>490</sup>
73432.1	2002	784	R <sup>490</sup>	73583	2002	784	R <sup>490</sup>
73433	1999	891	Am	73584	2002	784	R <sup>490</sup>
	2002	784	R <sup>490</sup>	73585	2002	784	R <sup>490</sup>
73433.1	1999	891	Am	73586	2002	784	R <sup>490</sup>
	2002	784	R <sup>490</sup>	73586.1	2002	784	R <sup>490</sup>
73433.4	1999	891	R	73587	2002	784	R <sup>490</sup>
73434	1999	891	Am	73600	2002	784	R <sup>490</sup>
	2002	784	R <sup>490</sup>	73601	2002	784	R <sup>490</sup>
73435	1999	891	Am	73602	2002	784	R <sup>490</sup>
	2002	784	R <sup>490</sup>	73603	2002	784	R <sup>490</sup>
73435.1	2002	784	R <sup>490</sup>	73604	2002	784	R <sup>490</sup>
73436	1999	891	Am	73605	2002	784	R <sup>490</sup>
	2002	784	R <sup>490</sup>	73606	2002	784	R <sup>490</sup>
73436.05	2002	784	R <sup>490</sup>	73607	2002	784	R <sup>490</sup>
73436.1	1999	891	Am	73608	2002	784	R <sup>490</sup>
	2002	784	R <sup>490</sup>	73640	2002	784	R & Ad <sup>490</sup>
73436.2	1999	891	Am	73641	2002	784	R <sup>490</sup>
	2002	784	R <sup>490</sup>	73642	2002	784	R & Ad <sup>490</sup>
73437	2002	784	R <sup>490</sup>	73643	2002	784	R <sup>490</sup>
73437.5	2002	784	R <sup>490</sup>	73644	2002	784	R <sup>490</sup>

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

## GOVERNMENT 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>
73644.5	2002	784	R <sup>490</sup>	73698.4	2002	784	R <sup>490</sup>
73645	2002	784	R <sup>490</sup>	73698.5	2002	784	R <sup>490</sup>
73646	2002	784	R <sup>490</sup>	73698.6	2002	784	R & Ad <sup>490</sup>
73647	2002	784	R <sup>490</sup>	73698.7	2002	784	R <sup>490</sup>
73648	2002	784	R & Ad <sup>490</sup>	73699	2002	784	R <sup>490</sup>
73649	2002	784	R <sup>490</sup>	73699.1	2002	784	R <sup>490</sup>
73649.1	2002	784	R <sup>490</sup>	73699.2	2002	784	R <sup>490</sup>
73650	2002	784	R <sup>490</sup>	73699.3	2002	784	R <sup>490</sup>
73660	2002	784	R & Ad <sup>490</sup>	73699.4	2002	784	R <sup>490</sup>
73660.5	2002	784	R <sup>490</sup>	73699.5	2002	784	R <sup>490</sup>
73661	2002	784	R & Ad <sup>490</sup>	73699.6	2002	784	R <sup>490</sup>
73661.5	2002	784	R <sup>490</sup>	73701	2002	784	R <sup>490</sup>
73662	2002	784	R <sup>490</sup>	73702	2002	784	R <sup>490</sup>
73662.5	2002	784	R <sup>490</sup>	73704	2002	784	R <sup>490</sup>
73663	2002	784	R <sup>490</sup>	73705	2002	784	R <sup>490</sup>
73663.5	2002	784	R <sup>490</sup>	73709	2002	784	R <sup>490</sup>
73664	2002	784	R <sup>490</sup>	73710	2002	784	R <sup>490</sup>
73664.5	2002	784	R <sup>490</sup>	73713	2002	784	R <sup>490</sup>
73665	1999	891	Am	73714	2002	784	R <sup>490</sup>
	2002	784	R <sup>490</sup>	73730	2002	784	R & Ad <sup>490</sup>
			Ad & R <sup>489 490</sup>	73731	2002	784	R <sup>490</sup>
73666	2002	784	R <sup>490</sup>	73732	2002	784	R & Ad <sup>490</sup>
			Ad & R <sup>489 490</sup>	73733	2002	784	R <sup>490</sup>
73667	2002	784	R <sup>490</sup>	73734	2002	784	R <sup>490</sup>
73668	2002	784	R <sup>490</sup>	73735	2002	784	R <sup>490</sup>
73671	2002	784	R <sup>490</sup>	73736	2002	784	R <sup>490</sup>
73672	2002	784	R <sup>490</sup>	73737	2002	784	R <sup>490</sup>
73672.1	2002	784	R <sup>490</sup>	73738	2002	784	R <sup>490</sup>
73672.2	2002	784	R <sup>490</sup>	73739	2002	784	R <sup>490</sup>
73672.6	2002	784	R <sup>490</sup>	73740	2002	784	R <sup>490</sup>
73673	2002	784	R <sup>490</sup>	73741	2002	784	R <sup>490</sup>
73674	2002	784	R <sup>490</sup>	73742	2002	784	R <sup>490</sup>
73674.1	2002	784	R <sup>490</sup>	73743	2002	784	R <sup>490</sup>
73674.5	2002	784	R <sup>490</sup>	73750	2002	784	R & Ad <sup>490</sup>
73675	2002	784	R <sup>490</sup>	73751	2002	784	R <sup>490</sup>
73676	2002	784	R <sup>490</sup>	73752	2002	784	R <sup>490</sup>
73677	2002	784	R <sup>490</sup>	73753	2002	784	R <sup>490</sup>
73678	2002	784	R <sup>490</sup>	73754	2002	784	R <sup>490</sup>
73679	2002	784	R <sup>490</sup>	73755	2002	784	R <sup>490</sup>
73679.5	2002	784	R <sup>490</sup>	73756	2002	784	R & Ad <sup>490</sup>
73680	2002	784	R <sup>490</sup>	73757	1999	891	R & Ad
73681	2002	784	R <sup>490</sup>		2002	784	R <sup>490</sup>
73681.1	2002	784	R <sup>490</sup>				Ad & R <sup>489 490</sup>
73682	2002	784	R <sup>490</sup>	73758	1999	891	Ad(RN)
73683	2002	784	R <sup>490</sup>		2002	784	R & Ad <sup>490</sup>
73684	2002	784	R <sup>490</sup>	73759	2002	784	R <sup>490</sup>
73685	2002	784	R <sup>490</sup>	73760	2002	784	R <sup>490</sup>
73686	2002	784	R <sup>490</sup>	73761	2002	784	R <sup>490</sup>
73687	2002	784	R <sup>490</sup>	73762	2002	784	R <sup>490</sup>
73690	2002	784	R <sup>490</sup>	73763	2002	784	R <sup>490</sup>
73691	2002	784	R <sup>490</sup>	73764	2002	784	R <sup>490</sup>
73692	2002	784	R <sup>490</sup>	73765	2002	784	R <sup>490</sup>
73693	2002	784	R <sup>490</sup>	73766	2002	784	R <sup>490</sup>
73694	2002	784	R <sup>490</sup>	73767	2002	784	R <sup>490</sup>
73695	2002	784	R <sup>490</sup>	73770	2002	784	R & Ad <sup>490</sup>
73696	2002	784	R <sup>490</sup>	73771	2002	784	R & Ad <sup>490</sup>
73697	2002	784	R <sup>490</sup>	73771.1	2002	784	R <sup>490</sup>
73698	2002	784	R & Ad <sup>490</sup>	73772	2002	784	R <sup>490</sup>
73698.1	2002	784	R <sup>490</sup>	73773	2002	784	R <sup>490</sup>
73698.2	2002	784	R <sup>490</sup>	73774	2002	784	R <sup>490</sup>
73698.3	2002	784	R <sup>490</sup>	73776	2002	784	R <sup>490</sup>

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

**GOVERNMENT 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>
73777	2002	784	R <sup>490</sup>	73952	2002	784	R & Ad <sup>490</sup>
73779	2002	784	R <sup>490</sup>	73953	2002	784	R <sup>490</sup>
73781	2002	784	R <sup>490</sup>	73954	2002	784	R <sup>490</sup>
73781.5	2002	784	R <sup>490</sup>	73954.5	2002	784	R <sup>490</sup>
73781.6	2002	784	R <sup>490</sup>	73955	2002	784	R <sup>490</sup>
73782	2002	784	R <sup>490</sup>	73956	2002	784	R & Ad <sup>490</sup>
73783	2002	784	R <sup>490</sup>	73957	2002	784	R <sup>490</sup>
73783.1	2002	784	R & Ad <sup>490</sup>	73957.5	2002	784	R <sup>490</sup>
73783.2	2002	784	R <sup>490</sup>	73958	2002	784	R <sup>490</sup>
73783.3	2002	784	R & Ad <sup>490</sup>	73959	2002	784	R <sup>490</sup>
73783.4	2002	784	R <sup>490</sup>	73960	2002	784	R <sup>490</sup>
73783.5	2002	784	R <sup>490</sup>	74000	1999	891	R
73783.6	2002	784	R <sup>490</sup>	74001	1999	891	R
73783.7	2002	784	R <sup>490</sup>	74001.5	1999	891	R
73783.8	2002	784	R <sup>490</sup>	74002	1999	891	R
73783.9	2002	784	R <sup>490</sup>	74004	1999	891	R
73784	2002	784	R & Ad <sup>490</sup>	74005	1999	891	R
73784.1	2002	784	R <sup>490</sup>	74007	1999	891	R
73784.10	2002	784	R & Ad <sup>490</sup>	74010	2002	784	R <sup>490</sup>
73784.11	2002	784	R <sup>490</sup>	74011	2002	784	R <sup>490</sup>
73784.2	2002	784	R <sup>490</sup>	74012	2002	784	R <sup>490</sup>
73784.3	2002	784	R <sup>490</sup>	74013	2002	784	R <sup>490</sup>
73784.4	2002	784	R <sup>490</sup>	74014	2002	784	R <sup>490</sup>
73784.5	2002	784	R <sup>490</sup>	74020	2002	784	R <sup>490</sup>
73784.6	2002	784	R <sup>490</sup>	74020.5	2002	784	R <sup>490</sup>
73784.7	2002	784	R <sup>490</sup>	74021	2002	784	R <sup>490</sup>
73784.8	2002	784	R <sup>490</sup>	74022	2002	784	R <sup>490</sup>
73784.9	2002	784	R <sup>490</sup>	74023	2002	784	R <sup>490</sup>
73785	2002	784	R <sup>490</sup>	74024	2002	784	R <sup>490</sup>
73790	2002	784	R & Ad <sup>490</sup>	74025	2002	784	R <sup>490</sup>
73791	2002	784	R <sup>490</sup>	74026	2002	784	R <sup>490</sup>
73792	2002	784	R & Ad <sup>490</sup>	74030	2002	784	R <sup>490</sup>
73793	2002	784	R <sup>490</sup>	74130	2002	784	R & Ad <sup>490</sup>
73794	2002	784	R <sup>490</sup>	74131	2002	784	R <sup>490</sup>
73795.5	2002	784	R <sup>490</sup>	74131.1	2002	784	R <sup>490</sup>
73796	2002	784	R & Ad <sup>490</sup>	74132	2002	784	R <sup>490</sup>
73797	2002	784	R <sup>490</sup>	74133	2002	784	R <sup>490</sup>
73798	2002	784	R <sup>490</sup>	74134	2002	784	R <sup>490</sup>
73800	2002	784	R <sup>490</sup>	74135	2002	784	R <sup>490</sup>
73801	2002	784	R <sup>490</sup>	74135.1	2002	784	R <sup>490</sup>
73802	2002	784	R <sup>490</sup>	74135.5	2002	784	R <sup>490</sup>
73803	1999	641*	R	74135.6	2002	784	R <sup>490</sup>
73820	2002	784	R <sup>490</sup>	74136	2002	784	R <sup>490</sup>
73821	2002	784	R <sup>490</sup>	74136.1	2002	784	R <sup>490</sup>
73822	2002	784	R <sup>490</sup>	74137.5	2002	784	R <sup>490</sup>
73823	2002	784	R <sup>490</sup>	74138	2002	784	R <sup>490</sup>
73824	2002	784	R <sup>490</sup>	74139	2002	784	R <sup>490</sup>
73825	2002	784	R <sup>490</sup>	74140	2002	784	R <sup>490</sup>
73826	2002	784	R <sup>490</sup>	74141	2002	784	R <sup>490</sup>
73827	2002	784	R <sup>490</sup>	74143	2002	784	R <sup>490</sup>
73828	2002	784	R <sup>490</sup>	74143.1	2002	784	R <sup>490</sup>
73870	2002	784	R <sup>490</sup>	74143.2	2002	784	R <sup>490</sup>
73871	2002	784	R <sup>490</sup>	74145	2002	784	R & Ad <sup>490</sup>
73872	2002	784	R <sup>490</sup>	74190	2002	784	R <sup>490</sup>
73873	2002	784	R <sup>490</sup>	74191	2002	784	R <sup>490</sup>
73874	2002	784	R <sup>490</sup>	74191.7	2002	784	R <sup>490</sup>
73875	2002	784	R <sup>490</sup>	74192	2002	784	R <sup>490</sup>
73876	2002	784	R <sup>490</sup>	74192.5	2002	784	R <sup>490</sup>
73877	2002	784	R <sup>490</sup>	74193	2002	784	R <sup>490</sup>
73950	2002	784	R & Ad <sup>490</sup>	74194	2002	784	R <sup>490</sup>
73951	2002	784	R <sup>490</sup>	74195	2002	784	R <sup>490</sup>

**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
74195.5	2002	784	R <sup>490</sup>	74505	2002	784	R <sup>490</sup>
74196	2002	784	R <sup>490</sup>	74506	2002	784	R <sup>490</sup>
74197	2002	784	R <sup>490</sup>	74507	2002	784	R <sup>490</sup>
74201	2002	784	R <sup>490</sup>	74508	2002	784	R <sup>490</sup>
74205	2002	784	R <sup>490</sup>	74509	2002	784	R <sup>490</sup>
74206	2002	784	R <sup>490</sup>	74510	2002	784	R <sup>490</sup>
74207	2002	784	R <sup>490</sup>	74511	2002	784	R <sup>490</sup>
74208	2002	784	R <sup>490</sup>	74512	2002	784	R <sup>490</sup>
74209	2002	784	R <sup>490</sup>	74513	2002	784	R <sup>490</sup>
74210	2002	784	R <sup>490</sup>	74514	2002	784	R <sup>490</sup>
74211	2002	784	R <sup>490</sup>	74515	2002	784	R <sup>490</sup>
74212	2002	784	R <sup>490</sup>	74516	2002	784	R <sup>490</sup>
74340	2002	784	R & Ad <sup>490</sup>	74517	2002	784	R <sup>490</sup>
74341	2002	784	R <sup>490</sup>	74518	2002	784	R <sup>490</sup>
74342	2002	784	R & Ad <sup>490</sup>	74520	2002	784	R <sup>490</sup>
74343	2002	784	R <sup>490</sup>	74521	2002	784	R <sup>490</sup>
74344	2002	784	R <sup>490</sup>	74600	2002	784	R <sup>490</sup>
74345	2002	784	R <sup>490</sup>	74601	2002	784	R <sup>490</sup>
74346	2002	784	R <sup>490</sup>	74602	2002	784	R & Ad <sup>490</sup>
74347	2002	784	R <sup>490</sup>	74603	2002	784	R <sup>490</sup>
74348	2002	784	R <sup>490</sup>	74604	2002	784	R <sup>490</sup>
74349	2002	784	R <sup>490</sup>	74605	2002	784	R <sup>490</sup>
74351	2002	784	R <sup>490</sup>	74606	2002	784	R <sup>490</sup>
74352	2002	784	R <sup>490</sup>	74607	2002	784	R <sup>490</sup>
74353	2002	784	R <sup>490</sup>	74608	2002	784	R <sup>490</sup>
74355	2002	784	R <sup>490</sup>	74609	2002	784	R <sup>490</sup>
74359.1	2002	784	R <sup>490</sup>	74610	2002	784	R <sup>490</sup>
74359.2	2002	784	R <sup>490</sup>	74611	2002	784	R <sup>490</sup>
74361	1999	335	R	74612	2002	784	R <sup>490</sup>
	1999	641 *	R	74613	2002	784	R <sup>490</sup>
74362	1999	335	R	74640	2002	784	R & Ad <sup>490</sup>
	1999	641 *	R	74640.1	2002	784	R <sup>490</sup>
74363	1999	335	R	74640.2	2002	784	R & Ad <sup>490</sup>
	1999	641 *	R	74641	2002	784	R <sup>490</sup>
74364	1999	335	R	74641.1	2002	784	R <sup>490</sup>
	1999	641 *	R	74641.2	2002	784	R <sup>490</sup>
74365	1999	335	R	74641.3	2002	784	R <sup>490</sup>
	1999	641 *	R	74642	2002	784	R <sup>490</sup>
74366	1999	335	R	74643	2002	784	R <sup>490</sup>
	1999	641 *	R	74644.1	2002	784	R <sup>490</sup>
74367	1999	335	R	74644.2	2002	784	R <sup>490</sup>
	1999	641 *	R	74645	2002	784	R <sup>490</sup>
74368	1999	335	R	74646	2002	784	R <sup>490</sup>
	1999	641 *	R	74647	2002	784	R <sup>490</sup>
74369	1999	335	R	74648	2002	784	R <sup>490</sup>
	1999	641 *	R	74649	2002	784	R <sup>490</sup>
74370	1999	335	R	74654.5	2002	784	R <sup>490</sup>
	1999	641 *	R	74660	2002	784	R <sup>490</sup>
74371	1999	335	R	74661	2002	784	R <sup>490</sup>
	1999	641 *	R	74662	2002	784	R <sup>490</sup>
74372	1999	335	R	74662.5	2002	784	R <sup>490</sup>
	1999	641 *	R	74663	2002	784	R <sup>490</sup>
74500	2002	784	R <sup>490</sup>	74665	2002	784	R <sup>490</sup>
74501	2002	784	R <sup>490</sup>	74666	2002	784	R <sup>490</sup>
74501.1	2001	824	R	74667	2002	784	R <sup>490</sup>
74501.2	2001	824	R	74668	2002	784	R <sup>490</sup>
74502	2002	784	R <sup>490</sup>	74669	2002	784	R <sup>490</sup>
74503	2002	784	R <sup>490</sup>	74670	2002	784	R <sup>490</sup>
74504	2002	784	R <sup>490</sup>	74672	2002	784	R <sup>490</sup>
74504.5	2002	784	R <sup>490</sup>	74673	2002	784	R <sup>490</sup>

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**GOVERNMENT 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>
74690	2002	784	R <sup>490</sup>	74783	2002	784	R <sup>490</sup>
74691	2002	784	R <sup>490</sup>	74784	2002	784	R <sup>490</sup>
74692	2002	784	R <sup>490</sup>				Ad & R <sup>489 490</sup>
74693	2002	784	R <sup>490</sup>	74785	2002	784	R <sup>490</sup>
74693.1	2002	784	R <sup>490</sup>				Ad & R <sup>489 490</sup>
74693.2	2002	784	R <sup>490</sup>	74786	2002	784	R <sup>490</sup>
74693.3	2002	784	R <sup>490</sup>	74787	2002	784	R <sup>490</sup>
74694	2002	784	R <sup>490</sup>	74788	2002	784	R <sup>490</sup>
74695	2002	784	R <sup>490</sup>	74789	2002	784	R <sup>490</sup>
74698	2002	784	R <sup>490</sup>	74790	2002	784	R <sup>490</sup>
74699	2002	784	R <sup>490</sup>	74791	2002	784	R <sup>490</sup>
74700	2002	784	R <sup>490</sup>	74792	2002	784	R <sup>490</sup>
74701	2002	784	R <sup>490</sup>	74800	2002	784	R <sup>490</sup>
74701.5	2002	784	R <sup>490</sup>	74801	2002	784	R <sup>490</sup>
74702	2002	784	R <sup>490</sup>	74802	2002	784	R <sup>490</sup>
74703	2002	784	R <sup>490</sup>	74803	2002	784	R <sup>490</sup>
74705	2002	784	R <sup>490</sup>	74805	2002	784	R <sup>490</sup>
74706	2002	784	R <sup>490</sup>	74806	2002	784	R <sup>490</sup>
74707	2002	784	R <sup>490</sup>	74807	2002	784	R <sup>490</sup>
74708	2002	784	R <sup>490</sup>	74807.5	2002	784	R <sup>490</sup>
74710	2002	784	R <sup>490</sup>	74808	2002	784	R <sup>490</sup>
74711	2002	784	R <sup>490</sup>	74809	2002	784	R <sup>490</sup>
74720	2002	784	R & Ad <sup>490</sup>	74810	2002	784	R <sup>490</sup>
74721	2002	784	R <sup>490</sup>	74811	2002	784	R <sup>490</sup>
74722	2002	784	R <sup>490</sup>	74820.1	2002	784	R & Ad <sup>490</sup>
74723	2002	784	R <sup>490</sup>	74820.10	2002	784	R <sup>490</sup>
74724	2002	784	R & Ad <sup>490</sup>	74820.11	2002	784	R <sup>490</sup>
74725	2002	784	R <sup>490</sup>	74820.12	2002	784	R <sup>490</sup>
74726	2002	784	R <sup>490</sup>	74820.13	2002	784	R <sup>490</sup>
74727	2002	784	R <sup>490</sup>	74820.14	2002	784	R <sup>490</sup>
74727.5	2002	784	R <sup>490</sup>	74820.2	2002	784	Am <sup>490</sup>
74728	2002	784	R <sup>490</sup>	74820.3	2002	784	Am <sup>490</sup>
74729	2002	784	R <sup>490</sup>	74820.4	2002	784	R <sup>490</sup>
74730	2002	784	R <sup>490</sup>	74820.5	2002	784	R <sup>490</sup>
74731	2002	784	R <sup>490</sup>	74820.6	2002	784	R <sup>490</sup>
74740	2002	784	R & Ad <sup>490</sup>	74820.7	2002	784	R <sup>490</sup>
74741	2002	784	R <sup>490</sup>	74820.8	2002	784	R <sup>490</sup>
74742	2002	784	R & Ad <sup>490</sup>	74820.9	2002	784	R <sup>490</sup>
74743	2002	784	R <sup>490</sup>	74830	2002	784	R <sup>490</sup>
74744	2002	784	R <sup>490</sup>	74831	2002	784	R <sup>490</sup>
74745	2002	784	R <sup>490</sup>	74832	2002	784	R <sup>490</sup>
74745.1	2002	784	R <sup>490</sup>	74833	2002	784	R <sup>490</sup>
74745.5	2002	784	R <sup>490</sup>	74834	2002	784	R <sup>490</sup>
74746	2002	784	R <sup>490</sup>	74835	2002	784	R <sup>490</sup>
74747	2002	784	R <sup>490</sup>	74836	2002	784	R <sup>490</sup>
74748	2002	784	R & Ad <sup>490</sup>	74837	2002	784	R <sup>490</sup>
74749	2002	784	R <sup>490</sup>	74838	2002	784	R <sup>490</sup>
74750	2002	784	R <sup>490</sup>	74839	2002	784	R <sup>490</sup>
74760	2002	784	R & Ad <sup>490</sup>	74840	2002	784	R <sup>490</sup>
74761	2002	784	R <sup>490</sup>	74841	2002	784	R <sup>490</sup>
74762	2002	784	R <sup>490</sup>	74841.5	2002	784	R <sup>490</sup>
74763	2002	784	R <sup>490</sup>	74842	2002	784	R <sup>490</sup>
74764	2002	784	R & Ad <sup>490</sup>	74843	2002	784	R <sup>490</sup>
74765	2002	784	R <sup>490</sup>	74843.5	2002	784	R <sup>490</sup>
74766	2002	784	R <sup>490</sup>	74844	2002	784	R <sup>490</sup>
74767	2002	784	R <sup>490</sup>	74845	2002	784	R <sup>490</sup>
74780	2002	784	R <sup>490</sup>	74845.1	2002	784	R <sup>490</sup>
74781	2002	784	R <sup>490</sup>	74845.2	2002	784	R <sup>490</sup>
74782	2002	784	R <sup>490</sup>	74846	2002	784	R <sup>490</sup>
74782.1	2002	784	R <sup>490</sup>	74847	2002	784	R <sup>490</sup>

**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>
74848	2002	784	R <sup>490</sup>	74935.5	2002	784	R & Ad <sup>490</sup>
74849	2002	784	R <sup>490</sup>	74935.6	2002	784	R <sup>490</sup>
74850	2002	784	R <sup>490</sup>	74935.7	2002	784	R <sup>490</sup>
74851	2002	784	R <sup>490</sup>	74936	2002	784	R <sup>490</sup>
74860	2002	784	R <sup>490</sup>	74937	2002	784	R <sup>490</sup>
74861	2002	784	R <sup>490</sup>	74938	2002	784	R <sup>490</sup>
74862	2002	784	R <sup>490</sup>	74939	2002	784	R <sup>490</sup>
74863	2002	784	R <sup>490</sup>	74940	2002	784	R <sup>490</sup>
74864	2002	784	R <sup>490</sup>	74941	2002	784	R <sup>490</sup>
74865	2002	784	R <sup>490</sup>	74942	2002	784	R <sup>490</sup>
74866	2002	784	R <sup>490</sup>	74943	2002	784	R <sup>490</sup>
74867	2002	784	R <sup>490</sup>	74944	2002	784	R <sup>490</sup>
74868	2002	784	R <sup>490</sup>	74945	2002	784	R <sup>490</sup>
74900	2002	784	R <sup>490</sup>	74948	2002	784	R & Ad <sup>490</sup>
74901	2002	784	R <sup>490</sup>	74949	2002	784	R <sup>490</sup>
74903	2002	784	R <sup>490</sup>	74949.1	2002	784	R <sup>490</sup>
74904	2001	824	R	74950	2002	784	R & Ad <sup>490</sup>
74905	2002	784	R <sup>490</sup>	74951	2002	784	R <sup>490</sup>
74907	2002	784	R <sup>490</sup>	74952	2002	784	R <sup>490</sup>
74908	2002	784	R <sup>490</sup>	74953	2002	784	R <sup>490</sup>
74909	2002	784	R <sup>490</sup>	74954	2002	784	R <sup>490</sup>
74910	2002	784	R <sup>490</sup>	74955	2002	784	R <sup>490</sup>
74911	2002	784	R <sup>490</sup>	74956	2002	784	R <sup>490</sup>
74912	2002	784	R <sup>490</sup>	74957	2002	784	R <sup>490</sup>
74913	2002	784	R <sup>490</sup>	74958	2002	784	R <sup>490</sup>
74915	2002	784	R & Ad <sup>490</sup>	74960	2002	784	R & Ad <sup>490</sup>
74915.5	2002	784	R <sup>490</sup>	74961	2002	784	R <sup>490</sup>
74916	2002	784	R & Ad <sup>490</sup>	74962	2002	784	R & Ad <sup>490</sup>
74916.5	2002	784	R <sup>490</sup>	74963	2002	784	R <sup>490</sup>
74917	2002	784	R <sup>490</sup>	74964	2002	784	R <sup>490</sup>
74917.5	2002	784	R <sup>490</sup>	74965	2002	784	R <sup>490</sup>
74918	2002	784	R <sup>490</sup>	74967	2002	784	R <sup>490</sup>
74918.5	2002	784	R <sup>490</sup>	74969	2002	784	R <sup>490</sup>
74919	2002	784	R <sup>490</sup>	74970	2002	784	R <sup>490</sup>
74920	2002	784	R & Ad <sup>490</sup>	74971	2002	784	R <sup>490</sup>
74920.1	2002	784	R <sup>490</sup>	74972	2002	784	R <sup>490</sup>
74920.5	2002	784	R & Ad <sup>490</sup>	74973	2002	784	R <sup>490</sup>
74920.6	2002	784	R & Ad <sup>490</sup>	74980	2002	784	R <sup>490</sup>
74921	2002	784	R <sup>490</sup>	74981	2002	784	R <sup>490</sup>
74921.1	2002	784	R <sup>490</sup>	74982	2002	784	R <sup>490</sup>
74921.10	2002	784	R <sup>490</sup>	74983	2002	784	R <sup>490</sup>
74921.11	2002	784	R <sup>490</sup>	74984	2002	784	R & Ad <sup>490</sup>
74921.2	2002	784	R <sup>490</sup>	74985	2002	784	R & Ad <sup>490</sup>
74921.3	2002	784	R <sup>490</sup>	74986	2002	784	R <sup>490</sup>
74921.4	2002	784	R <sup>490</sup>	74987	2002	784	R <sup>490</sup>
74921.5	2002	784	R <sup>490</sup>	74988	2002	784	R & Ad <sup>490</sup>
74921.6	2002	784	R <sup>490</sup>	74989	2002	784	R <sup>490</sup>
74921.7	2002	784	R <sup>490</sup>	74991	2002	784	R <sup>490</sup>
74921.8	2002	784	R <sup>490</sup>	74993	2002	784	R <sup>490</sup>
74922	2002	784	R <sup>490</sup>	74994	2002	784	R <sup>490</sup>
74923	2002	784	R <sup>490</sup>	74995	2002	784	R <sup>490</sup>
74924	2002	784	R <sup>490</sup>	74996	2002	784	R <sup>490</sup>
74925	2002	784	R <sup>490</sup>	74997	2002	784	R <sup>490</sup>
74925.1	2002	784	R <sup>490</sup>	75003	2001	118*	Am
74925.2	2002	784	R <sup>490</sup>	75028.5	2002	664	Am <sup>431</sup>
74926	2002	784	R <sup>490</sup>	75029	2002	664	Am <sup>431</sup>
74926.5	2002	784	R <sup>490</sup>	75030.9	2001	433	Ad
74926.7	2002	784	R <sup>490</sup>		2002	664	Am (as am by
74934	2002	784	R & Ad <sup>490</sup>				Stats. 1986,
74935	2002	784	R <sup>490</sup>				Ch. 115) <sup>431</sup>

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**GOVERNMENT 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>
75031	2002	664	Am <sup>431</sup>	75601	2001	118*	Am
75033	2002	664	Am <sup>431</sup>	75602	2001	118*	Am
75059	2000	988	Ad		2002	784	Am <sup>490</sup>
75059.1	2000	988	Ad	75758	1999	891	Am & RN
	2001	159	Am <sup>305</sup>	76000	2002	1082	Am
75060.1	2002	664	Am <sup>431</sup>	76100	2002	1082	Am
75060.3	2001	745*	R	76101	2002	1082	Am
75071	1999	671	Am	76104	1999	674	Am
	2001	433	Am	76104.5	1999	475	Am
	2002	661	Am	76106	2002	221	Am
75072	2002	661	Am	76200	2002	784	Am <sup>490</sup>
75073	2001	433	Ad	76219	2000	375	Am
75074	2002	661	Ad	76223	2002	1082	Ad
75076.2	2002	784	Am <sup>490</sup>	76224	2001	767	Am
75077	2002	664	Am <sup>431</sup>		2002	500	Am
75079.5	2001	433	Ad	76236	2002	367	Ad
75080	1999	671	Am	76238	2002	784	Am <sup>490</sup>
75083	2002	664	Am <sup>431</sup>	76245	2000	375	Am
75085	2000	961	Ad		2002	784	Am <sup>490</sup>
75085.1	2000	961	Ad	76251	2001	432	Ad
75085.2	2000	961	Ad	76252	2001	432	Ad
75085.3	2000	961	Ad	77001	2001	812	Am
75085.4	2000	961	Ad	77003	2001	812	Am (by Sec. 20 of Ch.)
75085.5	2000	961	Ad		2001	824	Am (by Sec. 33.5 of Ch.)
75085.6	2000	961	Ad		2002	784	Am <sup>490</sup>
75085.7	2000	961	Ad	77007	2002	784	Am <sup>490</sup>
75085.8	2000	961	Ad	77008	2002	784	Am <sup>490</sup>
75086	2000	961	Ad	77009	2000	447	Am
75086.1	2000	961	Ad		2001	745*	Am
75086.2	2000	961	Ad		2001	812	Am (by Sec. 21.5 of Ch.)
75087	2000	961	Ad	77201	2000	671*	Am
75088	2000	961	Ad	77201.1	2000	447	Am (by Sec. 9 of Ch.)
75088.3	2000	961	Ad		2000	671*	Am
75088.4	2000	961	Ad	77202	2001	812	Am
75089	2000	961	Ad	77202.5	1999	550*	R <sup>1</sup>
75089.1	2000	961	Ad	77206	2000	969	Am
75094	1999	671	Ad		2001	812	Am
75095.5	2002	664	Am <sup>431</sup>	77208	2001	824	R
	2002	784	R <sup>490</sup>	77209	2001	824	Am
75101	1999	785	Am	77212	2000	447	Am
75102	2001	118*	Am		2001	812	Am
75103	2001	118*	Am	77212.5	1999	138*	Am (by Sec. 4 of Ch.)
	2002	784	Am <sup>490</sup>		1999	641*	Am
75104	2002	664	Am <sup>431</sup>		2002	1010	R
75104.4	2002	664	Am <sup>431</sup>	77604	2001	745*	Am
75104.5	2002	664	Am <sup>431</sup>	77605	2001	745*	Am
75106	2002	664	Am <sup>431</sup>	77654	2001	745*	Am
75502	2001	118*	Am		2001	852*	Am
75506.5	2001	433	Ad	81011.15	2002	221	Am
75520	1999	785	Am	82002	2001	921	Am
75521	1999	785	Am	82011	2002	784	Am <sup>490</sup>
	2001	433	Am	82016	2000	102*	Am <sup>25 210</sup>
75523	1999	785	Am	82030	2002	172	Am
75528	2001	433	Ad	82033	2000	130	Am
75560.3	2001	745*	R	82034	2000	130	Am
75571	2001	433	Am				
75573	2001	433	Ad				
75590	1999	671	Am				
	2000	1002	Am				
75600.5	2001	118*	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
82039	2001	921	Am	84606	1999	433 *	Am
82053	2000	102 *	Am <sup>25 210</sup>	84610	1999	433 *	Am
83111.5	1999	225 *	Ad	84612	2001	79	Ad
83113	1999	855	Am	85100	2000	102 *	R (as ad by Prop. 73 and Prop. 208) & Ad <sup>25 210</sup>
83116	2000	102 *	R (as ad by Prop. 9 and as am by Prop. 208) & Ad <sup>25 210</sup>	85101	2000	102 *	R (as ad by Prop. 73 and Prop. 208) <sup>25 210</sup>
83116.3	1999	297	Ad	85102	2000	102 *	R (as ad by Prop. 73 and Prop. 208) <sup>25 210</sup>
83116.5	2000	102 *	R (as ad by Stats. 1984, Ch. 670 and as am by Prop. 208) & Ad <sup>25 210</sup>	85103	2000	102 *	R (as ad by Prop. 73) & Ad <sup>25 210</sup>
83124	2000	102 *	R (as ad by Prop. 208) & Ad <sup>25 210</sup>	85104	2000	102 *	R (as ad by Prop. 73) <sup>25 210</sup>
84101	2001	901	Am	85200	2000	853	Am
	2002	221	Am	85201	2000	853	Am
84102	2000	853	Am	85202	2000	102 *	R (as ad by Prop. 208) & Ad <sup>25 210</sup>
84103	2000	853	Am	85203	2000	102 *	R (as ad by Prop. 208) & Ad <sup>25 210</sup>
84107	2000	853	Am	85204	2000	102 *	R (as ad by Prop. 208) & Ad <sup>25 210</sup>
84200	2000	130	Am	85204.5	2000	102 *	Ad <sup>25 210</sup>
84200.3	1999	158 *	Ad	85205	2000	102 *	R (as ad by Prop. 208) & Ad <sup>25 210</sup>
	1999	433 *	Am (as ad by Stats. 1999, Ch. 158)	85206	2000	102 *	R (as ad by Prop. 208) & Ad <sup>25 210</sup>
84200.4	1999	158 *	Ad	85301	2000	102 *	R (as ad by Prop. 73 and Prop. 208) & Ad <sup>25 210</sup>
84200.5	1999	158 *	Am	85302	2000	102 *	R (as ad by Prop. 73 and Prop. 208) & Ad <sup>25 210</sup>
	1999	855	Am (by Sec. 2 of Ch.)	85303	2000	102 *	R (as ad by Prop. 73 and Prop. 208) & Ad <sup>25 210</sup>
84201	2000	102 *	R (as ad by Prop. 208) <sup>25 210</sup>	85304	2000	102 *	R (as ad by Prop. 73 and Prop. 208) & Ad <sup>25 210</sup>
84202.5	2000	130	Am	85305	2000	102 *	R (as ad by Prop. 73 and Prop. 208) & Ad <sup>25 210</sup>
84202.7	2000	130	Am	85306	2000	102 *	R (as ad by Prop. 73 and Prop. 208) & Ad <sup>25 210</sup>
84203	2002	211	Am				
84203.5	2000	130	Am				
84204	2000	102 *	Am <sup>25 210</sup>				
	2001	241 *	Am				
84211	2000	161	Am				
	2000	853	Am				
84215	2001	241 *	Am				
	2002	784	Am <sup>490</sup>				
84216	2000	853	Am				
84216.5	2000	853	Am				
84219	2000	853	Am				
84303	2000	853	Am				
84305.6	2000	102 *	Ad <sup>25 210</sup>				
84511	2000	102 *	Ad <sup>25 210</sup>				
	2001	241 *	Am				
84600	2001	917 *	Am				
84602	1999	433 *	Am				
	2000	319	Am				
	2001	917 *	Am				
84602.5	1999	208	Ad				
84603	1999	433 *	Am				
84604	1999	433 *	Am				
84605	1999	433 *	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
85306 (Cont.)	2001	241 *	Am	85600	2000	102 *	R (as ad by Prop. 208) & Ad <sup>25 210</sup>
85307	2000	102 *	R (as ad by Prop. 73 and Prop. 208) & Ad <sup>25 210</sup>	85601	2001	241 *	Am
85308	2000	102 *	R (as ad by Prop. 208) & Ad <sup>25 210</sup>	85601	2000	102 *	R (as ad by Prop. 208) & Ad <sup>25 210</sup>
85309	2000	102 *	R (as ad by Prop. 208) & Ad <sup>25 210</sup>	85602	2001	241 *	Am
85310	2001	241 *	Am	85602	2000	102 *	R (as ad by Prop. 208) <sup>25 210</sup>
85310	2000	102 *	R (as ad by Prop. 208) & Ad <sup>25 210</sup>	85603	1999	433 *	Am
85311	2000	102 *	R (as ad by Prop. 208) & Ad <sup>25 210</sup>	85700	2000	102 *	R (as ad by Prop. 208) & Ad <sup>25 210</sup>
85312	2001	241 *	Am	85701	2001	241 *	Am
85312	2000	102 *	R (as ad by Prop. 208) & Ad <sup>25 210</sup>	85701	2000	102 *	R (as ad by Prop. 208) & Ad <sup>25 210</sup>
85313	2001	241 *	Am	85702	2000	102 *	R (as ad by Prop. 208) & Ad <sup>25 210</sup>
85313	2000	102 *	R (as ad by Prop. 208) & Ad <sup>25 210</sup>	85703	2000	102 *	R (as ad by Prop. 208) & Ad <sup>25 210</sup>
85314	2000	102 *	Ad <sup>25 210</sup>	85704	2000	102 *	R (as ad by Prop. 208) & Ad <sup>25 210</sup>
85315	2000	102 *	Ad <sup>25 210</sup>	85705	2000	102 *	R (as ad by Prop. 208) <sup>25 210</sup>
85316	2000	102 *	Ad <sup>25 210</sup>	85706	2000	102 *	R (as ad by Prop. 208) <sup>25 210</sup>
85317	2000	102 *	Ad <sup>25 210</sup>	86109.5	1999	855	Ad
85318	2001	241 *	Am	86116	2001	921	Am
85318	2000	102 *	Ad <sup>25 210</sup>	87103	2000	130	Am
85319	2001	241 *	Am	87103.5	2002	654	Am
85319	2000	102 *	Ad <sup>25 210</sup>	87105	2002	233	Ad
85320	2002	212	Am	87206	2000	130	Am
85321	2000	349	Am	87207	2000	130	Am
85321	2001	241 *	Ad	87302.6	2002	264	Ad
85400	2000	102 *	R (as ad by Prop. 208) & Ad <sup>25 210</sup>	87406	1999	10 *	Am
85401	2001	241 *	Am	88001	2002	221	Am
85401	2000	102 *	R (as ad by Prop. 208) & Ad <sup>25 210</sup>	88002.5	1999	312	Ad
85402	2000	102 *	R (as ad by Prop. 208) & Ad <sup>25 210</sup>	89510	2000	102 *	Ad <sup>25 210</sup>
85403	2000	102 *	R (as ad by Prop. 208) & Ad <sup>25 210</sup>	89511	2001	241 *	Am
85404	2000	102 *	R (as ad by Prop. 208) <sup>25 210</sup>	89519	2000	130	Am
85500	2000	102 *	R (as ad by Prop. 208) & Ad <sup>25 210</sup>	89519	2000	102 *	R (as ad by Stats. 1990, Ch. 84 and Prop. 208) & Ad <sup>25 210</sup>
85501	2001	241 *	Am	91000	2000	102 *	R (as ad by Prop. 9 and as am by Prop. 208) & Ad <sup>25 210</sup>
85501	2000	102 *	Ad <sup>25 210</sup>	91004	2000	102 *	R (as ad by Prop. 9 and as am by Prop. 208) & Ad <sup>25 210</sup>
85501	2001	241 *	Am				
85505	2002	551	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
91005	2000	130	Am	95003	1999	146 *	S <sup>57</sup>
91005.5	2000	102 *	R (as ad by Stats. 1982, Ch. 727 and as am by Prop. 208) & Ad <sup>25 210</sup>	95004	1999	146 *	S <sup>57</sup>
					2001	171 *	Am (as am by Sec. 3, Stats. 1997, Ch. 294)
91006	2000	102 *	R (as ad by Prop. 9 and as am by Prop. 208) & Ad <sup>25 210</sup>	95006	1999	146 *	S <sup>57</sup>
				95007	1999	146 *	S <sup>57</sup>
				95008	1999	146 *	S <sup>57</sup>
				95009	1999	146 *	S <sup>57</sup>
				95012	1999	146 *	S <sup>57</sup>
				95014	1999	146 *	S <sup>57</sup>
91007	1999	577 *	Am	95016	1999	146 *	S <sup>57</sup>
	2000	135	Am <sup>203</sup>	95018	1999	146 *	S <sup>57</sup>
91013.5	2002	784	Am <sup>490</sup>	95020	1999	146 *	S <sup>57</sup>
91503	1999	61	Am	95022	1999	146 *	S <sup>57</sup>
91520	1999	61	Am	95024	1999	146 *	S <sup>57</sup>
91533	1999	61	Am	95026	1999	146 *	S <sup>57</sup>
91558.5	1999	863	Ad & R <sup>18</sup>	95028	1999	146 *	S <sup>57</sup>
91559	1999	863	Ad	95029	1999	146 *	S <sup>57</sup>
91559.1	1999	863	Ad	95030	1999	146 *	R
91559.2	1999	863	Ad	95500	2002	1024	Ad <sup>448</sup>
91559.3	1999	863	Ad	95501	2002	1024	Ad <sup>448</sup>
91559.4	1999	863	Ad	95502	2002	1024	Ad <sup>448</sup>
91560	1999	61	Am	95503	2002	1024	Ad <sup>448</sup>
92204	2001	745 *	R	95504	2002	1024	Ad <sup>448</sup>
93005	2002	461	Am	95505	2002	1024	Ad <sup>448</sup>
95000	1999	146 *	S <sup>57</sup>	95506	2002	1024	Ad <sup>448</sup>
95001	1999	146 *	S <sup>57</sup>	95507	2002	1024	Ad <sup>448</sup>
95001.5	1999	146 *	S <sup>57</sup>	95508	2002	1024	Ad <sup>448</sup>
95002	1999	146 *	S <sup>57</sup>	96103	2001	745 *	R

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**HARBORS AND NAVIGATION CODE**

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
39	2001	597	Am	1105	2001	177	Am
63.6	2000	396	Am	1110	2001	177	Am
64.7	2001	360	Ad	1112	2001	177	Am
65.8	2001	745*	R	1114	2001	177	Am
69.5	1999	798	Ad <sup>87</sup>	1114.5	2001	177	Am
69.6	1999	798	Ad <sup>87</sup>	1125	2001	177	Am
69.8	1999	798	Ad <sup>87</sup>	1126	2000	394	Am
69.9	1999	798	Ad <sup>87</sup>		2001	177	Am
70.3	2000	282	Ad	1127	2001	177	Am
70.4	2000	282	Am	1128	2001	177	Am
70.5	2000	282	Ad	1130	2001	177	Am
71.4	1999	66*	Am	1132	2001	177	Am
	2002	625*	Am	1133	2001	177	Am
71.7	2002	664	R (as ad by Sec. 2, Stats. 1994, Ch. 1231) <sup>431</sup>	1140	2001	177	Am
				1141	2001	177	Am
				1150	2001	177	Am
76.8	1999	66*	Am	1163	1999	261	Am
85.2	1999	66*	Am	1164	1999	261	Am
515	2002	784	Am <sup>490</sup>	1170.3	1999	470	Am
601	1999	1000	R		2001	177	Am
602	1999	1000	R	1177	2001	177	Am
603	1999	1000	R	1180.3	2000	394	Am
604	1999	1000	R	1181	2000	394	Am
651	2000	398	Am	1190	1999	261	Am
654.3	2000	502	Ad <sup>34</sup>		2002	765	Am
655.7	2002	383	Am	1190.1	2001	177	Ad
658.3	2000	398	Am	1191	1999	261	Am
	2002	383	Am		2002	765	Am
658.6	2001	745*	R	1192	2001	177	Am
660	2002	940	Am	1198	2000	786	Ad
660.1	2002	940	Ad & R <sup>19</sup>	1200	2001	745*	Am
668	1999	500	Am	3927	2001	745*	Am
	2000	502	Am	5831	2002	221	Am
668.1	2000	396	Am	5861	2002	221	Am
	2002	383	Am	5863	2002	221	Am
668.2	2000	396	Am	5864	2002	221	Am
668.3	2000	396	Ad	5865	2002	221	Am
702.5	2000	380	Ad	5866	2002	221	Am
714	2000	508	Am	5867	2002	221	Am
719	2000	380	Am	5872	2002	221	Am
720	2000	508	Am	5873	2002	221	Am
725	2000	380	Am	5874	2002	221	Am
729.5	2000	508	Ad	6020	2002	221	Am
732	2000	508	Am	6031	2002	221	Am
733	2000	508	Am	6035	2002	221	Am
735.2	2000	380	Ad	6039	2002	221	Am
739	2000	508	Am	6044	2002	221	Am
782	2002	293	Am	6045	2002	221	Am
				6053	2002	221	Am
Div. 5, heading (Sec. 1100 et seq.)				6054	2002	221	Am
	2001	177	Am	6055	2002	221	Am
1100	2001	177	Am	6056	2002	221	Am
1101	2001	177	Am	6084	2001	177	Am
				6230	2002	221	Am

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

## HEALTH AND SAFETY 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>
20	2002	386	Am	1277	2000	356*	Am
150	1999	146*	Ad	1278.5	1999	155	Ad
151	1999	146*	Ad	1294	2000	451	Am
152	1999	146*	Ad	1298	2000	451	Am
444.20	2000	139*	Ad & R <sup>205</sup>	1300	1999	83	Am <sup>30</sup>
444.21	2000	139*	Ad & R <sup>205</sup>	1317.1	1999	544	Am
	2001	159	Am <sup>305</sup>	1317.2a	1999	525	Am <sup>112</sup>
444.22	2000	139*	Ad & R <sup>205</sup>		2000	857	Am <sup>203</sup>
444.23	2000	139*	Ad & R <sup>205</sup>	1317.6	1999	525	Am <sup>112</sup>
444.24	2000	139*	Ad & R <sup>205</sup>		2000	857	Am <sup>203</sup>
475	1999	765	Ad	1325.5	2000	451	Ad
900	1999	731	Ad		2001	685	Am
901	2000	144*	Ad	1331	2000	451	Am
	2000	343	Am		2001	685	Am
1179.3	1999	146*	Am <sup>36 13</sup>	1333	2000	451	Am
1179.6	2000	312*	Ad	1336.2	2000	451	Am
1204	2000	27	Am		2002	554	Am
1204.4	2000	99	Ad	1337.1	2000	451	Am
1206	1999	83	Am <sup>30</sup>		2001	685	Am
	2002	540	Am <sup>418</sup>	1337.3	1999	719	Am (by Sec. 3 of Ch.)
1221	2001	525	Ad		2000	451	Am
1221.05	2001	525	Ad		2001	685	Am
1221.09	2001	525	Ad	1337.6	1999	719	Am
1221.11	2001	525	Ad	1338.2	1999	719	Ad
1221.13	2001	525	Ad	1339.51	2001	115	R
1221.15	2001	525	Ad	1339.52	2001	115	R
1221.17	2001	525	Ad	1339.53	2001	115	R
1221.19	2001	525	Ad	1339.54	2001	115	R
1248.15	1999	944	Am	1339.55	2001	115	R
1250	2000	451	Am	1339.56	2001	115	R
	2001	685	Am	1339.57	2001	115	R
1250.6	2001	685	Ad	1339.58	2001	115	R
1250.7	2002	752	Ad	1339.59	2001	115	R
1253	2000	451	Am	1339.60	2001	115	R
1254.7	1999	403	Ad	1339.61	2001	115	R
1255.7	2000	824	Ad & R <sup>43</sup>	1339.63	2000	816	Ad
1256	2001	290	Am		2002	15*	Am
1260.1	1999	850	Ad	1339.80	2000	347	Ad
1261	1999	588	Ad	1339.81	2000	347	Ad
1261.5	1999	83	Am <sup>30</sup>	1341	1999	525	R & Ad <sup>112</sup>
1261.6	1999	83	Am <sup>30</sup>		2000	857	Am <sup>203</sup>
1262.5	2001	691	Ad	1341.1	1999	525	Ad <sup>112</sup>
1262.6	2001	691	Ad		2000	857	Am <sup>203</sup>
1262.7	2001	691	Ad	1341.10	1999	525	Ad <sup>112</sup>
1263	2001	339	Ad	1341.11	1999	525	Ad <sup>112</sup>
1265	2000	451	Am	1341.12	1999	525	Ad <sup>112</sup>
	2001	685	Am	1341.13	1999	525	Ad <sup>112</sup>
1267	2000	451	Am	1341.14	1999	525	Ad <sup>112</sup>
1267.5	2000	451	Am	1341.2	1999	525	Ad <sup>112</sup>
	2001	685	Am		2000	857	Am <sup>203</sup>
1276.05	2000	841	Ad	1341.3	1999	525	Ad <sup>112</sup>
	2001	228*	Am		2000	857	Am <sup>203</sup>
1276.4	1999	945	Ad	1341.4	1999	525	Ad <sup>112</sup>
	2000	148*	Am		2000	93*	Am
1276.5	1999	146*	Am	1341.5	1999	525	Ad <sup>112</sup>
	2001	685	Am	1341.6	1999	525	Ad <sup>112</sup>
1276.6	2000	93*	Ad		2000	857	Am <sup>203</sup>
1276.65	2001	684	Ad	1341.7	1999	525	Ad <sup>112</sup>
	2002	664	Am <sup>431</sup>		2000	857	Am
1276.7	2000	451	Ad	1341.8	1999	525	Ad <sup>112</sup>
1276.9	2001	685	Ad				

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**HEALTH AND SAFETY 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>
1341.9	1999	525	Ad <sup>112</sup>	1357.50	1999	83	Am <sup>30</sup>
1342	1999	525	Am <sup>112</sup>		1999	434	Am
	2002	797	Am		2000	135	Am <sup>203</sup>
1342.1	2001	745 *	Am	1357.51	1999	83	Am <sup>30</sup>
1342.3	1999	525	Ad <sup>112</sup>	1357.53	1999	525	Am <sup>112</sup>
	2000	857	Am <sup>203</sup>	1357.54	1999	525	Am <sup>112</sup>
1342.4	2002	793	Ad	1358	1999	525	Am <sup>112</sup>
1342.5	1999	525	Am <sup>112</sup>		2000	706	R
	2000	857	Am <sup>203</sup>	1358.1	1999	525	Am <sup>112</sup>
1342.7	2002	791	Ad <sup>430</sup>		2000	706	R & Ad
1343	1999	525	Am <sup>112</sup>	1358.10	1999	525	Am <sup>112</sup>
	2000	857	Am		2000	706	R & Ad
1344	1999	525	Am <sup>112</sup>	1358.11	1999	525	Am <sup>112</sup>
1345	1999	525	Am <sup>112</sup>		2000	706	R & Ad
	1999	528	Am		2000	707 *	Am (as ad by
	2002	760	Am				Stats. 2000,
1346	1999	525	Am <sup>112</sup>				Ch. 706)
1346.4	1999	525	Am <sup>112</sup>		2001	159	Am <sup>305</sup>
1346.5	1999	525	Am <sup>112</sup>		2002	555	Am
	2000	857	Am <sup>203</sup>	1358.12	1999	525	Am <sup>112</sup>
1347	1999	525	Am <sup>112</sup>		2000	706	R & Ad
	2000	857	Am <sup>203</sup>		2000	707 *	Am (as ad by
1347.1	1999	525	Ad <sup>112</sup>				Stats. 2000,
1347.15	1999	529	Ad				Ch. 706)
	2000	1067	Am		2002	555	Am
1348	1999	525	Am <sup>112</sup>	1358.13	2000	706	R & Ad
1348.8	1999	535	Ad	1358.14	1999	525	Am <sup>112</sup>
	2002	1013	Am		2000	706	R & Ad
1348.9	2002	792	Ad & R <sup>75</sup>	1358.145	2000	706	Ad
1349	1999	525	Am <sup>112</sup>	1358.146	2000	706	Ad
1349.2	1999	525	Am <sup>112</sup>	1358.15	1999	525	Am <sup>112</sup>
1349.3	1999	529	Ad & R <sup>5</sup>		2000	706	R & Ad
	1999	530	Ad & R <sup>5</sup>	1358.16	1999	525	Am <sup>112</sup>
1351	1999	525	Am <sup>112</sup>		2000	706	R & Ad
1351.1	1999	525	Am <sup>112</sup>	1358.17	2000	706	R & Ad
1351.2	1999	83	Am <sup>30</sup>	1358.18	1999	525	Am <sup>112</sup>
	1999	525	Am <sup>112</sup>		2000	706	R & Ad
1352	1999	525	Am <sup>112</sup>	1358.19	1999	525	Am <sup>112</sup>
1352.1	1999	525	Am <sup>112</sup>		2000	706	R & Ad
1353	1999	525	Am <sup>112</sup>	1358.2	1999	525	Am <sup>112</sup>
1354	1999	525	Am <sup>112</sup>		2000	706	R & Ad
1355	1999	525	Am <sup>112</sup>	1358.20	1999	716	Am
1356	1999	525	Am <sup>112</sup>		2000	706	R & Ad
	2000	93 *	Am	1358.21	1999	525	Am <sup>112</sup>
	2002	790	Am		2000	706	R & Ad
			R & Ad <sup>175</sup>	1358.22	2000	706	Ad
	2002	1161 *	Am		2000	707 *	Ad & R <sup>24</sup>
1356.1	1999	525	Am <sup>112</sup>	1358.225	2000	706	Ad
1357	1999	434	Am	1358.23	2000	706	Ad
	2000	389	Am	1358.24	1999	716	Ad <sup>82</sup>
1357.03	1999	525	Am <sup>112</sup>	1358.3	2000	706	R & Ad
1357.09	1999	83	Am <sup>30</sup>	1358.4	1999	525	Am <sup>112</sup>
	1999	525	Am <sup>112</sup>		2000	706	R & Ad
1357.10	1999	525	Am <sup>112</sup>	1358.5	2000	706	R & Ad
1357.11	1999	525	Am <sup>112</sup>	1358.6	1999	525	Am <sup>112</sup>
1357.15	1999	525	Am <sup>112</sup>		2000	706	R & Ad
1357.16	1999	525	Am <sup>112</sup>	1358.7	2000	706	R & Ad
	2000	857	Am <sup>203</sup>	1358.8	2000	706	R & Ad
	2002	227	Am <sup>13</sup>	1358.9	1999	525	Am <sup>112</sup>
1357.17	1999	525	Am <sup>112</sup>		2000	706	R & Ad
1357.18	2002	649	Ad & R <sup>75</sup>	1359	1999	525	Am <sup>112</sup>

**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
1360.1	1999	525	Am <sup>112</sup>	1368	1999	542	Am
1361	1999	525	Am <sup>112</sup>				R & Ad <sup>25</sup>
1363	1999	525	Am (as am by Sec. 2, Stats. 1998, Ch. 994) <sup>112</sup>		2000	135	Am <sup>203</sup>
	2000	857	Am		2000	1067	Am
	2001	817	Am <sup>35</sup>	1368.01	1999	542	Am
1363.02	2000	347	Ad		2002	796	Am
1363.03	2001	622	Ad	1368.015	2002	796	Ad
1363.06	2002	794	Ad	1368.02	1999	525	Am (as am by Sec. 3, Stats. 1998, Ch. 377) <sup>112</sup>
1363.07	2002	794	Ad		2000	857	Am <sup>203</sup>
1363.5	1999	539	R & Ad		2002	796	Am
	2000	1067	Am	1368.03	1999	542	Am
1364	1999	525	Am <sup>112</sup>				R & Ad <sup>25</sup>
1364.5	1999	526	Ad	1368.04	1999	542	Am
	2000	1067	Am		2000	135	Am <sup>203</sup>
1365	1999	525	Am <sup>112</sup>		2000	1067	Am
1365.5	1999	525	Am <sup>112</sup>	1368.2	1999	528	Ad
1366.1	2002	549	Ad		2000	857	Am
	2002	928	Ad	1370	1999	525	Am <sup>112</sup>
1366.27	2002	794	Am	1370.4	1999	542	Am
1366.29	2002	794	Ad <sup>482</sup>		2000	135	Am <sup>203</sup>
1366.35	2000	810	Ad		2000	1067	Am
1366.4	1999	525	Am <sup>112</sup>		2000	528	Ad
1367	1999	525	Am <sup>112</sup>		2000	857	Am
	2000	825	Am		2000	1067	Am
	2000	827	Am	1370.6	2001	172	Ad
	2002	797	Am	1371	2000	825	Am
1367.01	1999	539	Ad		2000	827	Am
	2000	1067	Am	1371.2	2002	760	Am
1367.02	1999	525	Am <sup>112</sup>	1371.35	2000	825	Am
1367.03	2002	797	Ad		2000	827	Am
1367.10	1999	525	Am <sup>112</sup>	1371.36	2000	825	Ad
1367.15	1999	525	Am <sup>112</sup>		2000	827	Ad
1367.21	2000	852	Am	1371.37	2000	825	Ad <sup>267</sup>
1367.215	2002	791	Am		2000	827	Ad
1367.22	2002	760	Am	1371.38	2000	825	Ad
1367.24	1999	83	Am <sup>30</sup>		2000	827	Ad
	1999	525	Am <sup>112</sup>	1371.39	2000	825	Ad
	2002	791	Am		2000	827	Ad
1367.25	1999	532	Ad	1371.4	1999	525	Am <sup>112</sup>
	2000	857	Am		2000	857	Am <sup>203</sup>
	2002	791	Am	1372	1999	525	Am <sup>112</sup>
1367.26	2001	817	Ad <sup>35</sup>	1373	1999	525	Am <sup>112</sup>
1367.3	1999	525	Am <sup>112</sup>		2001	420*	Am
1367.35	1999	525	Am <sup>112</sup>		2002	1013	Am
1367.36	2000	845	Ad	1373.4	2002	880	Am <sup>496</sup>
1367.45	2001	634	Ad				R <sup>22</sup>
	2002	791	Am				Ad <sup>175</sup>
1367.5	2000	1067	R	1373.6	2002	794	Am
	2001	691	Ad	1373.62	2002	794	Ad <sup>482,483</sup>
1367.51	1999	540	Ad				R <sup>69</sup>
	2000	1067	Am	1373.622	2002	794	Ad
	2002	791	Am	1373.65	2000	849	Am
1367.6	1999	537	R & Ad	1373.8	2001	420*	Am
1367.65	1999	537	Am		2002	1013	Am
1367.66	2001	380	Am	1373.95	1999	525	Am <sup>112</sup>
1367.665	1999	543	Ad		2000	857	Am <sup>203</sup>
1367.695	1999	525	Am <sup>112</sup>		2001	531	Am
	2000	857	Am <sup>203</sup>		2002	276	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>
1374.16	2000	426	Am <sup>233</sup> R <sup>234</sup> Ad <sup>235</sup>	1381	1999	525	Am <sup>112</sup>
				1382	1999	525	Am <sup>112</sup>
				1383.15	1999	531	Ad
					2000	857	Am
					2001	328	Am
				1384	1999	525	Am <sup>112</sup>
				1385	1999	525	Am <sup>112</sup>
				1386	1999	525	Am <sup>112</sup>
					1999	526	Am
					2000	135	Am <sup>203</sup>
					2000	1067	Am
					2002	925	Am
				1387	1999	525	Am <sup>112</sup>
				1388	1999	525	Am <sup>112</sup>
				1389	1999	525	Am <sup>112</sup>
				1389.1	1999	525	Am <sup>112</sup>
				1389.2	1999	525	Am <sup>112</sup>
				1391	1999	525	Am <sup>112</sup>
				1391.5	1999	525	Ad <sup>112</sup>
					2000	857	Am
				1392	1999	525	Am <sup>112</sup>
				1393	1999	525	Am <sup>112</sup>
				1393.5	1999	525	Am <sup>112</sup>
				1393.6	1999	525	Am <sup>112</sup>
					2000	857	Am <sup>203</sup>
				1394	1999	525	Am <sup>112</sup>
				1394.1	1999	525	Am <sup>112</sup>
				1394.3	1999	525	Am <sup>112</sup>
				1394.5	1999	525	Am <sup>112</sup>
				1394.7	1999	525	Am <sup>112</sup>
				1394.8	1999	525	Am <sup>112</sup>
				1395	2000	93*	Am
					2001	171*	Am
				1395.5	1999	525	Am <sup>112</sup>
				1395.6	1999	545	Ad <sup>26</sup>
					2000	1067	Am
					2000	1069	Am
				1396	1999	525	Am <sup>112</sup>
				1397	1999	525	Am <sup>112</sup>
				1397.5	1999	525	Am <sup>112</sup>
					2000	857	Am <sup>203</sup>
				1397.6	1999	525	Am <sup>112</sup>
				1398	1999	525	Am <sup>112</sup>
					2000	857	R
				1399	1999	525	Am <sup>112</sup>
				1399.1	1999	525	Am <sup>112</sup>
				1399.70	1999	525	Am <sup>112</sup>
				1399.71	1999	525	Am <sup>112</sup>
				1399.72	1999	525	Am <sup>112</sup>
				1399.73	1999	525	Am <sup>112</sup>
				1399.74	1999	525	Am <sup>112</sup>
				1399.75	1999	525	Am <sup>112</sup>
				1399.801	2000	810	Ad
				Div. 2, Ch. 2.2, Art. 10.5, heading (Sec. 1399.801 et seq.)	2001	159	Am & RN <sup>305</sup>
1374.20	2002	336	Am				
1374.26	2002	336	Am & RN & Ad				
1374.20	1999	525	Am <sup>112</sup>				
1374.27	1999	525	Am <sup>112</sup>				
1374.28	1999	525	Am <sup>112</sup>				
1374.29	2002	336	Ad(RN)				
1374.30	1999	533	Ad				
	2000	857	Am				
1374.31	1999	533	Ad				
1374.32	1999	533	Ad				
	2000	135	Am <sup>203</sup>				
	2000	857	Am				
1374.33	1999	533	Ad				
1374.34	1999	542	Ad (purports to add Sec. 13933)				
	2000	135	Ad(RN) <sup>203</sup>				
	2000	1067	Ad(RN)				
1374.35	1999	533	Ad				
1374.36	1999	542	Ad <sup>25</sup>				
1374.51	2001	506	Ad				
1374.56	1999	541	Ad				
1374.58	2001	893	Ad				
1374.60	1999	525	Am <sup>112</sup>				
1374.64	1999	525	Am <sup>112</sup>				
1374.66	1999	525	Am <sup>112</sup>				
1374.67	1999	525	Am <sup>112</sup>				
1374.68	1999	525	Am <sup>112</sup>				
1374.69	1999	525	Am <sup>112</sup>				
1374.7	1999	311	Am				
1374.71	1999	525	Am <sup>112</sup>				
1374.72	1999	534	Ad				
	2002	791	Am				
1374.9	1999	525	Am <sup>112</sup>				
	2000	857	Am <sup>203</sup>				
	2002	760	Am				
1375.1	1999	525	Am <sup>112</sup>				
1375.3	2002	928	Ad				
1375.4	1999	529	Ad				
	2000	1067	Am				
1375.5	1999	529	Ad				
	2002	798	Am				
1375.6	1999	529	Ad				
1375.7	2002	925	Ad				
1375.8	2002	798	Ad				
1376	1999	525	Am <sup>112</sup>				
1377	1999	525	Am <sup>112</sup>				
1380	1999	525	Am <sup>112</sup>				
	2000	857	Am <sup>203</sup>				
1380.1	1999	525	Am <sup>112</sup>				
	2000	856	R & Ad				
	2000	857	Am <sup>203</sup>				
1380.3	1999	525	Am <sup>112</sup>				

**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
Div. 2, Ch. 2.2, Art. 11.5, heading (Sec. 1399.801 et seq.)					2000	451	Am <sup>241</sup>
					2001	685	Am
				1422.6	2000	451	Ad
				1423.5	2000	451	Ad
					2001	685	Am
	2001	159	Ad(RN) <sup>305</sup>	1424	2000	451	Am
1399.802	2000	810	Ad		2001	685	Am
1399.803	2000	810	Ad	1424.5	2000	451	Ad
1399.804	2000	810	Ad	1428	2000	451	Am
1399.805	2000	810	Ad		2002	784	Am <sup>490</sup>
1399.806	2000	810	Ad	1428.1	2000	451	Am
1399.809	2000	810	Ad		2001	685	Am
1399.810	2000	810	Ad	1429.1	2000	451	Ad
1399.811	2000	810	Ad	1429.5	2001	687	R
1399.812	2000	810	Ad	1430.5	2000	451	R
1399.813	2000	810	Ad	1432	2001	685	Am
1399.814	2000	810	Ad	1435	2000	451	R
1399.815	2000	810	Ad	1435.5	2000	451	R
1399.816	2000	810	Ad	1437.5	2000	451	Ad
1399.817	2000	810	Ad		2001	685	Am
1399.818	2000	810	Ad	1438	2000	451	Am
Div. 2, Ch. 2.25, heading (Sec. 1399.900 et seq.)					2001	685	Am
				1442.5	1999	83	Am <sup>30</sup>
				1502	2002	773	Am
				1502.2	2002	773	R
	2002	664	Ad(RN) <sup>431</sup>	1502.6	1999	83	Am <sup>30</sup>
Div. 2, Ch. 2.5, heading (Sec. 1399.900 et seq.)				1504.5	2002	428	Ad
				1505	2001	653*	Am
				1507.3	1999	410	Ad
	2002	664	Am & RN <sup>431</sup>		2000	135	Am <sup>203</sup>
1399.900	2000	1065	Ad	1520	2000	819	Am
1399.901	2000	1065	Ad	1521.5	2001	653*	Am
1399.902	2000	1065	Ad		2002	918	Am
1399.903	2000	1065	Ad	1521.6	2001	653*	Am
1399.904	2000	1065	Ad	1522	1999	83	Am <sup>30</sup>
1417.15	2000	451	Ad		1999	881*	Am
	2001	685	Am		2000	819	Am
1417.2	2000	93*	Am	1522.02	2002	669	Am
	2000	451	Am	1522.04	2000	819	Am
1417.3	2000	451	Am	1522.06	2000	421*	R
	2001	685	Am	1523.1	2002	773	Am
1417.4	2000	93*	Ad	1525.5	2001	653*	Am
	2000	451	Am	1530.1	2002	773	Ad
	2001	171*	Am	1530.91	2001	683	Ad
1418.4	2000	448	Am	1531.2	2002	773	Am (as ad by Stats. 1998, Ch. 729)
1418.9	2000	46	Ad				Am <sup>490</sup>
1418.91	2000	451	Ad	1543	2002	784	Am
1419	2001	680	Am	1551.2	2002	707	Ad
1420	2000	451	Am	1559.110	2001	125*	Am
	2001	685	Am		2002	639	Am
1421.1	2000	93*	Ad	1566.45	2000	817	Ad
	2000	451	Am	1568.0652	2002	707	Ad
	2001	685	Am	1568.0821	2000	819	Am
1421.2	2000	93*	Ad & R <sup>19</sup>	1568.0823	2002	784	Am <sup>490</sup>
	2000	451	Am	1568.0832	2000	817	Ad
	2001	685	Am	1568.09	2000	819	Am
1422	2000	451	Am	1569.15	2000	434	Am
	2001	745*	Am	1569.156	1999	658	Am <sup>56</sup>
1422.5	1999	430	Am	1569.17	1999	359	Am

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**HEALTH AND SAFETY 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>
1569.17 (Cont.)				1596.8714	1999	934	Ad
	1999	881 *	Am (by Sec. 4 of Ch.) <sup>77</sup>	1596.8866	2001	378	Ad
			Am (by Sec. 4.5 of Ch.) <sup>1</sup>		2002	353	Am
	2000	819	Am	1596.8872	2002	707	Ad
1569.33	2000	434	Am	1596.890	1999	823	Am
1569.43	2002	784	Am <sup>490</sup>	1596.95	2002	350	Am
1569.512	2002	707	Ad	1597.09	2002	1022 *	Am
1569.616	2000	434	Am (by Sec. 4 of Ch.)	1597.091	2002	1022 *	Am
				1597.467	2001	679	Ad
1569.626	2000	434	Ad	1599.1	2000	451	Am
1569.627	2000	434	Ad	1599.73	1999	658	Am <sup>56</sup>
1569.651	2002	557	Ad	1599.74	2002	550	Am
1569.655	2002	557	Ad	1626	2000	362	Am <sup>224</sup>
1569.72	2000	817	Am	1639.01	2002	929	Ad
1569.73	1999	114 *	Am	1639.56	2000	829	Ad
	2002	109	Am	1647	1999	87	Ad
1570.7	2001	681	Am	1743	2001	242	Ad
1572	2000	869	Am	1743.11	2001	242	Ad
	2001	681	Am	1743.13	2001	242	Ad
1572.9	2001	681	Am	1743.15	2001	242	Ad
1574.5	2001	681	Am	1743.17	2001	242	Ad
1575.1	2001	681	Ad	1743.19	2001	242	Ad
1575.2	2001	681	Am	1743.2	2001	242	Ad
1575.3	2000	869	Am	1743.21	2001	242	Ad
1575.4	2000	869	Am	1743.23	2001	242	Ad
1575.45	2000	869	Ad	1743.25	2001	242	Ad
1575.6	2001	681	Ad	1743.27	2001	242	Ad
1576	2000	869	Am	1743.29	2001	242	Ad
1576.2	2001	681	Am	1743.3	2001	242	Ad
1578	2001	681	Ad	1743.31	2001	242	Ad
1578.1	2001	681	Ad	1743.33	2001	242	Ad
1579	2001	681	Ad	1743.35	2001	242	Ad
1580.5	2000	869	Am	1743.37	2001	242	Ad
1581.5	2001	681	Am	1743.7	2001	242	Ad
1584	1999	658	Am <sup>56</sup>	1743.9	2001	242	Ad
1588	2000	108 *	Am	1746	1999	83	Am <sup>30</sup>
1588.3	2000	108 *	Am	1765.125	2002	111	Am
1588.5	2000	108 *	Am	1765.150	2002	111	Am
1588.7	2000	108 *	Am	1770	2000	820	Am
	2001	681	Am	1771	1999	949	Am
1589	2000	108 *	Am & RN & Ad		2000	820	Am
1589.5	2000	108 *	Ad(RN)	1771.10	2000	820	Ad(RN)
1590.3	2000	869	Ad	1771.11	1999	949	Ad
1590.5	2000	869	Am		2000	820	Am & RN
1596.60	2000	239	Am	1771.2	2000	820	Am
1596.653	1999	772	Ad	1771.3	2000	820	Ad
1596.66	2000	819	Am	1771.4	2000	820	R & Ad
1596.76	2002	1022 *	Am	1771.5	1999	949	Am
1596.7927	1999	851 *	Ad & R <sup>5</sup>		2000	820	R & Ad
	2000	135	Am <sup>203</sup>	1771.6	2000	820	R & Ad
1596.799	2002	536	Ad	1771.7	2000	820	R & Ad
1596.8535	2002	122	Ad <sup>175</sup>		2002	553	Am
1596.859	1999	823	Am	1771.8	2000	820	R & Ad(RN)
1596.871	1999	881 *	Am		2002	553	Am
	2000	819	Am	1771.9	1999	83	Am <sup>30</sup>
1596.8712	2000	549	Ad		1999	949	Am
1596.8713	1999	147 *	Am		2000	820	Am & RN
	1999	934	Am	1772	2000	820	Am
	2000	108 *	Am	1772.2	2000	820	Ad
				1773	2000	820	Am
				1774	2000	820	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
1775	2000	820	Am	1792.4	2000	820	Ad
1776.3	2001	111 *	Ad	1792.5	2000	820	Ad
	2002	553	Am	1792.6	2000	820	Ad
1776.6	2000	820	Am	1793.11	2000	820	Am
1777	2000	820	Am	1793.13	2000	820	Am
	2002	553	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		2002	553	Am
1781.8	2000	820	Am	1795	2002	272	Ad
1782	2000	820	Am	1797.109	2000	157	Am
1783	2000	820	Am	1797.112	2000	93 *	Am
1783.2	2000	820	Am	1797.115	2002	1050	Ad
1783.3	2000	820	Ad	1797.116	2002	612 *	Ad
1784	2000	820	Am	1797.172	1999	549 *	Am
1785	2000	820	Am	1797.190	2002	718	Am
1786	2000	820	Am	1797.191	1999	83	Am <sup>30</sup>
1786.2	2000	820	Am	1797.196	1999	163	Ad
1787	2000	820	Am		2002	718	Am
1788	1999	949	Am				R & Ad <sup>69</sup>
	2000	820	Am	1797.197	2001	458	Ad
1788.2	2000	820	Am	1797.198	2001	171 *	Ad
1788.4	2000	820	Am	1797.199	2001	171 *	Ad
1789	2000	820	Am		2002	1161 *	Am
1789.1	2000	820	Ad	1797.8	2002	678	Ad <sup>470</sup>
1789.2	2000	820	Am	1797.98b	1999	679	Am
1789.4	2000	820	Am	1797.98c	2002	430	Am
1789.6	2000	820	Am	1797.98e	2002	430	Am
1789.8	2000	820	Am	1798.200	1999	549 *	Am
1792	2000	820	R & Ad	1799.204	2001	171 *	Am
1792.1	2000	820	Ad	2000	2002	395	Ad
1792.11	2000	820	Ad & R <sup>18</sup>	2001	2002	395	Ad
1792.12	2000	820	Ad & R <sup>18</sup>	2002	2002	395	Ad
1792.13	2000	820	Ad & R <sup>18</sup>	2003	2002	395	Ad
1792.14	2000	820	Ad & R <sup>18</sup>	2004	2002	395	Ad
1792.15	2000	820	Ad & R <sup>18</sup>	2005	2002	395	Ad
1792.16	2000	820	Ad & R <sup>18</sup>	2006	2002	395	Ad
1792.17	2000	820	Ad & R <sup>18</sup>	2007	2002	395	Ad
1792.18	2000	820	Ad & R <sup>18</sup>	2010	2002	395	Ad
1792.19	2000	820	Ad & R <sup>18</sup>	2011	2002	395	Ad
1792.2	1999	470	Am	2012	2002	395	Ad
	2000	820	R & Ad	2013	2002	395	Ad
1792.20	2000	820	Ad & R <sup>18</sup>	2014	2002	395	Ad
1792.21	2000	820	Ad & R <sup>18</sup>	2020	2002	395	Ad
1792.22	2000	820	Ad & R <sup>18</sup>	2021	2002	395	Ad
1792.3	2000	820	Ad	2022	2002	395	Ad

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**HEALTH AND SAFETY 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>
2023	2002	395	Ad	2215.5	2002	395	R
2024	2002	395	Ad	2216	2002	395	R
2025	2002	395	Ad	2217	2002	395	R
2026	2002	395	Ad	2218	2002	395	R
2027	2002	395	Ad	2219	2002	395	R
2028	2002	395	Ad	2220	2002	395	R
2029	2002	395	Ad	2221	2002	395	R
2030	2002	395	Ad	2222	2002	395	R
2040	2002	395	Ad	2223	2002	395	R
2041	2002	395	Ad	2224	2002	395	R
2042	2002	395	Ad	2225	2002	395	R
2043	2002	395	Ad	2226	2002	395	R
2044	2002	395	Ad	2240	2002	395	R
2045	2002	395	Ad	2240.1	2002	395	R
2046	2002	395	Ad	2241	2002	395	R
2047	2002	395	Ad	2242	2002	395	R
2048	2002	395	Ad	2243	2002	395	R
2049	2002	395	Ad	2244	2002	395	R
2050	2002	395	Ad	2244.5	2002	395	R
2051	2002	395	Ad	2245	2002	395	R
2052	2002	395	Ad	2246	2002	395	R
2053	2002	395	Ad	2247	2002	395	R
2054	2002	395	Ad	2248	2001	75	Am
2055	2002	395	Ad		2002	395	R
2060	2002	395	Ad	2249	2002	395	R
2061	2002	395	Ad	2250	2002	395	R
2062	2002	395	Ad	2251	2002	395	R
2063	2002	395	Ad	2252	2002	395	R
2064	2002	395	Ad	2253	2002	395	R
2065	2002	395	Ad	2270	2002	395	R
2066	2002	395	Ad	2272	2002	395	R
2067	2002	395	Ad	2272.5	2002	395	R
2070	2002	395	Ad	2273	2002	395	R
2071	2002	395	Ad	2274	2002	395	R
2072	2002	395	Ad	2275	2002	395	R
2073	2002	395	Ad	2277	2002	395	R
2074	2002	395	Ad	2278	2002	395	R
2075	2002	395	Ad	2279	2002	395	R
2076	2002	395	Ad	2280	2002	395	R
2077	2002	395	Ad	2280.1	2002	395	R
2078	2002	395	Ad	2281	2002	395	R
2079	2002	395	Ad	2282	2002	395	R
2080	2002	395	Ad	2283	2002	395	R
2081	2002	395	Ad	2283.5	2002	395	R
2082	2002	395	Ad	2284	2002	395	R
2083	2002	395	Ad	2285	2002	395	R
2084	2002	395	Ad	2285.5	2002	395	R
2085	2002	395	Ad	2286	2002	395	R
2090	2002	395	Ad	2287	2002	395	R
2091	2002	395	Ad	2288	2002	395	R
2092	2002	395	Ad	2289	2002	395	R
2093	2002	395	Ad	2290	2002	395	R
2200	2002	395	R	2290.5	2002	395	R
2201	2002	395	R	2291	2002	395	R
2202	2002	395	R	2291.1	2002	395	R
2210	2002	395	R	2291.2	2000	262	Am
2211	2002	395	R		2002	395	R
2212	2002	395	R	2291.3	2002	395	R
2213	2002	395	R	2291.4	2002	395	R
2214	2002	395	R	2291.5	2002	395	R
2215	2002	395	R	2291.7	2002	395	R

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**HEALTH AND SAFETY 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>
2292	2002	395	R	7100	1999	657	Am
2294	2002	395	R		1999	658	Am (by Sec. 5.5 of Ch.) <sup>56</sup>
2300	2002	395	R		2001	230	Am
2302	2002	395	R	7103	2002	819	Am
2303	2002	395	R	7104.1	2001	436	Am
2304	2002	395	R	7109	2001	436	Am
2305	2002	395	R	7111	2002	819	Am
2306	2002	395	R	7116	2001	436	Am
2307	2002	395	R	7150.2	2000	829	Ad
2308	2002	395	R	7151	1999	658	Am <sup>56</sup>
2309	2002	395	R	7151.5	2000	830	Am
2310	2002	395	R	7152.7	2001	740	Ad
2311	2002	395	R	7153	2000	830	Am
2312	2002	395	R	7153.5	2000	830	Am
2315	2002	395	R	7154	2000	830	Am
2316	2002	395	R	7185	1999	658	R <sup>56</sup>
2317	2002	395	R	7185.5	1999	658	R <sup>56</sup>
2318	2002	395	R	7186	1999	658	R <sup>56</sup>
2319	2002	395	R	7186.5	1999	658	R <sup>56</sup>
2320	2002	395	R	7187	1999	658	R <sup>56</sup>
2320	2002	395	R	7187.5	1999	658	R <sup>56</sup>
2330	2002	395	R	7188	1999	658	R <sup>56</sup>
2331	2002	395	R	7189	1999	658	R <sup>56</sup>
2332	2002	395	R	7189.5	1999	658	R <sup>56</sup>
2360	2002	395	R	7190	1999	658	R <sup>56</sup>
2851	2001	75	Am	7190.5	1999	658	R <sup>56</sup>
4730.3	2001	390	Am	7191	1999	658	R <sup>56</sup>
			R & Ad <sup>361</sup>	7191.5	1999	658	R <sup>56</sup>
4730.6	1999	550 *	Am <sup>1</sup>	7192	1999	658	R <sup>56</sup>
4730.66	2002	79 *	Ad	7192.5	1999	658	R <sup>56</sup>
4733	2000	86	Am	7193	1999	658	R <sup>56</sup>
4767.5	2001	606 *	Ad	7193.5	1999	658	R <sup>56</sup>
5412	2001	498	Am	7194	1999	658	R <sup>56</sup>
5413	2001	498	Am	7194.5	1999	658	R <sup>56</sup>
6489	2000	86	Am	7200	2001	436	Am
6512	2002	261	Am	8010	2001	818	Ad
6590	1999	696	Ad	8011	2001	818	Ad
6591	1999	696	Ad	8012	2001	818	Ad
6592	1999	696	Ad	8013	2001	818	Ad
6593	1999	696	Ad	8014	2001	818	Ad
6594	1999	696	Ad	8015	2001	818	Ad
6595	1999	696	Ad	8016	2001	818	Ad
7000	2001	436	Am	8017	2001	818	Ad
7001	2001	436	Am	8018	2001	818	Ad
7002	2001	436	Am	8019	2001	818	Ad
7003	2001	436	Am	8020	2001	818	Ad
7005	2001	436	Am	8021	2001	818	Ad
7007	2001	436	Am	8025	2001	818	Ad
7010	2001	436	Am	8026	2001	818	Ad
7010.5	2001	436	Am	8027	2001	818	Ad
7010.7	2001	436	Am	8028	2001	818	Ad
7012	2001	436	Am	8029	2001	818	Ad
7013	2001	436	Am	8030	2001	818	Ad
7014	2001	436	Am				
7016	2001	436	Am				
7017	2001	436	R	Div. 8,			
7021	2001	436	Am	Pt. 1,			
7054	2002	819	Am	Ch. 1,			
7054.5	2001	436	R	heading			
7054.6	2000	276	Am	(Sec. 8100			
	2001	436	Am	et seq.)	2001	436	Am
7055	1999	657	Am	8100	2001	436	Am

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**HEALTH AND SAFETY 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>
8101	2000	546	R	11125	2002	1013	R
8113.2	2001	436	R	11127	2002	1013	R
8113.6	2000	568	Am	11128	2002	1013	R
8279	1999	207	Ad	11129	2002	1013	R
8300	2001	436	Am	11130	2002	1013	R
8301	2001	436	R	11131	2002	1013	R
8302	2001	436	R	11132	2002	1013	R
8303	2001	436	R	11133	2002	1013	R
8304	2001	436	R	11134	2002	1013	R
8305	2001	436	R	11135	2002	1013	R
8306	2001	436	R	11136	2002	1013	R
8307	2001	436	R	11150	1999	749	Am
8308	2001	436	R		2000	676	Am
8343	2000	568	Am		2001	289	Am
8344	2000	568	Am	11161	2000	1092	Am
8344.5	2000	568	Am	11163	2000	1092	R
8346.5	2000	568	Am	11164	2000	1092	Am
8347	2000	568	Am		2002	536	Am
8571	2001	436	Am	11164.5	2000	293	Ad
8574	2000	568	Am	11165	1999	655	Am <sup>73 19</sup>
8585	2000	568	Am		2002	345	Am <sup>300 317</sup>
8650	2001	436	Am	11165.1	2002	345	Ad <sup>300</sup>
	2001	516	Am				R <sup>301</sup>
8650.5	2001	436	Ad	11167	1999	853	Am <sup>144</sup>
	2001	516	Ad	11210	2000	676	Am
8731	2000	568	Am	11218	2002	543	Am
8734	2000	568	Am	11219	2002	543	Am
8740	2000	568	Am	11350	2000	8 *	Am
8743	2000	568	Am	11351	2000	8 *	Am
8744	2000	568	Am	11352	2000	8 *	Am
8747.5	2000	568	Am	11352.1	2000	350 *	Am
8748	2000	568	Am	11353	2000	8 *	Am
8961.13	1999	207	Am	11354	2000	8 *	Am
8961.7	2000	68 *	Am	11355	2000	8 *	Am
9513	1999	207	Ad	11362.9	1999	750	Ad <sup>87</sup>
9600.5	2000	568	Am		2001	854	Am
9600.6	2000	568	Am	11364.7	1999	762	Am
11024	2000	676	Am	11372	2002	787	Am <sup>422</sup>
11026	1999	749	Am	11372.7	2001	750	Am
	2000	676	Am		2001	854	Am
	2001	289	Am		2002	545	Am <sup>422</sup>
11054	2001	841	Am	11375	2001	838	Am (as am by
	2002	664	Am <sup>431</sup>				Stats. 1992,
11055	1999	975	Am (by Sec. 1				Ch. 616 and
			of Ch.)				as am by
	2000	8 *	Am				Stats. 1996,
	2001	841	Am				Ch. 109)
11056	2000	8 *	Am	11377	1999	975	Am
	2001	841	Am		2001	838	Am (by Sec. 3
11057	2002	1013	Am				of Ch.)
11100	1999	975	Am (by Sec. 2		2001	841	Am (by Sec. 5.5
			of Ch.)				of Ch.)
	1999	978	Am (by Sec. 1.5		2002	664	Am <sup>431</sup>
			of Ch.)	11378	2001	841	Am
	2001	841	Am	11379	2001	841	Am
11106	1999	978	Am	11380	2001	841	Am
	2002	13 *	Am	11382	2001	841	Am
11122	2002	1013	R		2002	664	Am <sup>431</sup>
11123	2002	1013	R	11474	1999	787	Am
11124	2002	1013	R	11479	2002	787	Am <sup>422</sup>

**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
11479.1	2002	787	Am <sup>422</sup>	11970.4	1999	147*	Ad & R <sup>18</sup>
11479.5	2002	443	Am	11970.45	2002	1022*	Ad
	2002	787	Am <sup>422</sup>	11998.1	2000	1055*	Am
11545	2000	815	Ad	11999.10	2000		
11550	2001	854	Am		Initiative		
11571	2002	1057	Am		(Prop. 36		
11571.1	2001	431	Am <sup>18</sup>		adopted		
11573	2002	1057	Am		Nov. 7,		
11573.5	2001	854	Am		2000)		Ad <sup>294</sup>
	2002	1057	Am	11999.11	2000		
11581	2002	1057	Am		Initiative		
11756.7	2001	111*	Am <sup>73 19</sup>		(Prop. 36		
11756.8	2000	108*	Ad		adopted		
11758	2002	678	Ad		Nov. 7,		
11758.03	2002	678	Ad		2000)		Ad <sup>294</sup>
11758.06	2002	678	Ad	11999.12	2000		
11758.42	2002	543	Am		Initiative		
11758.46	2000	108*	Am		(Prop. 36		
	2002	543	Am		adopted		
11758.47	1999	525	Am <sup>112</sup>		Nov. 7,		
	2000	857	Am <sup>203</sup>		2000)		Ad <sup>294</sup>
11759.4	2001	745*	Am	11999.13	2000		
11836	2000	1063	Am (by Sec. 1 of Ch.)		Initiative		
	2000	1064*	Am & R <sup>24</sup>		(Prop. 36		
			Ad (by Sec. 2.1 of Ch.) <sup>25</sup>		adopted		
	2001	159	Am <sup>305</sup>		Nov. 7,		
	2002	545	Am <sup>422</sup>		2000)		Ad <sup>294</sup>
11836.16	2000	1064*	Ad	11999.20	2001	721*	Ad <sup>37</sup>
11837	1999	22*	Am (as am by Sec. 2.5, Stats. 1998, Ch. 756) <sup>16</sup>	11999.25	2001	721*	Ad <sup>37</sup>
			Am (as am by Sec. 3, Stats. 1998, Ch. 756) <sup>16</sup>	11999.4	2000		
11837.1	1999	22*	Am (as am by Sec. 3, Stats. 1998, Ch. 756) <sup>16</sup>		Initiative		
					(Prop. 36		
11837.4	2000	1064*	Am		adopted		
11840.1	2000	108*	Am		Nov. 7,		
11871	2000	108*	Ad		2000)		Ad <sup>294</sup>
11875	1999	717	Am	11999.6	2000		
11876	1999	717	Am		Initiative		
11876.1	1999	717	Ad		(Prop. 36		
11877.14	1999	717	Am		adopted		
11877.2	2000	815	Ad		Nov. 7,		
	2001	159	Am <sup>305</sup>		2000)		Ad <sup>294</sup>
11877.6	1999	717	Am	11999.7	2000		
	2001	321	Am		Initiative		
11877.7	1999	717	Am		(Prop. 36		
	2001	321	Am		adopted		
11877.8	1999	717	Am		Nov. 7,		
11970	1999	147*	Am		2000)		Ad <sup>294</sup>
	2002	1022*	Am & R <sup>19</sup>	11999.8	2000		
11970.1	1999	147*	Ad & R <sup>18</sup>		Initiative		
11970.2	1999	147*	Ad & R <sup>18</sup>		(Prop. 36		
	2000	108*	Am		adopted		
	2002	1022*	Am		Nov. 7,		
11970.3	1999	147*	Ad & R <sup>18</sup>		2000)		Ad <sup>294</sup>

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**HEALTH AND SAFETY 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>
11999.9	2000				2000	664	Ad
	Initiative				2002	723	Am
	(Prop. 36			17998.2	2000	664	Ad & R <sup>18</sup>
	adopted				2002	723	Am <sup>13</sup>
	Nov. 7,			17998.3	2000	664	Ad
	2000)		Ad <sup>294</sup>	18001.8	2002	98	Am
12680	2000	274	Am	18008.5	2000	471	Am
13114.2	1999	550*	Am	18008.7	2001	356	Am
13132.7	1999	380	Am	18009.3	2000	566	Ad
	2001	244	Am <sup>21</sup>		2001	490	Am
			R <sup>34</sup>	18010	2000	566	Am
			Ad <sup>35</sup>	18012.5	2002	98	Am
13140.5	2001	779	Am	18015.1	2002	98	Ad
13140.6	2001	779	Am	18020	1999	83	Am <sup>30</sup>
13143.10	2001	745*	R	18021.7	2002	713	Am
13159.1	2002	612*	Ad	18025	1999	517	Am
13815	2001	176	Am	18025.5	1999	83	Am <sup>30</sup>
13818	2001	176	Am	18029.3	2002	713	Am
13857	2000	121	Am	18029.6	2002	713	Am
13872	2001	176	Am	18033	2001	490	Ad
13890	1999	550*	Am <sup>1</sup>	18033.1	2001	490	Ad
13933	1999	542	Ad (incorrect	18035	1999	991	Am <sup>96 114</sup>
			reference) <sup>25</sup>	18035.2	1999	991	Am <sup>96 114</sup>
	2000	135	Am & RN <sup>203</sup>		2002	713	Am
	2000	1067	Am & RN	18037.5	1999	991	Am <sup>96 114</sup>
13938	2001	176	Am	18046	1999	517	Am
16017.5	2000	463	Ad	18050.7	2000	555	Am
17021	2000	702	Am	18063	2000	471	Am
	2001	118*	Am	18070.3	2000	555	Am
17031	2000	471	Am	18075.5	1999	520*	Am
17055	2000	702	Am	18080.1	2000	471	Am
17920.10	2002	931	Ad	18080.7	1999	991	Am <sup>96 114</sup>
17920.3	2000	471	Am	18090.6	2001	213	Ad
17922	2001	159	Am <sup>305</sup>	18090.7	2001	213	Ad
17951	2000	471	Am	18092	2000	23	Am
17958.2	2000	471	Am	18093	1999	991	Am <sup>96 114</sup>
17958.8	2000	471	Am	18105	1999	991	Am <sup>96 114</sup>
17959	2002	726	Ad <sup>509</sup>	18106	1999	991	Am <sup>96 114</sup>
17959.3	1999	643	Am <sup>36 13</sup>	18122	1999	991	Am <sup>96 114</sup>
17961	2002	931	Am	18203.2	2000	542	Am
17964	2000	471	Am		2001	434	R <sup>34</sup>
17980	1999	391	Am		2002	1038	S <sup>22</sup>
	2001	487	Am	18203.5	2001	434	R <sup>34</sup>
	2002	931	Am		2002	1038	S <sup>22</sup>
17980.6	1999	391	Am	18205	2001	434	Am <sup>34</sup>
	2001	414	Am		2002	1038	S <sup>22</sup>
17980.7	2001	414	Am (by Sec. 5	18208	2001	434	R <sup>34</sup>
			of Ch.)		2002	1038	S <sup>22</sup>
	2001	594	Am (by Sec. 1.5	18210	2001	434	Am <sup>34</sup>
			of Ch.)		2002	1038	S <sup>22</sup>
17980.9	2001	594	Am	18214	2001	434	Am <sup>34</sup>
17997	2001	487	Ad & R <sup>18</sup>		2002	1038	S <sup>22</sup>
17997.2	2001	487	Ad & R <sup>18</sup>	18214.1	2001	434	Am <sup>34</sup>
17997.3	2001	487	Ad & R <sup>18</sup>		2002	1038	S <sup>22</sup>
17997.5	2001	487	Ad & R <sup>18</sup>	18214.2	2001	356	Ad
17997.6	2001	487	Ad & R <sup>18</sup>	18214.5	2001	434	Am <sup>34</sup>
17997.7	2001	487	Ad & R <sup>18</sup>		2002	1038	S <sup>22</sup>
17997.8	2001	487	Ad & R <sup>18</sup>	18215	2000	542	Am
17998	2000	82	Ad <sup>82</sup>		2001	434	R <sup>34</sup>
	2000	664	Ad		2002	1038	S <sup>22</sup>
17998.1	2000	82	Ad <sup>82</sup>	18216.1	2001	434	R <sup>34</sup>

**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
18216.1 (Cont.)	2002	1038	S <sup>22</sup>	18610.5	2001	434	Am (by Sec. 29 of Ch.) <sup>34</sup>
18217	2001	434	R <sup>34</sup>	18611	2002	1038	S <sup>22</sup>
	2002	1038	S <sup>22</sup>		2001	356	Am
18219	2000	542	Ad	2002	1065	Am	
	2001	434	R <sup>34</sup>	18615	2001	434	R <sup>34</sup>
18250.5	2002	1038	S <sup>22</sup>	2002	1038	S <sup>22</sup>	
	2001	434	R <sup>34</sup>	18615.5	2001	434	R <sup>34</sup>
18251	2002	1038	S <sup>22</sup>	2002	1038	S <sup>22</sup>	
	2001	434	Am <sup>34</sup>	18616	2001	434	R <sup>34</sup>
18252	2002	1038	S <sup>22</sup>	2002	1038	S <sup>22</sup>	
	2001	434	Am <sup>34</sup>	18620	2001	434	Am <sup>34</sup>
18254	2002	1038	S <sup>22</sup>	2002	1038	S <sup>22</sup>	
	2001	434	Am <sup>34</sup>	18630	2001	434	Am <sup>34</sup>
18300	2002	1038	S <sup>22</sup>	2002	1038	S <sup>22</sup>	
	2001	434	Am <sup>34</sup>	18640	2001	434	Am <sup>34</sup>
18300.25	2002	1038	S <sup>22</sup>	2002	1038	S <sup>22</sup>	
	2001	434	Ad <sup>34</sup>	18670	2001	434	Am <sup>34</sup>
18300.5	2002	1038	S <sup>22</sup>	2002	1038	S <sup>22</sup>	
	2001	434	R <sup>34</sup>	18690	2001	434	Am <sup>34</sup>
18301	2002	1038	S <sup>22</sup>	2002	1038	S <sup>22</sup>	
	2001	434	R <sup>34</sup>	18691	2000	433	Am
18303	2002	1038	S <sup>22</sup>	18860	2001	434	Ad <sup>34</sup>
	2001	434	Am <sup>34</sup>	2002	1038	S <sup>22</sup>	
18307	2002	1038	S <sup>22</sup>	18861	2001	434	Ad <sup>34</sup>
	2000	471	Ad	2002	1038	S <sup>22</sup>	
18400.1	1999	520*	Am <sup>1 75</sup>	18862	2001	434	Ad <sup>34</sup>
	2001	745*	Am	2002	1038	S <sup>22</sup>	
18400.2	1999	520*	Ad <sup>1</sup>	18862.1	2001	434	Ad <sup>34</sup>
18400.3	1999	520*	Ad	2002	1038	S <sup>22</sup>	
18400.4	1999	520*	Ad <sup>1</sup>	18862.11	2001	434	Ad <sup>34</sup>
18402	2002	141	Am	2002	1038	S <sup>22</sup>	
18420	1999	520*	Am <sup>1 75</sup>	18862.13	2001	434	Ad <sup>34</sup>
18421	1999	520*	S <sup>1 75</sup>	2002	1038	S <sup>22</sup>	
18423	1999	520*	S <sup>1 75</sup>	18862.15	2001	434	Ad <sup>34</sup>
18424	1999	520*	Am <sup>1 75</sup>	2002	1038	S <sup>22</sup>	
18502	1999	520*	Am (as am by Sec. 3, Stats. 1998, Ch. 773) <sup>1 75</sup>	18862.17	2001	434	Ad <sup>34</sup>
			Am (as am by Sec. 4, Stats. 1998, Ch. 773) <sup>100</sup>	2002	1038	S <sup>22</sup>	
18502.5	2001	434	Am <sup>34</sup>	18862.19	2001	434	Ad <sup>34</sup>
	2002	1038	S <sup>22</sup>	2002	1038	S <sup>22</sup>	
18503	2001	434	Am <sup>34</sup>	18862.21	2001	434	Ad <sup>34</sup>
	2002	1038	S <sup>22</sup>	2002	1038	S <sup>22</sup>	
18550	2001	434	Am <sup>34</sup>	18862.23	2001	434	Ad <sup>34</sup>
	2002	1038	S <sup>22</sup>	2002	1038	S <sup>22</sup>	
18551.1	2001	356	Am	18862.25	2001	434	Ad <sup>34</sup>
	2002	1065	Am	2002	1038	S <sup>22</sup>	
18605	2001	434	Am <sup>34</sup>	18862.27	2001	434	Ad <sup>34</sup>
	2002	1038	S <sup>22</sup>	2002	1038	S <sup>22</sup>	
18606	2001	434	R <sup>34</sup>	18862.29	2001	434	Ad <sup>34</sup>
	2002	1038	S <sup>22</sup>	2002	1038	S <sup>22</sup>	
18607	2000	542	Ad	18862.3	2001	434	Ad <sup>34</sup>
	2001	434	R <sup>34</sup>	2002	1038	S <sup>22</sup>	
	2002	1038	S <sup>22</sup>	18862.30	2001	434	Ad <sup>34</sup>
				2002	1038	S <sup>22</sup>	
				18862.31	2001	434	Ad <sup>34</sup>
				2002	1038	S <sup>22</sup>	
				18862.33	2001	434	Ad <sup>34</sup>
				2002	1038	S <sup>22</sup>	
				18862.35	2001	434	Ad <sup>34</sup>
				18862.37	2001	434	Ad <sup>34</sup>
				2002	1038	S <sup>22</sup>	

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**HEALTH AND SAFETY 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>
18862.39	2001	434	Ad <sup>34</sup>	18866.6	2001	434	Ad <sup>34</sup>
	2002	1038	S <sup>22</sup>		2002	1038	S <sup>22</sup>
18862.41	2001	434	Ad <sup>34</sup>	18867	2001	434	Ad <sup>34</sup>
	2002	1038	S <sup>22</sup>		2002	1038	S <sup>22</sup>
18862.43	2001	434	Ad <sup>34</sup>	18868	2001	434	Ad <sup>34</sup>
	2002	1038	S <sup>22</sup>		2002	1038	S <sup>22</sup>
18862.45	2001	434	Ad <sup>34</sup>	18869	2001	434	Ad <sup>34</sup>
	2002	1038	S <sup>22</sup>		2002	1038	S <sup>22</sup>
18862.47	2001	434	Ad <sup>34</sup>	18870	2001	434	Ad <sup>34</sup>
	2002	1038	S <sup>22</sup>		2002	1038	S <sup>22</sup>
18862.49	2001	434	Ad <sup>34</sup>	18870.1	2001	434	Ad <sup>34</sup>
	2002	1038	S <sup>22</sup>		2002	1038	S <sup>22</sup>
18862.5	2001	434	Ad <sup>34</sup>	18870.10	2001	434	Ad <sup>34</sup>
	2002	1038	S <sup>22</sup>		2002	1038	S <sup>22</sup>
18862.7	2001	434	Ad <sup>34</sup>	18870.11	2001	434	Ad <sup>34</sup>
	2002	1038	S <sup>22</sup>		2002	1038	S <sup>22</sup>
18862.9	2001	434	Ad <sup>34</sup>	18870.12	2001	434	Ad <sup>34</sup>
	2002	1038	S <sup>22</sup>		2002	1038	S <sup>22</sup>
18863	2001	434	Ad <sup>34</sup>	18870.13	2001	434	Ad <sup>34</sup>
	2002	1038	S <sup>22</sup>		2002	1038	S <sup>22</sup>
18863.1	2001	434	Ad <sup>34</sup>	18870.14	2001	434	Ad <sup>34</sup>
	2002	1038	S <sup>22</sup>		2002	1038	S <sup>22</sup>
18863.2	2001	434	Ad <sup>34</sup>	18870.15	2001	434	Ad <sup>34</sup>
	2002	1038	S <sup>22</sup>		2002	1038	S <sup>22</sup>
18863.3	2001	434	Ad <sup>34</sup>	18870.16	2001	434	Ad <sup>34</sup>
	2002	1038	S <sup>22</sup>		2002	1038	S <sup>22</sup>
18863.35	2002	1038	S <sup>22</sup>	18870.17	2001	434	Ad <sup>34</sup>
18863.4	2001	434	Ad <sup>34</sup>		2002	1038	S <sup>22</sup>
	2002	1038	S <sup>22</sup>	18870.18	2001	434	Ad <sup>34</sup>
18865	2001	434	Ad <sup>34</sup>		2002	1038	S <sup>22</sup>
	2002	1038	S <sup>22</sup>	18870.19	2001	434	Ad <sup>34</sup>
18865.05	2001	434	Ad <sup>34</sup>		2002	1038	S <sup>22</sup>
	2002	1038	S <sup>22</sup>	18870.2	2001	434	Ad <sup>34</sup>
18865.1	2001	434	Ad <sup>34</sup>		2002	1038	S <sup>22</sup>
	2002	1038	S <sup>22</sup>	18870.3	2001	434	Ad <sup>34</sup>
18865.2	2001	434	Ad <sup>34</sup>		2002	1038	S <sup>22</sup>
	2002	1038	S <sup>22</sup>	18870.4	2001	434	Ad <sup>34</sup>
18865.3	2001	434	Ad <sup>34</sup>		2002	1038	S <sup>22</sup>
	2002	1038	S <sup>22</sup>	18870.5	2001	434	Ad <sup>34</sup>
18865.4	2001	434	Ad <sup>34</sup>		2002	1038	S <sup>22</sup>
	2002	1038	S <sup>22</sup>	18870.6	2001	434	Ad <sup>34</sup>
18865.5	2001	434	Ad <sup>34</sup>		2002	1038	S <sup>22</sup>
	2002	1038	S <sup>22</sup>	18870.7	2001	434	Ad <sup>34</sup>
18865.6	2001	434	Ad <sup>34</sup>		2002	1038	S <sup>22</sup>
	2002	1038	S <sup>22</sup>	18870.8	2001	434	Ad <sup>34</sup>
18865.7	2001	434	Ad <sup>34</sup>		2002	1038	S <sup>22</sup>
	2002	1038	S <sup>22</sup>	18870.9	2001	434	Ad <sup>34</sup>
18865.8	2001	434	Ad <sup>34</sup>		2002	1038	S <sup>22</sup>
	2002	1038	S <sup>22</sup>	18871	2001	434	Ad <sup>34</sup>
18866	2001	434	Ad <sup>34</sup>		2002	1038	S <sup>22</sup>
	2002	1038	S <sup>22</sup>	18871.10	2001	434	Ad <sup>34</sup>
18866.1	2001	434	Ad <sup>34</sup>		2002	1038	S <sup>22</sup>
	2002	1038	S <sup>22</sup>	18871.11	2001	434	Ad <sup>34</sup>
18866.2	2001	434	Ad <sup>34</sup>		2002	1038	S <sup>22</sup>
	2002	1038	S <sup>22</sup>	18871.2	2001	434	Ad <sup>34</sup>
18866.3	2001	434	Ad <sup>34</sup>		2002	1038	S <sup>22</sup>
	2002	1038	S <sup>22</sup>	18871.3	2001	434	Ad <sup>34</sup>
18866.4	2001	434	Ad <sup>34</sup>		2002	1038	S <sup>22</sup>
	2002	1038	S <sup>22</sup>	18871.4	2001	434	Ad <sup>34</sup>
18866.5	2001	434	Ad <sup>34</sup>		2002	1038	S <sup>22</sup>
	2002	1038	S <sup>22</sup>	18871.5	2001	434	Ad <sup>34</sup>

**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	
18871.5 (Cont.)	2002	1038	S <sup>22</sup>	24185	2002	821	Am <sup>57</sup>	
18871.6	2001	434	Ad <sup>34</sup>	24186	2002	821	Ad	
	2002	1038	S <sup>22</sup>	24187	2002	821	S <sup>57</sup>	
18871.7	2001	434	Ad <sup>34</sup>	24189	2002	821	R	
	2002	1038	S <sup>22</sup>	24530	1999	920	Ad	
18871.8	2001	434	Ad <sup>34</sup>	24531	1999	920	Ad	
	2002	1038	S <sup>22</sup>	24532	1999	920	Ad	
18871.9	2001	434	Ad <sup>34</sup>	24533	1999	920	Ad	
	2002	1038	S <sup>22</sup>	24534	2000	6*	Am	
18872	2001	434	Ad <sup>34</sup>		1999	920	Ad	
	2002	1038	S <sup>22</sup>	2000	6*	Am		
18872.1	2001	434	Ad <sup>34</sup>	24535	1999	920	Ad	
	2002	1038	S <sup>22</sup>		2000	6*	Am	
18872.2	2001	434	Ad <sup>34</sup>	24536	1999	920	Ad	
	2002	1038	S <sup>22</sup>		24537	1999	920	Ad
18873	2001	434	Ad <sup>34</sup>	24538	2000	6*	Am	
	2002	1038	S <sup>22</sup>		1999	920	Ad	
18873.1	2001	434	Ad <sup>34</sup>	25110.10	2000	343	Am	
	2002	1038	S <sup>22</sup>	25110.10.1	2001	319	Ad	
18873.2	2001	434	Ad <sup>34</sup>	25110.9.3	2001	319	Ad	
	2002	1038	S <sup>22</sup>	25111	2000	343	Am	
18873.3	2001	434	Ad <sup>34</sup>	25111.1	2000	343	Am	
	2002	1038	S <sup>22</sup>	25112	2000	343	Am	
18873.4	2001	434	Ad <sup>34</sup>	25112.5	1999	470	Am	
	2002	1038	S <sup>22</sup>	25116.5	2001	605*	Am <sup>8</sup>	
18873.5	2001	434	Ad <sup>34</sup>		2002	607	Am <sup>8</sup>	
	2002	1038	S <sup>22</sup>	25123.3	2000	343	Am	
18874	2001	434	Ad <sup>34</sup>	25123.5	2000	343	Am	
	2002	1038	S <sup>22</sup>	25123.8	2002	626	Ad	
Div. 13, Pt. 2.3, heading (Sec. 18897 et seq.)	2001	434	Am (purports to amend and re- number) <sup>34</sup>	25141.5	2000	343	Am	
				25141.6	1999	420	Ad	
	2002	1038	S <sup>22</sup>	25142.5	1999	629	Ad	
				25143.12	2001	605*	Am <sup>8</sup>	
	18909	2002	1124*	Am	25143.13	2000	343	Am
					25143.2	2000	343	Am
	18913	2002	1124*	Am	2001	866	Am	
					25144	2001	866	Am
	18937	2002	1124*	Am	25149	2000	343	Am
					25150	2000	343	Am
	18938	2002	1124*	Am	25150.1	2002	999	Am
					25150.6	2001	605*	Am <sup>8</sup>
18941.9	2001	418	Am	25157.8	2001	861*	Am <sup>207</sup>	
				18942	2002	1124*	Am	
18943	2002	1124*	Am	25159	2001	605*	Am <sup>8</sup>	
				25159.5	2001	605*	Am <sup>8</sup>	
18944.30	2002	31*	Am <sup>393</sup>	25159.6	2001	605*	Am <sup>8</sup>	
				25159.7	2001	605*	Am <sup>8</sup>	
18944.31	2002	31*	Am <sup>393</sup>	25159.8	2001	605*	Am <sup>8</sup>	
				25159.9	2001	605*	Am <sup>8</sup>	
18944.33	2002	31*	Am <sup>393</sup>	25160	1999	745	Am	
					2000	343	Am	
18944.35	2002	31*	Am <sup>393</sup>	2001	319	Am		
				25160.1	1999	401	Am	
18944.40	2002	31*	Am <sup>393</sup>	25160.2	2001	319	Ad <sup>332</sup>	
				25160.7	2002	610	Ad	
18944.41	2002	31*	Ad <sup>393</sup>	25163	2000	343	Am	
				25163.3	2001	605*	Am <sup>8</sup>	
19201	2002	1051	Am	25165	2002	327	Am	
19205	2002	1051	Ad		1999	745	Am	
19825	1999	982	Am	2001	319	Am		
19826	2000	49	Am	25169.1	2001	605*	R	
19954.5	2002	244	Ad					
19959.5	2002	244	Ad					
24000	2002	1071	Ad					
24177.5	2001	122*	Ad & R <sup>111</sup>					
24178	2002	477	Am					
24179.5	1999	658	Am <sup>56</sup>					

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
25169.5	2002	607	Ad	25250.19	2000	732	Am
25169.6	2002	607	Ad	25250.23	2000	732	Am
25169.7	2002	607	Ad	25250.24	2000	732	Am
25169.8	2002	607	Ad	25250.26	1999	745	Ad
25170.5	1999	420	R	25250.27	2000	343	Ad
25171	2001	745*	R	25250.28	2001	605*	Ad
25171.5	2001	745*	R	25250.4	2000	726	Am (by Sec. 1 of Ch.)
25175	1999	745	Am		2000	732	Am (by Sec. 2.5 of Ch.)
25179.6	2000	343	Am	25250.8	1999	745	Am
25186.1	2000	343	Am		2001	319	R
25187	2001	663	Am	25250.9	2002	992	Ad
	2002	999	Am	25262	2002	999	Am
25189.3	2001	461	Ad	25263	2000	912*	Am
25189.5	1999	706*	Am	25264	2000	912*	Am
25189.6	1999	706*	Am		2001	548*	Am
25189.7	1999	706*	Am	25265	2000	912*	Am
25198	2001	866	Am	25268	2000	912*	Am
25199.10	2000	343	Am	25269.9	2001	745*	R
25199.6	2000	343	Am	25281	1999	328	Am
25200.11	2001	745*	Am		2002	999	Am
25200.14.1	2001	745*	Am	25281.5	2002	999	Am
25200.17	2001	745*	Am	25283.5	2000	245	Am
25200.4	2001	605*	Ad <sup>8</sup>	25284	2002	999	Am
25201.14	2001	450	Am	25284.1	1999	812	Ad
25201.15	2000	343	Am		2001	154	Am
25201.16	2001	450	Ad		2002	999	Am
25201.6	2000	343	Am	25284.2	2002	999	Ad
	2001	605*	Am <sup>8</sup>	25284.4	2002	999	Am
25205.16	2001	319	Am	25288	1999	812	Am
25205.5	2001	543	Am <sup>370</sup>		2002	999	Am
25205.6	2001	251	Am (by Sec. 1 of Ch.)	25290.1	2002	999	Ad
				25291	2002	999	Am
25205.9	1999	941	Am	25292.3	2002	999	R & Ad
25208.3	2002	597	Am	25292.4	1999	812	Ad
25209.10	2002	597	Ad		2002	999	Am
25209.11	2002	597	Ad	25292.5	2002	999	Ad
25209.12	2002	597	Ad	25296.10	2002	999	Ad
25209.13	2002	597	Ad	25296.15	2002	999	Ad(RN)
25209.14	2002	597	Ad	25296.20	2002	999	Ad
25209.15	2002	597	Ad	25296.25	2002	999	Ad
25209.16	2002	597	Ad	25296.30	2002	999	Ad
25209.17	2002	597	Ad	25296.35	2002	999	Ad(RN)
25212	2001	656	Am	25296.40	2002	999	Ad
25214.5	2001	656	Ad	25297.1	2002	999	Am
25214.6	2001	656	Ad	25299	1999	812	Am
25214.7	2001	656	Ad		2002	999	Am
25214.8	2001	656	Ad	25299.10	1999	328	Am
25218.1	2002	626	Am	25299.11.5	1999	328	Ad
25218.5	2002	626	Am	25299.13	1999	328	Am
25242.5	2001	115	R		2001	154	Am
25242.6	2001	115	R	25299.18	1999	812	Ad
25244.15	2000	343	Am	25299.23.1	1999	328	Am
25244.19	2000	343	Am	25299.24	1999	328	Am
25244.20	2000	343	Am		2001	154	Am
25245.6	2001	745*	R	25299.30	1999	812	S <sup>111</sup>
25249.7	1999	599	Am	25299.31	1999	812	S <sup>111</sup>
	2001	578	Am	25299.32	1999	812	S <sup>111</sup>
	2002	323	Am	25299.33	1999	812	S <sup>111</sup>
25250.1	2000	732	Am	25299.34	1999	812	S <sup>111</sup>
25250.11	2001	605*	Am <sup>8</sup>				
25250.18	2000	732	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
25299.36	2000	727	Am	25299.62	1999	328	Ad
	2002	999	Am		2001	154	Am
25299.37	1999	328	Am	25299.63	1999	328	Ad
	2000	727	Am	25299.7	2002	999	Am
	2001	154	Am	25299.70	1999	812	S <sup>111</sup>
	2002	999	R		2002	999	Am
25299.37.1	1999	812	Am	25299.72	1999	812	S <sup>111</sup>
	2002	37*	Am	25299.73	1999	812	S <sup>111</sup>
	2002	999	Am & RN	25299.74	1999	812	S <sup>111</sup>
25299.37.2	2002	999	R	25299.75	1999	812	S <sup>111</sup>
25299.38	1999	328	R	25299.76	1999	812	S <sup>111</sup>
	2002	999	Ad	25299.77	1999	812	S <sup>111</sup>
25299.38.1	1999	812	Ad		2002	37*	Am
	2002	999	R	25299.78	1999	812	S <sup>111</sup>
25299.39	1999	328	Am		2001	154	Am
	2002	999	R	25299.79	1999	812	S <sup>111</sup>
25299.39.1	1999	328	Am	25299.8	2002	999	Ad
	2000	727	Am	25299.80	1999	812	S <sup>111</sup>
	2002	37*	Am	25299.81	1999	812	Am <sup>111</sup>
	2002	999	Am & RN		2001	154	Am
25299.39.2	1999	328	Am	25299.90	1999	812	S <sup>111</sup>
	2002	999	Am	25299.91	1999	812	S <sup>111</sup>
25299.39.3	2000	727	Am	25299.92	1999	812	S <sup>111</sup>
	2002	999	Am	25299.93	1999	812	S <sup>111</sup>
25299.4	2002	999	Am	25299.94	1999	812	Am <sup>111</sup>
25299.40	1999	812	S <sup>111</sup>	25299.95	1999	812	S <sup>111</sup>
25299.41	1999	812	S <sup>111</sup>	25299.96	1999	812	S <sup>111</sup>
25299.42	1999	812	S <sup>111</sup>	25299.97	1999	812	S (as ad by
25299.43	1999	812	S <sup>111</sup>				Sec. 7,
25299.50	1999	812	Am <sup>111</sup>				Stats. 1997,
25299.50.1	2000	144*	Ad & R <sup>43</sup>				Ch. 814 and
	2002	999	Am				Sec. 1,
25299.51	1999	328	Am				Stats. 1997,
	1999	812	Am <sup>111</sup>				Ch. 815) <sup>111</sup>
	2000	727	Am		2001	745*	Am (as ad by
	2002	999	Am				Stats. 1997,
25299.52	1999	328	Am				Ch. 814 and as
	1999	812	Am <sup>111</sup>				ad by
	2001	154	Am				Stats. 1997,
25299.53	1999	328	Am				Ch. 815)
	1999	812	S <sup>111</sup>	25299.99.1	1999	812	S <sup>38</sup>
	2002	999	Am	25299.99.2	1999	812	Am <sup>38</sup>
25299.54	1999	328	Am	25299.99.3	1999	812	Ad & R <sup>38</sup>
	1999	812	S <sup>111</sup>	25300	1999	23*	R & Ad
	2002	999	Am	25301	1999	23*	R & Ad
25299.55	1999	812	S <sup>111</sup>	25310	1999	23*	R & Ad
	2002	999	Am	25310.5	2000	912*	Ad
25299.56	1999	328	R & Ad	25311	1999	23*	R & Ad
	1999	812	S <sup>111</sup>	25312	1999	23*	R & Ad
	2001	154	Am	25313	1999	23*	R & Ad
25299.57	1999	328	Am	25313.5	1999	23*	R
	1999	812	Am <sup>111</sup>	25314	1999	23*	R & Ad
	2001	154	Am	25315	1999	23*	R & Ad
	2002	999	Am	25316	1999	23*	R & Ad
25299.58	1999	812	S <sup>111</sup>	25317	1999	23*	R & Ad
	2001	154	Am	25317.5	1999	23*	R
	2002	999	Am	25318	1999	23*	R
25299.59	1999	328	Am	25318.5	1999	23*	R & Ad
	1999	812	Am <sup>111</sup>		2000	912*	Am
25299.60	1999	812	S <sup>111</sup>	25319	1999	23*	R & Ad
25299.61	1999	328	S <sup>111</sup>	25319.1	2000	912*	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
25319.5	1999	23 *	R & Ad	25356.1.5	1999	23 *	Ad
	2000	912 *	R & Ad	25356.10	1999	23 *	Ad
25319.6	1999	23 *	Ad	25356.2	1999	23 *	Ad
25320	1999	23 *	R & Ad	25356.3	1999	23 *	Ad
25321	1999	23 *	R & Ad	25356.4	1999	23 *	Ad
25322	1999	23 *	R & Ad	25356.5	1999	23 *	Ad
25322.1	1999	23 *	R & Ad	25356.6	1999	23 *	Ad
25322.2	1999	23 *	R & Ad	25356.7	1999	23 *	Ad
25323	1999	23 *	R & Ad	25356.8	1999	23 *	Ad
25323.1	1999	23 *	R & Ad	25356.9	1999	23 *	Ad
25323.3	1999	23 *	Ad	25357	1999	23 *	Ad
	2000	912 *	Am	25357.5	1999	23 *	Ad
25323.5	1999	23 *	R & Ad	25358	1999	23 *	Ad
25323.6	1999	23 *	R	25358.1	1999	23 *	Ad
25323.9	1999	23 *	Ad	25358.2	1999	23 *	Ad
25324	1999	23 *	R & Ad	25358.3	1999	23 *	Ad
	2000	912 *	Am	25358.4	1999	23 *	Ad
25325	1999	23 *	R & Ad		2000	912 *	Am
25326	1999	23 *	R & Ad	25358.5	1999	23 *	Ad
25326.3	2000	912 *	Ad		2000	912 *	Am
25326.5	1999	23 *	R & Ad	25358.6	1999	23 *	Ad
25326.6	1999	23 *	R	25358.6.1	2000	725	Ad
25327	1999	23 *	R & Ad		2001	159	Am <sup>305</sup>
25330	1999	23 *	R & Ad		2002	626	Am
25330.2	1999	23 *	R & Ad	25358.7	1999	23 *	Ad
25330.4	1999	23 *	R & Ad		2000	912 *	Am
25330.5	1999	23 *	R & Ad	25358.7.1	1999	23 *	Ad
25330.6	1999	66 *	Ad	25358.7.2	1999	23 *	Ad
25331	1999	23 *	R & Ad	25358.8	1999	23 *	Ad
25334	1999	23 *	R & Ad	25358.9	1999	23 *	Ad
25334.5	1999	23 *	R	25359	1999	23 *	Ad
25334.6	1999	23 *	R	25359.1	1999	23 *	Ad
25334.7	1999	23 *	R & Ad	25359.2	1999	23 *	Ad
25335	1999	23 *	R	25359.3	1999	23 *	Ad
25336	1999	23 *	R & Ad	25359.4	1999	23 *	Ad
25337	1999	23 *	R & Ad	25359.4.5	1999	23 *	Ad
25342	1999	23 *	R & Ad	25359.5	1999	23 *	Ad
25343	1999	23 *	R & Ad	25359.6	1999	23 *	Ad
25350	1999	23 *	Ad	25359.7	1999	23 *	Ad
25351.1	1999	23 *	Ad	25360	1999	23 *	R & Ad
25351.2	1999	23 *	Ad	25360.1	1999	23 *	R & Ad
25351.5	1999	23 *	Ad	25360.2	1999	23 *	R & Ad
25351.6	1999	23 *	Ad	25360.3	1999	23 *	R & Ad
25351.7	1999	23 *	Ad	25360.4	1999	23 *	R & Ad
25351.8	1999	23 *	Ad	25360.6	1999	23 *	Ad
25352	1999	23 *	Ad	25361	1999	23 *	R & Ad
25353	1999	23 *	Ad	25362	1999	23 *	R & Ad
25354	1999	23 *	R & Ad	25363	1999	23 *	R & Ad
25354.5	1999	23 *	R & Ad	25364	1999	23 *	R & Ad
	2002	443	Am	25364.1	1999	23 *	R & Ad
25355	1999	23 *	R & Ad	25364.7	1999	23 *	R & Ad
25355.2	1999	23 *	Ad	25365	1999	23 *	R & Ad
	2000	912 *	Am	25365.6	1999	23 *	R & Ad
25355.5	1999	23 *	Ad	25366	1999	23 *	R & Ad
25355.6	1999	23 *	Ad	25366.5	1999	23 *	R & Ad
25355.7	1999	23 *	Ad		2002	992	Am
25355.8	1999	23 *	R & Ad	25367	1999	23 *	R & Ad
25356	1999	23 *	Ad	25368	1999	23 *	Ad
	2000	912 *	R & Ad	25368.1	1999	23 *	Ad
25356.1	1999	23 *	Ad	25368.2	1999	23 *	Ad
25356.1.3	1999	23 *	Ad	25368.3	1999	23 *	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
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			626	Am
25368.8	1999	23*	Ad	25395.13	1999	23*	Ad
25369	1999	23*	Ad	25395.14	1999	23*	Ad
25370	1999	23*	Ad	25395.15	1999	23*	Ad
25372	1999	23*	Ad			626	Am
25373	1999	23*	Ad	25395.2	1999	23*	Ad
25374	1999	23*	Ad	25395.20	2000	144*	Ad
25375	1999	23*	Ad			912*	R & Ad
25375.5	1999	23*	Ad			237	Am
25376	1999	23*	Ad			548*	Am
25377	1999	23*	Ad			549	Am
25378	1999	23*	Ad			664	Am <sup>431</sup>
25379	1999	23*	Ad	25395.21	2000	912*	Ad
25380	1999	23*	Ad			548*	Am
25381	1999	23*	Ad	25395.22	2000	912*	Ad
25382	1999	23*	Ad			548*	Am
25385	1999	23*	R & Ad	25395.23	2000	912*	Ad
25385.1	1999	23*	R & Ad	25395.24	2000	912*	Ad
25385.2	1999	23*	R & Ad	25395.25	2000	912*	Ad
25385.3	1999	23*	R & Ad			548*	Am
25385.4	1999	23*	R & Ad			549	Am
25385.5	1999	23*	R & Ad	25395.26	2000	912*	Ad
25385.6	1999	23*	R & Ad			548*	Am
25385.7	1999	23*	R & Ad	25395.27	2000	912*	Ad
25385.8	1999	23*	R & Ad			548*	R & Ad
25385.9	1999	23*	R & Ad	25395.28	2001	548*	Ad
25386	1999	23*	R & Ad	25395.29	2000	912*	Ad
25386.1	1999	23*	R & Ad			548*	Am
25386.2	1999	23*	R & Ad	25395.3	1999	23*	Ad
25386.25	1999	23*	R & Ad	25395.30	2000	912*	Ad
25386.3	1999	23*	R & Ad	25395.31	2000	912*	Ad
25386.4	1999	23*	R & Ad	25395.32	2000	912*	Ad
25386.5	1999	23*	R & Ad	25395.4	1999	23*	Ad
25386.6	1999	23*	R	25395.40	2001	549	Ad
25390	1999	23*	Ad <sup>17</sup>	25395.41	2001	549	Ad
	2000	912*	S <sup>290</sup>			37*	Am
25390.1	1999	23*	Ad <sup>17</sup>	25395.42	2001	549	Ad
	2000	912*	S <sup>290</sup>	25395.43	2001	549	Ad
25390.2	1999	23*	Ad <sup>17</sup>	25395.44	2001	549	Ad
	2000	912*	S <sup>290</sup>			999	R & Ad
25390.3	1999	23*	Ad <sup>17</sup>	25395.45	2001	549	Ad
	2000	912*	Am	25395.5	1999	23*	Ad
	2000	912*	S <sup>290</sup>	25395.6	1999	23*	Ad
25390.4	1999	23*	Ad <sup>17</sup>	25395.7	1999	23*	Ad
	2000	135	Am <sup>203</sup>	25395.8	1999	23*	Ad
	2000	912*	S <sup>290</sup>	25395.9	1999	23*	Ad
25390.5	1999	23*	Ad <sup>17</sup>	25401	2001	764	Ad
	2000	912*	S <sup>290</sup>	25401.1	2001	764	Ad
25390.6	1999	23*	Ad <sup>17</sup>	25401.2	2001	764	Ad
	2000	912*	S <sup>290</sup>	25401.3	2001	764	Ad
25390.7	1999	23*	Ad <sup>17</sup>	25401.4	2001	764	Ad
	2000	912*	S <sup>290</sup>	25401.5	2001	764	Ad
25390.8	1999	23*	Ad <sup>17</sup>	25401.6	2001	764	Ad
	2000	912*	S <sup>290</sup>	25401.7	2001	764	Ad
25390.9	1999	23*	Ad <sup>17</sup>	25401.8	2001	764	Ad
	2000	912*	Am <sup>290</sup>	25402	2001	764	Ad
25395	1999	23*	R	25402.1	2001	764	Ad
25395.1	1999	23*	Ad	25402.3	2001	764	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
25404	2000	144 *	Am	26148	2001	584	Ad
	2002	999	Am		2002	664	Am <sup>431</sup>
			R & Ad <sup>80</sup>	26149	2001	584	Ad
25404.1	2000	144 *	Am	26150	2001	584	Ad
25404.1.1	2002	999	Ad	26151	2001	584	Ad
25494.1.2	2002	999	Ad & R <sup>43</sup>	26152	2001	584	Ad
25404.3	2000	144 *	Am	26153	2001	584	Ad
	2000	730	Am (as am by Stats. 2000, Ch. 144)	26154	2001	584	Ad
				26155	2001	584	Ad
				26156	2001	584	Ad
25404.3.1	2000	730	Ad	26157	2002	1161 *	Ad
25404.4	2000	144 *	Am	26200	2001	550	Ad
25404.5	2000	144 *	Am	26201	2001	550	Ad
25404.6	2000	144 *	Am	26202	2001	550	Ad
25404.8	2000	730	Ad <sup>96</sup>	26203	2001	550	Ad
	2001	663	Am	26204	2001	550	Ad
25405	1999	1014	R	32121	1999	525	Am <sup>112</sup>
25420	2000	343	Am		2000	169	R (as ad by Sec. 2, Stats. 1998, Ch. 18)
25505	2000	296	Am				Am (as am by Stats. 1999, Ch. 525) <sup>43</sup>
25514.5	2002	999	Am				Ad <sup>80</sup>
25514.6	2002	999	R				Am <sup>203</sup>
25515.2	2002	1000	Am				Am (as am by Sec. 1, Stats. 2000, Ch. 169) <sup>314</sup>
25534.06	1999	1014	Ad				Am (as am by Sec. 3, Stats. 2000, Ch. 169) <sup>314</sup>
	2000	294	Am				R & Ad <sup>69</sup>
25540	2002	999	Am				Am (as am by Sec. 1 and Sec. 2, and as ad by Sec. 3, Stats. 2001, Ch. 184) <sup>431</sup>
25570.2	2002	626	Am		2000	857	Am <sup>203</sup>
25570.3	2002	626	Am		2001	184 *	Am (as am by Sec. 1, Stats. 2000, Ch. 169) <sup>314</sup>
25989.1	1999	83	Am <sup>30</sup>				Am (as am by Sec. 3, Stats. 2001, Ch. 184) <sup>431</sup>
26100	2001	584	Ad				Ad
26101	2001	584	Ad				Am <sup>203</sup>
26101.5	2001	584	Ad				Ad
26101.7	2001	584	Ad				R (as ad by Sec. 4, Stats. 1998, Ch. 18)
26102	2001	584	Ad				Am (as am by Sec. 3, Stats. 1998, Ch. 18) <sup>43</sup>
26103	2001	584	Ad				Ad <sup>80</sup>
26104	2001	584	Ad				R
26105	2001	584	Ad		2002	664	Am (as am by Sec. 1 and Sec. 2, and as ad by Sec. 3, Stats. 2001, Ch. 184) <sup>431</sup>
26106	2001	584	Ad				Ad
26107	2001	584	Ad				Am (as am by Sec. 3, Stats. 1998, Ch. 18)
26120	2001	584	Ad				Am (as am by Sec. 3, Stats. 1998, Ch. 18) <sup>43</sup>
26121	2001	584	Ad				Ad <sup>80</sup>
26122	2001	584	Ad				R
26123	2001	584	Ad	32121.7	1999	151	Ad
26124	2001	584	Ad		2000	135	Am <sup>203</sup>
26125	2001	584	Ad	32121.8	1999	151	Ad
26130	2001	584	Ad	32121.9	2000	798 *	Ad
26131	2001	584	Ad	32126	2000	169	R (as ad by Sec. 4, Stats. 1998, Ch. 18)
26132	2001	584	Ad				Am (as am by Sec. 3, Stats. 1998, Ch. 18) <sup>43</sup>
26133	2001	584	Ad				Ad <sup>80</sup>
26134	2001	584	Ad				R
26140	2001	584	Ad				Am (as am by Sec. 3, Stats. 1998, Ch. 18) <sup>43</sup>
	2002	386	Am				Ad <sup>80</sup>
26141	2001	584	Ad				R
26142	2001	584	Ad				Am
	2002	386	Am				Am
26143	2001	584	Ad				Am (by Sec. 3.5 of Ch.)
	2002	386	Am				Ad
26144	2001	584	Ad	32354	2001	115	R
26145	2001	584	Ad	33020	2002	1127 *	Am
	2002	386	Am	33080.1	1999	442	Am
26146	2001	584	Ad	33080.2	1999	362	Am
26147	2001	584	Ad		1999	442	Am (by Sec. 3.5 of Ch.)
				33080.8	1999	362	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
33121.5	1999	442	Ad	33334.4	2001	738	Am
33140	2001	741	Am		2002	782	Am
33141	2001	741	Am	33353.2	2000	610	Am
33210.5	2001	124*	Ad	33368	2002	664	Am <sup>431</sup>
33214	2000	610	Am	33392	1999	83	Am <sup>30</sup>
	2000	638	Am	33411.3	2002	782	Am
33214.5	2000	610	Ad	33411.5	2001	738	Ad
33215	2000	610	Am		2002	782	R
33216	2000	610	Am	33413	2000	756	Am (as am by
33217	2000	638	Ad				Sec. 1,
33298	1999	83	R <sup>30</sup>				Stats. 1996,
33331.5	2002	664	R <sup>431</sup>				Ch. 329) <sup>5</sup>
33333.10	2001	741	Ad				Am (as ad by
	2002	782	Am				Sec. 2,
33333.11	2001	741	Ad				Stats. 1996,
	2002	782	Am				Ch. 329) <sup>8</sup>
33333.13	2001	741	Ad		2001	738	Am (by Sec. 6
	2002	782	R				of Ch., as am by
33333.2	2001	741	Am				Sec. 3,
33333.4	2001	741	Am				Stats. 2000,
	2002	782	Am				Ch. 756) & R <sup>43</sup>
33333.5	2000	766*	Ad				Ad (by Sec. 7 of
33333.6	1999	17*	Am				Ch.) <sup>80</sup>
	2000	135	Am <sup>203</sup>		2001	741	Am (by
	2001	741	Am				Sec. 11.5 of Ch.,
	2002	782	Am				as am by Sec. 3,
33333.7	2000	661	Ad				Stats. 2000,
	2001	741	Am				Ch. 756)
33333.8	2001	741	Ad				R & Ad <sup>80</sup>
	2002	782	Am		2002	782	Am (as am by
33334.12	1999	442	Am				Sec. 11.5 and
33334.14	2002	782	Am				Sec. 11.6,
33334.17	2000	135	Am <sup>203</sup>				Stats. 2001,
	2001	626	R				Ch. 741)
33334.2	2000	756	Am	33413.5	2001	491	Ad & R <sup>43</sup>
	2001	471	Am (by Sec. 1		2002	782	Am (as ad by
			of Ch.)				Stats. 2001,
			R & Ad <sup>63</sup>				Ch. 491) & RN
	2001	738	Am (by Sec. 2.2	33413.6	2002	782	Ad(RN)
			of Ch.) <sup>18</sup>	33413.8	2002	782	Ad & R <sup>43</sup>
			Ad (by Sec. 2.4	33426.7	1999	462	Ad & R <sup>18</sup>
			of Ch.) <sup>63</sup>		2000	471	Am
	2002	664	Am (as am by	33430	2002	664	Am <sup>431</sup>
			Sec. 2.2 and as	33459	2002	999	Am
			ad by Sec. 2.4,	33459.1	2002	1004	Am
			Stats. 2001,	33459.2	2002	1004	R
			Ch. 738) <sup>431</sup>	33459.7	2002	1004	R
	2002	782	Am (as am by	33460	2000	471	R
			Sec. 2.2 and	33461	2000	471	R
			Sec. 2.4,	33462	2000	471	R
			Stats. 2001,	33463	2000	471	R
			Ch. 738)	33464	2000	471	R
33334.2a	2001	626	Ad	33464.5	2000	471	R
33334.22	2001	471	Ad & R <sup>18</sup>	33465	2000	471	R
	2002	664	Am <sup>431</sup>	33466	2000	471	R
	2002	782	Am	33487	2002	782	Am
33334.25	2000	552	Ad & R <sup>38</sup>	33490	2001	738	Am
33334.27	2000	469	Am <sup>249</sup>		2001	741	Am
33334.28	2002	782	Ad & R <sup>349</sup>		2002	782	Am
33334.3	2001	738	Am	33492.114	2001	123	Ad
	2002	782	Am	33492.13	2001	741	Am

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**HEALTH AND SAFETY 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>
33492.13 (Cont.)	2002			39760	2000	1017	Ad
		782	Am	39761	2000	1017	Ad
33492.140	1999	38	Ad	39762	2000	1017	Ad <sup>37</sup>
33492.22	1999	83	Am <sup>30</sup>	39763	2000	1017	Ad
33492.42	2000	129*	Ad	39807	2000	890	Am
33492.50	2000	290	R	39910	1X 2001–02	12*	Ad
33492.51	2000	290	R	39915	1X 2001–02	12*	Ad
33492.53	2000	290	R	39920	1X 2001–02	12*	Ad
33492.60	2000	471	R	39930	2002	987	Ad
33492.61	2000	471	R	40002	2000	729	Am
33492.63	2000	471	R	40100.5	2000	729	Am
33492.65	2000	471	R	40106	2001	163	R
33492.67	2000	471	R	40131	2002	132	Am
33492.71	2000	1055*	Am	40162	2000	890	Am
33492.86	1999	611	Am	40221.5	2002	1001	am <sup>432</sup>
33607.7	2001	741	Am	40416	2000	890	R
33672.5	1999	442	Am	40448.5	1999	36*	Am
33681	2002	1127*	Am	40448.5.1	1999	36*	Am
33681.5	2002	1127*	Am	40450	2000	890	Am
33681.7	2002	1127*	Ad	40451	1999	477	Am (by Sec. 2 of Ch.)
33681.8	2002	1127*	Ad		1999	731	Am (by Sec. 7.5 of Ch.)
33760	2001	745*	Am				
34009	2001	9*	R	40451.5	1999	477	Ad
34052	2001	395*	Am	40452	2000	890	Am
34053	2000	1055*	Am	40453	2001	745*	R
34312.3	2001	745*	Am	40454	2000	890	Am
34327.6	2000	1055*	Am	40457	1999	506	Ad
34943	1999	525	Am <sup>112</sup>	40459	2000	500	Ad
38079	2000	776*	Am	40471	1999	477	Ad
38081.1	2002	386	Am	40484	2000	890	R
39014.3	2001	163	Am	40500.1	2000	890	Am
39014.5	2001	163	Am	40503	2000	890	Am
39016.5	2000	890	R & Ad	40515	2000	890	Am
39027.3	2000	1077	Ad	40521	2000	890	Am
39047.2	1999	477	Ad	40524	2000	890	R
39150	2000	805	S <sup>43</sup>	40703	2000	397	Am
39151	2000	805	S <sup>43</sup>	40709	2000	729	Am
39152	2000	805	S <sup>43</sup>	40709.7	2000	890	Am
39153	2000	805	Am <sup>43</sup>	40714.5	2000	729	Am
	2001	745*	Am	40717.5	2000	890	Am
39510	2000	890	Am	40720	2002	1129	Ad
39512.5	2000	890	Am	40720.5	2002	1129	Ad <sup>73</sup>
39513	2000	890	Am				R <sup>22</sup>
39515	2000	890	Am	40723	2000	501	Ad
39604	2000	890	Am	40727.2	2000	729	Am
39606	1999	731	Am	40728.5	2000	729	Am
39607	2000	729	Am	40910	2000	729	Am
39607.5	2000	729	Am	40914	2000	729	Am
39612	1999	66*	Am <sup>13</sup>	40916	2001	456	Am
39617.5	1999	731	Ad	40925	2000	729	Am
39619.6	2000	144*	Ad	40925.3	1999	451	Ad
	2001	159	Am <sup>305</sup>	40962	2000	890	R
39660	1999	731	Am	40962.5	2000	729	Ad
39669.5	1999	731	Ad	40980	2000	729	Am
39671	2000	890	Am	41212	2000	890	R
39675	2000	805	Am	41242	2000	890	R
39702.5	2000	397	Ad	41261	2000	890	Am
39751	2000	1019	Am	41263	2000	890	R
39752	2000	1019	Am <sup>265</sup>				

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**HEALTH AND SAFETY CODE—Continued**

Section	Affected By			Effect	Section	Affected By			Effect
	Year	Chapter				Year	Chapter		
41300	2001	163		Ad	41865	2000	890		Am (by Sec. 36 of Ch.)
41301	2001	163		Ad		2000	1055 *		Am (by Sec. 46 of Ch.) <sup>14</sup>
41302	2001	163		Ad					Am (by Sec. 46.5 of Ch.) <sup>25</sup>
41310	2001	163		Ad					
41311	2001	163		Ad					
41312	2001	163		Ad					
41320	2001	163		Ad	41865.5	1999	640		Ad
41321	2001	163		Ad	41900	2000	890		R
41322	2001	163		Ad	41954	2000	729		Am
41323	2001	163		Ad	41960.2	1999	501		Am
41330	2001	163		Ad	41981	2000	890		R
41331	2001	163		Ad	41982	2000	343		Am
41332	2001	163		Ad	41983	2000	343		Am
41333	2001	163		Ad	42301.14	2000	329 *		Ad & R <sup>19</sup>
41334	2001	163		Ad	42301.15	1X 2001–02	12 *		Ad
41335	2001	163		Ad	42301.5	2000	890		Am
41336	2001	163		Ad	42301.9	2000	890		Am
41337	2001	163		Ad	42302	1999	643		Am
41338	2001	163		Ad	42302.1	1999	643		Am
41339	2001	163		Ad	42314	2000	890		Am
41340	2001	163		Ad	42314.3	1X 2001–02	12 *		Ad & R <sup>19</sup>
41341	2001	163		Ad	42314.5	2000	890		Am
41342	2001	163		Ad	42317	1X 2001–02	13 *		Ad & R <sup>20</sup>
41343	2001	163		Ad	42359.6	1X 2001–02	13 *		Ad & R <sup>20</sup>
41344	2001	163		Ad	42400	2000	805		Am
41345	2001	163		Ad	42400.1	2000	805		Am
41346	2001	163		Ad		2001	854		Am
41350	2001	163		Ad	42400.2	2000	805		Am
41351	2001	163		Ad		2001	854		Am
41352	2001	163		Ad	42400.3	2000	805		Am
41353	2001	163		Ad		2001	854		Am
41354	2001	163		Ad	42400.3.5	2000	805		Ad
41355	2001	163		Ad	42400.4	2001	769		Am
41356	2001	163		Ad	42400.7	2000	805		Ad
41357	2001	163		Ad	42400.8	2000	805		Ad
41500	2000	890		Am	42402	2000	805		Am
41500.5	2000	890		Am	42402.1	2000	805		Am
41503.6	2000	1055 *		Am		2001	854		Am
41507	2000	890		R	42402.2	2000	805		Am
41514.10	2000	741		Ad		2001	854		Am
41514.9	2000	741		Ad	42402.3	2000	805		Am
41518	2000	890		R		2001	854		Am
41519	2000	890		R	42402.4	2000	805		Ad
41520	2000	890		R	42405.1	2000	890		Am
41600	2000	890		Am	42407	2002	1129		Am
41704.5	2000	890		R	42410	2001	769		Ad
41705	2001	424 *		Am (as am by Sec. 1, Stats. 1997, Ch. 788) <sup>364 13</sup>	42800	2000	1018		Ad
				Am (as am by Sec. 2, Stats. 1997, Ch. 788) <sup>365</sup>	42801	2000	1018		Ad
				Am (as am by Sec. 1 and Sec. 2, Stats. 2001, Ch. 424) <sup>431</sup>	42801.1	2001	769		Ad
						2002	423		Am
						2002	664		Am <sup>431</sup>
	2002	664		Am (as am by Sec. 1 and Sec. 2, Stats. 2001, Ch. 424) <sup>431</sup>	42810	2000	1018		Ad
						2001	769		Am
					42820	2000	1018		Ad
					42821	2000	1018		Ad
						2001	769		Am
					42822	2000	1018		Ad
41805.5	2000	343		Am		2001	769		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
42823	2000	1018	Ad		2001	335	R (as ad by
	2001	769	Am				Sec. 2,
	2002	200	Am				Stats. 1999,
	2002	423	Am				Ch. 355)
42823.1	2002	423	Ad				Am (as am by
42824	2000	1018	Ad				Sec. 1,
	2001	769	Am				Stats. 1999,
42840	2000	1018	Ad				Ch. 355) <sup>13</sup>
	2001	769	Am		2002	1001	Am <sup>432</sup>
	2002	423	Am	44017.1	1999	67*	Am
	2002	664	Am <sup>431</sup>	44017.4	2001	871	Ad
42841	2000	1018	Ad		2002	693	Am
	2001	769	Am	44024.5	1999	273	Am
	2002	423	Am	44031.5	2002	405	Am
42842	2000	1018	Ad	44036	2001	357	Am
	2001	769	Am	44060	1999	67*	Am
42843	2000	1018	Ad	44062.1	1999	67*	Am
	2001	769	Am	44072.10	2001	357	Am
42860	2000	1018	Ad	44072.7	2001	357	Am
	2001	769	Am	44081	2002	1001	Am <sup>432</sup>
42870	2000	1018	Ad	44091.1	2002	1001	Am <sup>38 432</sup>
	2001	769	Am	44091.2	1999	67*	Ad
43013.1	1999	812	Ad	44094	1999	67*	Am
43013.3	1999	812	Ad	44096	1999	209	Ad
43018.5	2002	200	Ad	44241	1999	204	Am <sup>59</sup>
43021	2001	769	Am	44260	2000	1072*	Ad
	2002	287	R		2001	763	Am
43023	2001	769	Ad	44261	2000	1072*	Ad
43023.5	2001	763	Ad & R <sup>75</sup>	44262	2000	1072*	Ad
43024	1999	814	Ad	44263	2000	1072*	Ad
43025	2002	287	S <sup>57</sup>	44265	2000	1072*	Ad
43026	2002	287	S <sup>57</sup>		2002	664	Am <sup>431</sup>
43027	2002	287	S <sup>57</sup>	44275	1999	923*	Ad
43028	2002	287	S <sup>57</sup>	44280	1999	923*	Ad
43029	2002	287	S <sup>57</sup>	44281	1999	923*	Ad
43030	2002	287	S <sup>57</sup>	44282	1999	923*	Ad
43031	2002	287	S <sup>57</sup>	44283	1999	923*	Ad
43031.5	2002	287	S <sup>57</sup>	44284	1999	923*	Ad
43032	2002	287	S <sup>57</sup>	44285	1999	923*	Ad
43033	2002	287	R	44286	1999	923*	Ad
43104	2000	1077	Am	44287	1999	923*	Ad
43105.5	2000	1077	Ad		2000	135	Am <sup>203</sup>
43830.8	1999	812	R & Ad		2000	729	Am
	1999	813	R & Ad	44288	1999	923*	Ad
43840	2001	115	Am	44290	1999	923*	Ad
43841	2001	115	R	44291	1999	923*	Ad
43841.5	2001	115	R	44295	1999	923*	Ad
44000.1	1999	67*	Ad	44296	1999	923*	Ad
44003	2001	745*	Am	44297	1999	923*	Ad & R <sup>155</sup>
44003.5	2002	1001	Ad <sup>432</sup>	44299	1999	923*	Ad
44011	1999	67*	Am	44299.1	1999	923*	Ad
	2002	1001	Am <sup>432</sup>	44299.50	2000	532	Ad
44014	2002	569	Am	44299.51	2000	532	Ad
44014.2	2002	1001	Am <sup>432</sup>	44299.52	2000	532	Ad
44014.5	2002	1001	Am <sup>432</sup>	44299.53	2000	532	Ad
44015	1999	83	Am <sup>30</sup>	44299.54	2000	532	Ad
	1999	355	Am	44299.55	2000	532	Ad
			R & Ad <sup>8</sup>	44299.75	2000	532	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
44299.76	2000	532	Ad	50086	2000	553	Am
44299.77	2000	532	Ad	50093	2001	741	Am
44299.78	2000	532	Ad	50105	2002	782	Am
44299.79	2000	532	Ad	50106	2001	741	Ad
44299.80	2002	1129	Ad	50199.10	1999	893	S <sup>103 13</sup>
44299.81	2002	1129	Ad	50199.11	1999	893	S <sup>103 13</sup>
44299.82	2002	1129	Ad	50199.12	1999	893	S <sup>103 13</sup>
44299.83	2002	1129	Ad & R <sup>18</sup>	50199.13	1999	893	S <sup>103 13</sup>
44299.85	2002	1129	Ad	50199.14	1999	893	S <sup>103 13</sup>
44321	2002	572	Am	50199.15	1999	893	S <sup>103 13</sup>
44501	2000	914	Am (by Sec. 1 of Ch.)	50199.16	1999	893	S <sup>103 13</sup>
	2000	915	Am (by Sec. 1.5 of Ch.)	50199.17	1999	893	S <sup>103 13</sup>
					2000	311*	Am
				50199.18	1999	893	Am <sup>103 13</sup>
44502	2000	914	Am (by Sec. 2 of Ch.)	50199.20	1999	893	S <sup>103 13</sup>
	2000	915	Am (by Sec. 2.5 of Ch.)	50199.21	1999	893	S <sup>103 13</sup>
				50199.22	1999	893	S <sup>103 13</sup>
44504.1	2000	915	Ad	50199.4	1999	893	S <sup>103 13</sup>
44507	2000	915	Am	50199.5	1999	893	S <sup>103 13</sup>
44508	1999	756*	Am	50199.6	1999	893	S <sup>103 13</sup>
44520	2000	914	Am (by Sec. 3 of Ch.)	50199.7	1999	893	S <sup>103 13</sup>
	2000	915	Am (by Sec. 5.5 of Ch.)	50199.70	2002	1086*	Ad & R <sup>38</sup>
	2002	1034	Am	50199.71	2002	1086*	Ad & R <sup>38</sup>
44525	2000	915	Am (by Sec. 6.6 of Ch.)	50199.72	2002	1086*	Ad & R <sup>38</sup>
				50199.73	2002	1086*	Ad & R <sup>38</sup>
				50199.74	2002	1086*	Ad & R <sup>38</sup>
44525.5	2000	914	Ad (by Sec. 4.5 of Ch.)	50199.75	2002	1086*	Ad & R <sup>38</sup>
44525.6	2000	914	Ad & R (by Sec. 5.5 of Ch.) <sup>75</sup>	50199.76	2002	1086*	Ad & R <sup>38</sup>
44525.7	2000	915	Ad (by Sec. 7.5 of Ch.)	50199.77	2002	1086*	Ad & R <sup>38</sup>
				50199.78	2002	1086*	Ad & R <sup>38</sup>
44526	2000	914	Am (by Sec. 6 of Ch.)	50199.79	2002	1086*	Ad & R <sup>38</sup>
	2000	915	Am (by Sec. 8.5 of Ch.) <sup>225</sup>	50199.80	1999	893	S <sup>103 13</sup>
	2002	1034	Am	50199.81	2002	1086*	Ad & R <sup>38</sup>
44535	1999	756*	Am	50199.9	1999	893	S <sup>103 13</sup>
44537.5	2000	915	Am	50400.5	2001	395*	Am
	2001	160*	Am	50408	2001	745*	Am
44548	2000	915	Am	50451	2001	577	Am
	2001	160*	Am	50455	2000	312*	Am
44559	2000	915	Am	50455.6	2001	577	Ad
44559.1	1999	756*	Am	50502.5	2001	115	R
	2000	913	Am (by Sec. 6 of Ch.)		2001	395*	R
	2000	915	Am (by Sec. 12.5 of Ch.)	50514.5	1999	83	Ad(RN) <sup>30</sup>
	2001	160*	Am	50515	2001	395*	R
44559.2	2000	915	Am	50515.5	2001	395*	R
44559.8	1999	756*	Ad	50516	2001	395*	R
46077	2001	745*	Am	50517	2001	395*	R
50052.5	2002	782	Am	50517.10	2001	555	Ad
50053	2002	782	Am		2002	494	Am
50066	2000	471	Am	50517.11	2000	312*	Ad
50076.6	2000	553	Ad	50517.4	2001	395*	R
50079.5	2002	782	Am	Div. 31,			
50083	2000	553	Am	Pt. 2,			
				Ch. 3.2,			
				heading			
				(Sec. 50517.5			
				et seq.)	2000	312*	Am
				50517.5	2000	312*	Am
					2001	555	Am (by Sec. 1 of Ch.)

**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>
50517.5 (Cont.)				50654	2001	414	Ad
	2001	593 *	Am (by Sec. 2 of Ch.)	50655	2001	414	Ad
50517.6	2000	312 *	Am	50656	2001	414	Ad
50518	1999	83	Am & RN <sup>30</sup>	50657	2001	414	Ad
Div. 31,				50658	2001	414	Ad
Pt. 2,				50659	2001	414	Ad
Ch. 3.5,				50659.1	2001	414	Ad
heading				50659.2	2001	414	Ad
(Sec. 50530				50659.3	2001	414	Ad
et seq.)	2001	395 *	Am	50675	1999	637	Ad
50530	2001	395 *	Am & RN & Ad	50675.1	1999	637	Ad
50530.5	2001	395 *	Ad(RN)	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	50675.13	2002	26 *	Ad <sup>417</sup>
50533	2000	84	R	50675.14	2002	26 *	Ad <sup>417</sup>
50533.1	2000	84	R	50675.2	1999	637	Ad
50533.2	2000	84	R	50675.3	1999	637	Ad
50533.4	2000	84	R	50675.4	1999	637	Ad
50533.5	2000	84	R		2000	957	Am
50533.6	2000	84	R	50675.5	1999	637	Ad
50533.7	2000	84	R	50675.6	1999	637	Ad
50540	2000	80	Ad	50675.7	1999	637	Ad
50541	2000	80	Ad	50675.8	1999	637	Ad
50542	2000	80	Ad	50675.9	1999	637	Ad
50542.1	2000	665	Ad	50710.1	1999	308 *	Am
50543	2000	80	Ad <sup>82</sup>	50740	2001	395 *	Am
	2000	665	Ad	50740.1	2001	395 *	R
50544	2000	80	Ad	50748.1	2001	395 *	Am
	2001	608	Am	50780	1999	473	Am
	2002	503	Am	50781	1999	473	Am
50545	2000	80	Ad	50783	1999	473	Am
	2001	395 *	Am	50784	1999	473	Am
50546	2000	80	Ad <sup>82</sup>	50785	1999	473	Am
	2000	665	Ad	50786	1999	473	Am
50550	2002	482	Ad <sup>417</sup>	50786.5	1999	473	Am
50550.1	2002	482	Ad <sup>417</sup>	50800	2000	667	Am
50550.2	2002	482	Ad <sup>417</sup>	50801	2000	667	Am
50600	2002	721	Ad <sup>417</sup>	50801.5	2000	667	Am
50601	2002	721	Ad <sup>417</sup>		2002	46 *	Am
50602	2002	721	Ad <sup>417</sup>		2002	1074	Am
50603	2002	721	Ad <sup>417</sup>	50802	2000	667	Am
50604	2002	721	Ad <sup>417</sup>	50802.5	2000	667	Am
50605	2002	721	Ad <sup>417</sup>		2002	26 *	Am <sup>417</sup>
50640	2000	471	R	50804	2000	667	Am
50640.1	2000	471	R	50806	2001	745 *	R
50641	2000	471	R	50832	1999	596	Am
50642	2000	471	R	50834	1999	596	Am
50643	2000	471	R		2001	745 *	Am
50644	2000	471	R	50840	2000	84	Am
50650	2000	84	Ad	50841	2000	84	Am
50650.1	2000	84	Ad	50842	2000	84	Am
50650.2	2000	84	Ad	50843	2002	725	Ad <sup>510</sup>
50650.3	2000	84	Ad	50860	2002	724	Ad <sup>510</sup>
50650.4	2000	84	Ad	50861	2002	724	Ad <sup>510</sup>
50650.5	2000	84	Ad	50862	2002	724	Ad <sup>510</sup>
50650.6	2000	84	Ad	50862.5	2002	724	Ad <sup>510</sup>
50650.7	2000	84	Ad	50863	2002	724	Ad (1st text) <sup>510</sup>
50651	2001	414	Ad				Ad (2nd text) <sup>510</sup>
50653	2001	414	Ad	50864	2002	724	Ad <sup>510</sup>
				50865	2002	724	Ad <sup>510</sup>

**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
50866	2002	724	Ad <sup>510</sup>	51348	2000	307	Am
50870	2001	746*	Ad & R <sup>37 75</sup>	51350	1999	264	Am
50871	2001	746*	Ad & R <sup>37 75</sup>		2001	202	Am
50872	2001	746*	Ad & R <sup>37 75</sup>	51450	1999	67*	Am <sup>20</sup>
50880	1999	67*	Am <sup>32</sup>		2001	114	S <sup>304 13</sup>
	1999	637	Am	51451	1999	67*	Am <sup>20</sup>
50881	1999	67*	Am <sup>32</sup>		2000	127*	Am
	1999	637	Am		2000	135	Am <sup>203</sup>
50881.5	1999	67*	Am <sup>32</sup>		2001	114	S <sup>304 13</sup>
	1999	637	Am	51451.5	2002	26*	Ad <sup>417</sup>
50882	1999	67*	Am <sup>32</sup>		2002	33*	Ad
	1999	637	Am		2002	935	Am (as ad by
50884	1999	67*	R <sup>32</sup>				Stats. 2002,
50887	1999	67*	Am <sup>32</sup>				Ch. 33)
	1999	637	R	51452	1999	67*	Am <sup>20</sup>
50887.5	2000	1055*	Am		2000	127*	Am
50888.3	1999	67*	Am <sup>32</sup>		2001	114	Am <sup>304 13</sup>
	1999	637	Am		2002	664	Am <sup>431</sup>
50888.5	1999	67*	Am <sup>32</sup>	51453	1999	67*	R
	1999	637	R		2002	26*	Ad <sup>417</sup>
50888.7	1999	67*	Am <sup>32</sup>		2002	33*	Ad
	1999	637	R		2002	935	Am (as ad by
50889.5	1999	67*	Am <sup>32</sup>				Stats. 2002,
	1999	637	R				Ch. 33)
50890	1999	67*	Am <sup>32</sup>	51453.5	2002	935	Ad
50893.5	1999	67*	Am <sup>32</sup>	51454	1999	67*	S <sup>20</sup>
	1999	637	R		2001	114	S <sup>304 13</sup>
50893.7	1999	67*	Am <sup>32</sup>	51455	1999	67*	Am <sup>20</sup>
	1999	637	R		2001	114	Am <sup>13</sup>
50893.9	1999	67*	Am <sup>32</sup>		2002	26*	Am <sup>417</sup>
	1999	637	R		2002	33*	Am
50895	1999	67*	R & Ad <sup>32</sup>		2002	935	Am (as am by
50897	2002	1024	R				Stats. 2002,
50897.1	2002	1024	R				Ch. 33)
50897.3	2002	1024	R	51479	2002	26*	Am <sup>417</sup>
50898	2000	83	Ad	51500	2000	81*	Ad
50898.1	2000	83	Ad	51501	2000	81*	Ad
50898.2	2000	83	Ad <sup>82</sup>	51502	2000	81*	Ad
	2000	957	Ad <sup>260</sup>	51504	2000	81*	Ad
	2001	3*	Am	51505	2002	26*	Ad <sup>417</sup>
Div. 31, Pt. 3, heading (Sec. 50900 et seq.)	2000	471	Am (as am by Sec. 14.5, Stats. 1994, Ch. 94)	51506	2000	81*	Ad
				51510	2000	81*	Ad
50911	2000	471	Am	52045	2001	745*	R
50960	2000	553	Ad	52075	2002	12*	Ad
51000.1	2000	471	Am	52075.1	2002	12*	Ad
51005	2000	471	Am	52076	2002	12*	Ad
Div. 31, Pt. 3, Ch. 5, heading (Sec. 51100 et seq.)	2000	471	Am	52077	2002	12*	Ad
				52078	2002	12*	Ad
51253	2000	471	R	52079	2002	12*	Ad
51331	2000	553	Am	52080	2002	12*	Ad
51345	2000	307	Am	52080.5	2002	12*	Ad
				52081	2002	12*	Ad
				52085	2002	12*	Ad
				52086	2002	12*	Ad
				52087	2002	12*	Ad
				52090	2002	12*	Ad
				52090.5	2002	12*	Ad
				52091	2002	12*	Ad
				52091.5	2002	12*	Ad
				52092	2002	12*	Ad
				52095	2002	12*	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
52097	2002	12 *	Ad	56047	2000	506	R
52097.1	2002	12 *	Ad	56048	2000	506	R
	2002	1038	R	56075	2000	506	R
52097.5	2002	12 *	Ad	57004	2000	1060	Am
52098	2002	12 *	Ad	57007	2001	745 *	Am
52514.5	1999	987 *	Am	57008	2001	764	Ad
52570	2001	745 *	R	57009	2001	764	Ad
53130	2002	26 *	Am <sup>417</sup>	57010	2001	764	Ad
53260	2000	667	Am	57012	2002	592	Ad
53265	2000	667	Am	57053.9	2002	405	Am
53275	2000	667	Am	58004.5	2002	626	Ad
53280	2000	667	Am	100146	2001	745 *	R
53300	2000	667	Am	100171	2002	1161 *	Am
	2002	1161 *	Am	100185.5	2002	768	Ad
53311	2000	667	Am	100236	1999	847	Ad
53500	2002	26 *	Ad <sup>389</sup>	100237	2000	250	Ad
53501	2002	26 *	Ad <sup>389</sup>	100238	2000	250	Ad
53520	2002	26 *	Ad <sup>389</sup>	100239	2000	250	Ad
53521	2002	26 *	Ad <sup>389</sup>	100340	2001	745 *	R
53522	2002	26 *	Ad <sup>389</sup>	100430	2000	780	Am
53523	2002	26 *	Ad <sup>389</sup>	100445	2001	242	Am
53524	2002	26 *	Ad <sup>389</sup>	100825	1999	372	Am
53525	2002	26 *	Ad <sup>389</sup>		2000	733	Am
53526	2002	26 *	Ad <sup>389</sup>		2002	215	Am
53527	2002	26 *	Ad <sup>389</sup>	100830	1999	372	Am
53528	2002	26 *	Ad <sup>389</sup>		2000	733	Am
53529	2002	26 *	Ad <sup>389</sup>	100831	1999	372	Ad
53530	2002	26 *	Ad <sup>389</sup>		2000	733	Am
53531	2002	26 *	Ad <sup>389</sup>	100832	1999	382	Ad
53532	2002	26 *	Ad <sup>389</sup>		2000	733	Am
53533	2002	26 *	Ad <sup>389</sup>	100835	1999	372	Am
56001	2000	506	R	100837	1999	372	Am
56010	2000	506	R		2000	733	Am
56011	2000	506	R		2002	215	Am
56012	2000	506	R	100840	1999	372	Am
56013	2000	506	R		2002	215	Am
56014	2000	506	R	100845	1999	372	Am
56015	2000	506	R		2002	215	Am
56016	2000	506	R	100847	1999	372	Ad
56017	2000	506	R		2002	215	Am
56018	2000	506	R	100850	1999	372	Am
56030	2000	506	R		2002	215	Am
56030.5	2000	506	R	100851	1999	372	Ad
56031	2000	506	R	100852	1999	372	Am
56032	2000	506	R		2000	733	Am
56032.5	2000	506	R		2002	215	Am
56033	2000	506	R	100855	1999	372	Am
56033.5	2000	506	R		2002	215	Am
56034	2000	506	R	100860	1999	372	Am
56035	2000	506	R		2000	733	Am & R <sup>5</sup>
56036	2000	506	R	100860.1	2000	733	Ad <sup>8</sup>
56037	2000	506	R	100862	1999	372	Ad
56038	2000	506	R		2000	733	Am
56039	2000	506	R	100863	1999	372	Ad
56040	2000	506	R	100865	1999	372	Am
56041	2000	506	R		2002	215	Am
56042	2000	506	R	100870	1999	372	Am
56043	2000	506	R		2000	733	Am
56044	2000	506	R		2002	215	Am
56045	2000	506	R	100872	1999	372	Ad
56046	2000	506	R		2000	733	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
100880	1999	372	Am	101848.6	1999	899	Ad
100885	1999	372	Am	101848.7	1999	899	Ad
	2002	215	Am	101848.8	1999	899	Ad
100890	1999	372	Am	101848.9	1999	899	Ad
100895	1999	372	Am	101849	1999	899	Ad
	2002	215	Am	101849.1	1999	899	Ad
100907	1999	372	Ad	101849.2	1999	899	Ad
100910	1999	372	Am	101849.3	1999	899	Ad
100915	1999	372	Am	101849.4	1999	899	Ad
	2002	215	Am	101950	1999	950	Ad <sup>37</sup>
101070	2000	350 *	Am <sup>13</sup>	101980	1999	950	Ad(RN)
101087	1999	925	Ad	101983	1999	950	Ad(RN)
101230	2000	93 *	Am	101985	1999	950	Ad(RN)
	2000	794	Am	101987	1999	950	Ad(RN)
	2002	114	Am	101989	1999	950	Ad(RN)
101285	2002	395	Am	102230	2002	712	Am
101315	2002	393 *	Ad	102231	2002	712	Ad <sup>444</sup>
	2002	1161 *	Ad	102232	2002	712	Ad <sup>500</sup>
101317	2002	393 *	Ad	102235	2000	569	Am
	2002	1161 *	Ad	102247	2001	171 *	Am
101319	2002	393 *	Ad		2002	784	Am <sup>490</sup>
	2002	1161 *	Ad	102250	2001	171 *	R
101800	1999	950	Am & RN	102346	2002	885	Ad
101805	1999	950	Am & RN	102405	2000	64	Am
101810	1999	950	Am & RN	102415	2000	64	Am
101815	1999	950	Am & RN		2000	303	Am
101820	1999	950	Am & RN	102447	2000	808 *	Am
101825	1999	899	Ad	102778	2002	857	Ad
101827	1999	899	Ad	102870	2000	284	Am
101828	1999	899	Ad	102875	2002	827	Am
101829	1999	899	Ad	102910	1999	525	Am <sup>112</sup>
101830	1999	899	Ad		2000	857	Am <sup>203</sup>
101831	1999	899	Ad	103203	2000	93 *	Ad <sup>70</sup>
101832	1999	899	Ad				R <sup>63</sup>
101833	1999	899	Ad	103446	2000	780	Ad
101834	1999	899	Ad	103447	2000	780	Ad
101835	1999	899	Ad	103447.5	2000	780	Ad
101836	1999	899	Ad	103448	2000	780	Ad
101837	1999	899	Ad	103448.5	2000	780	Ad
101838	1999	899	Ad	103449	2000	780	Ad
101839	1999	899	Ad	103450	2002	717	Am
101840	1999	899	Ad	103451	2002	717	Ad
101841	1999	899	Ad	103466	2002	717	Ad
101842	1999	899	Ad	103490	2002	717	Am
101843	1999	899	Ad	103525	2002	914	Am
101844	1999	899	Ad	103525.5	2002	914	Ad
101845	1999	899	Ad	103526	2002	914	Ad <sup>175 481</sup>
101845.1	1999	899	Ad	103526.5	2002	914	Ad <sup>175</sup>
101845.2	1999	899	Ad	103527	2002	914	Ad
101846	1999	899	Ad	103528	2002	914	Ad
101847	1999	899	Ad	103625	2001	171 *	Am
101848	1999	899	Ad		2002	784	Am <sup>490</sup>
101848.1	1999	899	Ad	103626	2001	90	Ad & R <sup>75</sup>
101848.10	1999	899	Ad	103640	2001	171 *	R
101848.11	1999	899	Ad	103641	2001	171 *	Am
101848.2	1999	899	Ad	103692	2002	857	Ad
101848.3	1999	899	Ad	103700	2000	780	Am
101848.4	1999	899	Ad	103775	2002	819	Am
101848.45	1999	899	Ad	103780	2002	819	Am
101848.5	1999	899	Ad	103850	2001	444 *	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
Div. 102, Pt. 2, Ch. 2, heading (Sec. 103875 et seq.)				104320	2000	93*	Ad (as ad by Sec. 24 and Sec. 25 of Ch.)
103885	2000	368	Am		2001	159	Am (as ad by Sec. 25, Stats. 2000, Ch. 93) & RN <sup>305</sup>
	2000	368	Am (by Sec. 2 of Ch.)	104321	2000	93*	Ad
104145	2001	444*	Am	104322	2001	159	Ad(RN) <sup>305</sup>
104150	2001	171*	Ad <sup>8</sup>	104324	2001	538	Ad
	2002	274	Am	104324.2	2001	538	Ad
104160	1999	146*	Ad & R <sup>39</sup>		2002	664	Am <sup>431</sup>
	2000	93*	R & Ad	104324.3	2001	538	Ad
	2000	94	R & Ad	104324.5	2001	538	Ad
	2001	171*	R & Ad <sup>8</sup>	104335	2000	777*	Ad & R <sup>43</sup>
104161	1999	146*	Ad & R <sup>39</sup>	104336	2000	777*	Ad & R <sup>43</sup>
	2000	93*	Ad (purports to am)	104337	2000	777*	Ad & R <sup>43</sup>
	2000	94	Ad (purports to am)	104338	2000	777*	Ad & R <sup>43</sup>
	2001	171*	R & Ad <sup>8</sup>	104339	2000	777*	Ad & R <sup>43</sup>
104161.1	2001	171*	Ad <sup>8</sup>	104339.5	2000	777*	Ad & R <sup>43</sup>
104162	1999	146*	Ad & R <sup>39</sup>	104339.6	2000	777*	Ad & R <sup>43</sup>
	2000	93*	Ad (purports to am)	104370	2001	745*	Am
	2000	94	Ad (purports to am)	104420	2000	1058	Am
	2001	171*	R & Ad <sup>8</sup>	104450	2001	750	Am
104162.1	2001	171*	Ad <sup>8</sup>	104495	2001	150	Ad
104162.2	2001	171*	Ad <sup>8</sup>		2002	527	Am
104163	1999	146*	Ad & R <sup>39</sup>	104550	1999	693	Ad
	2000	93*	Ad (purports to am)		2000	135	Am <sup>203</sup>
	2000	94	Ad (purports to am)	104551	1999	693	Ad
104164	2001	171*	R & Ad <sup>8</sup>	104552	1999	693	Ad
	1999	146*	Ad & R <sup>39</sup>	104555	1999	780	Ad
	2000	93*	Ad (purports to am)	104556	1999	780	Ad
	2000	94	Ad (purports to am)		2000	135	Am <sup>203</sup>
	2001	171*	R & Ad <sup>8</sup>	104557	1999	780	Ad
104170	1999	146*	Ad & R <sup>39</sup>		2000	135	Am <sup>203</sup>
	2000	93*	R	104775	2000	93*	Am
	2000	94	R	104795	2000	93*	Am
	2000	93*	Ad	104896	2001	171*	Ad
104180	2001	159	Am <sup>305</sup>	104897	2001	171*	Ad
104181.5	1999	246*	Am		2002	414	Am
104182.5	1999	751	Ad	104898	2001	171*	Ad
104182.7	1999	751	Ad	104898.5	2001	171*	Ad
104187	1999	751	Am	104899	2001	171*	Ad
104187.5	1999	751	Ad				
104188	2002	1161*	Ad	Div. 103, Pt. 4, Ch. 3, heading (Sec. 105100 et seq.)	2002	551	Am
104190	1999	668	Ad	Div. 103, Pt. 4, Ch. 3, Art. 1, heading (Sec. 105100 et seq.)	2002	551	Ad
104191	1999	668	Ad		2000	440	R & Ad
104192	1999	668	Ad		2000	440	Ad
104193	1999	668	Ad				
104200	2000	792	Ad				
104315	2002	274	Am				
104316	2000	93*	Ad				
104317	2000	93*	Ad				
104318	2000	93*	Ad				
104319	2000	93*	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
105105	2000	440	Am	108875	2001	745*	Am
105112	2000	440	Ad	109280	2002	531	Am
	2001	159	Am <sup>305</sup>	109282	2002	531	Am
105120	2000	440	Am	109580	2001	854	Am
105135	2000	440	R	109890	2000	796	Am
105145	2002	551	Ad	109925	2000	796	Am
105145.3	2002	551	Ad	109935	2000	870	Am
105145.5	2002	551	Ad		2001	641	Am
105251	2002	931	Ad	109947	1999	915	Ad
105252	2002	931	Ad	109948	2000	837	Ad
105253	2002	931	Ad	109948.1	2000	837	Ad
105254	2002	931	Ad		2001	728	Am
105255	2002	931	Ad	109951	2000	870	Ad
105256	2002	931	Ad		2001	641	Am
105257	2002	931	Ad	109971	2000	870	Ad
105291	2001	524	Ad		2001	641	Am
105340	2001	370	Ad	110005	1999	915	Am
106750	2000	327	R & Ad	110010.1	2000	837	Ad
106755	2000	327	R	110010.2	2000	837	Ad
106760	2000	327	R	110025	2000	796	Am
106765	2000	327	R	110050	1999	915	Am
106770	2000	327	R & Ad	110110	2000	796	Am
106775	2000	327	R & Ad	110111	2000	796	Ad
106780	2000	327	R & Ad	110305	2000	796	R
106785	2000	327	R & Ad	110405	2000	796	Am
106790	2000	327	R & Ad	110422	2002	1006	Ad
106795	2000	327	R & Ad	110423	2002	1005	Ad
106800	2000	327	R	110423.2	2002	1005	Ad
106805	2000	327	R	110423.4	2002	1005	Ad
106810	2000	327	R	110423.6	2002	1005	Ad
106815	2000	327	R	110423.8	2002	1005	Ad
106820	2000	327	R	110424	2002	1006	Ad
106825	2000	327	R	110460	1999	915	R & Ad
106830	2000	327	R	110461	1999	915	Ad(RN)
106835	2000	327	R	110462	1999	915	Ad(RN)
106840	2000	327	R	110466	1999	915	Ad
106845	2000	327	R	110467	1999	915	Ad
106850	2000	327	R	110470	1999	915	R & Ad
106855	2000	327	R	110472	1999	915	Ad
106860	2000	327	R	110473	1999	915	Ad
106865	2000	327	R	110474	1999	915	Ad
Div. 104,				110475	1999	915	Am
Pt. 1,				110480	1999	915	Am
Ch. 4,				110485	1999	915	Am <sup>20</sup>
Art. 3,					2002	535	Am <sup>43</sup>
heading				110661	1999	915	Ad
(Sec. 106875				110780	1999	915	Am & RN
et seq.)	1999	755	Am	110785	1999	915	Am & RN
106875	1999	755	Am	Div. 104,			
106876	1999	755	Am	Pt. 5,			
106880	1999	755	Am	Ch. 5,			
106885	1999	755	Am	Art. 7,			
106890	1999	755	Am	heading			
106892	1999	755	Ad	(Sec. 110810			
106895	1999	755	Am	et seq.)	2002	533	Am
106896	1999	755	Ad	110810	2002	533	Am
106897	1999	755	Ad	110811	2002	533	Ad
106900	1999	755	Am	110812	2002	533	Ad
106905	1999	755	R	110815	2002	533	Am
106910	1999	755	Am	110818	2002	533	Ad
106925	2002	395	Am	110820	1999	609	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
110820 (Cont.)	2002	533	Am	111656.4	2000	837	Ad
110825	2002	533	Am		2001	728	Am
110830	2002	533	Am		2002	1013	Am
110835	1999	609	Am	111656.5	2000	837	Ad
	2002	533	Am		2001	159	Am <sup>305</sup>
110838	2002	533	Ad	111656.6	2000	837	Ad
110839	2002	533	Ad	111656.7	2000	837	Ad
110840	2002	533	Am	111656.8	2000	837	Ad
110845	2002	533	Am	111656.9	2000	837	Ad
110850	2002	533	Am	111940	1999	83	Am <sup>30</sup>
110870	2002	533	Am	112040	1999	915	Am
110875	2002	533	Am		2000	135	Am <sup>203</sup>
110880	2002	533	Am	112115	1999	915	Am
110885	2002	533	Am	113355	1999	915	Am
110890	2002	533	Am	113716	2001	369	Am
110895	2002	533	Am	113740	2002	532	Am
110900	2002	533	Am	113745	1999	833	Am
110910	2002	533	Am	113823	1999	879	Am
110915	2002	533	Am		2002	121	Am
110930	2002	533	Am	113830	2001	369	Am
110935	1999	609	Am	113831	2000	691	Ad
110940	2002	533	Am	113870	1999	180	Am
110956	2002	533	Am	113925	2001	369	Am
110957	2002	533	Am		2002	532	Am
110958	1999	609	Am	113946	2000	691	Ad
	2002	533	Am	113947	2000	691	Ad
110959	2002	533	Ad	113995.5	2001	204*	Ad
110960	2002	532	Am	113995	2002	532	Am
111067	2000	1062	Ad	113996	1999	879	Am <sup>13</sup>
111068	2000	1062	Ad		2001	369	Am
111080	2000	533	Am	113997	1999	197	Am
111170	2000	533	Am		1999	879	Am
111172	2000	533	Ad <sup>8</sup>	113998	2001	369	Ad
111175	2000	533	Am	114020	1999	879	Am
111180	2000	533	Am	114060	1999	879	Am
111192	2000	533	Ad <sup>8</sup>	114086	1999	879	R
111193	2000	533	Ad	114090	2001	369	Am
111222	2001	204*	Ad		2002	664	Am <sup>431</sup>
111223	2001	204*	Ad	114120	2002	340	Am
111246	2000	326	Ad	114125	2002	340	R
111330	2000	796	Am	114130	2002	340	R
111350	2000	796	R	114145	1999	290*	Am
111355	2000	796	Am		2000	691	Am
111405	2000	796	R		2001	12*	Am
111410	2000	796	R		2001	159	Am <sup>305</sup>
111490	2000	796	Am	114190	2001	369	Am
111610	2000	796	Am	114260	2001	369	Am
111656	2000	837	Ad	114265	1999	879	Am
	2001	728	Am		2001	369	Am
111656.1	2000	837	Ad	114275	2001	369	Am
111656.10	2000	837	Ad	114285	1999	879	R & Ad
111656.11	2000	837	Ad	114286	1999	879	Ad
111656.12	2000	837	Ad	114287	1999	879	Ad
111656.13	2000	837	Ad	114288	1999	879	Ad
	2001	159	Am <sup>305</sup>	114289	1999	879	Ad
111656.2	2000	837	Ad	114290	1999	879	R & Ad
	2001	728	Am	114291	1999	879	Ad
111656.3	2000	837	Ad	114292	1999	879	Ad
				114293	1999	879	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
114294	1999	879	Ad	115812	1999	712	Ad <sup>73</sup>
114295	1999	879	R & Ad				R <sup>22</sup>
114296	1999	879	Ad	115813	1999	712	Ad <sup>73</sup>
114297	1999	879	Ad				R <sup>22</sup>
114298	1999	879	Ad		2000	135	Am <sup>203</sup>
114299	1999	879	Ad	115814	1999	712	Ad <sup>73</sup>
114299.5	1999	879	Ad				R <sup>22</sup>
114300	1999	879	R & Ad	115815	1999	712	Ad <sup>73</sup>
114301	1999	879	Ad				R <sup>22</sup>
114302	1999	879	Ad	115816	1999	712	Ad <sup>73</sup>
114303	1999	879	Ad				R <sup>22</sup>
114304	1999	879	Ad	115825	2002	968	Am (as am by
114305	1999	879	R				Sec. 1 and
114317	1999	879	Am				Sec. 2,
114321	1999	879	Am				Stats. 1998,
114322	1999	879	Am				Ch. 70)
114325	1999	879	Am	115842	2002	968	Ad
Div. 104,				115910	2000	152	R & Ad
Pt. 7,				115928	2002	679	Ad
Ch. 4,				116091	2001	553	Ad
Art. 13.5,				116092	2001	553	Ad
heading				116093	2001	553	Ad
(Sec. 114332				116094	2001	553	Ad
et seq.)	2002	121	Ad	116095	2001	553	Ad
Div. 104,				116111	2002	395	Ad
Pt. 7,				116275	1999	755	Am
Ch. 13.5,					2002	425	Am
heading				116293	2002	425	Ad
(Sec. 114332				116361	2001	604	Ad
et seq.)	2002	121	R	116365	1999	777	Am
114332.1	2002	121	Am	116365.5	2001	602	Ad
114332.2	1999	879	Am	116367	2002	999	Ad
114332.3	1999	879	Am	116555	1999	755	Am
	2001	369	Am	116565	2001	171*	S <sup>57</sup>
114332.5	2001	369	Am	116570	2001	171*	S <sup>57</sup>
114332.6	1999	879	R	116577	2001	171*	S <sup>57</sup>
114332.7	2002	121	Ad	116580	2001	171*	S <sup>57</sup>
114870	2002	657	Am	116585	2001	171*	S <sup>57</sup>
114980	2002	891	Am	116590	2001	171*	Am <sup>57</sup>
115000.1	2002	891	Ad	116595	2001	171*	S <sup>57</sup>
115010.5	2002	513	Ad	116600	2001	171*	R
115261	2002	513	Ad	116760.20	2001	606*	Am
115273	2002	513	Ad	116761.20	2001	619	Am
115340	2002	852	Ad <sup>444</sup>	116761.50	2001	619	Am
115342	2002	852	Ad <sup>444</sup>	116775	1999	969	Am
115730	1999	712	Am	116780	1999	969	Am
115735	1999	712	Am	116785	1999	969	Am
115736	2000	550	Ad	116786	1999	969	Ad <sup>34</sup>
115800	2002	409	Am (as ad by	116900	1999	755	R
			Sec. 1,	116905	1999	755	R
			Stats. 1997,	116910	1999	755	R
			Ch. 573) <sup>68</sup>	116915	1999	755	R
			Am (as ad by	116920	1999	755	R
			Sec. 2,	116950	1999	755	R
			Stats. 1997,	118215	1999	139	Am
			Ch. 573) <sup>69</sup>	118950	2001	376	Am
115810	1999	712	Ad <sup>73</sup>	119308	2001	745*	Am
			R <sup>22</sup>	120260	2002	342	Ad
115811	1999	712	Ad <sup>73</sup>	120261	2002	342	Ad
			R <sup>22</sup>	120262	2002	342	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
120325	1999	747	Am		2002	1150	Am (by Sec. 49 of Ch.)
120335	1999	747	Am <sup>154</sup>				
120381	2001	374 *	Ad	123110	2001	325	Am
120390	1999	146 *	Ad	123111	2000	1066	Ad
120390.5	1999	146 *	Ad		2001	159	Am <sup>305</sup>
120390.7	1999	146 *	Ad	123115	2000	519	Am
120395	2001	372	Ad	123148	2001	529	Am
120396	2001	372	Ad		2002	128	Am
120397	2001	372	Ad	123222.1	2002	550	Ad
120398	2001	372	Ad	123222.2	2002	550	Ad
120399	2001	372	Ad	123280	1999	21 *	Am
120440	1999	83	Am <sup>30</sup>	123296	2001	842	Ad <sup>35</sup>
	2000	593	Am (by Sec. 1 of Ch.)		2002	15 *	R <sup>63</sup>
120475	2001	745 *	Am	123302	1999	763	Am <sup>22 207</sup>
120480	2001	745 *	Am		2001	842	Am
	2001	751	Am (by Sec. 1.5 of Ch.)	123310	1999	21 *	Am
120500	2000	835	Am	123315	1999	21 *	Am
120580	1999	695	Am	123320	2001	842	Am
120582	2000	835	Ad	123400	2002	385	R
120805	2001	745 *	Am	123405	2002	385	R
120871	2002	273	Ad	123407	2002	385	R
120917	2001	324	Ad	123410	2002	385	R
120955	2002	1161 *	Am	123415	2002	385	R
120966	1999	497	Ad	123418	2002	384	Ad
120968	1999	497	Ad	123430	2002	385	R
121056	2001	482	Ad	123460	2002	385	Ad
121065	2001	482	Am	123462	2002	385	Ad
121130	2002	342	R	123464	2002	385	Ad
121132	2002	342	R	123466	2002	385	Ad
121135	2002	342	R	123468	2002	385	Ad
121140	2002	342	R & Ad	123775	2001	745 *	Am
121340	2002	926	Ad	123870	1999	146 *	Am
121360.5	2002	763	Ad & R <sup>43</sup>	123900	1999	146 *	Am
121361	2002	763	Am	123940	1999	146 *	Am
121362	2002	763	Am	124010	2000	93 *	Am
121690	1999	418	Am	124011	2000	93 *	Am
121881	2001	377	Ad	124012	2000	93 *	Am
121890	2001	377	Am	124013	2000	93 *	Am
121896	2001	377	Ad	124014	2000	93 *	Am
121906	2001	377	Ad	124015	2000	93 *	Am
121907	2001	377	Ad	124030	2002	1161 *	Am
121916	2001	377	Ad	124033	2002	1161 *	Ad
121917	2001	377	Ad	124035	2001	171 *	Am
121918	2001	377	Ad	124040	2001	171 *	Am
121919	2001	377	Ad		2002	1161 *	Am
121920	2001	377	Am	124111	2000	325	Ad
121921	2001	377	Ad	124112	2000	325	Ad
121940	2001	377	Am	124120	2002	1161 *	Am
121945	2001	377	Ad	124130	2002	931	Am
122045	2001	350	Am	124250	1999	146 *	Am
122065	2001	350	Am		2001	439	Am
122065.5	2001	350	Ad		2002	1161 *	Am
122137	2002	181	Ad	124251	1999	662	Am
122405	2000	754	Am	124555	1999	744 *	R & Ad <sup>56</sup>
122406	2000	754	Ad		2000	452	Am (as ad by Sec. 2, Stats. 1999, Ch. 744)
122410	2000	754	Am				
122415	2000	754	Ad				
122420	2000	754	Ad	124570	1999	744 *	Ad <sup>56</sup>
123105	2002	1013	Am	124595	2002	536	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
124710	1999	744 *	R & Ad <sup>56</sup>	127580	1999	525	Am <sup>112</sup>
	2000	452	Am (as ad by Sec. 5, Stats. 1999, Ch. 744)		2000	857	Am <sup>203</sup>
	2001	171 *	Am	Div. 107, Pt. 2, Ch. 5, heading (Sec. 127630 et seq.)			
124715	1999	744 *	Am <sup>56</sup>		2002	664	Am <sup>431</sup>
124725	1999	744 *	Am <sup>56</sup>	127630	2001	520	Ad & R <sup>75</sup>
124735	1999	744 *	Am <sup>56</sup>	127631	2001	520	Ad & R <sup>75</sup>
124745	1999	744 *	Ad <sup>56</sup>	127632	2001	520	Ad & R <sup>75</sup>
124850	2000	1055 *	Am	127633	2001	520	Ad & R <sup>75</sup>
124870	2000	158	Am	127634	2001	520	Ad & R <sup>75</sup>
124900	2000	93 *	Am	127660	2002	795	Ad & R <sup>75</sup>
	2000	456	Am <sup>250</sup>	127661	2002	795	Ad & R <sup>75</sup>
	2001	159	Am <sup>305</sup>	127662	2002	795	Ad & R <sup>75</sup>
124960	1999	1025	Ad <sup>73</sup>	127663	2002	795	Ad & R <sup>75</sup>
			R <sup>22</sup>	127664	2002	795	Ad & R <sup>75</sup>
124961	1999	1025	Ad <sup>73</sup>	127665	2002	795	Ad & R <sup>75</sup>
			R <sup>22</sup>	127925	2002	1131	Ad <sup>449</sup>
124962	1999	1025	Ad <sup>73</sup>	127926	2002	1131	Ad <sup>449</sup>
			R <sup>22</sup>	127927	2002	1131	Ad <sup>449</sup>
124963	1999	1025	Ad <sup>73</sup>	127928	2002	1131	Ad <sup>449</sup>
			R <sup>22</sup>	127929	2002	1131	Ad <sup>449</sup>
124964	1999	1025	Ad <sup>73</sup>	127930	2002	1131	Ad <sup>449</sup>
			R <sup>22</sup>	127931	2002	1131	Ad <sup>449</sup>
124965	1999	1025	Ad <sup>73</sup>	127932	2002	1131	Ad <sup>449</sup>
			R <sup>22</sup>	127933	2002	1131	Ad <sup>449</sup>
124966	1999	1025	Ad <sup>73</sup>	128040	2001	249	Ad
			R <sup>22</sup>	128198	2002	1138	Ad
124967	1999	1025	Ad <sup>73</sup>	128198.5	2002	1138	Ad
			R <sup>22</sup>	128224	2002	1131	Ad
124968	1999	1025	Ad <sup>73</sup>	128230	1999	149 *	Am
			R <sup>22</sup>	128280	1999	149 *	Am
124976	2000	803	Ad <sup>82</sup>	Div. 107, Ch. 5, heading (Sec. 128330 et seq.)			
124977	2000	803	Ad		1999	149 *	Am
	2002	1161 *	Am <sup>494</sup>	Div. 107, Ch. 5, Art. 1, heading (Sec. 128330 et seq.)			
124980	1999	83	Am <sup>30</sup>				
	2000	941	Am				
124981	2000	941	Ad				
124996	2000	941	Ad(RN)				
125001	2000	803	Am				
125005	2000	803	R <sup>82</sup>				
	2000	941	Am & RN				
125115	2002	789	Ad				
125116	2002	789	Ad				
125117	2002	789	Ad				
125190	2002	1161 *	Ad				
125285	2000	93 *	Ad				
125700	1999	819	Ad				
125701	1999	819	Ad				
125702	1999	819	Ad				
125703	1999	819	Ad				
127174	1999	848	Am				
127280	2001	111 *	Am (as am by Sec. 2 and as ad by Sec. 3, Stats. 1998, Ch. 735)				
	2002	351	Am				
127280.1	2002	1161 *	Ad				
127300	2000	517	Am				
				128380	1999	146 *	S <sup>20</sup>
					1999	149 *	S <sup>57</sup>
				128385	1999	146 *	S <sup>20</sup>
					1999	149 *	Am <sup>57</sup>
					2000	360	Am
				128390	1999	146 *	S <sup>20</sup>
					1999	149 *	S <sup>57</sup>
				128395	1999	146 *	S <sup>20</sup>

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

**HEALTH AND SAFETY 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>
128395 (Cont.)	1999	149 *	Am <sup>57</sup>	129049	1999	825	Ad
128400	1999	146 *	S <sup>20</sup>	129050	1999	848	Am
	1999	149 *	Am <sup>57</sup>		2002	93	Am
128405	1999	146 *	Am <sup>20</sup>	129051	1999	848	Ad
	1999	149 *	R	129055	1999	848	Am
128425	1999	149 *	S <sup>57</sup>	129065	1999	848	Am
128430	1999	149 *	S <sup>57</sup>	129075	1999	848	R & Ad
128435	1999	149 *	Am <sup>57</sup>		2002	351	Am
128440	1999	149 *	S <sup>57</sup>	129080	1999	848	Am
128445	1999	149 *	Am <sup>57</sup>	129085	2002	351	Am
128450	1999	149 *	Am <sup>57</sup>	129087	1999	848	Ad
128455	1999	149 *	R	129090	1999	848	Am
128675	2001	898	S <sup>54 57</sup>	129092	1999	848	Ad
128680	2001	898	S <sup>54 57</sup>	129100	1999	848	Am
128681	2001	898	S <sup>54 57</sup>	129105	1999	848	Am
128685	2001	898	S <sup>54 57</sup>	129152	1999	848	Ad
128690	2001	898	S <sup>54 57</sup>	129173	1999	848	Am
128695	2001	898	S <sup>54 57</sup>	129174	2002	351	Am
128700	2001	898	S <sup>54 57</sup>	129200	1999	848	Am
128705	2001	898	S <sup>54 57</sup>	129210	1999	848	Am
128710	2001	898	S <sup>54 57</sup>	129220	1999	848	Ad
128715	2001	898	S <sup>54 57</sup>	129221	1999	848	Ad
128720	2001	898	S <sup>54 57</sup>	129680	2002	351	Am
128725	1999	525	Am <sup>112</sup>	129725	2002	351	Am
	2000	857	Am <sup>203</sup>	129785	2002	351	Am
	2001	898	S <sup>54 57</sup>	129820	1999	83	Am <sup>30</sup>
128730	2001	898	S <sup>54 57</sup>	129845	2002	351	R
128735	2001	898	Am <sup>54 57</sup>	129905	2002	351	Am
128736	2001	898	Am <sup>54 57</sup>	130000	1999	192 *	R <sup>24</sup>
	2002	351	Am <sup>22</sup>		2000	454	S <sup>13</sup>
128737	2001	898	Am <sup>54 57</sup>	130005	1999	192 *	R <sup>24</sup>
	2002	351	Am <sup>22</sup>		2000	454	S <sup>13</sup>
128738	2001	898	S <sup>54 57</sup>	130010	1999	192 *	R <sup>24</sup>
128740	2001	898	Am <sup>54 57</sup>		2000	454	S <sup>13</sup>
128745	2001	898	Am <sup>54 57</sup>	130015	1999	192 *	R <sup>24</sup>
128747	2001	898	Ad		2000	454	S <sup>13</sup>
128748	2001	898	Ad		2002	536	R
128750	2001	898	Am <sup>54 57</sup>	130020	1999	192 *	R <sup>24</sup>
128755	2001	898	Am <sup>54 57</sup>		2000	454	S <sup>13</sup>
128760	2001	898	S <sup>54 57</sup>	130021	1999	192 *	Ad & R <sup>24</sup>
128765	2001	898	Am <sup>54 57</sup>		2000	454	Am
128770	2001	898	S <sup>54 57</sup>		2001	228 *	Ad
128775	2001	898	S <sup>54 57</sup>				R <sup>69</sup>
128780	2001	898	S <sup>54 57</sup>	130025	1999	192 *	R <sup>24</sup>
128782	2001	898	S <sup>54 57</sup>		2000	454	S <sup>13</sup>
128785	2001	898	S <sup>54 57</sup>	130050	2001	228 *	Am
128790	2001	898	S <sup>54 57</sup>	130060	2000	850	Am
128795	2001	898	S <sup>54 57</sup>		2002	1022 *	Am
128800	2001	898	S <sup>54 57</sup>	130063	2000	851	Ad
128805	2001	898	S <sup>54 57</sup>	130063.1	2001	247	Ad
128810	2001	898	S <sup>54 57</sup>	130063.2	2001	247	Ad
128812	2001	898	S <sup>54 57</sup>	Div. 108, heading (Sec. 130100 et seq.)	1999	126 *	Am
128815	2001	898	R	130100	1999	126 *	Am
129010	1999	848	Am		2002	245	Am
129020	1999	848	Am	130105	1999	126 *	Am
129025	1999	848	R		2000	150 *	Am
129035	1999	848	Am		2001	322 *	Am
129040	1999	848	Am		2002	245	Am
129045	1999	848	Ad				
129048	1999	825	Ad				

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**HEALTH AND SAFETY 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>
130110	1999	126 *	Am	130313	2001	635 *	Ad & R <sup>68</sup>
	2001	322 *	Am	130314	2001	635 *	Ad & R <sup>68</sup>
130125	2002	245	Am	130315	2001	635 *	Ad & R <sup>68</sup>
130140	1999	126 *	Am	130316	2001	635 *	Ad & R <sup>68</sup>
130140.1	2000	150 *	Ad	130317	2001	635 *	Ad & R <sup>68</sup>
	2001	214	Am	130400	2001	693	Ad
	2002	664	Am <sup>431</sup>		2002	542	Am
130155	1999	126 *	Am	130401	2001	693	Ad
130200	2000	93 *	Ad <sup>70</sup>		2002	542	Am
			R <sup>63</sup>	130401.1	2002	542	Ad
130201	2000	93 *	Ad <sup>70</sup>	130402	2001	693	Ad
			R <sup>63</sup>	130403	2001	693	Ad
130202	2000	93 *	Ad <sup>70</sup>		2002	542	Am
			R <sup>63</sup>	130404	2001	693	Ad
130300	2001	635 *	Ad & R <sup>68</sup>		2002	542	Am
130301	2001	635 *	Ad & R <sup>68</sup>	130405	2001	693	Ad
130302	2001	635 *	Ad & R <sup>68</sup>	130406	2001	693	Ad
130303	2001	635 *	Ad & R <sup>68</sup>		2002	542	Am
130304	2001	635 *	Ad & R <sup>68</sup>	130406.5	2002	542	Ad
130305	2001	635 *	Ad & R <sup>68</sup>	130407	2001	693	Ad
130306	2001	635 *	Ad & R <sup>68</sup>		2002	542	Am
130307	2001	635 *	Ad & R <sup>68</sup>	130407.5	2002	542	Ad
130308	2001	635 *	Ad & R <sup>68</sup>	130408	2001	693	Ad
130309	2001	635 *	Ad & R <sup>68</sup>		2002	542	Am
130310	2001	635 *	Ad & R <sup>68</sup>	130409	2001	693	Ad
130311	2001	635 *	Ad & R <sup>68</sup>		2002	542	Am
130311.5	2002	489	Ad & R <sup>18</sup>	130410	2002	542	Ad
130312	2001	635 *	Ad & R <sup>68</sup>				

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**INSURANCE 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>
21.5	2002	709	Ad	742.35	1999	317	S <sup>19</sup>
48	1999	255	Ad		2002	357	S <sup>57</sup>
106	2001	277	Am	742.36	1999	317	S <sup>19</sup>
116.5	1999	238	Ad		2002	357	S <sup>57</sup>
116.6	2002	749	Ad	742.37	1999	317	S <sup>19</sup>
384	1999	255	Am		2002	357	S <sup>57</sup>
	2000	135	Am <sup>203</sup>	742.38	1999	317	S <sup>19</sup>
394	2002	358	Ad		2002	357	S <sup>57</sup>
661	1999	309	Am	742.39	1999	317	S <sup>19</sup>
663.5	1999	313	Am		2002	357	S <sup>57</sup>
675	1999	313	Am	742.40	1999	317	S <sup>19</sup>
676.10	2001	253	Ad		2002	357	S <sup>57</sup>
678.1	2001	102	Am	742.405	1999	317	S <sup>19</sup>
679.7	2001	102	Ad		2002	357	S <sup>57</sup>
700	2000	321	Am <sup>8</sup>	742.407	1999	317	S <sup>19</sup>
702	2000	211	Ad		1999	525	Am <sup>112</sup>
703	2001	448	R (as ad by		2000	857	Am <sup>203</sup>
			Sec. 1.5,		2002	357	S <sup>57</sup>
			Stats. 1998,	742.41	1999	317	S <sup>19</sup>
			Ch. 233)		2002	357	S <sup>57</sup>
			Am (as am by	742.42	1999	317	S <sup>19</sup>
			Sec. 1,		2002	357	S <sup>57</sup>
			Stats. 1998,	742.425	1999	317	S <sup>19</sup>
			Ch. 233) <sup>13</sup>		2002	357	S <sup>57</sup>
703.1	2001	448	Am <sup>13</sup>	742.43	1999	317	S <sup>19</sup>
734.1	2000	997	Am		2002	357	S <sup>57</sup>
739	2002	873	Am	742.435	1999	317	Ad & R <sup>19</sup>
740	1999	525	Am <sup>112</sup>		2000	857	Am
	2000	857	Am <sup>203</sup>		2002	357	S <sup>57</sup>
742.20	1999	317	S <sup>19</sup>	742.44	1999	317	Am <sup>19</sup>
	2002	357	S <sup>57</sup>		2002	357	R
742.21	1999	317	S <sup>19</sup>	750	2000	843	Am
	2002	357	S <sup>57</sup>		2000	867	Am <sup>82</sup>
742.215	1999	317	S <sup>19</sup>	758	2000	867	Ad
	2002	357	S <sup>57</sup>	759	2002	203	Ad
742.22	1999	317	S <sup>19</sup>	760	2002	203	Ad
	2002	357	S <sup>57</sup>	761	2002	203	Ad
742.23	1999	317	S <sup>19</sup>	762	2002	203	Ad
	2002	357	S <sup>57</sup>	763	2002	203	Ad
742.24	1999	317	S <sup>19</sup>	764	2002	203	Ad
	2002	357	Am <sup>57</sup>	765	2002	203	Ad
742.25	1999	317	S <sup>19</sup>	769	1999	753	Am
	2002	357	S <sup>57</sup>	778.3	1999	388	Ad
742.26	1999	317	S <sup>19</sup>	779.36	1999	413	Am
	2002	357	S <sup>57</sup>	785	2000	844	Am
742.27	1999	317	S <sup>19</sup>		2001	51*	Am
	2002	357	S <sup>57</sup>	786.5	2001	51*	Am <sup>8</sup>
742.28	1999	317	S <sup>19</sup>	789.8	2000	442	Ad <sup>245</sup>
	2002	357	S <sup>57</sup>		2001	159	Am <sup>305</sup>
742.29	1999	317	S <sup>19</sup>	790.03	2001	253	Am
	2002	357	S <sup>57</sup>	790.031	2001	583	Ad
742.30	1999	317	S <sup>19</sup>	790.034	2001	583	Am
	2002	357	S <sup>57</sup>	790.05	2002	709	Am
742.31	1999	317	Am <sup>19</sup>	790.06	2000	280	Am
	2002	357	S <sup>57</sup>		2002	709	Am
742.32	1999	317	S <sup>19</sup>	790.07	2002	709	Am
	2002	357	S <sup>57</sup>	791.02	1999	525	Am <sup>112 114</sup>
742.33	1999	317	S <sup>19</sup>		1999	526	Am
	2002	357	S <sup>57</sup>		2000	135	Am <sup>203</sup>
742.34	1999	317	S <sup>19</sup>		2000	857	Am <sup>203</sup>
	2002	357	S <sup>57</sup>	827.8	2001	415	Ad

**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>
1033	1999	868	Am	1679	2002	203	Am
1035	1999	768	Am	1703	2000	321	Am <sup>8</sup>
	2000	135	Am <sup>203</sup>	1704	2002	203	Am
1035.2	2001	630	Ad	1714	2002	203	R
1063	2001	296*	Am	1723	1999	782	Ad
	2002	431	Am	1726	2000	211	Ad
1063.1	1999	721	Am	1727	1999	782	Am
1063.5	2001	296*	Am	1742.2	1999	782	Ad
	2002	431	Am	1748	1999	782	Am
1063.6	1999	83	Am <sup>30</sup>	1748.5	1999	782	Am
1065.3	1999	782	Am	1749	2000	321	Am <sup>8</sup>
1067.05	2000	375	Am		2001	174*	Am (as am by
1067.055	2000	375	Am				Stats. 2000,
1067.07	2002	140	Am				Ch. 321)
1068	1999	525	Am <sup>112</sup>	1749.01	2002	347	Am
	2000	857	Am <sup>203</sup>	1749.3	1999	186	Am
1068.1	1999	525	Am <sup>112</sup>	1749.31	2000	321	Ad <sup>8</sup>
	2000	857	Am <sup>203</sup>	1749.6	2000	321	Am <sup>8</sup>
1192.8	1999	470	Am	1750	2000	321	Am <sup>8</sup>
1211	2002	520	R & Ad	1750.5	2000	321	Am <sup>8</sup>
1211.5	2002	520	R		2002	203	Am
1215.1	2000	170	Am	1751	2000	321	Am <sup>8</sup>
	2001	159	Am <sup>305</sup>	1751.8	2000	321	Ad <sup>8</sup>
1215.5	2000	170	Am	1758.6	2002	437	Ad <sup>438</sup>
	2002	520	Am	1758.61	2002	437	Ad <sup>438</sup>
1490	1999	314	R	1758.62	2002	437	Ad <sup>438</sup>
1600	1999	808	Am	1758.63	2002	437	Ad <sup>438</sup>
1603	1999	808	Am	1758.64	2002	437	Ad <sup>438</sup>
1620	1999	498	R (as ad by	1758.65	2002	437	Ad <sup>438</sup>
			Sec. 2,	1758.66	2002	437	Ad <sup>438</sup>
			Stats. 1996,	1758.661	2002	437	Ad <sup>438</sup>
			Ch. 687)	1758.67	2002	437	Ad <sup>438</sup>
			Am (as am by	1758.68	2002	437	Ad <sup>438</sup>
			Sec. 1,	1758.69	2002	437	Ad <sup>438</sup>
			Stats. 1996,	1758.691	2002	437	Ad <sup>438</sup>
			Ch. 687) <sup>13</sup>	1758.692	2002	437	Ad <sup>438</sup>
1623	2000	1074	Am	1758.693	2002	437	Ad <sup>438</sup>
1625	2001	174*	Am	1758.8	1999	618	Ad
1625.5	2000	321	Ad <sup>8</sup>	1758.81	1999	618	Ad
	2001	174*	Am		2002	108	Am
1628	2002	203	Am	1758.82	1999	618	Ad
1631	2000	321	Am <sup>8</sup>	1758.83	1999	618	Ad
1631.5	2000	321	Ad <sup>8</sup>	1758.84	1999	618	Ad
1635	2000	321	Am <sup>8</sup>	1758.85	1999	618	Ad
1637	2002	203	Am	1758.851	1999	618	Ad
1638.5	2002	203	Ad	1758.86	1999	618	Ad
1639	2000	321	Am <sup>8</sup>	1758.861	1999	618	Ad
	2002	203	Am	1758.87	1999	618	Ad
1639.1	2002	203	Ad	1758.88	1999	618	Ad
1642	2000	321	Am <sup>8</sup>	1758.89	2000	135	Ad(RN) <sup>203</sup>
1647	2002	203	R	1758.891	1999	618	Ad
1648	2000	411*	Am	1758.9	2000	321	Ad <sup>8</sup>
	2002	203	R	1758.91	2000	321	Ad <sup>8</sup>
1649	2002	203	R	1758.92	2000	321	Ad <sup>8</sup>
1649.5	2000	321	Am <sup>8</sup>		2002	108	Am
1656	2002	203	Am	1758.93	2000	321	Ad <sup>8</sup>
1659	2002	203	R	1758.94	2000	321	Ad <sup>8</sup>
1662	2002	203	Am	1758.95	2000	321	Ad <sup>8</sup>
1669	1999	782	Am	1758.96	2000	321	Ad <sup>8</sup>
1676	2000	321	Am <sup>8</sup>	1758.97	2000	321	Ad <sup>8</sup>
	2001	174*	Am	1758.98	2000	321	Ad <sup>8</sup>

**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>
1758.99	2000	321	Ad <sup>8</sup>	10089.27	1999	715	Am
1758.991	2000	321	Ad <sup>8</sup>				R & Ad <sup>22</sup>
1758.992	2000	321	Ad <sup>8</sup>	10089.3	2001	727	Ad
1758.993	2000	321	Ad <sup>8</sup>	10089.39	1999	715	Am
1758.994	2000	321	Ad <sup>8</sup>	10089.40	1999	715	Am
1760.5	2001	448	R (as ad by Sec. 3.5, Stats. 1998, Ch. 233)		2001	745*	Am
			Am (as am by Sec. 3, Stats. 1998, Ch. 233) <sup>13</sup>	10089.70	1999	796*	Am <sup>18</sup>
					2001	727	Am <sup>43</sup>
				10089.71	1999	796*	S <sup>18</sup>
					2001	727	Am <sup>43</sup>
				10089.72	1999	796*	S <sup>18</sup>
					2001	727	Am <sup>43</sup>
				10089.73	1999	796*	S <sup>18</sup>
1762	1999	255	Ad		2001	727	Am <sup>43</sup>
1765.1	1999	83	Am <sup>30</sup>	10089.74	1999	796*	S <sup>18</sup>
	1999	255	Am		2001	727	Am <sup>43</sup>
	2000	135	Am <sup>203</sup>	10089.75	1999	796*	S <sup>18</sup>
1765.2	2002	203	Am		2001	727	Am <sup>43</sup>
1767	2002	203	Am	10089.76	1999	796*	S <sup>18</sup>
1768	2002	203	Am		2001	727	S <sup>43</sup>
1773	2001	448	Am <sup>13</sup>	10089.77	1999	796*	S <sup>18</sup>
1781.3	2002	203	Am		2001	727	Am <sup>43</sup>
1785.89	1999	618	Ad	10089.78	1999	796*	S <sup>18</sup>
	2000	135	Am & RN <sup>203</sup>		2001	727	Am <sup>43</sup>
1810.7	1999	426	Am	10089.79	1999	796*	S <sup>18</sup>
1823	2000	141	Am		2001	727	Am <sup>43</sup>
1861.025	1999	22*	Am <sup>16</sup>	10089.80	1999	796*	S <sup>18</sup>
	1999	853	Am <sup>144</sup>		2001	727	S <sup>43</sup>
1861.16	1999	309	Am	10089.81	1999	796*	S <sup>18</sup>
1871	2001	159	Am <sup>305</sup>		2001	727	S <sup>43</sup>
	2002	6	Am	10089.82	1999	796*	S <sup>18</sup>
1871.2	2000	470	Am		2001	727	Am <sup>43</sup>
1871.4	2002	6	Am	10089.83	1999	796*	S <sup>18</sup>
1871.7	1999	885	Am		2001	727	Am <sup>43</sup>
1872.1	2000	867	Am	10089.84	1999	796*	Am <sup>18</sup>
1872.4	1999	885	Am		2001	727	Am <sup>43</sup>
1872.45	1999	885	Ad	10095	1999	83	Am <sup>30</sup>
1872.7	2000	867	Am	10100.2	2000	323	Am
1872.8	1999	885	Am	10113.8	2002	794	Ad
1872.81	1999	884	Ad & R <sup>75</sup>	10116.5	1999	83	Am <sup>30</sup>
1872.83	2001	159	Am <sup>305</sup>	10117.5	2001	691	Ad
	2002	6	Am	10119.5	2002	880	Am <sup>496</sup>
1872.91	1999	721	Ad <sup>171</sup>				R <sup>22</sup>
1872.95	1999	885	Am				Ad <sup>175</sup>
1873	2000	843	Am	10121.6	2000	808*	Am
1874.8	1999	884	Ad & R <sup>75 167</sup>	10121.7	2001	893	Ad
	1999	885	Ad & R <sup>75</sup>	10123.13	2000	241	Am
1874.81	1999	885	Ad & R <sup>75</sup>	10123.131	2000	844	Ad
	2000	135	Am <sup>203</sup>	10123.132	2000	241	Ad(RN)
1874.85	2000	867	Ad	10123.135	1999	88	Ad
	2002	664	Am <sup>431</sup>		1999	539	Ad
1874.86	2000	867	Ad		2000	241	Am (as ad by Stats. 1999, Ch. 88) & RN
1874.87	2000	867	Ad				Am (as am by Stats. 1999, Ch. 539)
1874.90	2000	867	Ad				Am <sup>305</sup>
1874.91	2000	867	Ad & R <sup>43</sup>		2000	1067	Am
2071	2001	583	Am				Am
2071.1	2001	583	Ad				Am
4013	2000	255	Am		2001	159	Am
5053	2002	221	Am	10123.18	2001	380	Am
9095	2001	277	Am	10123.194	2001	622	Ad
10082.3	2001	583	Ad	10123.195	2000	852	Am

**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
10123.196	1999	538	Ad	10169.2	1999	533	Ad
10123.20	1999	543	Ad		2000	135	Am <sup>203</sup>
10123.3	1999	311	Am		2000	857	Am
10123.35	1999	525	Am <sup>112 114</sup>	10169.3	1999	533	Ad
	2000	857	Am <sup>203</sup>		2000	857	Am
10123.68	1999	531	Ad	10169.5	1999	533	Ad
	2000	135	Am <sup>203</sup>		2000	857	Am
	2000	857	Am <sup>203</sup>	10176	2001	420*	Am
10123.8	1999	537	R & Ad		2002	1013	Am
10123.81	1999	537	Am	10176.25	2001	628	Am
10123.89	1999	541	Ad	10176.61	1999	540	Ad
10127.14	2002	794	Ad		2000	135	Am <sup>203</sup>
10127.15	2002	794	Ad <sup>482 483</sup>	10176.7	2002	1013	Am
			R <sup>69</sup>	10177	2001	420*	Am
10127.16	2002	794	Ad		2002	1013	Am
10128.57	2002	794	Am	10177.8	2002	1013	Am
10128.59	2002	794	Ad <sup>482</sup>	10178.3	1999	545	Ad <sup>56</sup>
10133.5	2002	797	Am		2000	1069	Am
10133.55	2001	531	Am		2001	159	Am <sup>305</sup>
	2002	276	Am	10192.05	2000	706	R
10133.65	2002	925	Ad	10192.1	2000	706	R & Ad
10134	1999	742	Ad	10192.10	2000	706	Ad
	2001	624	Am	10192.11	2000	706	Ad
10135	1999	742	Ad		2000	707*	Am (as ad by Stats. 2000, Ch. 706)
	2001	624	Am				
10136	1999	742	Ad		2001	159	Am <sup>305</sup>
	2001	624	Am		2002	555	Am
10137	1999	742	Ad	10192.12	2000	706	Ad
	2001	624	Am		2000	707*	Am (as ad by Stats. 2000, Ch. 706)
10138	1999	742	Ad		2002	555	Am
	2001	624	Am	10192.13	2000	706	Ad
10139	1999	742	Ad	10192.14	2000	706	Ad
	2001	624	Am	10192.15	2000	706	Ad
10139.1	2000	135	Ad(RN) <sup>203</sup>	10192.16	2000	706	Ad
	2001	624	R & Ad	10192.165	2000	706	Ad
10139.2	2000	135	Ad(RN) <sup>203</sup>	10192.17	2000	706	Ad
10139.3	2001	624	Ad	10192.18	2000	706	Ad
10139.4	2001	624	Ad	10192.185	2000	706	Ad
10139.5	2001	624	Ad <sup>366</sup>	10192.19	2000	706	Ad
			R <sup>18</sup>	10192.195	2000	706	Ad
	2002	664	Am <sup>431</sup>	10192.2	2000	706	R & Ad
10140	1999	742	Ad	10192.20	2000	706	Ad
	2000	135	Am & RN <sup>203</sup>		2000	707*	Am (as ad by Stats. 2000, Ch. 706)
10140.1	1999	525	Am <sup>112 114</sup>	10192.21	2000	706	Ad
	2000	857	Am <sup>203</sup>	10192.22	2000	706	Ad
10141	1999	742	Ad	10192.23	2000	706	Ad
	2000	135	Am & RN <sup>203</sup>	10192.24	1999	716	Ad <sup>82</sup>
10144.5	1999	534	Ad	10192.3	2000	706	Ad
10144.6	2001	506	Ad	10192.4	2000	706	Ad
10145.2	2001	634	Ad	10192.5	2000	706	Ad
10145.3	1999	542	Am & R <sup>124</sup>	10192.55	2000	442	Ad(RN)
			Ad <sup>25</sup>		2000	706	Ad
	2000	135	Am <sup>203</sup>	10192.6	2000	706	Ad
	2000	1067	Am	10192.7	2000	706	Ad
10145.4	2001	172	Ad	10192.8	2000	706	Ad
	2002	664	Am <sup>431</sup>				
10147	1999	311	Am				
10169	1999	533	Ad				
	2000	135	Am <sup>203</sup>				
	2000	857	Am				
10169.1	1999	533	Ad				

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
10192.9	2000	706	Ad	10235.30	1999	947	Am
10193	2000	442	Am & RN	10235.40	1999	947	Am
	2000	706	R	10235.50	1999	947	Am
10194	2000	706	R	10235.52	1999	947	Am
10194.2	2000	706	R		2002	675	Am <sup>62</sup>
10194.3	2000	706	R				R <sup>22</sup>
10194.4	2000	706	R				Ad <sup>456</sup>
10194.5	2000	706	R	10235.8	1999	947	Am
10194.7	2000	706	R	10235.94	1999	947	Ad
10194.8	1999	83	Am <sup>30</sup>	10236	2000	812	Am
	1999	716	Am		2001	159	Am <sup>305</sup>
	2000	706	R	10236.1	2000	812	Ad
10194.9	2000	707*	Ad & R <sup>24</sup>	10236.11	2000	812	Ad
10195	2000	706	R		2002	675	Am
10195.1	2000	706	R	10236.12	2000	812	Ad
10195.45	2000	706	R	10236.13	2000	812	Ad
10195.46	2000	706	R	10236.14	2000	812	Ad
10195.5	2000	706	R				R & Ad <sup>69</sup>
10195.6	2000	706	R	10236.15	2000	812	Ad
10195.65	2000	706	R	10237.1	1999	947	Am
10195.8	2000	706	R	10237.4	1999	947	Am
10196	1999	525	Am <sup>112 114</sup>	10237.5	1999	947	Am
	2000	706	R	10270.98	1999	525	Am <sup>112 114</sup>
	2000	857	Am <sup>203</sup>		2000	857	Am <sup>203</sup>
10197	2000	706	R	10273.4	1999	83	Am <sup>30</sup>
10197.05	2000	706	R	10279	1999	535	Ad
10197.1	2000	706	R	10489.94	1999	868	Ad
10197.2	2000	706	R	10506	2002	347	Am
10197.3	2000	706	R	10506.5	2000	694*	Ad
10197.6	2000	706	R		2001	159	Am <sup>305</sup>
10198	2000	706	R	10509.970	1999	868	S <sup>57</sup>
10198.1	2000	706	R	10509.971	1999	868	S <sup>57</sup>
10198.2	2000	706	R	10509.972	1999	868	S <sup>57</sup>
10198.3	2000	706	R	10509.973	1999	868	S <sup>57</sup>
10198.4	2000	706	R	10509.974	1999	868	S <sup>57</sup>
10198.5	2000	706	R	10509.975	1999	868	S <sup>57</sup>
10198.6	2001	277	Am	10509.976	1999	868	R
10199.48	2002	336	Ad	10604.1	2000	347	Ad
10231.2	2000	812	Am	10700	1999	83	Am <sup>30</sup>
	2001	159	Am <sup>305</sup>		1999	434	Am
10232.1	1999	947	Am	10704	1999	525	Am <sup>112 114</sup>
10232.2	1999	947	Am		2000	857	Am <sup>203</sup>
	2001	51*	Am	10718.55	2002	227	Am <sup>13</sup>
10232.3	1999	947	Am	10718.6	2002	649	Ad & R <sup>75</sup>
10232.4	1999	947	Am	10733	1999	525	Am <sup>112 114</sup>
10232.65	2001	328	Ad		2000	857	Am <sup>203</sup>
10232.8	1999	83	Am <sup>30</sup>	10734	1999	525	Am <sup>112 114</sup>
10232.92	1999	947	R & Ad		2000	857	Am <sup>203</sup>
10232.97	1999	947	Ad	10785	2000	810	Ad
10233.2	1999	947	Am	10810	1999	525	Am <sup>112 114</sup>
10233.25	2001	691	Ad		2000	857	Am <sup>203</sup>
10233.5	1999	947	Am	10820	1999	525	Am <sup>112 114</sup>
10234.6	1999	669	Ad		2000	857	Am <sup>203</sup>
	2000	560*	Am	10821.5	2000	1055*	Am
10234.8	2000	442	Am	10841	1999	83	Am <sup>30</sup>
10234.93	2002	203	Am	10844	2000	810	Ad
	2002	675	Am	10856	1999	525	Am <sup>112</sup>
10234.95	1999	669	Am		2000	857	Am <sup>203</sup>
	2000	560*	Am	10890	2001	745*	R
10235.2	1999	947	Am	10900	2000	810	Ad
10235.22	2000	812	R	10901	2000	810	Ad

**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
10901.1	2000	810	Ad		2002	742	S <sup>75</sup>
10901.2	2000	810	Ad	11629.82	1999	794	Ad & R <sup>19</sup>
10901.3	2000	810	Ad		2002	742	S <sup>75</sup>
10901.4	2000	810	Ad	11629.83	1999	794	Ad & R <sup>19</sup>
10901.7	2000	810	Ad		2002	742	S <sup>75</sup>
10901.8	2000	810	Ad	11629.84	1999	794	Ad & R <sup>19</sup>
10901.9	2000	810	Ad		2002	742	Am <sup>75</sup>
10902	2000	810	Ad	11629.85	2002	742	Ad & R <sup>75</sup>
10902.1	2000	810	Ad	11629.9	1999	807	Ad & R <sup>19</sup>
10902.2	2000	810	Ad		2002	742	S <sup>75</sup>
10902.3	2000	810	Ad	11629.91	1999	807	Ad & R <sup>19</sup>
10902.4	2000	810	Ad		2002	742	Am <sup>75</sup>
10902.5	2000	810	Ad	11629.92	1999	807	Ad & R <sup>19</sup>
10902.6	2000	810	Ad		2000	135	Am <sup>203</sup>
11521.2	2000	485	Am		2002	742	Am <sup>75</sup>
11535.1	1999	868	Am	11629.93	1999	807	Ad & R <sup>19</sup>
11537.3	1999	868	Am		2002	742	Am <sup>75</sup>
11538	1999	868	Am	11629.931	2000	1033*	Ad
11573.1	2002	873	Am		2002	742	S <sup>75</sup>
11580.011	1999	183	Ad	11629.94	1999	807	Ad & R <sup>19</sup>
	2002	703	Am		2002	742	S <sup>75</sup>
11580.02	1999	183	Ad	11629.945	2002	742	Ad & R <sup>75</sup>
11580.1	1999	313	Am	11629.95	1999	807	Ad & R <sup>19</sup>
11580.17	2000	210	Ad		2002	742	S <sup>75</sup>
11580.2	2001	95	Am	11629.96	1999	807	Ad & R <sup>19</sup>
11621	2000	175	R		2002	742	Am <sup>75</sup>
11621.1	2000	175	Ad	11629.97	1999	807	Ad & R <sup>19</sup>
11621.2	2000	175	Ad		2002	742	S <sup>75</sup>
	2001	159	Am <sup>305</sup>	11629.98	1999	807	Ad & R <sup>19</sup>
11621.3	2000	175	Ad		2002	742	S <sup>75</sup>
11621.4	2000	175	Ad	11629.99	1999	807	Ad & R <sup>19</sup>
11621.5	2000	175	Ad		2002	742	S <sup>75</sup>
11628	2000	375	Am	11629.991	1999	807	Ad & R <sup>19</sup>
	2002	1076	Am		2000	1035	Am
11629.7	1999	794	Ad & R <sup>19</sup>		2002	742	S <sup>75</sup>
	2002	742	S <sup>75</sup>	11629.992	1999	807	Ad & R <sup>19</sup>
11629.71	1999	794	Ad & R <sup>19</sup>		2002	742	S <sup>75</sup>
	2002	742	Am <sup>75</sup>	11629.993	1999	807	Ad & R <sup>19</sup>
11629.72	1999	794	Ad & R <sup>19</sup>		2002	742	S <sup>75</sup>
	2002	742	Am <sup>75</sup>	11629.994	1999	807	Ad & R <sup>19</sup>
11629.73	1999	794	Ad & R <sup>19</sup>		2002	742	S <sup>75</sup>
	2002	742	Am <sup>75</sup>	11629.995	1999	807	Ad & R <sup>19</sup>
11629.731	2000	1033*	Ad		2002	742	Am <sup>75</sup>
	2002	742	S <sup>75</sup>	11629.999	2002	742	Ad & R <sup>75</sup>
11629.74	1999	794	Ad & R <sup>19</sup>	11663.5	2001	102	Ad
	2002	742	S <sup>75</sup>	11664	2000	884*	Am
11629.745	2002	742	Ad & R <sup>75</sup>		2001	102	Am
11629.75	1999	794	Ad & R <sup>19</sup>	11690	2000	892	Am
	2002	742	S <sup>75</sup>		2002	899	R & Ad
11629.76	1999	794	Ad & R <sup>19</sup>	11690.5	2000	892	Ad
	2002	742	Am <sup>75</sup>		2002	899	R
11629.77	1999	794	Ad & R <sup>19</sup>	11691	2002	899	R & Ad
	2002	742	S <sup>75</sup>	11691.1	2002	899	Ad
11629.78	1999	794	Ad & R <sup>19</sup>	11691.2	2002	899	Ad
	2002	742	S <sup>75</sup>	11691.3	2002	899	Ad
11629.79	1999	794	Ad & R <sup>19</sup>	11692	2002	899	R & Ad
	2002	742	S <sup>75</sup>	11692.5	2002	899	Ad
11629.8	1999	794	Ad & R <sup>19</sup>	11693	2002	899	R & Ad
	2000	1035	Am	11693.5	2002	899	R
	2002	742	S <sup>75</sup>	11694	2002	899	R & Ad
11629.81	1999	794	Ad & R <sup>19</sup>	11695	2002	899	R & Ad

**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>
11696	2002	899	Ad	11734	2002	6	Am
11697	2002	899	R & Ad	11735	2002	873	Am
11698	2002	899	Ad	11737	2002	6	Am
11698.01	2002	899	Ad		2002	873	Am (as am by
11698.02	2002	899	Ad				Stats. 2002,
11698.1	2002	899	Ad				Ch. 6)
11698.2	2002	899	Ad	11741	2002	6	Ad & R <sup>75</sup>
11698.21	2002	899	Ad	11750	2000	884*	Am
11698.22	2002	899	Ad	11752.7	2002	879	Am
11698.3	2002	899	Ad	11759.2	2002	893	Ad
11699	2000	892	Am	11770	2002	6	Am
	2002	899	R & Ad	11771.5	2002	6	Ad
11700	2002	899	R & Ad	11783	2002	6	Am
11701	2002	899	R & Ad	11784	2001	159	Am <sup>305</sup>
11702	2002	899	R & Ad		2002	6	Am
11703	2002	899	R & Ad	11785	2002	6	Am
11704	2002	899	R	11786	2001	159	Am <sup>305</sup>
11705	2002	899	R		2002	6	Am
11705.5	2002	899	R	11787	2001	159	Am <sup>305</sup>
11706	2002	784	Am <sup>490</sup>		2002	6	Am
	2002	899	R	11820	2002	6	Am
11707	2002	899	R	11822	2002	6	Am
11708	2002	899	R	11823	2002	6	R
11709	2002	899	R	11860	2002	6	Am
11710	2002	899	R	12114	2002	84	Am
11713	2002	899	R	12376	2002	899	Am
11714	2002	899	R	12377	2002	899	Am
11715	2000	892	Am	12383	1999	187	Am
	2001	73	Am	12389	2000	1055*	Am
	2002	899	R	12394	1999	187	Am
11715.5	2002	899	R	12414.31	2001	660	Ad
11716	2002	899	R	12640.02	2000	10*	Am
11716.01	2002	899	R		2002	429	Am
11716.02	2002	899	R	12640.07	2000	10*	Am
11716.03	2002	899	R		2002	429	Am
11716.04	2002	899	R	12670	2002	799	Am <sup>482</sup>
11716.05	2002	899	R	12671	2002	799	Am <sup>482</sup>
11716.06	2002	899	R	12678	2002	799	Am <sup>482</sup>
11716.07	2002	899	R	12682.1	2002	794	Ad <sup>482</sup>
11716.08	2002	899	R	12692.5	2002	799	Ad <sup>482</sup>
11716.09	2002	899	R	12693.02	1999	146*	Am
11716.1	2002	899	R	12693.06	1999	146*	Am
11716.2	2002	899	R	12693.17	1999	146*	Ad
11716.3	2002	899	R		2002	1161*	Am
11716.4	2002	899	R	12693.21	1999	146*	Am
11716.5	2002	899	R	12693.325	2000	93*	Ad & R <sup>20</sup>
11716.6	2002	899	R		2001	171*	Am
11716.61	2002	899	R		2002	667	Am <sup>13 442</sup>
11716.62	2002	899	R	12693.326	2000	93*	Ad
11716.63	2002	899	R	12693.36	1999	525	Am <sup>112 114</sup>
11716.7	2002	899	R		2000	857	Am <sup>203</sup>
11716.8	2002	899	R	12693.365	1999	525	Am <sup>112 114</sup>
11716.9	2002	899	R		2000	857	Am <sup>203</sup>
11717	2002	899	R	12693.37	1999	525	Am <sup>112 114</sup>
11718	2002	899	R		2000	857	Am <sup>203</sup>
11719	2002	899	R	12693.41	1999	146*	Am
11720	2002	899	R		2002	1161*	Am <sup>257</sup>
11721	2002	6	Am				R <sup>22</sup>
	2002	899	R				Ad <sup>406</sup>
11732	2002	873	Am	12693.43	1999	146*	Am
11733	2002	873	Am		2002	1161*	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>
12693.45	2002	1161 *	Am	12699.62	2001	648 *	Ad
12693.62	1999	146 *	Am	12699.63	2001	648 *	Ad
12693.69	1999	146 *	Ad	12705	2000	701	Am
12693.70	1999	146 *	Am	12711	2002	794	Am
	2001	171 *	Am	12712.5	2002	794	Ad <sup>482 483</sup>
	2002	1161 *	Am				R <sup>69</sup>
12693.73	1999	146 *	Am	12725	2000	701	Am
12693.755	2000	946	Ad		2002	794	Am <sup>484</sup>
	2001	171 *	Am	12726	2002	760	Am
12693.76	1999	146 *	Ad	12739	2002	794	Am
	2000	93 *	Am	12739.1	2002	794	Am
	2000	944	Am (as am by Stats. 2000, Ch. 93)	12739.2	2002	794	Am
	2001	171 *	Am	12903.1	2001	336	Ad
12693.91	1999	146 *	Am	12907	2002	1124 *	Ad
12693.925	2002	800	Ad	12921	2000	1091	Am
12693.93	2001	745 *	Am	12921.1	2001	727	Am
12693.96	1999	83	Ad(RN) <sup>30</sup>	12921.3	2001	727	Am
	1999	146 *	Ad(RN)	12921.8	1999	260	Ad
12693.97	1999	83	Ad(RN) <sup>30</sup>	12921.9	2001	727	Ad
12693.98	2001	171 *	Am	12923.5	2002	793	Ad
12693.981	2001	171 *	Ad <sup>311</sup>	12926.1	2000	1089	Ad
	2002	1161 *	Am	12926.2	2001	727	Ad
12693.982	2001	171 *	Ad	12938	2000	997	Ad
12695.18	1999	525	Am <sup>112 114</sup>	12959	2002	1076	Am
	2000	857	Am <sup>203</sup>	12963.96	1999	83	Am & RN <sup>30</sup>
	2000	872	Ad		1999	146 *	Am & RN <sup>30</sup>
12698	1999	782	Ad	12963.97	1999	83	Am & RN <sup>30</sup>
	2000	135	Am & RN <sup>203</sup>	12967	1999	85	Am
	2000	701	Am		2000	135	Am <sup>203</sup>
	2001	159	Am <sup>305</sup>	12968	2000	135	Ad(RN) <sup>203</sup>
12699.50	2001	648 *	Ad	12975.7	2000	1091	Am
12699.51	2001	648 *	Ad	12978	1999	884	Am
12699.52	2001	648 *	Ad	13800	1999	827 *	Ad
12699.53	2001	648 *	Ad	13801	1999	827 *	Ad
12699.54	2001	648 *	Ad	13802	1999	827 *	Ad
12699.55	2001	648 *	Ad	13803	1999	827 *	Ad
12699.56	2001	648 *	Ad	13804	1999	827 *	Ad
	2002	664	Am <sup>431</sup>	13805	1999	827 *	Ad
12699.57	2001	648 *	Ad	13806	1999	827 *	Ad
12699.58	2001	648 *	Ad	13807	1999	827 *	Ad
12699.59	2001	648 *	Ad	13810	2000	934	Ad
12699.60	2001	648 *	Ad	13811	2000	934	Ad
12699.61	2001	648 *	Ad	13812	2000	934	Ad
				13813	2000	934	Ad

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**LABOR 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>
18.5	2002	859	Ad	139.2	2000	54	Am
	2002	GRP 1	S <sup>537</sup>	139.31	2002	309	Am
19.5	2002	859	Ad	139.47	2002	6	Ad
	2002	GRP 1	S <sup>537</sup>	139.48	2002	6	Ad <sup>391</sup>
50	2002	859	Am				R <sup>301</sup>
	2002	GRP 1	S <sup>536</sup>	139.49	2002	6	Ad & R <sup>317</sup>
62.5	1999	746	Ad	142	2002	1124*	Am
	2002	1124*	Am	142.3	2002	1124*	Am
62.6	2002	6	Am	142.6	2002	1124*	R
62.9	1999	469	Am <sup>13</sup>	144.7	2001	370	Am
75	2002	6	Am	176	2002	885	Ad
77	2002	6	Am	201	2002	40*	Am
78	2002	6	Am	201.5	1999	83	Am <sup>30</sup>
	2002	866	Am	202	2002	40*	Am
90.3	2002	6	Ad	203.1	2000	876	Am
90.5	2001	159	Am <sup>305</sup>	218.5	2000	876	Am
	2002	6	Am	218.6	2000	876	Ad
96	1999	692	Am	219	2002	40*	Am
98	2002	784	Am <sup>490</sup>	220	2000	885	Am
98.1	2000	876	Am	226	2000	876	Am
	2002	784	Am <sup>490</sup>		2002	933	Am
98.2	2000	876	Am	226.7	2000	876	Ad
	2002	784	Am <sup>490</sup>	230	1999	340	Am
98.6	2001	820	Am		2000	487	Am
98.7	1999	615	Am		2002	275	Am
	2001	134	Am	230.1	2000	487	Ad
	2002	664	Am <sup>431</sup>		2001	159	Am <sup>305</sup>
106	1999	306	Am <sup>43</sup>		2002	275	Am
107	2002	898	Ad		2002	664	Am <sup>431</sup>
Div. 1, Ch. 5, heading (Sec. 110 et seq.)	2002	6	Am	230.3	2000	244	Am
110	2002	6	Am	230.4	2000	361	Ad
123	2002	6	Am	232	2002	934	Am
123.3	2002	6	Am	232.5	2002	934	Ad
123.5	2002	6	Am	233	1999	164	Ad
	2002	866	Am		2001	893	Am
123.6	2002	6	Am	234	2002	1107	Ad
	2002	866	Am (as am by Stats. 2002, Ch. 6)	350	2000	876	Am
124	2002	6	Am	351	2000	876	Am
127	2002	6	Am	500	1999	134	Ad
127.5	2002	6	Ad	510	1999	134	Am
127.6	2002	6	Ad	511	1999	134	Ad
129	2001	159	Am <sup>305</sup>	512	1999	134	Ad
	2002	6	Am		2000	492*	Am
129.5	2002	6	Am	513	1999	134	Ad
133	2002	6	Am	514	1999	134	Ad
138	2002	6	Am		2001	148	Am
138.1	2002	6	Am	515	1999	134	Ad <sup>46</sup>
138.2	2002	6	Am		2000	492*	Am
138.4	1999	83	Am <sup>30</sup>	515.5	2000	492*	Ad
	2002	6	Am	515.6	2001	148	Ad
138.5	2000	808*	Am	516	1999	134	Ad
138.6	2000	318	Am		2000	492*	Am
138.7	2001	792	Am	517	1999	134	Ad
139	1999	977	Am	554	1999	134	Am
139.05	2002	6	R		2001	148	Am
				556	1999	134	Am
				558	1999	134	Ad
				1030	2001	821	Ad
				1031	2001	821	Ad
				1032	2001	821	Ad
				1033	2001	821	Ad

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

## LABOR CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
1060	2001	795	Ad	1405	2002	780	Ad
1061	2001	795	Ad	1406	2002	780	Ad
1062	2001	795	Ad	1407	2002	780	Ad
1063	2001	795	Ad	1408	2002	780	Ad
1064	2001	795	Ad	1682.7	2000	877	Ad
1065	2001	795	Ad	1682.8	2000	917	Ad
1102.1	1999	592	R	1684	2000	917	Am
1138	1999	616	Ad		2001	147	Am
1138.1	1999	616	Ad	1684.5	2000	917	Am
1138.2	1999	616	Ad	1687	2000	917	Am
1138.3	1999	616	Ad	1695.55	2000	917	Ad
1138.4	1999	616	Ad	1695.7	2001	157	Am
1138.5	1999	616	Ad	1695.8	2001	157	Ad
1141	2002	859	Am	1695.9	2001	157	Ad
	2002	GRP 1	S <sup>536</sup>	1696.4	1999	556*	Am
1161	2001	408	Ad	1696.8	2001	157	Ad
	2002	664	Am <sup>431</sup>	1697.3	2001	157	Ad
1164	2002	1145	Ad	1698	2000	917	Am
	2002	1146	Am (as ad by		2001	157	Am
			Stats. 2002,		2002	787	Am <sup>422</sup>
			Ch. 1145) & R <sup>68</sup>	1698.1	2000	917	Am
1164.11	2002	1145	Ad	1701	1999	626	Ad
	2002	1146	Am (as ad by		2000	878*	Am
			Stats. 2002,	1701.1	1999	626	Ad
			Ch. 1145) & R <sup>68</sup>	1701.10	1999	626	Ad
1164.12	2002	1146	Ad & R <sup>68</sup>		2002	784	Am <sup>490</sup>
1164.13	2002	1145	Ad	1701.12	1999	626	Ad
	2002	1146	R <sup>68</sup>	1701.13	1999	626	Ad
1164.14	2002	1146	Ad & R <sup>68</sup>	1701.15	1999	626	Ad
1164.3	2002	1145	Ad	1701.16	1999	626	Ad
	2002	1146	Am (as ad by	1701.17	1999	626	Ad
			Stats. 2002,	1701.18	1999	626	Ad
			Ch. 1145) & R <sup>68</sup>	1701.19	1999	626	Ad
1164.5	2002	1145	Ad	1701.2	1999	626	Ad
	2002	1146	R <sup>68</sup>	1701.20	1999	626	Ad
1164.7	2002	1145	Ad	1701.4	1999	626	Ad
	2002	1146	R <sup>68</sup>	1701.5	1999	626	Ad
1164.9	2002	1145	Ad	1701.8	1999	626	Ad
	2002	1146	R <sup>68</sup>	1720	2000	881	Am
1171	2000	365	Am		2001	938	Am
1171.5	2002	1071	Ad		2002	1048	Am
1174	2000	876	Am	1720.3	1999	220	Am
1174.5	2000	135	Am <sup>203</sup>	1723	2000	954	Am <sup>96</sup>
1181	2002	784	Am <sup>490</sup>	1726	2000	954	Am <sup>96</sup>
1182.1	1999	134	Am	1727	2000	954	Am <sup>96</sup>
1182.10	1999	134	Am & R <sup>39</sup>	1730	2000	954	R <sup>96</sup>
1182.2	1999	134	Am & R <sup>39</sup>	1731	2000	954	R <sup>96</sup>
1182.3	1999	134	Am & R <sup>39</sup>	1732	2000	954	R <sup>96</sup>
1182.9	1999	134	Am & R <sup>39</sup>	1733	2000	954	R <sup>96</sup>
1183.5	1999	134	R	1736	1999	302	Ad
1186	1999	190	Ad	1741	2000	954	Ad <sup>96</sup>
1198.5	2000	886	R & Ad	1742	2000	954	Ad <sup>96</sup>
1198.7	1999	878	Ad <sup>82</sup>				R & Ad <sup>63</sup>
1205	2002	298	Am	1742.1	2000	954	Ad <sup>96</sup>
1393.5	2001	345	Am <sup>18</sup>				R & Ad <sup>63</sup>
1400	2002	780	Ad	1743	2000	954	Ad <sup>96</sup>
1401	2002	780	Ad	1771.2	2001	804	Ad
1402	2002	780	Ad	1771.5	1999	83	Am <sup>30</sup>
1402.5	2002	780	Ad	1771.6	2000	954	R & Ad <sup>96</sup>
1403	2002	780	Ad	1771.7	2000	954	R <sup>96</sup>
1404	2002	780	Ad		2002	868	Ad <sup>487</sup>

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

**LABOR 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>
1771.8	2002	892	Ad	2802	2000	990	Am
1773	1999	30	Am	3070	1999	903	Am
1773.1	1999	30	Am	3073.1	1999	903	Ad
	2000	954	Am <sup>96</sup>	3073.2	1999	903	Ad & R <sup>20</sup>
1773.8	1999	30	R	3075	1999	903	Am
1773.9	1999	30	Ad	3080	1999	903	Am
1775	2000	954	R (as am by	3098	1999	903	Ad
			Sec. 1,	3099	1999	781	Ad
			Stats. 1997,		2000	875	Am
			Ch. 757) <sup>96</sup>		2002	48	Am
			Am (as ad by	3099.2	2002	48	Ad
			Sec. 2,	3099.3	2002	48	Ad
			Stats. 1997,	3099.4	2002	48	Ad
			Ch. 757) <sup>13 96</sup>	3099.5	2000	127*	Ad
1776	2001	804	Am (as am by	3201.5	2002	866	Am
			Sec. 3 and as ad	3201.7	2002	6	Ad
			by Sec. 4,		2002	866	Ad
			Stats. 1997,	3201.9	2002	6	Ad
			Ch. 757)	3209.10	2001	229	Ad & R <sup>43</sup>
	2002	28	R (as am by	3209.8	2002	1013	Am
			Sec. 3,	3211.5	2002	870	Ad
			Stats. 2001,	3211.92	2000	506	Am
			Ch. 804)	3211.93a	2000	506	Am
			Am (as am by	3212	2001	833	Am
			Sec. 2,		2002	664	Am <sup>431</sup>
			Stats. 2001,	3212.1	1999	595	Am
			Ch. 804) <sup>13</sup>		2000	887	Am
	2002	664	Am (as am by	3212.10	2001	835	Ad
			Sec. 2 and		2002	664	Am <sup>431</sup>
			Sec. 3,	3212.11	2001	846	Ad
			Stats. 2001,	3212.12	2002	876	Ad
			Ch. 804) <sup>431</sup>	3212.6	2001	833	Am
1777.1	2000	970	Am	3212.8	2000	490	Ad
1777.5	1999	903	Am		2001	833	Am
	2000	135	Am <sup>203</sup>	3212.85	2002	870	Ad
	2000	875	Am	3212.9	2000	883	Ad
	2002	1124*	Am		2001	833	Am
1777.7	1999	903	Am	3213.2	2001	834	Ad
	2000	135	Am <sup>203</sup>	3214	2001	745*	Am
	2000	875	Am	3302	2002	1098	Ad
1813	2002	28	R (as am by	3501	2002	6	Am
			Sec. 122,		2002	866	Am
			Stats. 1998,	3550	2002	6	Am
			Ch. 485)	3551	2002	6	Am
			Am (as ad by	3552	2002	6	R
			Sec. 6,	3700	2002	905	Am
			Stats. 1997,	3700.5	1999	553	Am
			Ch. 757) <sup>13</sup>	3701.8	2002	866	Ad
2671	1999	554	Am	3702.8	1999	721	Am
2673.1	1999	554	Ad	3716.2	1999	83	Am <sup>30</sup>
2675	1999	554	Am	3722	2002	6	Am
2675.5	1999	554	Am	3742	2002	866	Am
	2000	127*	Am	3762	1999	766	Am
2677	1999	554	Am		2000	135	Am <sup>203</sup>
2680	1999	554	Am		2002	6	Am
2684	1999	554	Ad	3800	1999	982	Am
2691	2002	784	Am <sup>490</sup>	3820	2002	6	Am
2695.1	2001	948	Ad	3822	2002	6	Ad
	2002	664	Am <sup>431</sup>	4055.2	1999	444	Am
2695.2	2001	948	Ad	4061	2002	6	Am
	2002	664	Am <sup>431</sup>	4062	2002	6	Am

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

## LABOR 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>
4062.9	2002	6	Am	5307.2	2002	6	Ad
4064	2002	6	Am	5307.21	2002	6	Ad
4065	2002	6	R		2002	866	Ad
4067	2002	6	Am	5310	2002	6	Am
4453	2002	6	Am	5311.5	2002	6	Am
	2002	866	Am	5318	2001	252	Ad
4455	2001	159	Am <sup>305</sup>	5401	2002	6	Am
	2002	6	Am	5402	2000	883	Am
4600.1	2002	6	Ad	5405	2002	6	Am
4600.2	2002	6	Ad	5406	1999	358	Am
4600.3	2002	6	Am	5406.6	1999	358	Ad
4600.35	2002	6	Ad	5433	1999	83	Am <sup>30</sup>
4600.4	1999	124	Ad	5500.3	2002	6	Am
4600.5	1999	525	Am <sup>112 114</sup>	5502	2002	6	Am
	2000	857	Am <sup>203</sup>		2002	866	Am
	2002	6	Am	5600	2002	784	Am <sup>490</sup>
	2002	866	Am	5814	2002	6	Am
4603.2	1999	124	Am	5814.5	2002	6	Am
	2000	1069	Am	6303	2001	807	Am
	2001	240	Am		2002	368*	Am <sup>410</sup>
4603.4	2002	6	Ad	6304.1	2001	807	Am
4609	1999	545	Ad <sup>56</sup>		2002	368*	Am <sup>411</sup>
	2000	1069	Am	6304.5	1999	615	Am
	2001	159	Am <sup>305</sup>	6309	1999	615	Am
4612	2001	115	R		2002	885	Am
4614	2002	866	Am	6313	2002	885	Am
4628	2002	6	Am	6315	2002	885	Am
4644	2002	6	Am	6332	2000	493	Ad
4646	2002	6	Am	6354.5	2002	6	Am
4651	2002	6	Am	6354.7	2002	6	Ad
4658	2002	6	Am		2002	866	Ad
4659	2002	6	Am	6356	2002	885	Ad
4702	2002	6	Am	6359	2000	598	Ad
	2002	866	Am (as am by Stats. 2002, Ch. 6)	6394	1999	366	Am
4703.5	2002	6	Am	6394.5	1999	366	Ad & R <sup>20</sup>
4703.6	2001	589	Ad		2000	135	Am <sup>203</sup>
	2002	296*	Am	6400	1999	615	Am
4707	1999	83	Am <sup>30</sup>	6409.1	2002	885	Am
	2001	589	Am	6409.2	2002	885	Am
4709	2001	806	Am	6423	1999	615	Am
4850	1999	270	Am		2002	885	Am
	1999	970	Am (by Sec. 1.5 of Ch.)	6425	1999	615	Am
	2000	920	Am (by Sec. 1 of Ch.)	6428	1999	615	Am
	2000	929	Am (by Sec. 3 of Ch.)	6429	1999	615	Am
	2001	791	Am		2000	135	Am <sup>203</sup>
4850.3	2000	920	Am	6430	1999	615	Am
4850.4	2002	189	Ad	6432	1999	615	Am
	2002	877	Am (as ad by Stats. 2002, Ch. 189)	6434	1999	615	Am
4850.5	1999	970	Am		2000	135	Am <sup>203</sup>
4903.5	2002	6	Ad	6650	2000	135	Am <sup>203</sup>
5275	2002	6	Am	6719	1999	615	Ad
5305	2002	6	Am	Div. 5, Pt. 3, Ch. 2, heading (Sec. 7300 et seq.)	2002	1149	Am
5307	2002	6	Am	7300	2002	1149	R & Ad
5307.11	2001	252	Ad	7300.1	2002	1149	Ad
				7300.2	2002	1149	Ad
				7300.3	2002	1149	Ad

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**LABOR 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>
7300.4	2002	1149	Ad	7321	2002	1149	Am
7301	2002	1149	Am	7321.5	2002	1149	Am
7301.1	2002	1149	Ad	7322	2002	1149	Am
7301.5	2002	1149	Am	7323	2002	1149	Ad
7302	2002	1149	R & Ad	7324	2002	1149	Ad
7302.1	2002	1149	Ad	7324.1	2002	1149	Ad
7302.2	2002	1149	Ad	7324.2	2002	1149	Ad
7303	2002	1149	Am	7920	1999	585	Ad
7304	2002	1149	Am	7921	1999	585	Ad
7305	2002	1149	Am	7922	1999	585	Ad
7306	2002	1149	Am	7923	1999	585	Ad
7307	2002	1149	Am	7924	1999	585	Ad
7308	2002	1149	Am	7925	1999	585	Ad
7309.1	2002	1149	Ad	7926	1999	585	Ad
7310	2002	1149	Am	7927	1999	585	Ad
7311	2002	1149	Am	7928	1999	585	Ad
7311.1	2002	1149	Ad	7929	1999	585	Ad
7311.2	2002	1149	Ad	7929.5	2000	127*	Ad
7311.3	2002	1149	Ad	7930	1999	585	Ad
7311.4	2002	1149	Ad	7931	1999	585	Ad
7312	2002	1149	Am	7932	1999	585	Ad
7313	2002	1149	Am	9100	2001	856	Ad
7314	2002	1149	Am	9101	2001	856	Ad
7315	2002	1149	Am	9102	2001	856	Ad
7316	2002	1149	Am		2002	664	Am <sup>431</sup>
7317	2002	1149	Am	9103	2001	856	Ad
7318	2002	1149	Am		2002	664	Am <sup>431</sup>
7320	2002	1149	Am	9104	2001	856	Ad

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

## MILITARY AND VETERANS CODE

Affected By				Affected By			
Section	Year	Chapter	Effect	Section	Year	Chapter	Effect
65	2000	219	Am	891	1999	404	R (as ad by
66	2000	304	Am				Sec. 2,
66.5	2000	534 *	Ad				Stats. 1996,
	2002	977 *	Am				Ch. 822)
67	2000	304	Am				Am (as am by
69.5	2001	220 *	Am				Sec. 1,
69.7	2001	220 *	Ad				Stats. 1996,
71	2001	220 *	Am				Ch. 822) <sup>13</sup>
73.5	1999	894	Ad	972.1	2000	11	Am (as am by
73.6	1999	894	Ad				Sec. 2,
73.7	1999	894	Ad				Stats. 1997,
73.8	2002	977 *	Ad				Ch. 318) <sup>43</sup>
75	2002	465	Am				Am (as am by
76	2002	465	Am				Sec. 3,
78	2002	465	Am				Stats. 1997,
78.5	2002	977 *	Ad				Ch. 318) <sup>80</sup>
79.1	1999	839	Am <sup>13</sup>	980	2002	419	Am
79.2	1999	511	Ad	987.15	2002	465	Am
161	2001	221	Am	987.56	2002	465	Am
179	2002	469 *	Am	987.566	2002	465	Am
230	2001	165	Am	987.59	2000	534 *	Am
327	2002	417 *	Ad	987.65	2002	473	Am
394	2001	299	Am	987.67	2000	534 *	Am
395	2000	928	Am	987.87	2002	473	Am
395.01	2000	928	Am	988.2	2002	465	Am
395.03	2000	928	Am	988.4	2002	465	Ad
395.04	2002	465	Am	988.5	2002	465	Ad
395.06	2002	60 *	Am	998.300	2000	51 *	Ad <sup>186</sup>
395.3	2002	784	Am <sup>490</sup>	998.301	2000	51 *	Ad <sup>186</sup>
399	2002	60 *	R	998.302	2000	51 *	Ad <sup>186</sup>
399.5	2002	60 *	R	998.303	2000	51 *	Ad <sup>186</sup>
400	2002	60 *	Ad	998.304	2000	51 *	Ad <sup>186</sup>
401	2002	60 *	Ad	998.305	2000	51 *	Ad <sup>186</sup>
402	2002	60 *	Ad	998.306	2000	51 *	Ad <sup>186</sup>
403	2002	60 *	Ad	998.307	2000	51 *	Ad <sup>186</sup>
404	2002	60 *	Ad	998.308	2000	51 *	Ad <sup>186</sup>
405	2002	60 *	Ad	998.309	2000	51 *	Ad <sup>186</sup>
406	2002	60 *	Ad	998.310	2000	51 *	Ad <sup>186</sup>
407	2002	60 *	Ad	998.311	2000	51 *	Ad <sup>186</sup>
408	2002	60 *	Ad	998.312	2000	51 *	Ad <sup>186</sup>
409	2002	60 *	Ad	998.313	2000	51 *	Ad <sup>186</sup>
411	2002	60 *	Ad (1st text)	998.314	2000	51 *	Ad <sup>186</sup>
			Ad (2nd text)	998.315	2000	51 *	Ad <sup>186</sup>
412	2002	60 *	Ad	999	1999	767	Am
413	2002	60 *	Ad	999.11	1999	767	Ad
414	2002	60 *	Ad		2001	666	Am
415	2002	60 *	Ad	999.12	1999	767	Ad
416	2002	60 *	Ad		2001	666	Am & RN & Ad
417	2002	60 *	Ad	999.13	2001	666	Ad(RN)
418	2002	60 *	Ad	999.2	1999	767	Ad
419	2002	60 *	Ad		2001	666	Am
420	2002	60 *	Ad	999.5	1999	767	Am
434	2001	190	Am	999.7	1999	767	Am
531	2000	127 *	Ad		2001	666	Am
	2000	366 *	Ad & R <sup>21 20</sup>	1011	2002	664	Am <sup>431</sup>
890.3	2000	575	Ad	1011.7	1999	810	Ad & R <sup>5</sup>

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**MILITARY AND VETERANS CODE—Continued**

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
1011.7 (Cont.)					2002	219*	Ad
	2001	599	Am (by Sec. 1 of Ch.) <sup>20</sup>	1105	1999	728*	Ad <sup>89</sup>
				1106	1999	728*	Ad <sup>89</sup>
	2001	645	Am (by Sec. 1.5 of Ch.) <sup>20</sup>	1107	1999	728*	Ad <sup>89</sup>
1012	1999	194	Am	1108	1999	728*	Ad <sup>89</sup>
	2001	283	Am	1109	1999	728*	Ad <sup>89</sup>
1012.3	2001	118*	Am	1110	1999	728*	Ad <sup>89</sup>
1012.4	1999	194	Ad	1111	1999	728*	Ad <sup>89</sup>
1012.6	2001	281	Ad	1112	1999	728*	Ad <sup>89</sup>
1023	1999	902	Am	1113	1999	728*	Ad <sup>89</sup>
1023.5	1999	902	R	1114	1999	728*	Ad <sup>89</sup>
1035	2002	465	Am	1115	1999	728*	Ad <sup>89</sup>
1035.05	2002	465	Am	1116	1999	728*	Ad <sup>89</sup>
1035.3	2002	465	Am	1117	1999	728*	Ad <sup>89</sup>
1035.4	2002	465	Am	Div. 6, heading (Sec. 1170 et seq.)			
1035.6	2002	466	Ad		1999	604*	Am
1035.7	2002	466	Ad	1170	2002	221	Am
1038	2002	465	Am	1174	2002	221	Am
1039.3	2002	465	Am	1176	2002	221	Am
1044.5	2000	301	Ad	1176	2002	221	Am
1047	1999	902	Am	1179	2002	221	Am
	2000	301	Am	1180	2002	221	Am
1048	1999	902	Am	1181	2002	221	Am
	2000	301	Am	1182	2002	221	Am
	2001	159	Am <sup>305</sup>	1185	2002	221	Am
1049	1999	902	Am	1191	2002	221	Am
1100	1999	728*	Ad <sup>89</sup>	1197	2001	341	Am
1102	1999	728*	Ad <sup>89</sup>	1255	2002	221	Am
1103	1999	728*	Ad <sup>89</sup>	1335	2001	745*	Am
1104	1999	728*	Ad <sup>89</sup>	1350	2000	577	Ad
1104.1	2002	216*	Ad	1360	2000	392	Ad
	2002	728*	Am (as ad by Sec. 3, Stats. 2002, Ch. 216)	1361	2000	392	Ad
				1400	1999	604*	Ad
				1401	1999	604*	Ad
				1450	2000	771*	Ad
1104.2	2002	218*	Ad	1451	2000	771*	Ad

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

## PENAL CODE

Affected By				Affected By			
Section	Year	Chapter	Effect	Section	Year	Chapter	Effect
23	2002	545	Am <sup>422</sup>	186.26	2000		
28	2001	854	Am		Initiative		
	2002	784	Am <sup>490</sup>		(Prop. 21		
68	2001	282	Am		adopted		
	2002	664	Am <sup>431</sup>		March 7,		
76	2000	233	Am		2000)		R & Ad
86	2001	282	Am		2001	854	Am
	2002	664	Am <sup>431</sup>	186.30	2000		
88	2002	787	Am <sup>422</sup>		Initiative		
93	2001	282	Am		(Prop. 21		
96.5	1999	853	Am <sup>144</sup>		adopted		
112	2001	854	Ad(RN)		March 7,		
113	2001	854	Am (as ad by		2000)		Ad
			Stats. 1993–94	186.31	2000		
			(1st Ex. Sess.),		Initiative		
			Ch. 17) & RN		(Prop. 21		
132.5	2002	210	Am (as ad by		adopted		
			Stats. 1994,		March 7,		
			Ch. 869 and as		2000)		Ad
			am by Sec. 1,	186.32	2000		
			Stats. 1995,		Initiative		
			Ch. 53)		(Prop. 21		
136.2	1999	83	Am <sup>30</sup>		adopted		
	1999	661	Am		March 7,		
	2001	698	Am <sup>320</sup>		2000)		Ad
141	2000	620	Ad	186.33	2000		
142	2002	526	Am		Initiative		
146e	2002	621	Am		(Prop. 21		
148	1999	853	Am <sup>144</sup>		adopted		
148.10	1999	83	Am <sup>30</sup>		March 7,		
148.3	2002	521	Am		2000)		Ad
148.6	2000	289	Am	189	1999	694	Am
152	1999	396	Ad		2002	606*	Am
152.3	2000	477	Ad	190	2000		
166	1999	662	Am		Legislative		
	2002	830	Am		Initiative		
166.5	1999	653	Ad (by Sec. 20		(Prop. 19		
			of Ch.)		adopted		
171.5	2002	608*	Ad		March 7,		
171b	1999	247	Am		2000)		Am (as am by
182	2001	854	Am				Sec. 1,
	2002	907	Am				Stats. 1997,
182.5	2000						Ch. 413) <sup>182</sup>
	Initiative			190.03	1999	566	Ad
	(Prop. 21			190.2	2000		
	adopted				Legislative		
	March 7,				Initiative		
	2000)				(Prop. 18		
186.11	2001	854	Am		adopted		
186.2	2000	322	Am		March 7,		
	2002	991	Am		2000)		Am <sup>181</sup>
186.22	2000				2000		
	Initiative				Initiative		
	(Prop. 21				(Prop. 21		
	adopted				adopted		
	March 7,				March 7,		
	2000)				2000)		Am
	2001	854	Am	190.9	2000	287	Am <sup>216</sup>

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**PENAL 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>
190.9 (Cont.)	2002	71	Am	2000	649		Am (by Sec. 2.5 of Ch.)
191.5	2002	622	Am	2001	485		Am
193.7	1999	22*	Am <sup>16</sup>	2001	544		Am (by Sec. 1 of Ch.)
209	2000	287	Am <sup>216</sup>	2001	843		Am (by Sec. 1.3 of Ch.)
217.1	1999	853	Am <sup>144</sup>	2002	17*		Am
237	1999	706*	Am	2002	664		Am <sup>431</sup>
241.2	2001	484	Am	290.01	2001		Ad
243	1999	660	Am	290.4	1999		Am (by Sec. 2 of Ch.)
	2000	236	Am		2000		Am <sup>19</sup>
243.1	2001	854	Am		2002		118 Am
243.2	2001	484	Am	290.5	1999		576 Am
243.25	2002	369	Ad	290.7	1999		475 Am
243.4	2002	302	Am	290.95	2001		224 Am
243.9	2000	627	Ad	295	2002		916 Am
245	1999	129	Am	296	1999		475 Am
261	2002	302	Am		2000		823 Am
261.5	1999	853	Am <sup>144</sup>		2001		906 Am
264	1999	853	Am <sup>144</sup>		2002		160* Am
266c	2000	287	Am <sup>216</sup>	296.1	2000		135 Am <sup>203</sup>
270.6	2002	410	Ad		2000		823 Am
271.5	2000	824	Ad & R <sup>43</sup>	297	1999		475 Am
272	2000	621	Am		2000		823 Am
	2001	159	Am <sup>305</sup>	298	1999		83 Am <sup>30</sup>
273.5	1999	660	Am (by Sec. 2 of Ch.)		2000		823 Am
	1999	662	Am (by Sec. 9.5 of Ch.)	298.1	2002		632* Am
	2000	287	Am <sup>216</sup>	299	1999		83 Am <sup>30</sup>
273.55	1999	662	R		2000		823 Am
273.56	1999	662	R	299.5	1999		475 Am
273.6	1999	561	Am (by Sec. 5 of Ch.)		2000		823 Am
	1999	662	Am (by Sec. 12.5 of Ch.)		2001		906 Am
	2001	816	Am		2002		664 Am <sup>431</sup>
273.75	2001	572	Ad	299.6	1999		83 Am <sup>30</sup>
273.84	2000	135	Am <sup>203</sup>		1999		475 Am
273d	1999	662	Am		2001		906 Am
274	2000	692	R	308	2001		376 Am
275	2000	692	R	308.1	2001		375 Ad
276	2000	692	R	308.3	2001		376 Ad
286	2002	302	Am	311.11	2001		559 Am
288a	2002	302	Am	312.1	2001		854 Am
289	1999	706*	Am	320.5	2000		778 Ad <sup>96</sup>
	2002	302	Am		2001		854 Am
	2002	787	Am <sup>422</sup>	330.11	2000		1023* Ad
289.6	1999	806	Am		2001		941 Am
	2000	287	Am <sup>216</sup>	330.9	1999		642 Ad
290	1999	83	Am <sup>30</sup>	337j	2001		941 Am
	1999	576	Am (by Sec. 1 of Ch.)	337t	2002		624 Ad
	1999	730	Am (by Sec. 1 of Ch.)	337u	2002		624 Ad
	1999	901	Am (by Sec. 1.5 of Ch.)	337v	2002		624 Ad
	2000	240	Am	337w	2002		624 Ad
	2000	287	Am <sup>216</sup>	337x	2002		624 Ad
	2000	648	Am (by Sec. 1 of Ch.)	337y	2002		624 Ad
				337z	2002		624 Ad
				347	2000		287 Am <sup>216</sup>
				350	1999		83 Am <sup>30</sup>
				360	2001		39 Am
				365	1999		354 Am
				368	2000		214 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
368 (Cont.)	2001	854	Am		2001	854	Am
	2002	369	Am	530.8	2001	493	Ad
369b	1999	841	Am		2002	254	Am
374a	2002	787	Am <sup>422</sup>	538	1999	991	Am <sup>96 114</sup>
383c	2002	102	Ad	538.c	2002	1134	Am
399	2001	257*	Am	538d	2000	430	Am
399.5	1999	265	Am	549	2000	843	Am
417	2000	478	Am		2000	867	Am <sup>82</sup>
417.2	2000	275	Am	550	1999	83	Am <sup>30</sup>
	2001	159	Am <sup>305</sup>		2000	867	Am
417.6	2000	478	Am	574	1999	991	Am <sup>96 114</sup>
417.25	1999	438	Am	593d	2001	854	Am
	1999	621	Am	593e	2001	854	Am
417.26	1999	438	Ad	594	1999	83	Am (as am by Sec. 1.5 and as ad by Sec. 1.6, Stats. 1998, Ch. 853) <sup>30</sup>
417.27	1999	621	Ad				Am (as am by Sec. 12 and Sec. 12.5, Prop. 21)
Pt. 1, Title 11.5, heading (Sec. 422 et seq.)	2000	1001	Am		2000	50	Am (as am by Sec. 12 and Sec. 12.5, Prop. 21)
422.1	2002	281	Ad (by Sec. 1 of Ch.)				
423	2001	899	Ad		2000		Initiative (Prop. 21 adopted March 7, 2000)
423.1	2001	899	Ad				Am (as am by Sec. 1.5 and as ad by Sec. 1.6, Stats. 1998, Ch. 853)
423.2	2001	899	Ad				
423.3	2001	899	Ad	594.1	2002	523	Am
423.4	2001	899	Ad	594.3	2000	546	Am
423.5	2001	899	Ad	594.35	2000	546	Ad
423.6	2001	899	Ad	596.7	2000	992	Ad
424	2002	154	Am	597.2	2000	1061	Ad
451.5	1999	518	Am <sup>116</sup>		2001	854	Am (as ad by Stats. 2000, Ch. 1061) & RN
457.1	1999	518	Am	597.3	2001	854	Ad(RN)
466	2001	854	Am	597f	2002	710	Am
	2002	335	Am	597s	1999	303	Am
471	2002	787	Am <sup>422</sup>	599b	2002	787	Am <sup>422</sup>
480	1999	254	Am	600	2000	287	Am <sup>216</sup>
481.1	2001	854	Am	602	2000	149	Am
484	2000	176	Am		2002	608*	Am
487	2002	787	Am <sup>422</sup>	602.5	2000	563	Am
487c	2000	135	Am <sup>203</sup>	626.1	1999	853	R <sup>144</sup>
502	1999	254	Am	626.7	2002	343	Am
	2000	634	Am (by Sec. 1 of Ch.)	626.9	1999	83	Am <sup>30</sup>
	2000	635	Am (by Sec. 2 of Ch.)	628	2000	955	Am
502.01	1999	254	Am	628.1	2000	955	Am
	2000	628	Am (by Sec. 1 of Ch.)	628.2	1999	646	Am
502.6	2002	861	Ad		2000	955	Am
504	2002	787	Am <sup>422</sup>	628.5	2000	955	Am
504b	1999	991	Am <sup>96 114</sup>	629.50	2002	605	Am <sup>68</sup>
529.7	2002	907	Ad	629.51	2002	605	Am <sup>68</sup>
530.5	2000	956	Am				
	2001	478	Am				
	2002	254	Am				
530.6	2000	956	Ad				
	2002	851	Am				
530.7	2000	631	Ad <sup>246</sup>				

**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>
629.52	2000			667.1	2000		
	Initiative				Initiative		
	(Prop. 21				(Prop. 21		
	adopted				adopted		
	March 7,				March 7,		
	2000)		Am		2000)		Ad
	2002	605	Am <sup>68</sup>	667.5	2000		
629.53	2002	605	Ad & R <sup>68</sup>		Initiative		
629.54	2002	605	Am <sup>68</sup>		(Prop. 21		
629.56	2002	605	Am <sup>68</sup>		adopted		
629.58	2002	605	Am <sup>68</sup>		March 7,		
629.60	2002	605	Am <sup>68</sup>		2000)		Am
629.61	2002	605	Ad & R <sup>68</sup>		2002	606*	Am
629.62	2002	605	Am <sup>68</sup>	667.6	2002	787	Am <sup>422</sup>
629.64	2002	605	Am <sup>68</sup>	667.7	2001	854	Am
629.66	2002	605	S <sup>68</sup>	667.70	1999	706*	Am
629.68	2002	605	Am <sup>68</sup>	667.71	2000	287	Am <sup>216</sup>
629.70	2002	605	Am <sup>68</sup>	667.72	1999	706*	R
629.72	2002	605	Am <sup>68</sup>	667.9	1999	569	Am
629.74	2002	605	Am <sup>68</sup>	668	1999	350*	Am
629.76	2002	605	Am <sup>68</sup>	668.5	1999	350*	Ad
629.78	2002	605	Am <sup>68</sup>	670	2001	854	Am
629.80	2002	605	Am <sup>68</sup>	778a	2001	854	Am
629.82	2002	605	Am <sup>68</sup>	784.7	2002	194	Am
629.84	2002	605	S <sup>68</sup>	786	2002	908	Am
629.86	2002	605	Am <sup>68</sup>	787	2002	64*	Ad
629.88	2002	605	Am <sup>68</sup>	790	1999	83	Am <sup>30</sup>
629.89	2002	605	Am <sup>68</sup>	802	2002	828	Am
629.90	2002	605	Am <sup>68</sup>	803	1999	706*	Am (by Sec. 10
629.91	2002	605	S <sup>68</sup>				of Ch.)
629.92	2002	605	S <sup>68</sup>		1999	983	Am
629.94	2002	605	Am <sup>68</sup>		2000	235	Am
629.96	2002	605	S <sup>68</sup>		2001	235	Am
629.98	2002	605	Am <sup>68</sup>		2002	787	Am <sup>422</sup>
633.6	1999	367	Ad		2002	1059*	Am
636.5	1999	853	Am <sup>144</sup>	808	2002	784	Am <sup>490</sup>
637.5	2001	731	Am	810	2002	784	Am <sup>490</sup>
	2002	664	Am <sup>431</sup>	817.5	2000	940	Ad
640	2000	860	Am	830.1	2000	61	Am
645	2001	854	Am		2001	68	Am
646.9	2000	669	Am		2002	56	Am
	2002	832	Am		2002	185	Am (by Sec. 2
646.91	1999	659	Am				of Ch.)
646.92	2000	561	Am		2002	784	Am <sup>490</sup>
646.93	1999	703	Ad	830.11	1999	1005	Am
	2000	669	Am	830.14	1999	1007	Am
	2001	854	Am	830.2	1999	917	Am
646.94	2000	669	Ad <sup>279</sup>		1999	918	Am (by Sec. 4.5
	2001	159	Am <sup>305</sup>				of Ch.)
647	1999	231	Am	830.29	1999	840*	Ad <sup>21</sup>
647.6	2000	657	Am				R <sup>34</sup>
653k	2001	128	Am		2001	859	Am <sup>382 19</sup>
653m	1999	83	Am <sup>30</sup>	830.3	1999	525	Am <sup>112</sup>
653t	1999	853	Am <sup>144</sup>		1999	840*	Am
	2002	787	Am <sup>422</sup>		2000	857	Am <sup>203</sup>
666	2000	135	Am <sup>203</sup>	830.32	2000	135	Am <sup>203</sup>
666.5	1999	706*	Am	830.35	2000	808*	Am
666.7	1999	706*	Am	830.36	1999	891	Am
	2001	854	Am	830.5	2001	119	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>
830.5	(Cont.)			1000.34	2001	115	R
	2002	1124 *	Am	1000.36	2001	115	R
830.7	1999	331	Am	1000.5	2002	784	Am <sup>490</sup>
830.8	2002	545	Am <sup>422</sup>	1000.8	2000	815	Ad
831.4	1999	112	Am	1001.65	2001	745*	Am
831.5	1999	83	Am (as am by Sec. 8 and as ad by Sec. 8.5, Stats. 1998, Ch. 606) <sup>30</sup>	1037	2000	447	Am
				1042	2002	787	Am <sup>422</sup>
				1048.1	1999	382	Am
	1999	635 *	Am (as am by Sec. 8 and as ad by Sec. 8.5, Stats. 1998, Ch. 606)	1050	1999	382	Am (by Sec. 2 of Ch.)
					1999	580	Am (by Sec. 2 of Ch.)
					2000	268	Am
					2002	784	Am <sup>490</sup>
					2002	788	Am
832.25	2000	633	Ad	1054.9	2002	1105	Ad
832.3	1999	852	Am	1089	2002	784	Am <sup>490</sup>
832.5	2002	391	Am	1166	1999	570	Am
832.6	1999	111 *	Am	1170.1	2000	689	Am
	2000	287	Am <sup>216</sup>		2002	126	Am
	2001	473	Am <sup>369</sup>	1170.11	1999	706*	Am (by Sec. 11 of Ch.)
832.7	2000	971	Am		2000	287	Am <sup>216</sup>
	2002	63	Am		2001	854	Am
	2002	391	Am	1170.125	2000		
834c	1999	268	Ad		Initiative (Prop. 21 adopted March 7, 2000)		
836	1999	661	Am (by Sec. 10 of Ch.)		1999	996	Ad
	1999	662	Am		2000	287	Am <sup>216</sup>
	2000	47	Am		2000	287	Am <sup>216</sup>
	2002	534	Am		2000	287	Am <sup>216</sup>
847	2002	526	Am	1170.17	1999	996	Ad
851.8	2002	784	Am <sup>490</sup>		2000	287	Am <sup>216</sup>
853.7a	2002	148	Am	1170.19	1999	996	Ad
859a	2002	784	Am <sup>490</sup>	1170.6	2001	745*	R
868.8	2001	62	Am	1170.95	2000	689	R
869	2002	784	Am <sup>490</sup>	1174.4	2000	287	Am <sup>216</sup>
870	2002	784	Am <sup>490</sup>		2001	854	Am
890	2001	218	Am <sup>35</sup>	1191.21	2000	444	Ad
923	2000	322	Am	1192.7	1999	298	Am
924.4	2002	784	Am <sup>490</sup>		2000		
932	2002	784	Am <sup>490</sup>		Initiative (Prop. 21 adopted March 7, 2000)		
933	2002	784	Am <sup>490</sup>		2002	606*	Am
933.06	2001	854	Am		1999	706*	Am
938.1	2002	784	Am <sup>490</sup>	1192.8	2002	606*	Am
969c	2002	787	R <sup>422</sup>	1202.1	2002	831	Am
969d	2002	787	R <sup>422</sup>	1202.4	1999	121	Am
976.5	2000	287	Am <sup>18 216</sup>		1999	584	Am (as am by Stats. 1999, Ch. 121)
977	2001	82	Am		2000	198	Am
977.2	1999	888	Am <sup>13</sup>		2000	1016	Am (by Sec. 9.5 of Ch.)
987.2	2002	784	Am <sup>490</sup>	1202.41	1999	888	Am
999l	2000	287	Am <sup>216</sup>	1202.42	2002	1141	Ad
999t	2001	210	Am	1202.43	2002	1141	Ad
999y	2001	210	Am	1202.46	1999	888	Ad
1000	2001	473	Am <sup>369</sup>	1202.5	2000	399	Am
	2002	545	Am <sup>422</sup>	1202.7	2001	485	Am
	2002	784	Am <sup>490</sup>				
1000.3	2000	42	Am				
1000.30	2001	115	R				
1000.31	2001	115	R				
1000.32	2001	115	R				
1000.33	2001	115	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
1203.044	2001	854	Am	1281a	2002	784	Am <sup>490</sup>
1203.049	1999	706*	Am	1299	1999	426	Ad & R <sup>18</sup>
1203.073	1999	853	Am <sup>144</sup>	1299.01	1999	426	Ad & R <sup>18</sup>
1203.097	1999	83	Am <sup>30</sup>	1299.02	1999	426	Ad & R <sup>18</sup>
	2001	568	Am	1299.04	1999	426	Ad & R <sup>18</sup>
	2001	854	Am	1299.05	1999	426	Ad & R <sup>18</sup>
	2002	2*	Am	1299.06	1999	426	Ad & R <sup>18</sup>
	2002	265	Am	1299.07	1999	426	Ad & R <sup>18</sup>
1203.098	2000	544	Ad	1299.08	1999	426	Ad & R <sup>18</sup>
1203.1b	2001	473	Am <sup>369</sup>	1299.09	1999	426	Ad & R <sup>18</sup>
	2002	784	Am <sup>490</sup>	1299.10	1999	426	Ad & R <sup>18</sup>
1203.1bb	2002	787	Am <sup>422</sup>	1299.11	1999	426	Ad & R <sup>18</sup>
1203.1bc	2002	919	Ad & R <sup>43</sup>	1299.12	1999	426	Ad & R <sup>18</sup>
1203.1c	2002	784	Am <sup>490</sup>	1299.13	1999	426	Ad & R <sup>18</sup>
1203.1d	2000	545	Am	1305	1999	570	Am
	2002	1124*	Am	1305.4	1999	570	Am
1203.1f	2002	198	Am	1308	1999	570	Am
1203.1k	2000	1016	Am	1328	1999	662	Am
1203.3	2000	1016	Am		2002	1008	Am
	2002	66	Am	1336	2000	186	Am
1203.4	2000	226	Am	1347	1999	83	Am (as am by
1203.4a	2001	824	Am				Sec. 1.5 and as
1203.6	2002	784	Am <sup>490</sup>				ad by Sec. 1.6,
1203.7	2001	473	Ad <sup>369</sup>				Stats. 1998,
1203.71	2001	473	Ad <sup>369</sup>				Ch. 670) <sup>30</sup> ,
1203.72	2001	473	Ad <sup>369</sup>		2000	207	Am (as am by
	2002	787	Am <sup>422</sup>				Sec. 153,
1203.73	2001	473	Ad <sup>369</sup>				Stats. 1999,
	2002	787	Am <sup>422</sup>				Ch. 83) <sup>20</sup>
1203.74	2001	473	Ad <sup>369</sup>				Am (as am by
1208.2	1999	113	Ad				Sec. 154,
1208.3	1999	113	Ad				Stats. 1999,
1210	2000						Ch. 83) <sup>34</sup>
	Initiative				2002	96	R (as am by
	(Prop. 36						Sec. 2,
	adopted						Stats. 2000,
	Nov. 7,						Ch. 207)
	2000)		Ad <sup>294</sup>				Am (as am by
	2001	721*	Am				Sec. 1,
1210.1	2000						Stats. 2000,
	Initiative						Ch. 207) <sup>13</sup>
	(Prop. 36			1348.5	2001	115	R
	adopted			1370	2002	664	Am <sup>431</sup>
	Nov. 7,			1382	1999	344*	Am
	2000)		Ad <sup>294</sup>	1385	2000	689	Am
	2001	721*	Am	1405	2000	821	Ad
1210.5	2001	721*	Ad		2001	943	Am
1214	1999	344*	Am (as ad by	1417.8	2001	473	Am <sup>369</sup>
			Sec. 8,	1417.9	2000	821	Ad & R <sup>20</sup>
			Stats. 1998,		2001	943	Am
			Ch. 587)		2002	1105	Am <sup>13</sup>
	2000	545	Am	1424	1999	363	Am
	2002	784	Am <sup>490</sup>	1428	2002	784	Am <sup>490</sup>
1237.5	2002	784	Am <sup>490</sup>	1429.5	2002	784	R <sup>490</sup>
1238	1999	344*	Am	1462	2002	784	R <sup>490</sup>
1240.1	2000	287	Am <sup>216</sup>	1463	2000	135	Am <sup>203</sup>
	2002	784	Am <sup>490</sup>		2002	784	Am <sup>490</sup>
1269b	1999	83	Am <sup>30</sup>	1463.007	2002	62	Am
	2001	176	Am	1463.1	2001	812	Am
1270.1	1999	703	Am	1463.12	1999	841	Ad
1280.1	2001	854	Am	1463.13	2000	165	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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1463.21	2002	590	Ad & R <sup>75</sup>	3058.4	1999	957	Ad
1464	1999	1023	Am	3058.6	1999	957	Am
	2000	248*	Am	3058.61	2000	561	Ad
1464.2	1999	610	Ad	3058.65	2000	314	Ad
1465.7	2002	1124*	Ad <sup>424</sup>		2001	159	Am <sup>305</sup>
			R <sup>69</sup>		2001	470	Am
1473.5	2001	858	Ad & R <sup>18</sup>	3058.9	1999	957	Ad
1473.6	2002	1105	Ad		2001	854	Am
1511	2001	854	Am (as ad by Stats. 1989, Ch. 560) & RN	3060.5	1999	475	Am
			Ad(RN)	3060.6	2000	484	Ad
1512	2001	854	Ad(RN)	3063.1	2000		
1524	2002	864	Am (by Sec. 1 of Ch.)		Initiative (Prop. 36 adopted Nov. 7, 2000)		Ad <sup>294</sup>
	2002	1059*	Am (by Sec. 3 of Ch.)			721*	Am
1524.1	2002	784	Am <sup>490</sup>			721*	Ad
	2002	787	Am <sup>422</sup>	3063.2	2001	721*	Ad
	2002	831	Am	3071	2000	564	Ad
1524.2	1999	896	Ad	3075	2002	622	Am
1524.3	2002	864	Ad		2002	784	Am <sup>490</sup>
1538.5	2001	231	Am	3076	2002	784	Am <sup>490</sup>
	2002	401	Am	3085.1	2002	784	Am <sup>490</sup>
	2002	784	Am <sup>490</sup>	3600	2001	934	Am
1539	2002	71	Am	3605	2001	71	Am
1547	2002	529	Am	3607	2002	784	Am <sup>490</sup>
1600.5	2000	324	Am	4002	2001	248	Am
1607	2000	324	Am	4007	2002	784	Am <sup>490</sup>
1610	2001	248	Am	4008	2002	784	Am <sup>490</sup>
2053.3	2001	115	R	4009	2002	784	Am <sup>490</sup>
2085.5	2001	200	Am	4010	2002	784	Am <sup>490</sup>
2625	2002	65	Am	4011.1	2001	854	Am
2677	2001	854	Am	4012	2002	784	Am <sup>490</sup>
2717	2000	525	Ad	4017.1	2002	196	Am
2717.4	2001	854	Am	4024.1	2002	784	Am <sup>490</sup>
2807	2002	951	Am	4025	2002	146	Am
2816	2002	113	Am	4112	2002	784	Am <sup>490</sup>
2933.1	2002	787	Am <sup>422</sup>	4301	2002	784	Am <sup>490</sup>
2933.3	2002	1124*	Ad	4303	2002	784	Am <sup>490</sup>
2933.5	2000	287	Am <sup>216</sup>	4304	2002	784	Am <sup>490</sup>
2962	1999	16*	Am	4501.1	2000	627	Am <sup>13</sup>
	2000	135	Am <sup>203</sup>	4536.5	1999	83	Am <sup>30</sup>
2972	2000	324	Am	4801	2000	652	Am
2972.1	2000	324	Ad	4852.03	1999	576	Am
3000	2000	142*	Am	4852.18	2002	784	Am <sup>490</sup>
	2001	485	Am	4904	2000	630	Am
	2001	854	Am (by Sec. 49.5 of Ch.)	5020	2001	115	R
	2002	829	Am	5024	2000	127*	Ad
3000.1	2000	142*	Am	5029	2002	240	Ad
	2001	854	Am	5058	2000	1060	Am
3001	2002	829	Am		2001	141	Am
3003	1999	83	Am <sup>30</sup>		2002	787	Am <sup>422</sup>
	2000	153	Am	5058.1	2001	141	Ad
	2000	561	Am	5058.2	2001	141	Ad
	2001	131*	Am	5058.3	2001	141	Ad
3005	2000	142*	Ad & R <sup>207</sup>	5058.5	2001	854	Am (as ad by Stats. 1992, Ch. 695) & RN
3006	2000	127*	Ad				Ad(RN)
3041	2001	131*	Am	5058.6	2001	854	Am <sup>30</sup>
3046	2000	287	Am <sup>216</sup>	5066	1999	83	Am
3054	2002	619	Am	5068.5	2000	356*	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>			
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5071	2002	196	Am	11106	1999	571	Am (by Sec. 1 of Ch.)
5075	2001	131 *	Am		2002	916	Am
6005	2002	221	Am	11146	2002	918	Am
6008	2001	854	Am	11160	2000	287	Am <sup>216</sup>
6025	2001	930	Am		2002	249	Am
6031.1	2002	784	Am <sup>490</sup>	11160.2	2002	249	Ad & R <sup>19</sup>
6044	2001	860	Ad & R <sup>37 75</sup>	11161.2	2001	579	Ad <sup>37</sup>
6045.8	2002	1124 *	Am	11163.3	1999	662	Am
6051	1999	83	Am <sup>30</sup>	11163.6	1999	662	Ad
	1999	918	Am	11164	2000	916	Am
6065	1999	83	Am <sup>30</sup>	11165.1	2000	287	Am <sup>216</sup>
6126	1999	83	Am <sup>30</sup>	11165.10	2000	916	R
	1999	918	Am	11165.12	2000	916	Am
6126.3	1999	918	Ad	11165.13	2000	916	Am
6126.4	1999	918	Ad	11165.14	2000	916	Am
6126.5	1999	918	Ad	11165.15	2000	916	R
	2001	854	Am	11165.16	2000	916	R
6126.6	1999	918	Ad	11165.17	2000	916	R
6127	1999	918	R	11165.5	2000	916	Am
6127.1	1999	918	Ad		2001	133 *	Am
6127.3	1999	918	Ad	11165.6	2000	916	R & Ad
6127.4	1999	918	Ad		2001	133 *	Am
6128	1999	918	Am	11165.7	2000	916	Am
6129	1999	806	R & Ad		2001	133 *	Am
	2000	135	Am <sup>203</sup>		2001	754	Am (as am by Stats. 2001, Ch. 133)
6224.5	2000	249	Ad		2002	927	Am
6227.5	2000	249	Ad		2002	936 *	Am
6236	2001	854	Am	11165.8	2000	916	R
6247	2001	115	R	11165.9	2000	916	R & Ad
6400	2002	238	Ad		2001	133 *	Am
7012	2001	854	Am	11166	2000	916	Am
7433	2001	745 *	Am		2001	133 *	Am
7440	2000	965	Ad		2002	936 *	Am
7441	2000	965	Ad	11166.01	2002	858	Ad
7442	2000	965	Ad	11166.05	2001	133 *	Ad
7443	2000	965	Ad	11166.1	2000	916	Am
7444	2000	965	Ad	11166.2	2000	916	Am
7445	2000	965	Ad		2001	133 *	Am
9008	2001	745 *	R	11166.3	2000	135	Am <sup>203</sup>
11010	2002	125 *	Ad		2000	916	Am
11051	2002	787	Am <sup>422</sup>		2001	133 *	Am
11061	2001	477	Ad	11166.3	2000	135	Am <sup>203</sup>
11061.5	2001	477	Ad		2000	916	Am
11102.1	2002	623	Ad		2001	133 *	Am
11105	2000	421 *	Am	11166.5	2000	916	Am
	2000	808 *	Am (by Sec. 111.1 of Ch.)		2001	133 *	Am
	2002	627	Am	11166.7	2000	916	Am
11105.02	2002	627	Am		2001	133 *	Am
11105.03	1999	31	Am	11166.8	2000	916	Am
11105.2	2001	653 *	Am	11166.9	1999	1012	Am <sup>122</sup>
11105.3	2000	972	Am		2000	916	Am
	2002	627	Am (by Sec. 4 of Ch.)	11166.95	2001	133 *	Am
	2002	990	Am (by Sec. 1.5 of Ch.)	11167	2000	916	Am
11105.4	2002	627	Am		2001	133 *	Am
11105.6	1999	33	Am	11167.5	2000	916	Am
11105.75	2000	623	Ad <sup>35</sup>		2002	187	Am
				11168	2000	916	Am
				11169	2000	916	Am
					2001	133 *	Am

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

## PENAL 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>
11170	1999	475	Am		1999	129	Am (by Sec. 3.5 of Ch.)
	2000	916	Am				
	2001	133 *	Am		2000	287	Am <sup>216</sup>
11170.6	1999	851 *	Ad		2001	130	Am
	2000	135	Am <sup>203</sup>		2001	937	Am
11171	2000	916	Am	12020.1	2002	208	Ad
	2002	249	Am & RN & Ad	12020.3	2000	275	Ad
11171.2	2002	249	Ad(RN)	12021	1999	662	Am
11171.5	2000	916	Am		2000	400	Am (by Sec. 1 of Ch.)
11172	2000	916	Am				
	2001	133 *	Am		2001	944	Am
11174.1	2000	916	Am		2002	830	Am
11174.3	2000	916	Am	12022	1999	129	Am
11174.4	2001	301	Ad		2002	126	Am
	2002	664	Am <sup>431</sup>	12022.5	1999	129	Am
	2002	1064	Ad <sup>458</sup>		2002	126	Am
			R <sup>63</sup>	12022.53	2000	287	Am <sup>216</sup>
11174.5	2001	301	Ad		2001	854	Am
11174.6	2001	301	Ad		2002	126	Am
11174.7	2001	301	Ad	12022.55	2002	126	Am
11174.8	2001	301	Ad	12022.7	2000	919	Am
11174.9	2001	301	Ad		2002	126	Am
11180	2000	658	Ad	12022.99	2002	126	Am
	2001	854	Am	12025	1999	571	Am <sup>138</sup>
	2002	1078	Am	12028.5	1999	659	Am
11181	2000	658	Ad		1999	662	Am (by Sec. 18.5 of Ch.)
	2002	1078	Am				
11198	1999	707	Ad				
11199	2002	134	Ad		2000	254	Am
11226	2002	1057	Am		2002	830	Am (by Sec. 3 of Ch.)
11227	2002	1057	Am				
11230	2002	1057	Am		2002	833	Am (by Sec. 1.5 of Ch.)
11415	1999	563	Ad				
11416	1999	563	Ad	12028.7	2001	944	Ad
11417	1999	563	Ad		2002	830	Am
	2002	606 *	Am	12031	1999	571	Am <sup>139</sup>
	2002	611 *	Am	12035	2001	126	Am
11418	1999	563	Ad		2002	664	Am <sup>431</sup>
	2001	854	Am	12036	2001	126	Am
	2002	606 *	Am	12050	1999	142	Am
11418.1	2002	606 *	Ad		2000	123	Am
11418.5	1999	563	Ad	12071	1999	83	Am <sup>30</sup>
	2002	611 *	Am		1999	128	Am
11419	1999	563	Ad		2001	126	Am
	2002	611 *	Am		2001	138	Am (by Sec. 3 of Ch.)
11460	2002	787	Am <sup>422</sup>				
12000	2000	135	Am <sup>203</sup>		2001	940	Am (by Sec. 2 of Ch.)
12001	1999	129	Am				
	2001	940	Am		2001	942	Am (by Sec. 2 of Ch.)
	2001	942	Am				
	2002	909	Am		2001	944	Am (by Sec. 5.1 of Ch.)
12001.1	1999	976	Ad				
	2002	58	Am		2002	664	Am <sup>431</sup>
12001.6	2001	944	Am		2002	909	Am (by Sec. 3 of Ch.) <sup>524</sup>
12002	1999	112	Am				
	2001	527	Am		2002	911	Am (by Sec. 1 of Ch.) <sup>523</sup>
12010	2001	944	Ad <sup>340</sup>				
12011	2001	944	Ad <sup>340</sup>				
12012	2001	944	Ad <sup>340</sup>				
12020	1999	111 *	Am	12071.1	1999	247	Am

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**PENAL CODE—Continued**

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
12071.4	1999	247	Ad	12088.6	1999	245	Ad
12072	1999	128	Am	12088.7	1999	246	Ad
	2001	940	Am	12088.7	1999	245	Ad
	2001	942	Am	12088.8	1999	246	Ad
12072.5	2002	909	Am	12088.8	1999	245	Ad
	2000	271	Ad	12088.9	1999	246	Ad
12073	2002	909	Am	12088.9	1999	245	Ad
12076	1999	128	Am	12094	2001	854	Am
	2001	940	Am	12099	2002	910	Ad
	2001	942	Am	12125	1999	248	Ad
	2002	909	Am (by Sec. 6 of Ch.)	12125	2002	912	Am
	2002	910	Am (by Sec. 1 of Ch.)	12126	1999	248	Ad
12076.5	2002	912	Am (by Sec. 1.3 of Ch.)	12127	1999	248	Ad
	2002	912	Am (by Sec. 1.3 of Ch.)	12127	2002	912	Am
	2001	940	Ad	12128	1999	248	Ad
12077	2001	942	Ad	12129	1999	248	Ad
	1999	128	Am	12130	1999	248	Ad
12078	2001	940	Am	12131	1999	248	Ad
	2001	942	Am	12131	2002	912	Am <sup>420</sup>
	2001	940	Am	12131.5	1999	248	Ad
12079	2001	942	Am	12132	1999	248	Ad
	2001	942	Am	12132	2000	967	Am
	2002	664	Am <sup>431</sup>	12132	2002	911	Am
	2002	909	Am	12133	1999	248	Ad
12081	1999	129	Ad	12200	2000	668	Am
12082	2001	940	Am & R <sup>20</sup>	12234	2002	910	Ad
	2001	942	Am & R <sup>20</sup>	12276.1	1999	129	Ad
12083	2002	910	Am	12276.1	2000	967	Am
12084	2002	909	Ad <sup>524</sup>	12280	2002	911	Am
	2001	940	Am	12280	1999	129	Am
12085	2001	942	Am	12280	2000	287	Am <sup>216</sup>
	1999	83	Am <sup>30</sup>	12280	2001	937	Am
12086	1999	83	Am <sup>30</sup>	12280	2002	787	Am <sup>422</sup>
12087	1999	245	Ad	12285	1999	129	Am
	1999	246	Ad	12287	1999	129	Am
12087.5	1999	245	Ad	12288	2001	854	Am
	1999	246	Ad	12289	1999	129	Am
12087.6	2002	917	Ad	12289.5	2002	910	Ad
12088	1999	245	Ad	12305	2002	910	Am
	1999	246	Ad	12305	2002	1106	Am
	2002	917	Am	12307	2002	996	Am
12088.1	1999	245	Ad	12370	1999	83	Am <sup>30</sup>
	1999	246	Ad	12403.5	1999	852	Am
	2002	917	R (as ad by Sec. 1, Stats. 1999, Ch. 245)	12403.5	1999	853	Am <sup>144</sup>
	2002	917	Am (as ad by Sec. 1, Stats. 1999, Ch. 246)	12600	2001	473	Am <sup>369</sup>
	2002	917	Am (as ad by Sec. 1, Stats. 1999, Ch. 246)	12601	2001	473	Am <sup>369</sup>
12088.15	2002	917	Ad	12800	2001	940	R <sup>34</sup>
12088.2	1999	245	Ad	12800	2001	940	Ad <sup>82</sup>
	1999	246	Ad	12801	2001	942	R & Ad <sup>34</sup>
12088.3	1999	245	Ad	12801	2001	940	R <sup>34</sup>
	1999	246	Ad	12801	2001	940	Ad <sup>82</sup>
12088.4	1999	245	Ad	12801	2001	942	R & Ad <sup>34</sup>
	1999	246	Ad	12802	2001	940	R <sup>34</sup>
12088.5	1999	245	Ad	12802	2001	940	Ad <sup>82</sup>
	1999	246	Ad	12803	2001	942	R & Ad <sup>34</sup>
12088.5	1999	245	Ad	12803	2001	940	R <sup>34</sup>
	1999	246	Ad	12803	2001	940	Ad <sup>82</sup>
12088.5	1999	245	Ad	12804	2001	942	R & Ad <sup>34</sup>
	1999	246	Ad	12804	2001	940	R <sup>34</sup>
	1999	246	Ad				Ad <sup>82</sup>

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

## PENAL 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>
12804 (Cont.)	2001	942	R & Ad <sup>34</sup>	13732	2002	187	Ad
12805	2001	940	R <sup>34</sup>	13775	2001	899	Ad & R <sup>75</sup>
			Ad <sup>82</sup>	13776	2001	899	Ad & R <sup>75</sup>
	2001	942	R & Ad <sup>34</sup>	13777	2001	899	Ad & R <sup>75</sup>
12806	2001	940	R <sup>34</sup>	13778	2001	899	Ad & R <sup>75</sup>
			Ad <sup>82</sup>	13779	2001	899	Ad & R <sup>75</sup>
	2001	942	R & Ad <sup>34</sup>	13823.11	2002	382	Am
12807	2001	940	R <sup>34</sup>		2002	787	Am <sup>422</sup>
			Ad <sup>82</sup>	13823.16	2002	510	Ad & R <sup>38</sup>
	2001	942	R & Ad <sup>34</sup>	13823.20	2001	115	R
12808	2001	940	R <sup>34</sup>	13823.93	2002	256	Am
			Ad <sup>82</sup>	13848	1999	427	S <sup>20</sup>
	2001	942	R & Ad <sup>34</sup>		2000	654	S <sup>57</sup>
12809	2001	940	R <sup>34</sup>	13848.2	1999	427	S <sup>20</sup>
			Ad <sup>82</sup>		2000	654	S <sup>57</sup>
	2001	942	R & Ad <sup>34</sup>	13848.4	1999	427	S <sup>20</sup>
12810	2001	940	Ad & R <sup>20</sup>		2000	654	S <sup>57</sup>
	2001	942	Ad & R <sup>20</sup>	13848.6	2001	556	Am
13010.5	2001	468 *	Am <sup>37</sup>		1999	427	S <sup>20</sup>
13012	2001	468 *	Am <sup>37</sup>		2000	654	Am <sup>57</sup>
13012.5	2001	468 *	Ad <sup>37</sup>	13848.7	2001	556	Am
13023	2000	626	Am		1999	427	Am <sup>20</sup>
13151	2002	784	Am <sup>490</sup>		2000	654	R
13300	2000	421 *	Am	13855	2000	624	Ad & R <sup>5</sup>
	2000	808 *	Am (by Sec. 111.5 of Ch.)	13861	2002	787	Am <sup>422</sup>
				13875	2001	853	Ad <sup>98</sup>
13500	1999	702	Am				R <sup>100</sup>
13510	1999	301	Am	13876	2001	853	Ad <sup>98</sup>
	2000	135	Am <sup>203</sup>				R <sup>100</sup>
13510.6	2001	745 *	R	13877	2001	853	Ad <sup>98</sup>
13511	2000	354	Am	13877.1	2002	1090	Ad
13515	2000	559	Am	13877.5	2001	853	Ad <sup>98</sup>
13515.25	2000	200	Ad				R <sup>100</sup>
13515.55	1999	83	Am <sup>30</sup>	13878	2001	853	Ad <sup>98</sup>
13519	1999	659	Am				R <sup>100</sup>
13519.05	2000	564	Ad	13879	2001	853	Ad <sup>98</sup>
13519.12	2002	612 *	Ad				R <sup>100</sup>
13519.4	2000	684	Am	13879.5	2001	853	Ad <sup>98</sup>
	2001	854	Am				R <sup>100</sup>
13526.2	1999	301	Ad	13879.7	2001	853	Ad <sup>98</sup>
13540	2000	96 *	Am				R <sup>100</sup>
13541	2000	96 *	Am	13887	2002	1090	Ad
13542	2000	96 *	Am	13887.2	2002	1090	Ad
13543	2000	96 *	Ad & R <sup>5</sup>	13887.3	2002	1090	Ad
13543.5	2000	354	Ad & R <sup>5</sup>	13887.4	2002	1090	Ad
13601	2002	1124 *	Am	13892	2001	745 *	R
13602	1999	83	Am <sup>30</sup>	13894.5	2001	115	R
	2000	987 *	Am	13894.6	2001	115	R
	2001	745 *	Am	13894.7	2001	115	R
13603	2000	987 *	Ad	13894.8	2001	115	R
13700	1999	659	Am	13894.9	2001	115	R
	2002	534	Am	13897.2	2002	787	Am <sup>422</sup>
13701	1999	661	Am	14000	2000	653	S <sup>280</sup>
13710	1999	659	Am	14001	2000	653	S <sup>280</sup>
13711	1999	661	Am	14002	2000	653	S <sup>280</sup>
13730	2001	483	Am	14003	2000	653	S <sup>280</sup>
13731	2001	745 *	Am	14004	2000	653	S <sup>280</sup>
				14005	2000	653	S <sup>280</sup>

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**PENAL 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>
14006	2000	653	Am <sup>280</sup>		2000	310*	S <sup>191 5</sup>
14021	2002	210	Am		2001	845	S <sup>21 20</sup>
14022	2002	210	Am		2002	719*	Am <sup>79 43</sup>
14025	2002	210	Am	14172	1999	564	Ad <sup>31</sup>
14025.5	2002	210	Am				R <sup>25</sup>
14026.5	2002	210	Am		2000	310*	Am <sup>191 5</sup>
14029	2000	688	Am		2001	845	S <sup>21 20</sup>
14108	1999	727*	Ad <sup>160</sup>		2002	719*	S <sup>79 43</sup>
14108.1	1999	727*	Ad <sup>160</sup>	14173	1999	564	Ad <sup>31</sup>
14108.10	1999	727*	Ad <sup>160</sup>				R <sup>25</sup>
14108.11	1999	727*	Ad <sup>160</sup>		2000	310*	S <sup>191 5</sup>
14108.12	1999	727*	Ad <sup>160</sup>		2001	845	S <sup>21 20</sup>
14108.13	1999	727*	Ad <sup>160</sup>		2002	719*	S <sup>79 43</sup>
14108.14	1999	727*	Ad <sup>160</sup>	14174	1999	564	Ad <sup>31</sup>
14108.2	1999	727*	Ad <sup>160</sup>				R <sup>25</sup>
14108.3	1999	727*	Ad <sup>160</sup>		2000	310*	S <sup>191 5</sup>
14108.4	1999	727*	Ad <sup>160</sup>		2001	845	S <sup>21 20</sup>
14108.5	1999	727*	Ad <sup>160</sup>		2002	719*	S <sup>79 43</sup>
14108.6	1999	727*	Ad <sup>160</sup>	14174.3	2002	719*	Ad <sup>79</sup>
14108.7	1999	727*	Ad <sup>160</sup>				R <sup>80</sup>
14108.8	1999	727*	Ad <sup>160</sup>	14175	1999	564	Ad <sup>31</sup>
14108.9	1999	727*	Ad <sup>160</sup>				R <sup>25</sup>
14109	1999	727*	Ad & R <sup>38 160</sup>		2000	310*	Am <sup>191 5</sup>
14109.1	1999	727*	Ad & R <sup>38 160</sup>		2001	845	Am <sup>21 20</sup>
14109.2	1999	727*	Ad & R <sup>38 160</sup>		2002	719*	Am <sup>79 43</sup>
14109.5	1999	727*	Ad <sup>160</sup>	14202	2000	284	Am
14113	2001	115	R		2002	787	Am <sup>422</sup>
14114	2001	115	Am	14202.2	2000	420*	Am
14119	2001	115	Am	14205	1999	579	Am
Pt. 4, Title 10.2, heading (Sec. 14125 et seq.)	2002	664	Am <sup>431</sup>	14206	1999	579	Am
14125	2001	566	Ad & R <sup>37 18</sup>	14250	2000	822	Ad
14127	2001	566	Ad & R <sup>37 18</sup>		2001	467	Am
14129	2001	566	Ad & R <sup>37 18</sup>	14251	2000	822	Ad & R <sup>43</sup>
Pt. 4, Title 10.5, heading (Sec. 14150 et seq.)	2001	854	Am & RN	Pt. 4, Title 13, heading (Sec. 14300 et seq.)	2002	1000	Am
Pt. 4, Title 10.6, heading (Sec. 14150 et seq.)	2001	854	Ad(RN)	14300	2002	1000	Am
14154	2002	784	Am <sup>490</sup>	14301	2002	1000	Am
Pt. 4, Title 11.5, heading (Sec. 14170 et seq.)	2002	719*	Am <sup>79 43</sup>	14303	2002	1000	Am
14170	1999	564	Ad <sup>31</sup>	Pt. 4, Title 13, Ch. 3, heading (Sec. 14306 et seq.)	2002	1000	Am
	2000	310*	R <sup>25</sup>	14304	2002	1000	Am
	2001	845	S <sup>191 5</sup>				
	2002	719*	S <sup>21 20</sup>	14306	2002	1000	Am
14171	1999	564	Am <sup>79 43</sup>	14307	2002	1000	Am
			Ad <sup>31</sup>	14308	2002	1000	R & Ad
			R <sup>25</sup>	14309	2002	1000	R & Ad
				14310	2002	1000	R
				14311	2002	1000	R

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**PENAL 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>
14312	2002	1000	R	Pt. 4, Title 13, Ch. 6, heading (Sec. 14314 et seq.)			
Pt. 4, Title 13, Ch. 5, heading (Sec. 14314 et seq.)	2002	1000	Ad(RN)	14314	2002	1000	Am & RN
				14315	2002	1000	Am

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**PROBATE 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>
37	2001	893	Ad	1895	2001	893	Am
104.5	1999	263	Ad	2104	2001	351	Am
150	2000	17	R	2105	1999	658	Am <sup>56</sup>
221	2002	138	Am	2111.5	2000	565	Ad
230	2002	138	Am		2001	893	Am
250	2002	138	Am	2212	2001	893	Am
825	1999	175	Ad	2213	2001	893	Am
850	2001	49	Ad	2320.1	2001	359	Ad
851	2001	49	Ad	2320.2	2001	359	Ad
852	2001	49	Ad	2321	2001	563	Am
853	2001	49	Ad	2327	2001	563	Am
854	2001	49	Ad	2330	2001	359	Am
855	2001	49	Ad	2340	1999	424	Am
856	2001	49	Ad		2001	176	Am
856.5	2001	417	Ad	2341	1999	424	Am
857	2001	49	Ad		2002	1115	Am
858	2001	49	Ad	2342	1999	424	Am
859	2001	49	Ad		2001	176	Am
1000	2002	1118	Am	2342.5	2001	176	Am
1063	1999	145	Am	2343	2001	176	Am
1214	1999	263	Ad	2351	2000	565	Am
1218	1999	263	R	2355	1999	658	Am <sup>56</sup>
1300	2001	417	Am	2356	1999	658	Am <sup>56</sup>
1301	2001	417	Am	2357	1999	175	Am
1302	1999	658	Am <sup>56</sup>		2000	135	Am <sup>203</sup>
1302.5	1999	658	Ad <sup>56</sup>		2001	893	Am
1303	2001	417	Am	2359	2000	565	Am
	2001	699	Am		2001	893	Am
1310	2000	688	Am	2401	2000	565	Am
1460	2001	893	Am	2401.6	2000	565	Ad
1513	2002	784	Am <sup>490</sup>	2403	2000	565	Am
1513.1	2002	1008	Am		2001	893	Am
1513.2	2002	1115	Ad	2423	2001	893	Am
1601	2002	1118	Am	2430	2001	893	Am
1610	2002	1118	Ad	2504	2001	893	Am
1611	2002	1118	Ad	2520	2001	49	R
1811	2000	17	Am	2521	2001	49	R
	2001	893	Am	2522	2001	49	R
1812	2001	893	Am	2524	2001	49	R
1813	2000	17	Am	2525	2001	49	R
	2001	159	Am <sup>305</sup>	2526	2001	49	R
1813.1	2001	893	Ad	2527	2001	49	R
1820	2001	893	Am	2528	2001	49	R
1821	2001	893	Am	2529	2001	49	R
	2002	784	Am <sup>490</sup>	2572	2001	893	Am
1822	2001	893	Am	2580	1999	175	Am
1826	2002	784	Am <sup>490</sup>		2001	893	Am
1827	2000	17	Am	2614.5	2001	893	Am
1827.5	2002	784	Am <sup>490</sup>	2619.5	2001	49	R
1829	2001	893	Am	2620	2000	565	Am
1851	2002	784	Am <sup>490</sup>		2001	232	Am
	2002	1008	Am		2001	563	Am
1851.5	2002	1008	Am	2620.2	2001	359	Am
1861	2001	893	Am		2002	664	Am <sup>431</sup>
1863	2000	17	Am	2622	2001	893	Am
	2001	893	Am	2629	2001	359	R
1865	2002	221	Am	2651	2001	893	Am
1871	2001	893	Am	2653	2001	893	Am
1873	2001	893	Am	2662	2002	180	Ad
1874	2001	893	Am	2681	2001	893	Am
1891	2001	893	Am	2682	2001	893	Am

**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
2687	2001	893	Am	4504	1999	658	Ad <sup>56</sup>
2700	2001	893	Am	4505	1999	658	Ad <sup>56</sup>
2803	2001	893	Am	4520	1999	658	Ad <sup>56</sup>
2805	2001	893	Am	4521	1999	658	Ad <sup>56</sup>
2850	1999	409	Ad	4522	1999	658	Ad <sup>56</sup>
	2001	176	Am	4523	1999	658	Ad <sup>56</sup>
2851	1999	409	Ad	4540	1999	658	Ad <sup>56</sup>
2852	1999	409	Ad	4541	1999	658	Ad <sup>56</sup>
2853	1999	409	Ad	4542	1999	658	Ad <sup>56</sup>
2854	1999	409	Ad	4543	1999	658	Ad <sup>56</sup>
	2002	1115	Am	4544	1999	658	Ad <sup>56</sup>
2855	1999	409	Ad	4545	1999	658	Ad <sup>56</sup>
2856	1999	409	Ad	4600	1999	658	R & Ad <sup>56</sup>
2890	2001	563	Ad	4603	1999	658	R & Ad <sup>56</sup>
2891	2001	563	Ad	4605	1999	658	Ad <sup>56</sup>
2892	2001	563	Ad	4606	1999	658	R <sup>56</sup>
2893	2001	563	Ad	4607	1999	658	Ad <sup>56</sup>
2901	2001	232	Am	4609	1999	658	R & Ad <sup>56</sup>
2920.5	2002	644	Ad & R <sup>75</sup>		2001	230	Am
2942	1999	866	Am	4611	1999	658	Ad <sup>56</sup>
2950	2000	813	Ad	4612	1999	658	R <sup>56</sup>
2951	2000	813	Ad	4613	1999	658	Ad <sup>56</sup>
2952	2000	813	Ad	4615	1999	658	R & Ad <sup>56</sup>
	2001	232	Am	4617	1999	658	Ad <sup>56</sup>
2953	2000	813	Ad	4618	1999	658	R <sup>56</sup>
	2001	232	Am	4619	1999	658	Ad <sup>56</sup>
2954	2000	813	Ad	4621	1999	658	R & Ad <sup>56</sup>
2955	2000	813	Ad	4623	1999	658	Ad <sup>56</sup>
Div. 4,				4625	1999	658	Ad <sup>56</sup>
Pt. 7,				4627	1999	658	Ad <sup>56</sup>
heading				4629	1999	658	Ad <sup>56</sup>
(Sec. 3200				4631	1999	658	Ad <sup>56</sup>
et seq.)	1999	658	Am <sup>56</sup>	4633	1999	658	Ad <sup>56</sup>
3200	1999	658	Am <sup>56</sup>	4635	1999	658	Ad <sup>56</sup>
3201	1999	658	Am <sup>56</sup>	4637	1999	658	Ad <sup>56</sup>
3203	1999	658	Am <sup>56</sup>	4639	1999	658	Ad <sup>56</sup>
3204	1999	658	Am <sup>56</sup>	4641	1999	658	Ad <sup>56</sup>
3206	1999	658	Am <sup>56</sup>	4643	1999	658	Ad <sup>56</sup>
3207	1999	658	Am <sup>56</sup>	4650	1999	658	R & Ad <sup>56</sup>
3208	1999	658	Am <sup>56</sup>	4651	1999	658	R & Ad <sup>56</sup>
3208.5	1999	658	Ad <sup>56</sup>	4652	1999	658	R & Ad <sup>56</sup>
3210	1999	658	Am <sup>56</sup>	4653	1999	658	R & Ad <sup>56</sup>
3211	1999	658	Am <sup>56</sup>	4654	1999	658	R & Ad <sup>56</sup>
3212	1999	658	Ad <sup>56</sup>	4655	1999	658	R & Ad <sup>56</sup>
3722	1999	658	Am <sup>56</sup>	4656	1999	658	Ad <sup>56</sup>
4050	1999	658	Am <sup>56</sup>	4657	1999	658	Ad <sup>56</sup>
4100	1999	658	Am <sup>56</sup>	4658	1999	658	Ad <sup>56</sup>
4121	1999	658	Am <sup>56</sup>	4659	1999	658	Ad <sup>56</sup>
4122	1999	658	Am <sup>56</sup>		2001	230	Am
4123	1999	658	Am <sup>56</sup>	4660	1999	658	Ad <sup>56</sup>
	2001	230	Am	4665	1999	658	Ad <sup>56</sup>
4128	1999	658	Am <sup>56</sup>	4670	1999	658	Ad <sup>56</sup>
	2000	999	Am	4671	1999	658	Ad <sup>56</sup>
4203	1999	658	Am <sup>56</sup>	4672	1999	658	Ad <sup>56</sup>
4206	1999	658	Am <sup>56</sup>	4673	1999	658	Ad <sup>56</sup>
4260	1999	658	Am <sup>56</sup>	4674	1999	658	Ad <sup>56</sup>
4265	1999	658	Am <sup>56</sup>	4675	1999	658	Ad <sup>56</sup>
4500	1999	658	Ad <sup>56</sup>	4676	1999	658	Ad <sup>56</sup>
4501	1999	658	Ad <sup>56</sup>	4677	1999	658	Ad <sup>56</sup>
4502	1999	658	Ad <sup>56</sup>	4678	1999	658	Ad <sup>56</sup>
4503	1999	658	Ad <sup>56</sup>	4680	1999	658	Ad <sup>56</sup>

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
4681	1999	658	Ad <sup>56</sup>	4766	1999	658	Ad <sup>56</sup>
4682	1999	658	Ad <sup>56</sup>	2001	230	Am	
4683	1999	658	Ad <sup>56</sup>	4767	1999	658	Ad <sup>56</sup>
4684	1999	658	Ad <sup>56</sup>	4768	1999	658	Ad <sup>56</sup>
4685	1999	658	Ad <sup>56</sup>	4769	1999	658	Ad <sup>56</sup>
4686	1999	658	Ad <sup>56</sup>	2001	230	Am	
4687	1999	658	Ad <sup>56</sup>	4770	1999	658	R & Ad <sup>56</sup>
4688	1999	658	Ad <sup>56</sup>	4771	1999	658	R & Ad <sup>56</sup>
4689	1999	658	Ad <sup>56</sup>	4772	1999	658	R <sup>56</sup>
4690	1999	658	Ad <sup>56</sup>	4773	1999	658	R <sup>56</sup>
4695	1999	658	Ad <sup>56</sup>	4774	1999	658	R <sup>56</sup>
4696	1999	658	Ad <sup>56</sup>	4775	1999	658	R <sup>56</sup>
4697	1999	658	Ad <sup>56</sup>	4776	1999	658	R <sup>56</sup>
4698	1999	658	Ad <sup>56</sup>	4777	1999	658	R <sup>56</sup>
4700	1999	658	R & Ad <sup>56</sup>	4778	1999	658	R <sup>56</sup>
4701	1999	658	R & Ad <sup>56</sup>	4779	1999	658	R <sup>56</sup>
4702	1999	658	R <sup>56</sup>	4780	1999	658	Ad <sup>56</sup>
4703	1999	658	R <sup>56</sup>	4781	1999	658	Ad <sup>56</sup>
4704	1999	658	R <sup>56</sup>	4782	1999	658	Ad <sup>56</sup>
4711	1999	658	Ad <sup>56</sup>	4783	1999	658	Ad <sup>56</sup>
	2001	230	Am	4784	1999	658	Ad <sup>56</sup>
4714	1999	658	Ad <sup>56</sup>	4785	1999	658	Ad <sup>56</sup>
4715	1999	658	Ad <sup>56</sup>	4786	1999	658	Ad <sup>56</sup>
4716	2001	329	Ad	4800	1999	658	R & Ad <sup>56</sup>
	2001	893	Ad	4801	1999	658	R & Ad <sup>56</sup>
4720	1999	658	R <sup>56</sup>	4802	1999	658	R & Ad <sup>56</sup>
4721	1999	658	R <sup>56</sup>	4803	1999	658	R & Ad <sup>56</sup>
4722	1999	658	R <sup>56</sup>	4804	1999	658	R & Ad <sup>56</sup>
4723	1999	658	R <sup>56</sup>	4805	1999	658	R & Ad <sup>56</sup>
4724	1999	658	R <sup>56</sup>	4806	1999	658	R <sup>56</sup>
4725	1999	658	R <sup>56</sup>	4900	1999	658	R <sup>56</sup>
4726	1999	658	R <sup>56</sup>	4901	1999	658	R <sup>56</sup>
4727	1999	658	R <sup>56</sup>	4902	1999	658	R <sup>56</sup>
4730	1999	658	Ad <sup>56</sup>	4903	1999	658	R <sup>56</sup>
4731	1999	658	Ad <sup>56</sup>	4904	1999	658	R <sup>56</sup>
4732	1999	658	Ad <sup>56</sup>	4905	1999	658	R <sup>56</sup>
4733	1999	658	Ad <sup>56</sup>	4920	1999	658	R <sup>56</sup>
4734	1999	658	Ad <sup>56</sup>	4921	1999	658	R <sup>56</sup>
4735	1999	658	Ad <sup>56</sup>	4922	1999	658	R <sup>56</sup>
4736	1999	658	Ad <sup>56</sup>	4923	1999	658	R <sup>56</sup>
4740	1999	658	Ad <sup>56</sup>	4940	1999	658	R <sup>56</sup>
4741	1999	658	Ad <sup>56</sup>	4941	1999	658	R <sup>56</sup>
4742	1999	658	Ad <sup>56</sup>	4942	1999	658	R <sup>56</sup>
4743	1999	658	Ad <sup>56</sup>	4943	1999	658	R <sup>56</sup>
4750	1999	658	R & Ad <sup>56</sup>	4944	1999	658	R <sup>56</sup>
4751	1999	658	R & Ad <sup>56</sup>	4945	1999	658	R <sup>56</sup>
4752	1999	658	R & Ad <sup>56</sup>	4946	1999	658	R <sup>56</sup>
4753	1999	658	R & Ad <sup>56</sup>	4947	1999	658	R <sup>56</sup>
4754	1999	658	Ad <sup>56</sup>	5003	2001	417	Am
4755	1999	658	Ad <sup>56</sup>	5302	2001	417	Am
4760	1999	658	Ad <sup>56</sup>	5501	2002	67	Am
4761	1999	658	Ad <sup>56</sup>	2002	809	Am	
4762	1999	658	Ad <sup>56</sup>	5600	2001	417	Ad
4763	1999	658	Ad <sup>56</sup>	5601	2001	417	Ad
				5602	2001	417	Ad
				5603	2001	417	Ad
				5604	2001	417	Ad
				6103	2002	138	Am
				6122	2001	893	Am
				2002	664	Am <sup>431</sup>	
				6122.1	2001	893	Ad
Div. 4.7, Pt. 3, Ch. 3, heading (Sec. 4765 et seq.)	2001	230	Am				
4765	1999	658	Ad <sup>56</sup>				

**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
6202	2001	417	R	16321	1999	145	Ad
6205	2002	138	Am	16322	1999	145	Ad
6240	2001	893	Am	16323	1999	145	Ad
6401	2002	447	Am <sup>175</sup>	16324	1999	145	Ad
6402	2002	447	Am <sup>175</sup>	16325	1999	145	Ad
6409	2002	138	Am	16326	1999	145	Ad
7200	1999	175	R	16327	1999	145	Ad
8461	2001	893	Am	16328	1999	145	Ad
8462	2001	893	Am	16335	1999	145	Ad
8465	2001	893	Am	16336	1999	145	Ad
9053	1999	263	Am	16337	1999	145	Ad
9100	1999	263	Am	16338	1999	145	Ad
9201	1999	987*	Am	16339	1999	145	Ad
9203	1999	987*	Am	16340	1999	145	Ad
9250	1999	263	Am	16341	1999	145	Ad
9860	2001	49	R	16345	1999	145	Ad
9861	2001	49	R	16346	1999	145	Ad
9862	2001	49	R	16347	1999	145	Ad
9864	2001	49	R	16350	1999	145	Ad
9865	2001	49	R	16351	1999	145	Ad
9866	2001	49	R	16352	1999	145	Ad
9867	2001	49	R	16355	1999	145	Ad
9868	2001	49	R	16356	1999	145	Ad
9869	2001	49	R	16357	1999	145	Ad
10531	1999	145	Am	16358	1999	145	Ad
10800	2001	699	Am	16360	1999	145	Ad
10804	2001	699	Am	16361	1999	145	Ad
10810	2001	699	Am	16362	1999	145	Ad
11444	2001	72	Am	16363	1999	145	Ad
11603	2000	17	Am	16364	1999	145	Ad
11640	2002	138	Am	16365	1999	145	Ad
13600	2002	733*	Am	16366	1999	145	Ad
15604	1999	424	Ad	16367	1999	145	Ad
	2001	351	Am	16370	1999	145	Ad
15688	2002	784	Am <sup>490</sup>	16371	1999	145	Ad
16060.5	2000	34	Am	16372	1999	145	Ad
16061.5	2000	34	Am	16373	1999	145	Ad
16061.7	2000	34	Am	16374	1999	145	Ad
	2000	592	Am	16375	1999	145	Ad
16061.8	2000	34	Am	17200	1999	175	Am
	2000	592	Am	17200.1	2001	49	R & Ad
16061.9	2000	34	Ad	17200.2	2001	49	R
16062	2001	159	Am <sup>305</sup>	17351	1999	145	Am
16249	2001	49	Am	19324	2001	72	Am
16300	1999	145	R	21101	2002	138	Am
16301	1999	145	R	21102	2002	138	Am
16302	1999	145	R	21103	2002	138	Am
16303	1999	145	R	21104	2002	138	Am
16304	1999	145	R	21105	2002	138	Am
16305	1999	145	R	21106	2002	138	R
16306	1999	145	R	21107	2002	138	Am
16307	1999	145	R	21108	2002	138	Am
16308	1999	145	R	21109	2002	138	Am
16309	1999	145	R	21110	2002	138	Am
16310	1999	145	R	21111	2001	417	Am
16311	1999	145	R		2002	138	Am
16312	1999	145	R	21112	2002	138	Am
16313	1999	145	R	21113	2002	138	R
16314	1999	145	R	21114	2002	138	Am
16315	1999	145	R	21115	2002	138	Am
16320	1999	145	Ad	21116	2002	138	R

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>
21117	2002	138	Am	21138	2002	138	R
21118	2002	138	Am	21139	2002	138	Am
21120	2002	138	Am	21140	2002	138	Am
21121	2002	138	Am	21300	2002	150	Am
21122	2002	138	Am	21305	2000	17	Ad
21131	2002	138	Am		2002	150	Am
21132	2002	138	R & Ad	21306	2000	17	Am
21133	2002	138	Am	21320	2000	17	Am
21134	2002	138	Am		2002	150	Am
21135	2002	138	Am	21351	2002	412	Am
21136	2002	138	R	21524	1999	145	Am
21137	2002	138	R	21700	2000	17	Ad

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

## PUBLIC CONTRACT 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>
1100.7	2001	832	Ad	10307	2000	776*	Am
1103	1999	972	Ad	10308	2000	776*	Am
1104	1999	875	Ad	10308.5	2000	776*	Am
1601	2002	398	Ad	10309	2000	776*	Am
2002	2001	882	Ad	10310	2000	776*	Am
	2002	951	Am	10311	2000	776*	Am
2056	2002	168	Am	10312	2000	776*	Am
3400	2001	267	Am	10313	2000	776*	Am
4104.5	2002	204	Am	10314	2000	776*	Am
4107	1999	972	Am	10315	2000	776*	Am
6106.5	2000	758	Ad	10318	2000	776*	Am
6108	2000	891	Am	10319	2000	776*	Am
6610	2000	159	Ad	10320	2000	776*	Am
7101	2001	166	Am	10320.5	2000	776*	Am
7103	2000	760	Am	10321	2000	776*	Am
9201	2002	315	Am		2000	938	Am
9203	2000	126	Am	10324	2000	918	R
10108	2000	528	Am	10325	2000	776*	Am
10116	2001	882	Ad	10326	2000	776*	Am
10126	2000	292	Am	10327	2000	776*	Am
	2002	455	Am	10328	2000	776*	Am
10129	2000	690	Ad	10330	2000	776*	Am
	2001	159	Am <sup>305</sup>	10331	2000	776*	Am
	2001	267	Am	10332	2000	776*	Am
10264	2002	965*	Am		2002	951	Am
10265	2002	438	Am <sup>426</sup>	10333	2000	776*	Am
Div. 2,				10334	2000	776*	Am
Pt. 2,				Div. 2,			
Ch. 2,				Pt. 2,			
heading				Ch. 2,			
(Sec. 10290				Art. 4,			
et seq.)	2000	776*	Am	heading			
10290	2000	918	Am	(Sec. 10335			
10290.1	2000	918	Am	et seq.)	2000	759	Am
10295	1999	457*	Am	10335	2000	759	Am
	2000	36	Am	10335.5	2000	759	Ad
	2000	402*	Am (by Sec. 21	10335.7	2000	759	Ad(RN)
			of Ch.) <sup>14</sup>	10336	2000	759	Am
			Am (by	10339	2000	759	Am
			Sec. 21.5	10340	2000	759	Am
			of Ch.) <sup>25</sup>	10343	2000	759	R
10295.1	2000	776*	R	10344	2000	759	Am
10295.3	2000	776*	R	10344.1	1999	457*	Am
10295.5	2000	776*	Am		2000	759	Am
10298	2000	918	R & Ad	10344.3	2000	759	R
10299	2000	71*	Ad	10345	2000	759	Am
	2000	127*	Ad	10346	2000	759	Am
Div. 2,				10348	2000	759	Am
Pt. 2,				10348.5	2000	759	Ad
Ch. 2,				10349	2000	759	Am
Art. 3,				10350	2001	745*	R
heading				10351	2000	759	Am
(Sec. 10300				10353	2000	759	Am
et seq.)	2000	776*	Am	Div. 2,			
10300	2000	776*	Am	Pt. 2,			
10301	2000	918	Am	Ch. 2,			
10302	2000	918	Am	Art. 5,			
10302.5	2000	776*	Am	heading			
10302.6	2000	776*	Am	(Sec. 10355			
10304	2000	776*	Am	et seq.)	2000	759	R
10306	2000	918	Am	10355	2000	759	R

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**PUBLIC CONTRACT 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>
10356	2000	759	R	12108	2000	776*	Am
10357	2000	759	Am & RN	12109	2000	776*	Am
10358	2000	759	R	12110	2000	918	R
10359	2000	759	Am	12111	2000	776*	R
	2002	953	Am	12112	2000	776*	Am
10360	2000	759	R	12113	2000	776*	Am
10362	2000	759	R	12113.5	2000	776*	R
10363	2000	759	R	12120	2000	776*	Am
10364	2000	759	R	12126	2001	610	Am
10365	2000	759	R	12128	2001	610	Am
10366	2000	759	R	12129	2001	610	Am
10367	2000	759	Am	12156	1999	910	Ad
10369	2000	759	Am	12162	1999	816	Am <sup>13</sup>
10370	2000	759	Am	12170	2000	740	S <sup>57</sup>
10371	2000	759	Am	12171	2000	740	R
10372	2000	759	R	12205	1999	816	Am <sup>13</sup>
10373	2000	759	R		2002	363	Am
10374	2000	759	R	12210	2002	408	Am
10375	2000	759	R	12225	2002	408	Am
10376	2000	759	R	12305	2002	363	Am
10377	2000	759	R	12305.5	1999	816	Am <sup>13</sup>
10378	2000	759	R	12310	1999	816	Am <sup>13</sup>
10379	2000	759	R	12400	2002	575	Ad
10380	2000	759	R	12401	2002	575	Ad
10381	2000	759	Am	12401.5	2002	575	Ad
10382	2000	759	R	12402	2002	575	Ad
10406	2002	408	Am	12403	2002	575	Ad
10426	2002	1097	Ad	12404	2002	575	Ad
10430	2001	219	Am	19100	2002	438	Am <sup>426</sup>
	2002	1122	Am <sup>175</sup>	20101	1999	972	Ad
10515	2002	1122	Ad <sup>175</sup>	20103.8	2000	292	Ad
10516	2002	1122	Ad <sup>175</sup>		2002	455	Am
10517	2002	1122	Ad <sup>175</sup>	20133	1999	258	Am
10518	2002	1122	Ad <sup>175</sup>		2000	594	Ad & R <sup>43</sup>
10520	2002	1122	Ad <sup>175</sup>	20175	2000	767	Am <sup>20</sup>
10521	2002	1122	Ad <sup>175</sup>	20175.1	2002	976*	Ad & R <sup>43</sup>
10522	2002	1122	Ad <sup>175</sup>	20209.10	2000	541	Ad & R <sup>18</sup>
10523	2002	1122	Ad <sup>175</sup>	20209.11	2000	541	Ad & R <sup>18</sup>
10524	2002	1122	Ad <sup>175</sup>	20209.12	2000	541	Ad & R <sup>18</sup>
10525	2002	1122	Ad <sup>175</sup>	20209.13	2000	541	Ad & R <sup>18</sup>
10705	2001	219	Am	20209.14	2000	541	Ad & R <sup>18</sup>
10710	2001	219	Am	20209.5	2000	541	Ad & R <sup>18</sup>
10760	2001	219	Am	20209.6	2000	541	Ad & R <sup>18</sup>
10780.5	2000	292	Ad	20209.7	2000	541	Ad & R <sup>18</sup>
	2002	455	Am		2001	159	Am <sup>305</sup>
Div. 2,				20209.8	2000	541	Ad & R <sup>18</sup>
Pt. 2,				20209.9	2000	541	Ad & R <sup>18</sup>
Ch. 3,				20216	1999	101	Am
heading					2002	341	Am
(Sec. 12100				20217	1999	101	Ad
et seq.)	2000	776*	Am	20231	1999	1007	R
12100	2000	918	Am	Div. 2,			
12100.5	2000	776*	Am	Pt. 3,			
12100.7	2000	776*	Am	Ch. 1,			
12101	2000	776*	Am	Art. 16,			
12101.5	2000	918	Am	heading			
12102	2000	135	Am <sup>203</sup>	(Sec. 20300			
	2000	776*	Am	et seq.)	1999	724	Am
12103	2000	776*	Am	20300	1999	724	Am
12104	2000	776*	Am	20301.5	1999	109	Ad
	2001	745*	R		2000	596	Am

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**PUBLIC CONTRACT 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>
20321	1999	1007	Am	20815.1	2001	15	Ad
20341	1999	1007	Am	20815.3	2001	15	Ad
20351	2001	825	Am	20815.5	2001	15	Ad
20355	2002	341	Ad	21162	2001	847	Ad
20355.1	2002	341	Ad	21251	1999	779*	Am
20355.2	2002	341	Ad	22032	2001	176	Am
20355.3	2002	341	Ad	22034	2001	176	Am
20355.4	2002	341	Ad	22350	1999	784*	Ad
20355.5	2002	341	Ad	22351	1999	784*	Ad
20355.6	2002	341	Ad	22352	1999	784*	Ad
20355.7	2002	341	Ad	22353	1999	784*	Ad
20813	2001	176	Am	22355	1999	784*	Ad
20815	2001	15	Ad				

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**PUBLIC RESOURCES 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>
538	2000	385	Ad	4750.6	2002	854*	Ad
615	2001	234	Ad	4750.7	2002	854*	Ad
	2002	664	Am <sup>431</sup>	4790	2000	409	Am
662	2000	514	Am	4792	2000	409	Am
674	2001	745*	R	4793	2000	409	Am
2207	1999	869	Am	4794	2000	409	Am
2621.9	1999	876	Am	4799.01	2000	409	Am
2694	1999	876	Am	4876	2002	221	R
2715.5	1999	869	Ad <sup>157</sup>	5001.4	2000	385	Ad
			R <sup>156</sup>	5001.6	2002	953	Am
	2000	135	Am <sup>203</sup>	5001.65	2000	385	Am
2770.6	2000	515	Ad	5002.6	2000	782*	Am
2772.5	2000	515	Ad	5003.1	2000	385	Am
2772.6	2000	515	Ad	5003.4	2000	542	Am
2773.2	1999	869	Ad <sup>157</sup>		2001	434	Am <sup>34</sup>
	2000	87*	Am		2002	1038	S <sup>22</sup>
2773.3	2002	1154	Ad <sup>82</sup>	5004.5	2001	877	Ad
2773.5	2002	1154	Ad <sup>82</sup>		2002	975	Am
2774.6	1999	869	R	5005.6	2002	953	Am
2796	2000	713	Am <sup>295</sup>	5006.1	2002	565	Am
			R <sup>34</sup>	5006.42	2001	379	Ad
2796.5	2000	713	Ad & R <sup>20</sup>	5006.49	1999	66*	Ad
	2002	1154	Am <sup>82</sup>	5007.2	2000	173	Ad
2797	2002	1154	Ad <sup>82</sup>	5010	2002	563	Am
3203	2000	737	Am	5011.5	2000	499	Am
3205.2	2000	737	Am	5017	2001	745*	R
3206	2000	737	Am	5018.1	2000	993*	Ad & R <sup>18</sup>
3208.1	2000	737	Am	5019.10	2002	966	Ad & R <sup>460</sup>
3219.5	2000	737	Ad	5019.11	2002	966	Ad & R <sup>460</sup>
3226	2000	737	Am	5019.12	2002	966	Ad & R <sup>460</sup>
3236.5	2000	737	Am	5019.13	2002	966	Ad & R <sup>460</sup>
3237	2000	737	Am	5019.14	2002	966	Ad & R <sup>460</sup>
3352	2000	737	Am	5019.15	2002	966	Ad & R <sup>460</sup>
3460	2000	343	Am	5019.50	2000	385	Am
3470	2000	343	Am	5019.53	2000	385	Am
3744	1999	223	Am	5019.56	2000	385	Am
	2000	737	Am	5019.59	2000	385	Am
4114.5	2002	476	Ad	5019.62	2000	385	Am
4121	2002	291	R	5019.65	2000	385	Am
4123	2002	596	Ad	5019.71	2000	385	Am
4136	1999	876	Am	5019.74	2000	385	Am
4554.5	1999	582	Am	5019.80	2000	385	Ad
			R & Ad <sup>25</sup>	5029.5	1999	759	Ad
4576.1	2002	171	Am	5056	2002	953	R
4582.7	2001	639	Am (by Sec. 1 of Ch.)	5080.23	1999	66*	Am
					2000	993*	Am
4584	2001	627	Am	5080.24	2001	243	Am
4601.1	1999	582	Ad	5080.27	2002	329	R
	2002	762	Am	5080.28	1999	66*	Ad
4601.2	1999	582	Ad	5080.50	1999	733	Ad
4601.3	1999	582	Ad	5080.51	1999	733	Ad
4601.4	1999	582	Ad	5080.52	1999	733	Ad
4601.5	1999	582	Ad	5080.53	1999	733	Ad
4612	1999	582	Am	5080.54	1999	733	Ad
	2002	953	Am	5080.55	1999	733	Ad
4750	2002	854*	Ad		2002	953	R
4750.1	2002	854*	Ad	5080.56	1999	733	Ad
4750.2	2002	854*	Ad	5090.01	2001	227	S <sup>75</sup>
4750.3	2002	854*	Ad		2002	563	Am
4750.4	2002	854*	Ad	5090.02	2001	227	S <sup>75</sup>
4750.5	2002	854*	Ad	5090.03	2001	227	S <sup>75</sup>

**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>	
5090.04	2001	227	S <sup>75</sup>	5090.47	2001	227	S <sup>75</sup>	
5090.05	2001	227	S <sup>75</sup>		2002	563	Am & RN	
5090.06	2001	227	S <sup>75</sup>	Div. 5, Ch. 1.25, Art. 5, heading (Sec. 5090.50 et seq.)				
	2002	563	Am					
5090.07	2001	227	S <sup>75</sup>			2002	563	Am
5090.08	2001	227	S <sup>75</sup>		5090.50	2001	227	S <sup>75</sup>
5090.09	2001	227	S <sup>75</sup>			2002	563	Am
5090.10	2001	227	S <sup>75</sup>			2001	227	S <sup>75</sup>
5090.11	2001	227	S <sup>75</sup>			2002	563	Am
	2002	563	Am		5090.51	2001	159	Am <sup>305</sup>
5090.12	2001	227	S <sup>75</sup>			2001	227	S <sup>75</sup>
	2002	563	R & Ad		5090.52	2001	227	S <sup>75</sup>
5090.13	2001	227	S <sup>75</sup>		2002	563	R	
	2002	563	R	5090.53	2001	227	S <sup>75</sup>	
5090.15	2001	227	S <sup>75</sup>		2002	563	Am	
	2002	563	Am	5090.55	2001	227	S <sup>75</sup>	
5090.16	2001	227	S <sup>75</sup>		2002	563	R	
5090.17	2001	227	S <sup>75</sup>	5090.56	2001	227	S <sup>75</sup>	
	2002	563	Am		2002	563	R	
5090.18	2001	227	S <sup>75</sup>	5090.60	2001	227	S <sup>75</sup>	
5090.19	2001	227	S <sup>75</sup>		2002	563	Am	
	2002	563	Am	5090.61	2001	227	S <sup>75</sup>	
5090.20	2001	227	S <sup>75</sup>		2002	563	Am	
5090.21	2001	227	S <sup>75</sup>	5090.62	2001	227	S <sup>75</sup>	
5090.22	2001	227	S <sup>75</sup>		2002	563	R	
	2002	563	Am	5090.63	2001	227	S <sup>75</sup>	
5090.23	2001	227	S <sup>75</sup>	5090.64	2001	227	S <sup>75</sup>	
	2002	563	Am		2002	563	Am	
5090.24	2001	227	S <sup>75</sup>	5090.65	2002	563	Ad(RN)	
	2002	563	Am	5090.70	2001	227	Am <sup>75</sup>	
5090.25	2001	227	S <sup>75</sup>	5091.10	2001	278	Am	
	2002	563	R	5091.15	2001	278	Am	
5090.30	2001	227	S <sup>75</sup>	5091.20	2002	292	Am	
5090.31	2001	227	S <sup>75</sup>	5091.25	2001	278	Am	
5090.32	2001	227	S <sup>75</sup>	5093.54	1999	1016	Am	
	2002	563	Am		1999	1017	Am (as am by	
5090.33	2001	227	S <sup>75</sup>				Stats. 1999,	
	2002	563	R				Ch. 1016) <sup>99</sup>	
5090.34	2001	227	S <sup>75</sup>	5093.545	1999	1016	Am	
	2002	563	Am		1999	1017	Am (as am by	
5090.35	2001	227	S <sup>75</sup>				Stats. 1999,	
	2002	563	Am				Ch. 1016) <sup>105</sup>	
5090.36	2001	227	S <sup>75</sup>	5094.2	2001	745*	Am	
	2002	563	Am	5095	2001	877	Ad	
5090.37	2002	563	Ad(RN)	5095.1	2001	877	Ad	
5090.40	2001	227	S <sup>75</sup>	5095.2	2001	877	Ad	
	2002	563	R		2002	664	Am <sup>431</sup>	
5090.41	2001	227	S <sup>75</sup>	5095.3	2001	877	Ad	
5090.43	2001	227	S <sup>75</sup>		2002	975	Am	
	2002	563	Am	5095.4	2001	877	Ad	
Div. 5, Ch. 1.25, Art. 4.5, heading (Sec. 5090.44 et seq.)					2002	975	Am	
	2002	563	Ad	5095.5	2001	877	Ad	
5090.44	2001	227	S <sup>75</sup>		2002	975	Am	
	2002	563	Am	5095.6	2002	975	Ad	
5090.45	2001	227	S <sup>75</sup>	5096.244	2001	745*	Am	
	2002	563	Am & RN	5096.300	1999	461*	Ad <sup>90</sup>	
5090.46	2001	227	S <sup>75</sup>	5096.301	1999	461*	Ad <sup>90</sup>	
	2002	563	Am & RN	5096.302	1999	461*	Ad <sup>90</sup>	
	2002	563	Am & RN	5096.303	1999	461*	Ad <sup>90</sup>	
	2001	227	S <sup>75</sup>	5096.306	1999	461*	Ad <sup>90</sup>	

**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>
5096.307	1999	461 *	Ad <sup>90</sup>		1999	638 *	Ad <sup>110 90</sup>
5096.3075	1999	461 *	Ad <sup>90</sup>	5096.369	1999	461 *	Ad <sup>90</sup>
5096.308	1999	461 *	Ad <sup>90</sup>	5096.370	1999	461 *	Ad <sup>90</sup>
5096.309	1999	461 *	Ad <sup>90</sup>	5096.371	1999	461 *	Ad <sup>90</sup>
5096.310	1999	461 *	Ad <sup>82</sup>	5096.372	1999	461 *	Ad <sup>90</sup>
	1999	638 *	Ad <sup>110 90</sup>	5096.400	1999	461 *	Ad
5096.320	1999	461 *	Ad <sup>90</sup>	5096.600	2001	875 *	Ad <sup>353</sup>
5096.322	1999	461 *	Ad <sup>90</sup>	5096.601	2001	875 *	Ad <sup>353</sup>
5096.323	1999	461 *	Ad <sup>90</sup>	5096.605	2001	875 *	Ad <sup>353</sup>
5096.324	1999	461 *	Ad <sup>82</sup>	5096.606	2001	875 *	Ad <sup>353</sup>
	1999	638 *	Ad <sup>110 90</sup>	5096.610	2001	875 *	Ad <sup>353</sup>
5096.331	1999	461 *	Ad <sup>90</sup>	5096.615	2001	875 *	Ad <sup>353</sup>
5096.332	1999	461 *	Ad <sup>90</sup>	5096.620	2001	875 *	Ad <sup>353</sup>
5096.333	1999	461 *	Ad <sup>90</sup>	5096.621	2001	875 *	Ad <sup>353</sup>
5096.334	1999	461 *	Ad <sup>90</sup>	5096.624	2001	875 *	Ad <sup>353</sup>
5096.335	1999	461 *	Ad <sup>90</sup>	5096.625	2001	875 *	Ad <sup>353</sup>
5096.336	1999	461 *	Ad <sup>90</sup>	5096.629	2001	875 *	Ad <sup>353</sup>
5096.337	1999	461 *	Ad <sup>82</sup>	5096.633	2001	875 *	Ad <sup>353</sup>
	1999	638 *	Ad <sup>110 90</sup>	5096.650	2001	875 *	Ad <sup>353</sup>
5096.338	1999	461 *	Ad <sup>90</sup>	5096.651	2001	875 *	Ad <sup>353</sup>
5096.339	1999	461 *	Ad <sup>82</sup>	Div. 2,			
	1999	638 *	Ad <sup>110 90</sup>	Ch. 1.696,			
5096.340	1999	461 *	Ad <sup>90</sup>	Art. 5,			
5096.341	1999	461 *	Ad <sup>90</sup>	heading			
5096.342	1999	461 *	Ad <sup>90</sup>	(Sec. 5096.652			
5096.343	1999	461 *	Ad <sup>90</sup>	et seq.)	2002	664	Am & RN <sup>431</sup>
5096.344	1999	461 *	Ad <sup>82</sup>	Div. 2,			
	1999	638 *	Ad <sup>110 90</sup>	Ch. 1.696,			
5096.345	1999	461 *	Ad <sup>82</sup>	Art. 5.5,			
	1999	638 *	Ad <sup>110 90</sup>	heading			
5096.346	1999	461 *	Ad <sup>90</sup>	(Sec. 5096.652			
5096.347	1999	461 *	Ad <sup>82</sup>	et seq.)	2002	664	Ad(RN) <sup>431</sup>
	1999	638 *	Ad <sup>110 90</sup>	5096.652	2001	875 *	Ad <sup>353</sup>
5096.348	1999	461 *	Ad <sup>82</sup>	5096.665	2001	875 *	Ad <sup>353</sup>
	1999	638 *	Ad <sup>110 90</sup>	5096.666	2001	875 *	Ad <sup>353</sup>
5096.350	1999	461 *	Ad <sup>82</sup>	5096.667	2001	875 *	Ad <sup>353</sup>
	1999	638 *	Ad <sup>110 90</sup>	5096.668	2001	875 *	Ad <sup>353</sup>
5096.351	1999	461 *	Ad <sup>90</sup>	5096.670	2001	875 *	Ad <sup>353</sup>
5096.352	1999	461 *	Ad <sup>82</sup>	5096.671	2001	875 *	Ad <sup>353</sup>
	1999	638 *	Ad <sup>110 90</sup>	5096.672	2001	875 *	Ad <sup>353</sup>
5096.353	1999	461 *	Ad <sup>82</sup>	5096.673	2001	875 *	Ad <sup>353</sup>
	1999	638 *	Ad <sup>110 90</sup>	5096.674	2001	875 *	Ad <sup>353</sup>
5096.354	1999	461 *	Ad <sup>90</sup>	5096.675	2001	875 *	Ad <sup>353</sup>
5096.355	1999	461 *	Ad <sup>90</sup>	5096.676	2001	875 *	Ad <sup>353</sup>
5096.356	1999	461 *	Ad <sup>82</sup>	5096.677	2001	875 *	Ad <sup>353</sup>
	1999	638 *	Ad <sup>110 90</sup>	5096.678	2001	875 *	Ad <sup>353</sup>
5096.357	1999	461 *	Ad <sup>82</sup>	5096.679	2001	875 *	Ad <sup>353</sup>
	1999	638 *	Ad <sup>110 90</sup>	5096.681	2001	875 *	Ad <sup>353</sup>
5096.358	1999	461 *	Ad <sup>90</sup>	5096.683	2001	875 *	Ad <sup>353</sup>
5096.360	1999	461 *	Ad <sup>82</sup>	5096.686	2002	8	Ad & R <sup>38</sup>
	1999	638 *	Ad <sup>110 90</sup>	5096.687	2002	322 *	Ad
5096.361	1999	461 *	Ad <sup>90</sup>	5096.688	2002	322 *	Ad
5096.362	1999	461 *	Ad <sup>82</sup>	5096.689	2002	322 *	Ad
	1999	638 *	Ad <sup>110 90</sup>	5097.7	2001	879	Ad <sup>37 70</sup>
5096.363	1999	461 *	Ad <sup>90</sup>				R <sup>63</sup>
5096.364	1999	461 *	Ad <sup>90</sup>	5097.71	2001	879	Ad <sup>37 70</sup>
5096.365	1999	461 *	Ad <sup>90</sup>				R <sup>63</sup>
5096.366	1999	461 *	Ad <sup>90</sup>	5097.72	2001	879	Ad <sup>37 70</sup>
5096.367	1999	461 *	Ad <sup>90</sup>				R <sup>63</sup>
5096.367.5	1999	461 *	Ad <sup>90</sup>	5097.993	2002	290 *	Ad
5096.368	1999	461 *	Ad <sup>82</sup>	5097.994	2002	290 *	Ad

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**PUBLIC RESOURCES CODE—Continued**

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
5097.995	2002	1155	Ad	5781.14	2001	15	R
5097.996	2002	1155	Ad	5781.2	2001	15	R
5164	2001	777	Am	5781.20	2001	15	R
5506.11	2000	755	Ad	5781.21	2001	15	R
5506.12	2002	24	Ad	5781.22	2001	15	R
5514	2000	755	Am	5781.23	2001	15	R
	2002	24	Am	5781.24	2001	15	R
5533.7	2002	24	Ad	5781.25	2001	15	R
5540.5	1999	321	Am	5781.26	2001	15	R
	2002	23*	Am	5781.3	2001	15	R
5540.6	2002	23*	Am	5781.31	2001	15	R
5546	1999	321	Am	5781.32	2001	15	R
5549	1999	135	Am	5781.33	2001	15	R
	2002	23*	Am	5781.34	2001	15	R
5627	2002	1031*	Am	5781.4	2001	15	R
5631	2001	745*	Am	5781.45	2001	15	R
5640	2001	876	Ad	5781.46	2001	15	R
5641	2001	876	Ad	5781.5	2001	15	R
5642	2001	876	Ad	5781.6	2001	15	R
5643	2001	876	Ad	5781.7	2001	15	R
5644	2001	876	Ad	5781.8	2001	15	R
5645	2001	876	Ad	5782	2001	15	R & Ad
5646	2001	876	Ad	5782.1	2001	15	R & Ad
5647	2001	876	Ad	5782.10	2001	15	R
5648	2001	876	Ad	5782.11	2001	15	R
5649	2001	876	Ad	5782.12	2001	15	R
5650	2001	876	Ad	5782.13	2001	15	R
5651	2001	876	Ad	5782.14	2001	15	R
5652	2001	876	Ad	5782.15	2001	15	R
5653	2001	876	Ad	5782.16	2001	15	R
5654	2001	876	Ad	5782.17	2001	15	R
5780	2001	15	R & Ad	5782.18	2001	15	R
5780.05	2001	15	R	5782.19	2001	15	R
5780.1	2001	15	R & Ad	5782.2	2001	15	R
5780.10	2001	15	R	5782.21	2001	15	R
5780.11	2001	15	R	5782.22	2001	15	R
5780.12	2001	15	R	5782.23	2001	15	R
5780.13	2001	15	R	5782.24	2001	15	R
5780.14	2001	15	R	5782.25	2001	15	R
5780.15	2001	15	R	5782.26	2001	15	R
5780.16	2001	15	R	5782.27	2001	15	R
5780.17	2001	15	R	5782.3	2001	15	R & Ad
	2001	745*	R	5782.4	2001	15	R
5780.18	2001	15	R	5782.5	2001	15	R & Ad
5780.19	2001	15	R	5782.5.1	1999	96*	Ad
5780.2	2001	15	R		2000	66	R
5780.20	2001	15	R	5782.6	2001	15	R
5780.21	2001	15	R	5782.65	2001	15	R
5780.3	2001	15	R & Ad	5782.7	2001	15	R & Ad
5780.30	2001	15	R	5782.7.1	2001	15	R
5780.4	2001	15	R	5782.7.2	2001	15	R
5780.5	2001	15	R & Ad	5782.8	2001	15	R
5780.6	2001	15	R	5782.9	2001	15	R
5780.7	2001	15	R & Ad	5783	2001	15	R & Ad
5780.8	2001	15	R	5783.1	2001	15	R & Ad
5780.9	2001	15	R & Ad	5783.11	2001	15	R & Ad
5781	2001	15	Ad	5783.12	2001	15	R
5781.1	2001	15	R & Ad	5783.13	2001	15	R & Ad
5781.10	2001	15	R	5783.3	2001	15	R & Ad
5781.12	2001	15	R	5783.5	2001	15	R & Ad
5781.13	2001	15	R	5783.6	2001	15	R

**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>
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 <sup>82</sup>	5786.5	2001	15	Ad
	2001	176	Ad	5786.7	2001	15	Ad
5784.10	2001	15	R		2002	454	Am
5784.11	2001	15	R & Ad	5786.9	2001	15	Ad
5784.12	2001	15	R	5787	2001	15	Ad
5784.13	2001	15	R & Ad	5787.1	2001	15	Ad
5784.14	2001	15	R	5787.3	2001	15	Ad
5784.15	2001	15	R & Ad	5788	2001	15	R & Ad
5784.16	2001	15	R	5788.1	2001	15	R & Ad
5784.17	2001	15	R	5788.10	2001	15	R
5784.18	2001	15	R	5788.11	2001	15	R & Ad
5784.19	2001	15	R	5788.12	2001	15	R
5784.2	2001	15	R	5788.13	2001	15	R & Ad
5784.20	2001	15	R	5788.15	2001	15	Ad
5784.21	2001	15	R	5788.17	2001	15	Ad
5784.22	2001	15	R	5788.19	2001	15	Ad
5784.23	2001	15	R	5788.2	2001	15	R
5784.24	2001	15	R	5788.21	2001	15	Ad
5784.25	2001	15	R	5788.23	2001	15	Ad
5784.26	2001	15	R	5788.25	2001	15	Ad
5784.27	2001	15	R	5788.3	2001	15	R & Ad
5784.28	2001	15	R	5788.4	2001	15	R
5784.29	2001	15	R	5788.5	2001	15	R & Ad
5784.3	2001	15	R & Ad	5788.6	2001	15	R
5784.30	2001	15	R	5788.7	2001	15	R & Ad
5784.31	2001	15	R	5788.8	2001	15	R
5784.32	2001	15	R	5788.9	2001	15	R & Ad
5784.33	2001	15	R	5789	2001	15	Ad
5784.34	2001	15	R	5789.1	2001	15	Ad
5784.35	2001	15	R	5789.3	2001	15	Ad
5784.36	2001	15	R	5789.5	2001	15	Ad
5784.37	2001	15	R	5790	2001	15	Ad
5784.38	2001	15	R	5790.1	2001	15	Ad
5784.39	2001	15	R	5790.11	2001	15	Ad
5784.4	2001	15	R	5790.13	2001	15	Ad
5784.40	2000	66	Ad	5790.15	2001	15	Ad
	2001	15	R	5790.17	2001	15	Ad
5784.5	2001	15	R & Ad	5790.3	2001	15	Ad
5784.6	2001	15	R	5790.5	2001	15	Ad
5784.7	2001	15	R & Ad	5790.7	2001	15	Ad
5784.8	2001	15	R	5790.9	2001	15	Ad
5784.8a	2001	15	R	5791	2001	15	Ad
5784.9	2001	15	R & Ad	5791.1	2001	15	Ad
5785	2001	15	R & Ad		2002	76	Am
5785.1	2001	15	Ad	5791.3	2001	15	Ad
5785.3	2001	15	Ad	5791.5	2001	15	Ad
5785.5	2001	15	Ad	5791.7	2001	15	Ad
5786	2001	15	Ad	5811	2000	964	Am
5786.1	2001	15	Ad	5812	2000	964	Am
5786.11	2001	15	Ad	5813	2000	964	Am
5786.13	2001	15	Ad	5814	2000	964	Am
5786.15	2001	15	Ad	5815	2000	964	Am
5786.17	2001	15	Ad	5815.5	2000	964	Ad
5786.19	2001	15	Ad	5816	2000	964	Am
5786.21	2001	15	Ad	5817	2000	964	Am
5786.23	2001	15	Ad	5825	2002	953	R
5786.25	2001	15	Ad	5842.5	1999	104	Ad

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**PUBLIC RESOURCES CODE—Continued**

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
6211	2001	745 *	Am	10240	1999	503	Am
6217.1	2000	715	Am		2002	616	Am
	2001	449	Am	10241	1999	503	Am
	2002	600	Am		2002	616	Am
6230	2001	745 *	Am	10242	1999	503	Am
6231	2001	745 *	Am	10243	1999	503	Am
6307.1	2002	432	Ad	10244	2002	616	Am
6477	2001	745 *	Am	10246	2002	616	Am
6916	2001	745 *	Am	10250	2002	616	Am
8601	2002	432	Am	10251	1999	503	Am
8625	2002	432	Am		2002	616	Am
8780	2002	512	Ad & R <sup>38</sup>	10252	1999	503	Am
8781	2002	512	Ad & R <sup>38</sup>		2001	234	Am
8782	2002	512	Ad & R <sup>38</sup>		2002	616	Am
8783	2002	512	Ad & R <sup>38</sup>	10254	1999	503	Am
8784	2002	512	Ad & R <sup>38</sup>		2002	616	Am
8785	2002	512	Ad & R <sup>38</sup>	10255	2002	616	Ad
8786	2002	512	Ad & R <sup>38</sup>	10260	2002	616	Am
8787	2002	512	Ad & R <sup>38</sup>	10260.5	1999	503	Ad
8788	2002	512	Ad & R <sup>38</sup>		2002	616	Am
8789	2002	512	Ad & R <sup>38</sup>	10261	1999	503	Am
8801	2002	454	Am		2002	616	Am
8811	2002	454	R & Ad(RN)	10262	2002	616	Am
8812	2002	454	Am & RN & Ad	10262.1	1999	503	Ad
8813	2002	454	R & Ad	10262.2	2002	616	Ad
8813.1	2002	454	R	10262.5	2002	616	Ad
8813.2	2002	454	R	10263	2002	616	Am
8815.1	2002	454	Am	10264	2002	616	Am
8815.2	2002	454	Am	10265	2002	616	R
8815.3	2002	454	Am	10270	2002	616	Am
8815.4	2002	454	R & Ad	10271	2002	616	Am
8817	2002	454	Am	10273	2002	616	Am
8819	2002	454	Am	10274	2002	616	Am
9756	2001	745 *	R	10276	1999	503	Am
9977	2002	221	Am		2002	616	Am
10005	2001	398	Am	10278	2002	983	Ad & R <sup>68 37</sup>
10200	1999	503	Am	10279	2002	983	Ad & R <sup>68 37</sup>
10211	1999	503	Am	10279.6	2002	983	Ad & R <sup>68 37</sup>
	2002	616	Am	10280	2002	983	Ad
10212	1999	503	Am	10280.5	2002	983	Ad
	2002	616	Am	10281	2002	983	Ad
10216	1999	503	Am	10281.5	2002	983	Ad
10218	1999	83	Am <sup>30</sup>	10282	2002	983	Ad
10222	1999	503	Am	10283	2002	983	Ad
10224	1999	503	Ad	10285	2002	983	Ad <sup>37</sup>
10230	1999	503	Am	10286	2002	983	Ad <sup>37</sup>
	2002	616	Am	10330	2002	984	Ad
10230.5	2002	616	Ad	10331	2002	984	Ad
10231	1999	503	Am	10332	2002	984	Ad
	2002	616	Am	10334	2002	984	Ad
10231.5	1999	503	Ad	10335	2002	984	Ad
10233	2002	616	Am	10335.5	2002	983	Am (as ad by Stats. 2002, Ch. 984)
10234	1999	503	Am				
	2002	616	Am				
10235	2002	616	Am		2002	984	Ad
10235.5	1999	503	Ad	10336	2002	984	Ad
10236	1999	503	Am	10337	2002	984	Ad
	2002	616	Am	10338	2002	984	Ad
10237	2002	616	Am	10339	2002	984	Ad
10239	1999	503	Am	10340	2002	984	Ad
	2002	616	Am	10341	2002	984	Ad

**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>
10342	2002	984	Ad	14529.7	2000	731	Am
10343	2002	984	Ad	14536	1999	815	Am
10344	2002	984	Ad		2001	874*	Am
12200	2000	790	Ad & R <sup>75</sup>	14537	2001	745*	Am
12210	2000	790	Ad & R <sup>75</sup>		2001	874*	Am
12211	2000	790	Ad & R <sup>75</sup>	14538	2001	874*	Am
12220	2000	790	Ad & R <sup>75</sup>	14539	2001	874*	Am
12230	2000	790	Ad & R <sup>75</sup>	14539.5	2000	731	Ad
12231	2000	790	Ad & R <sup>75</sup>	14541	2000	731	Am
12240	2000	790	Ad & R <sup>75</sup>		2001	874*	Am
12241	2000	790	Ad & R <sup>75</sup>	14541.5	2000	731	Ad
12242	2000	790	Ad & R <sup>75</sup>	14542	1999	815	R
12244	2000	790	Ad & R <sup>75</sup>	14549	1999	815	Am
12245	2000	790	Ad & R <sup>75</sup>	14549.1	1999	815	Ad & R <sup>78</sup>
12246	2000	790	Ad & R <sup>75</sup>		1999	817	R (as ad by
12247	2000	790	Ad & R <sup>75</sup>				Stats. 1999,
12248	2000	790	Ad & R <sup>75</sup>				Ch. 815) & Ad
12249	2000	790	Ad & R <sup>75</sup>		2000	731	Am & R <sup>20</sup>
12249.5	2000	790	Ad & R <sup>75</sup>		2001	874*	Am <sup>13</sup>
12249.6	2000	790	Ad & R <sup>75</sup>	14549.5	1999	815	Am
12250	2000	790	Ad & R <sup>75</sup>				R & Ad <sup>25</sup>
12250.5	2000	790	Ad & R <sup>75</sup>	14549.6	1999	815	Am
12251	2000	790	Ad & R <sup>75</sup>		2001	874*	Am
12252	2000	790	Ad & R <sup>75</sup>	14549.7	1999	815	Ad & R <sup>19</sup>
12260	2000	790	Ad & R <sup>75</sup>	14550	1999	815	Am
12262	2000	790	Ad & R <sup>75</sup>		1999	817	Am
12263	2000	790	Ad & R <sup>75</sup>	14551	1999	815	Am
12264	2000	790	Ad & R <sup>75</sup>	14551.5	1999	815	R & Ad
12275	2000	790	Ad & R <sup>75</sup>		2000	731	Am
12276	2000	790	Ad & R <sup>75</sup>	14552	2000	731	Am
12290	2000	790	Ad & R <sup>75</sup>	14553	2000	731	Am
12291	2000	790	Ad & R <sup>75</sup>	14555	2002	504	Ad
13021	2002	221	R	14560	1999	815	R & Ad
13076	2000	146*	Am	14560.5	1999	815	Am
13232.3	2001	606*	Ad		1999	817	Am
14307	2001	760	Am	14561	1999	815	Am
14309	2001	760	Ad		1999	817	Am
14314	2001	745*	Am		2000	731	Am
	2002	953	R	14571	1999	815	Am
14315	2001	760	Am	14571.3	2001	874*	Am
	2002	953	Am	14571.8	1999	815	Am
14316	2002	953	Am		2000	731	Am
14403	2002	953	Am	14571.9	2000	731	R
14420	1X 2001-02	8*	Ad & R <sup>37,20</sup>	14573	1999	815	Am
14421	1X 2001-02	8*	Ad & R <sup>37,20</sup>	14573.5	1999	815	Am
14422	1X 2001-02	8*	Ad & R <sup>37,20</sup>	14574	1999	815	Am
14423	1X 2001-02	8*	Ad & R <sup>37,20</sup>	14575	1999	1*	R (as am by
14424	1X 2001-02	8*	Ad & R <sup>37,20</sup>				Sec. 26,
14425	1X 2001-02	8*	Ad & R <sup>37,20</sup>				Stats. 1995,
14504	1999	815	Am <sup>77</sup>				Ch. 624) & Ad
			R <sup>25</sup>				R & Ad <sup>160</sup>
			Ad <sup>1</sup>		1999	83	Am <sup>30</sup>
14513.4	1999	731	Am		1999	815	R (as ad by
14514	2000	731	Ad				Sec. 3,
14514.4.1	1999	815	Ad				Stats. 1999,
14514.7	1999	815	Ad		1999	817	Ch. 1) & Ad
14515.1	2000	731	Ad				R (as ad by
14515.5	1999	815	Am				Stats. 1999,
14519.5	1999	815	Ad	14580	1999	815	Ch. 815) & Ad
14525.5.1	1999	815	Ad	14581	1999	1*	Am

**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>
14581 (Cont.)	1999	815	Am (as am by Sec. 4, Stats. 1999, Ch. 1)	21083	2002	1052	Am
	1999	817	Am	21083.2.5	2000	739*	R (as ad by AB 2752) <sup>82</sup>
	2000	731	Am	21083.7	2000	387*	Am
	2001	159	Am <sup>305</sup>	21083.9	2001	867	Am
14585	1999	1*	Ad & R <sup>40</sup>		2002	638	Am
	1999	815	Ad	21085	2002	1039	R
14588	1999	815	Ad	21085.7	2000	925	Ad & R <sup>68</sup>
14588.1	1999	815	Ad	21090	2002	625*	Am
	2001	874*	Am	21091	2002	1052	Am
14588.2	1999	815	Ad	21091.5	2001	534	Ad
	2001	874*	Am	21092.2	2001	867	Am
14591	2000	731	Am	21096	2002	438	Am <sup>426</sup>
14591.1	1999	815	Am	21098	2002	638	Ad
	2000	731	Am	21151	2002	1121	Am
14591.2	2000	731	Am	21151.10	2000	925	Ad & R <sup>68</sup>
	2001	874*	Am	21151.7	2002	1154	Am <sup>82</sup>
14591.4	2000	731	Am	21151.9	2001	643	Am
14591.5	2002	784	Am <sup>490</sup>	21158.6	2001	701*	Ad & R <sup>18</sup>
14591.6	2000	731	Ad		2002	625*	Am
	2001	874*	Am		2002	664	Am <sup>431</sup>
14592	2000	731	R		2002	1039	R
14594.5	2000	731	Ad(RN)	21159.20	2002	1039	Ad
14595	2000	731	Am & RN & Ad	21159.21	2002	1039	Ad
14595.4	2000	731	Ad	21159.22	2002	1039	Ad
14595.5	2000	731	Ad	21159.23	2002	1039	Ad
14596	2000	731	Ad	21159.24	2002	1039	Ad
14597	2000	731	Ad	21159.25	2002	1039	Ad & R <sup>18</sup>
14599	2000	731	Ad	21159.26	2002	1039	Ad
Div. 12.2, heading (Sec. 15000 et seq.)				21159.27	2002	1039	Ad
15025	2001	656	Am	21159.9	2000	716*	Am
	2001	656	Ad		2002	1121	Am
	2002	625*	Am	21167.6	2002	1121	Am
15026	2001	656	Ad	21167.6.5	2002	1121	Ad
15027	2001	656	Ad	21167.7	2002	664	Am <sup>431</sup>
15028	2001	656	Ad	21178	1999	812	Ad & R <sup>20</sup>
15029	2001	656	Ad	22052	2001	745*	R
19524	2001	745*	R	25000.5	2000	288	Am
	2001	874*	R		2001	912	Am
21061.0.5	2002	1039	Ad	25008.5	1999	981	Am <sup>18</sup>
21064.3	2002	1039	Ad	25009	1999	581	Ad
21065.3	2002	1039	Ad	25141	2000	288	Ad
21066.5	2002	1154	R <sup>82</sup>	25300	2002	568	R & Ad
21071	2002	1039	Ad	25301	2002	568	R & Ad
21072	2002	1039	Ad	25302	2002	568	R & Ad
21080.10	2001	237	Am	25303	2002	568	R & Ad
	2002	1039	Am	25304	2002	568	R & Ad
21080.14	2001	237	Am	25305	1999	581	Am
	2002	1039	R		2002	568	R & Ad
21080.35	2001	534	Ad	25305.5	2002	568	Ad
21080.4	2000	738	Am	25306	2002	568	R & Ad
21080.5	2002	1121	Am	25307	2002	568	R & Ad
21081.7	2000	738	Am	25307.5	2002	568	R
	2001	867	Am	25308	2002	568	R
	2002	1039	R	25308.5	1999	581	Am
21082.1	2002	1052	Am		2002	568	R
				25309	1999	581	Am
					2002	568	R
				25309.1	2002	568	R
				25309.2	2002	568	R
				25309.3	1999	581	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>
25309.3	(Cont.)			25433.5	1X	2001–02	8* Ad <sup>37</sup>
	2002	568	R		2X	2001–02	9 Am
25310	2001	337	Am	25434	1X	2001–02	8* Ad <sup>37</sup>
	2002	568	R	25434.5	1X	2001–02	8* Ad <sup>37</sup>
25310.1	2002	568	R		2X	2001–02	9 Am
25310.2	2002	568	R	25435	1X	2001–02	8* Ad <sup>37</sup>
25310.3	2002	568	R	25436	1X	2001–02	8* Ad <sup>37</sup>
25310.4	2002	568	R	25440	2000		536 S <sup>111</sup>
25310.5	1999	812	Ad	25440.5	2000		536 S <sup>111</sup>
	2001	745*	R	25441	2000		536 S <sup>111</sup>
25320	2002	568	R & Ad		2002		601 Am
25321	2002	568	R & Ad	25441.5	2000		536 S <sup>111</sup>
25322	2002	568	R & Ad		2002		601 R
25323	2002	568	R & Ad	25442	2000		536 S <sup>111</sup>
25324	2002	568	R	25442.5	2000		536 S <sup>111</sup>
25325	2002	568	R	25442.7	2000		536 S <sup>111</sup>
25326	2002	568	R		2002		601 Am
25350	2000	288	Am	25443	2000		536 S <sup>111</sup>
25354	2000	288	Am		2X	2001–02	15* Am
25356	2000	288	Am	25443.5	2000		536 S <sup>111</sup>
25364	2000	288	Am		2002		601 Am
25401.1	2002	568	R	25445	2000		536 S <sup>111</sup>
25401.5	2001	773	Ad		2002		601 Am
25401.6	2002	836	Ad	25446	2000		536 S <sup>111</sup>
25401.7	2001	773	Ad		2002		601 Am
25402	2002	421	Am	25447.2	2000		536 S <sup>111</sup>
25402.5	1X	2001–02	7* Am		2002		601 R
25402.6	2001	905	Ad	25448	2000		536 S <sup>111</sup>
25402.7	2001	905	Ad	25448.1	2000		536 S <sup>111</sup>
25403.5	2001	745*	Am	25449	2000		536 S <sup>111</sup>
	2002	664	Am <sup>431</sup>	25449.1	2000		536 S <sup>111</sup>
25403.8	2X	2001–02	6* Ad		2002		601 Am
25406	2X	2001–02	17 Ad	25449.2	2000		536 S <sup>111</sup>
25410	2000	536	S <sup>111</sup>	25449.3	2000		536 S <sup>111</sup>
25410.5	2000	536	S <sup>111</sup>		2002		601 Am
	2002	601	Am	25449.4	2000		536 Am <sup>111</sup>
25410.6	2000	536	S <sup>111</sup>	25514	1X	2001–02	12* Am
	2002	601	Am	25519	2000	1040	Am
25411	2000	536	S <sup>111</sup>	25519.5	1X	2001–02	12* Ad & R <sup>19</sup>
	2002	601	Am	25520	1999		581 Am
25412	2000	536	S <sup>111</sup>	25521	1X	2001–02	12* Am
25412.5	2000	536	S <sup>111</sup>	25523	1999		581 Am
	2002	601	R		2000	1040	Am
25413	2000	536	S <sup>111</sup>		1X	2001–02	12* Am
	2002	601	Am	25523.5	1999		581 R
25414	2000	536	S <sup>111</sup>	25524	1999		581 Am
25415	2000	536	S <sup>111</sup>		2000	1040	R
	2002	601	Am	25525	1999		581 Am
	2X	2001–02	15* Am	25531	1X	2001–02	12* Am
25416	2000	536	S <sup>111</sup>	25534	2002		567 Am
	2002	601	Am	25540.6	1999		581 Am
25417	2000	536	S <sup>111</sup>	25541	1999		581 Am
25417.5	2000	536	S <sup>111</sup>	25541.5	1999		581 Ad
	2002	601	Am	25543	1999		581 Ad
25418	2000	536	S <sup>111</sup>	25550	2000		329* Ad & R <sup>19</sup>
25419	2000	536	S <sup>111</sup>	25550.5	1X	2001–02	12* Ad & R <sup>19</sup>
25420	2000	536	S <sup>111</sup>	25552	2000		329* Ad & R <sup>217</sup>
25421	2000	536	Am <sup>111</sup>		1X	2001–02	12* Am
25425	1X	2001–02	8* Ad	25553	2000		329* Ad
25426	1X	2001–02	8* Ad		2002		568 R
25433	1X	2001–02	8* Ad <sup>37</sup>	25555	2000		329* Ad & R <sup>19</sup>

**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
25604	2002	568	R	30909	2002	727	Ad
25615	2000	1046	R	30910	2002	727	Ad
25619	2000	537	Ad & R <sup>43</sup>	30915	2002	727	Ad
	2X 2001–02	17	Am	30916	2002	727	Ad
25620	2002	515	Am	30917	2002	727	Ad
25620.1	2002	515	Am	30925	2002	727	Ad
25620.10	2000	537	Ad & R <sup>43</sup>	30930	2002	727	Ad
	2002	515	Ad	30935	2002	727	Ad
25620.2	2000	1060	Am	30940	2002	727	Ad
	2002	515	Am <sup>453</sup>	30945	2002	727	Ad
25620.3	2002	515	Am	30946	2002	727	Ad
25620.5	2000	536	Am	30947	2002	727	Ad
	2002	515	Am	30948	2002	727	Ad
25620.7	2002	515	Am	30949	2002	727	Ad
25620.8	2000	536	Am	30950	2002	727	Ad
	2002	515	Am	30988	2000	983	Ad
25620.9	2002	515	Ad & R <sup>207</sup>		2002	598	Am
25648	2002	515	Am	30988.1	2000	983	Ad
25648.4	2002	515	Am		2002	598	R
25650	2000	1046	Ad	30988.2	2000	983	Ad
25684	2002	515	Am		2002	598	R & Ad
25696	2000	1055*	Am	30988.3	2000	983	Ad
25698	2002	568	R		2002	598	R & Ad(RN)
25720	2000	936	Ad	30988.4	2000	983	Ad
25721	2000	936	Ad		2002	598	Am & RN
25722	2001	912	Ad	31007	2002	664	Am <sup>431</sup>
25723	2001	912	Ad		2002	958	Am
25730	2000	1018	Ad	31008	2002	958	Am
25920	2001	115	R	31010	2002	958	Am
25921	2001	115	R	31013	2001	885*	Am
25922	2001	115	R	31017	2002	958	Ad
25923	2001	115	R	31108	2001	745*	Am
25924	2001	115	R	31111	2002	958	Ad
25925	2001	115	R	31112	2002	958	Ad
26003	1X 2001–02	8*	Am	31119	2001	885*	Ad <sup>37</sup>
	2X 2001–02	9	Am		2002	164	Am
26011.5	1X 2001–02	8*	Am	31120	2002	958	Ad
26011.6	1X 2001–02	8*	Ad	31150.1	2002	958	Am
	2X 2001–02	9	Am	31156	2002	958	Am
26569.4	2000	262	Am	31163	2001	745*	Am
26593	2000	506	Am	31164	1999	639	Am
26653.5	2000	262	Ad		2000	135	Am <sup>203</sup>
29725	1999	422	Am	31200	2002	958	Am
29736	2000	505	Am	31206	2002	958	Am
29759	2000	505	R	31207	2002	958	Am
30166.5	2000	952	Ad	31207.1	2002	958	Am
30353	2002	1104	Am	31220	2002	727	Ad
30420	2000	343	Am	31251	2002	958	Am
30519.2	2001	537*	Ad <sup>372</sup>	31255.1	2002	958	Am
30609.5	1999	822	Ad	31257	2002	958	Am
30610.9	1999	491	Ad	31260	2002	958	Am
30614	2002	297	Ad	31303	2002	958	Am
30812	2002	235	Ad	31306	2000	1055*	Am
30901	2002	727	Ad	31307	2002	958	Am
30902	2002	727	Ad	31310	2002	958	Am
30903	2002	727	Ad	31350	2002	958	Am
30904	2002	727	Ad	31351	2002	958	Am
30905	2002	727	Ad	31352	2002	958	Am
30906	2002	727	Ad	31352.5	2002	958	Am
30907	2002	727	Ad	31353	2002	958	Am
30908	2002	727	Ad	31354	2002	958	Am

**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>			
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31355	2002	958	Am		2000	711	Am
31400.1	2001	885 *	Am	32606	1999	789	Ad
31402.1	2002	518	Ad	32607	1999	789	Ad
31402.2	2002	518	Ad	32608	1999	789	Ad
31402.3	2002	518	Ad	32609	1999	789	Ad
31406	2002	958	Ad	32611	1999	789	Ad
31408	2001	446	Ad	32612	1999	789	Ad
31409	2001	446	Ad	32613	1999	789	Ad
32515	2000	507	Am	32614	1999	789	Ad
32550	2000	428	Ad & R <sup>68</sup>	32614.5	1999	789	Ad
32551	2000	428	Ad & R <sup>68</sup>	32615	1999	789	Ad
32553	2000	428	Ad & R <sup>68</sup>	32616	1999	789	Ad
	2002	3	Am	32620	1999	788	Ad
32555	2000	428	Ad & R <sup>68</sup>	32621	1999	788	Ad
	2002	3	Am	32630	2002	574	Ad & R <sup>38</sup>
32556	2000	428	Ad & R <sup>68</sup>	32631	2002	574	Ad & R <sup>38</sup>
	2002	3	Am	32632	2002	574	Ad & R <sup>38</sup>
32556.2	2002	975	Ad	32633	2002	574	Ad & R <sup>38</sup>
32557	2000	428	Ad & R <sup>68</sup>	32634	2002	574	Ad & R <sup>38</sup>
32558	2000	428	Ad & R <sup>68</sup>	32635	2002	574	Ad <sup>468</sup>
32559	2000	428	Ad & R <sup>68</sup>				R <sup>232</sup>
32560	2000	428	Ad & R <sup>68</sup>	32636	2002	574	Ad & R <sup>38</sup>
32561	2000	428	Ad & R <sup>68</sup>	32637	2002	574	Ad & R <sup>38</sup>
32562	2000	428	Ad & R <sup>68</sup>	32638	2002	574	Ad & R <sup>38</sup>
32565	2000	428	Ad & R <sup>68</sup>	32639	2002	574	Ad <sup>468</sup>
	2002	3	Am				R <sup>232</sup>
32565.5	2000	428	Ad & R <sup>68</sup>	32640	2002	574	Ad & R <sup>38</sup>
	2002	3	Am	32641	2002	574	Ad <sup>468</sup>
32566	2000	428	Ad & R <sup>68</sup>				R <sup>232</sup>
32567	2000	428	Ad & R <sup>68</sup>	32642	2002	574	Ad & R <sup>38</sup>
	2002	3	Am	32643	2002	574	Ad <sup>468</sup>
32568	2000	428	Ad & R <sup>68</sup>				R <sup>232</sup>
	2002	3	Am	32644	2002	574	Ad & R <sup>38</sup>
32569	2000	428	Ad & R <sup>68</sup>	32645	2002	574	Ad <sup>468</sup>
	2002	3	Am				R <sup>232</sup>
32570	2000	428	Ad & R <sup>68</sup>	32646	2002	574	Ad <sup>468</sup>
	2002	3	Am				R <sup>232</sup>
32571	2000	428	Ad & R <sup>68</sup>	32647	2002	574	Ad <sup>468</sup>
	2002	3	Am				R <sup>232</sup>
32572	2000	428	Ad & R <sup>68</sup>	32648	2002	574	Ad <sup>468</sup>
32573	2000	428	Ad & R <sup>68</sup>				R <sup>232</sup>
32574	2000	428	Ad & R <sup>68</sup>	32649	2002	574	Ad <sup>468</sup>
32574.5	2000	428	Ad & R <sup>68</sup>				R <sup>232</sup>
	2002	3	R	32650	2002	574	Ad <sup>468</sup>
32575	2000	428	Ad & R <sup>68</sup>				R <sup>232</sup>
32576	2000	428	Ad & R <sup>68</sup>	32651	2002	574	Ad <sup>468</sup>
32577	2000	428	Ad & R <sup>68</sup>				R <sup>232</sup>
32578	2000	428	Ad & R <sup>68</sup>	32652	2002	574	Ad & R <sup>38</sup>
32579	2000	428	Ad & R <sup>68</sup>	32653	2002	574	Ad & R <sup>38</sup>
32580	2000	428	Ad & R <sup>68</sup>	32654	2002	574	Ad <sup>468</sup>
32600	1999	788	Ad				R <sup>232</sup>
	1999	789	Ad	32655	2002	574	Ad <sup>468</sup>
32601	1999	788	Ad				R <sup>232</sup>
	1999	789	Ad	32656	2002	574	Ad <sup>468</sup>
32602	1999	788	Ad				R <sup>232</sup>
	1999	789	Ad	32657	2002	574	Ad & R <sup>38</sup>
32603	1999	788	Ad	32658	2002	574	Ad <sup>468</sup>
	2000	711	Am				R <sup>232</sup>
32604	1999	789	Ad	32661	2002	574	Ad & R <sup>38</sup>
32605	1999	789	Ad	33001	1999	83	Am <sup>30</sup>

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**PUBLIC RESOURCES CODE—Continued**

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
33008	2002	595	Am	2000	900	Am (as ad by	
33200	2000	991	Am			Stats. 2000,	
	2002	259	Am			Ch. 113)	
33200.1	2000	991	Ad	37012	2000	113 *	
33204.4	1999	377	Ad		2000	900	
33211.5	2002	595	Am			Am (as ad by	
33211.6	2002	595	Am			Stats. 2000,	
33213	1999	182	Am	37013	2000	113 *	
	2000	991	Am		2000	900	
33216	2000	991	R			Am (as ad by	
33500	1999	419	Am			Stats. 2000,	
33501	1999	419	Am	37014	2000	113 *	
33502	1999	419	Am	37015	2000	113 *	
33503	1999	419	Am		2000	900	
	2000	217	Am			Am (as ad by	
33601	1999	419	Am			Stats. 2000,	
33700	1999	419	Am	37016	2000	113 *	
33702	1999	419	Am		2000	900	
35033.5	2002	1031 *	Ad & R <sup>19</sup>			Am (as ad by	
36600	2000	385	Ad			Stats. 2000,	
36601	2000	385	Ad	37020	2000	113 *	
36602	2000	385	Ad		2000	900	
36620	2000	385	Ad			Am (as ad by	
36700	2000	385	Ad			Stats. 2000,	
36710	2000	385	Ad	37021	2000	113 *	
	2001	159	Am <sup>305</sup>		2000	900	
36725	2000	385	Ad			Am (as ad by	
36750	2000	385	Ad			Stats. 2000,	
36800	2000	385	Ad	37022	2000	113 *	
36850	2000	385	Ad		2002	1033 *	
36870	2000	385	Ad	37023	2000	900	
36900	2000	385	Ad	37024	2000	900	
36970	2000	516	Ad	37025	2000	900	
36971	2000	516	Ad	40106	1999	439	
36972	2000	516	Ad	40117	2002	740	
36973	2000	516	Ad	40148	1999	764	
36979	2000	516	Ad	40183	1999	600	
36980	2000	516	Ad	40184	1999	600	
36990	2000	516	Ad	40194	2002	740	
36991	2000	516	Ad	40196.3	1999	764	
36992	2000	516	Ad	40201	2002	740	
36993	2000	516	Ad	40432	2002	396 *	
36994	2000	516	Ad	40507.1	2002	740	
36995	2000	516	Ad	40511	1999	815	
37000	2000	113 *	Ad	40912	2000	740	
37001	2000	113 *	Ad		2002	1003	
37002	2000	113 *	Ad	40973	1999	600	
	2000	900	Am (as ad by	40974	2002	359	
			Stats. 2000,	40977	2000	740	
			Ch. 113)	41701	2002	1003	
37005	2000	113 *	Ad	41730	1999	600	
	2000	900	Am (as ad by	41731	1999	600	
			Stats. 2000,	41770	2000	740	
			Ch. 113)	41780	2000	740	
37006	2000	113 *	Ad		2002	625 *	
	2000	900	Am (as ad by	41820.5	2002	625 *	
			Stats. 2000,	41820.6	2002	625 *	
			Ch. 113)	41821	2000	740	
37010	2000	113 *	Ad		2002	501	
37011	2000	113 *	Ad	41821.1	2000	740	
						Am	

**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>
41821.2	1999	764	Ad	42845	2000	838	Am
	2000	740	Am <sup>4</sup>		2001	316	Am
			R <sup>8</sup>	42846.5	1999	292	Ad
			Ad <sup>96</sup>	42847.5	2002	625*	Ad
	2002	625*	Am	42849	2000	838	Am
41821.3	2002	993	Ad & R <sup>502</sup>	42866	2000	838	R
41821.5	2000	740	Am	42871	2001	745*	Am
41825	2000	740	Am	42872.5	2002	671	Ad <sup>196</sup>
41850	2000	740	Am				R <sup>100</sup>
	2002	501	Am	42885	2000	838	Am <sup>13</sup>
42002	1999	467	Am		2002	625*	Am
42005	2001	745*	Am	42885.5	2000	838	Ad
42010	1999	467	Am		2002	625*	Am
42021	2000	1055*	Am		2002	671	Am
42022	2000	1055*	Am	42886	1999	941	Am
42023.1	1999	467	Ad <sup>98</sup>		2001	251	Am
			R <sup>100</sup>	42886.1	1999	941	Ad
42023.2	1999	467	Ad <sup>98</sup>		2001	251	Am
			R <sup>100</sup>	42889	2000	838	Am
42023.3	1999	467	Ad <sup>98</sup>		2002	625*	Am
			R <sup>100</sup>	42889.1	1999	292	Ad
42023.4	1999	467	Ad <sup>98</sup>		2000	838	Am
			R <sup>100</sup>	42889.3	2000	838	Ad
42023.5	1999	467	Ad <sup>98</sup>		2002	625*	Am
			R <sup>100</sup>	42889.4	2000	838	Ad
42023.6	1999	467	Ad <sup>98</sup>	42912	2002	501	Ad
			R <sup>100</sup>	42920	1999	764	Ad
42175.1	2001	656	Am	42921	1999	764	Ad
	2002	625*	Am	42922	1999	764	Ad & R <sup>43</sup>
	2002	626	Am	42923	1999	764	Ad & R <sup>43</sup>
42176	2001	656	R		2000	135	Am <sup>203</sup>
42291.5	2001	406	Am		2001	159	Am <sup>305</sup>
42322	2001	406	Am	42924	1999	764	Ad
42603	2001	926	Am	42925	1999	764	Ad
42630	2001	926	Ad	42926	1999	764	Ad
42635	2001	926	Ad	42927	1999	764	Ad & R <sup>43</sup>
42638	2001	926	Ad	42928	1999	764	Ad & R <sup>43</sup>
42640	2001	926	Ad	42950	2000	838	Am
42641	2001	926	Ad		2002	625*	Am
42642	2001	926	Ad	42951	2000	838	Am
42645	2002	664	Am <sup>431</sup>		2002	625*	Am
42646	2001	926	Ad	42952	2000	838	Am
42647	2001	926	Ad	42953	2000	838	Am
42701	1999	816	Am	42954	2000	838	Am
42801.5	2000	838	Ad		2002	625*	Am
42801.6	2000	838	Ad	42955	2000	838	Am
42801.7	2000	838	Ad	42956	2000	838	Am
42803.5	2000	838	Ad	42958	2000	838	Am
42805.5	2000	838	Ad	42959	2000	838	R
42805.6	2000	838	Ad	42960	2000	838	Am
42805.7	2000	838	Ad	42961.5	2000	838	R & Ad
42806.5	2000	838	Ad		2001	316	Am
	2002	625*	Am	42962	2000	838	Am
42807	2000	838	Am	42963	2000	838	Am
42808	2000	838	Am	43209.1	2001	424*	Am <sup>364 13</sup>
	2002	625*	Am	43308	2000	343	Am
42814	2000	838	Ad	44103	2000	343	Am
	2002	625*	R	45014	1999	892	Am
42835	2002	625*	Am	47200	2001	316	Am
42842	2000	838	R	48007	1999	600	Am
42843	2000	838	R & Ad				R & Ad <sup>8</sup>

**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>
48007 (Cont.)				71103	2000	742	Ad <sup>281</sup>
	2001	811	Am (as am by Sec. 6, Stats. 1999, Ch. 600) <sup>325</sup>	71104	2000	742	Ad <sup>281</sup>
			R <sup>326</sup>	Div. 34, Pt. 3, heading (Sec. 71110 et seq.)	2001	765	Ad
			Am (as ad by Sec. 7, Stats. 1999, Ch. 600) <sup>327</sup>	71110	2001	765	Ad(RN)
48007.5	2001	811	Ad	71111	2001	765	Ad(RN)
48020	1999	496	Am		2002	1109	Am
48021	1999	496	Am	71112	2001	765	Ad(RN)
48022	2002	589	Ad	71113	2001	765	Ad(RN)
48022.5	2002	589	Ad	71114	2001	765	Ad(RN)
48023.5	2002	625*	Ad		2002	1003	Am
48028	1999	496	Am	71114.1	2001	765	Ad
48100	2000	838	Am	71115	2001	765	Ad(RN)
	2002	628	Am	71116	2002	994	Ad <sup>321</sup>
48101	2002	628	Am	71200	1999	849	Ad & R <sup>19</sup>
48102	2002	628	Am	71201	1999	849	Ad & R <sup>19</sup>
48103	2002	628	Am	71201.5	1999	849	Ad & R <sup>19</sup>
48104	2002	628	Am	71202	1999	849	Ad & R <sup>19</sup>
48105	2002	628	Am	71203	1999	849	Ad & R <sup>19</sup>
48106	2002	628	Am	71204	1999	849	Ad & R <sup>19</sup>
48200	2002	587	Ad <sup>451</sup>	71205	1999	849	Ad & R <sup>19</sup>
			R <sup>446</sup>	71206	1999	849	Ad & R <sup>19</sup>
48201	2002	587	Ad <sup>451</sup>	71207	1999	849	Ad & R <sup>19</sup>
			R <sup>446</sup>	71210	1999	849	Ad & R <sup>19</sup>
48202	2002	587	Ad <sup>451</sup>	71211	1999	849	Ad & R <sup>19</sup>
			R <sup>446</sup>	71212	1999	849	Ad & R <sup>19</sup>
48204	2002	587	Ad <sup>451</sup>		2002	291	Am
			R <sup>446</sup>	71213	1999	849	Ad & R <sup>19</sup>
48205	2002	587	Ad <sup>451</sup>	71215	1999	849	Ad & R <sup>19</sup>
			R <sup>446</sup>	71216	1999	849	Ad & R <sup>19</sup>
48206	2002	587	Ad <sup>451</sup>	71271	1999	849	Ad & R <sup>19</sup>
			R <sup>446</sup>	Div. 34, Pt. 3, heading (Sec. 72000 et seq.)	2001	765	R
48207	2002	587	Ad <sup>451</sup>	72000	1999	690	Ad
			R <sup>446</sup>		2000	728	Am
48600	2001	317	Am		2001	765	Am & RN
48618.4	2001	317	Ad	72001	1999	690	Ad
48620.5	2001	317	Ad		2001	765	Am & RN
48632	2001	317	Am	72001.5	2000	728	Ad
48645	2001	317	Ad		2001	765	Am & RN
48660	2001	316	Am	72002	2000	728	Ad
48690	2001	500	Am		2001	765	Am & RN
48691	2001	500	Am	72003	2000	728	Ad
48695	2001	115	R		2001	765	Am & RN
71030	2002	405	Am	72004	2000	728	Ad
71040	1999	65	Ad		2001	765	Am & RN
	2001	745*	Am	72004	2000	728	Ad
	2002	664	Am <sup>431</sup>		2001	765	Am & RN
71045	1999	65	Ad & R <sup>5</sup>	72300	2000	504	Ad & R <sup>95</sup>
71046	1999	65	Ad & R <sup>5</sup>	72301	2000	504	Ad & R <sup>95</sup>
71047	1999	65	Ad & R <sup>5</sup>	72302	2000	504	Ad & R <sup>95</sup>
71100	2000	742	Ad <sup>281</sup>	72303	2000	504	Ad & R <sup>95</sup>
71101	2000	742	Ad <sup>281</sup>	72304	2000	504	Ad & R <sup>95</sup>
71102	2000	742	Ad <sup>281</sup>	72305	2000	504	Ad & R <sup>95</sup>

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**PUBLIC UTILITIES 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>
3	1999	1005	R	311	1999	1005	R (as ad by
216	1X 2001–02	2 *	Am				Sec. 2.5.
218	2000	174	Am				Stats. 1998,
218.3	1999	1005	Ad				Ch. 886)
	2002	838	Am				Am (as am by
224.8	1999	1005	Ad				Sec. 2,
247.1	2001	638	Ad				Stats. 1998,
248	1999	1005	Ad				Ch. 886) <sup>13</sup>
270	1999	677	Ad	311.1	1999	67 *	Ad
	2001	118 *	Am	311.4	1999	327	Ad
	2001	903	Am	311.5	1999	784 *	Am
			R & Ad <sup>80</sup>	314.5	1999	1005	Am
270.1	2001	109 *	Ad	321.7	1999	322	Ad
	2002	61 *	Am	327	1999	700	Ad
271	1999	677	Ad	328	1999	909	R & Ad
273	1999	677	Ad	328.1	1999	909	Ad
274	1999	677	Ad	328.2	1999	909	Ad
	2001	118 *	Am	330	1X 2001–02	2 *	Am
275	1999	677	Ad	331	2002	664	Am <sup>431</sup>
	2001	118 *	Am	331.1	2002	838	Ad
	2001	903	Am	332.1	2000	328 *	Ad
			R & Ad <sup>80</sup>		2002	664	Am <sup>431</sup>
276	1999	677	Ad		1X 2001–02	5 *	Am
	2001	118 *	Am		1X 2001–02	6 *	Am
	2001	903	Am	332.2	2002	664	Am (as ad by
			R & Ad <sup>80</sup>				Sec. 2,
276.5	2001	903	Ad & R <sup>43</sup>				Stats. 2001–02
277	1999	677	Ad				(1st Ex. Sess.),
	2001	118 *	Am				Ch. 5 and
278	1999	677	Ad				Ch. 6) <sup>431</sup>
	2001	118 *	Am		1X 2001–02	5 *	Ad
	2002	61 *	Am		1X 2001–02	6 *	Ad
278.5	2002	61 *	Ad	335	1999	510	Am
279	1999	677	Ad		2001	766	Am (as am by
	2001	118 *	Am				Sec. 1,
280	1999	677	Ad				Stats. 2001–02,
	2001	118 *	Am				(1st. Ex. Sess.),
281	1999	677	Ad				Ch. 1)
305	1999	509	R & Ad		1X 2001–02	1 *	Am
307	1999	509	Am		2X 2001–02	16	Am
308	1999	509	Am	337	1999	510	Am
308.5	1999	1005	Am		2001	766	Am (as ad by
309.1	1999	509	Am				Sec. 3,
			R & Ad <sup>34</sup>				Stats. 2001–02
309.5	1999	1005	Am (as ad by				(1st Ex. Sess.),
			Sec. 3,				Ch. 1)
			Stats. 1996,		1X 2001–02	1 *	R & Ad
			Ch. 856)	338	1999	510	Am
	2001	440	R (as ad by	339	1999	510	Am
			Sec. 4,	341.2	2001	766	Am (as am by
			Stats. 1996,				Sec. 4,
			Ch. 856)				Stats. 2001–02
			Am (as am by				(1st Ex. Sess.),
			Stats. 1999,				Ch. 1)
			Ch. 1005) <sup>13</sup>		1X 2001–02	1 *	Am
	2002	1124 *	Am	341.5	1999	510	Ad
309.6	1999	1005	Am	341.6	2X 2001–02	16	Ad & R <sup>387</sup>

**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		
342	2X	2001-02	16	Ad & R <sup>387</sup>		2000	1050	Am	
	2X	2001-02	19	R (as ad by		2000	1051	Am	
				Sec. 3,		2002	515	Am	
				Stats. 2001-02		2002	838	Am	
				(2nd Ex. Sess.),	394.3	1999	1005	Am	
				Ch. 16)	394.4	1999	1005	Am	
345.5	2002		847	Ad	394.5	1999	1005	Am	
349.5	2001		862	Ad	394.8	1999	1005	Am	
352	1X	2001-02	1 *	Ad	396	1999	1005	Am	
352.5	1X	2001-02	1 *	Ad	398.5	2001	745 *	Am	
352.7	2002		1097	Ad	399	2000	1050	Ad	
353.1	1X	2002-02	12 *	Ad		2000	1051	Ad	
353.11	1X	2001-02	12 *	Ad	399.1	2000	1050	Ad	
353.13	1X	2001-02	12 *	Ad		2000	1051	Ad	
	2X	2001-02	15 *	Am	399.11	2002	516	Ad	
353.15	1X	2001-02	12 *	Ad	399.12	2002	516	Ad	
353.2	2002		515	Ad	399.13	2002	516	Ad	
353.3	1X	2001-02	12 *	Ad	399.14	2002	516	Ad	
353.5	1X	2001-02	12 *	Ad	399.15	2000	329 *	Ad	
353.7	1X	2001-02	12 *	Ad		2001	159	Am & RN <sup>305</sup>	
353.9	1X	2001-02	12 *	Ad		2002	516	Ad	
355.1	2000		127 *	Ad	399.2	2000	1050	Ad	
	1X	2001-02	4 *	R		2000	1051	Ad	
359	1999		510	R & Ad	399.25	2002	516	Ad	
360.5	1X	2001-02	4 *	Ad	399.3	2000	1050	Ad	
362	2X	2001-02	19	Am		2000	1051	Ad	
366	2002		838	Am	399.4	2000	1050	Ad	
366.1	2002		837	Ad		2000	1051	Ad	
366.2	2002		838	Ad	399.6	2000	1050	Ad	
366.5	1999		214	Am		2000	1051	Ad	
	1X	2001-02	4 *	Am		2001	774	Am	
367.7	1999		408	Ad		2002	664	Am (as am by	
368.5	2X	2001-02	7	Ad				Sec. 1,	
372	2000		329 *	Am				Stats. 2001,	
374.5	1999		909	Ad				Ch. 774) <sup>431</sup>	
377	1X	2001-02	2 *	Am	399.7	2000	1050	Ad	
377.1	2002		840 *	Ad		2000	1051	Ad	
379.5	2001		159	Ad(RN) <sup>305</sup>		2002	515	R (as ad by	
381	2000		1050	Am				Sec. 4,	
	2000		1051	Am				Stats. 2000,	
	2002		515	Am				Ch. 1050)	
381.1	2002		838	Ad				Am (as ad by	
381.5	1999		700	Ad				Sec. 4,	
382	2X	2001-02	11	Am				Stats. 2000,	
382.1	2X	2001-02	11	Ad				Ch. 1051)	
383	2001		745 *	Am	399.8	2000	1050	Ad	
383.5	2000		1050	Am		2000	1051	Ad	
	2000		1051	Am		2001	770	Am (as ad by	
	2001		159	Am <sup>305</sup>				Stats. 2000,	
	2002		515	Am				Ch. 1050 and	
383.6	2002		515	Ad				Ch. 1051)	
385	2000		1041	Am	399.9	2000	1050	Ad	
386	2X	2001-02	11	Ad		2000	1051	Ad	
387	2002		516	Ad	409	2002	1147	Am	
390.1	2002		516	Ad	421	1999	1005	Am	
393	2000		1040	Ad	422	2000	341	Am	
394	1999		1005	Am	424	2000	341	Am	
	2002		838	Am	426	1999	1005	Ad	
394.1	1999		1005	Am	445	2002	515	Am	
394.2	1999		1005	Am	454	1999	1005	Am	
394.25	1999		1005	Am	454.1	2000	1040	Ad	

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

**PUBLIC UTILITIES 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>
454.1 (Cont.)	2000	1042	Ad	747	1999	1005	R
454.2	1999	1005	Am	761.3	2X 2001–02	19	Ad <sup>392</sup>
454.5	1999	1005	R	763	1999	1005	Am
	2002	835 *	Ad	763.1	1999	1005	R
	2002	850 *	Ad	764	1999	1005	R
455.2	2002	1147	Ad <sup>37</sup>	765	1999	1005	R
457	1999	1005	R	765.5	1999	1005	Am
458	1999	1005	Am	769	1999	1005	R
459	1999	1005	Am	769.5	1999	1005	R
460	1999	1005	R	785.2	2001	771	Ad
461	1999	1005	R	788	1999	1005	Am
461.5	1999	1005	Am	843	1999	991	Am <sup>96 114</sup>
486	1999	1005	Am	844	1999	991	Am <sup>96 114</sup>
488	1999	1005	Am	846.2	1999	683	Ad
491	1999	1005	Am	853	1999	1005	Am
493	1999	1005	Am	871.7	2000	943	Ad
494	1999	1005	Am	874	1999	1005	Am
495.7	2001	745 *	Am	882	1999	1005	Am
496	1999	1005	R	883	2000	943	Ad
526	1999	1005	R	884	2002	308	Ad
527	1999	1005	Am	890	2000	932	Ad
530	1999	1005	Am	891	2000	932	Ad
556	1999	1005	Am	892	2000	932	Ad
557	1999	1005	R	892.1	2000	932	Ad
559	1999	1005	Am	892.2	2000	932	Ad
616.1	1999	774	Ad	893	2000	932	Ad
625	1999	774	Ad	894	2000	932	Ad
	2X 2001–02	14	Am	895	2000	932	Ad
625.1	2002	39 *	Ad <sup>405</sup>	896	2000	932	Ad
			R <sup>406</sup>	897	2000	932	Ad
626	1999	774	Ad	898	2000	932	Ad
703	1999	1005	Am	899	2000	932	Ad
706	1999	1005	R	900	2000	932	Ad
707	1999	1005	R	1201.1	1999	841	Ad
709	2002	308	Am (by Sec. 1 of Ch.)	1202	2000	263 *	Am
			Am (by Sec. 2 of Ch.)		2001	393	Am
	2002	674	Am (by Sec. 2 of Ch.)			601 *	Am (by Sec. 1 of Ch.) <sup>191</sup>
709.3	2002	674	Ad & R <sup>18</sup>				Am (by Sec. 1.5 of Ch.) <sup>8</sup>
709.7	1999	714	Ad	1701.1	1999	1005	Am
728.5	1999	1005	Am	1708.5	1999	568	Ad
730	1999	1005	Am	1731	1X 2001–02	9	Am
731	1999	1005	R	1756	2000	953	R (as ad by Sec. 10.5, Stats. 1998, Ch. 886) & Ad
732	1999	1005	Am				R (as ad by Sec. 12.5, Stats. 1998, Ch. 886) & Ad
733	1999	1005	Am				R (as ad by Sec. 14.5, Stats. 1998, Ch. 886) & Ad
739	1X 2001–02	8 *	Am	1757	2000	953	R (as ad by Sec. 15.5, Stats. 1998, Ch. 886) & Ad
739.1	2X 2001–02	11	Am				R (as ad by Sec. 15.5, Stats. 1998, Ch. 886) & Ad
739.10	1X 2001–02	8 *	Ad	1757.1	2000	953	R (as ad by Sec. 14.5, Stats. 1998, Ch. 886) & Ad
739.11	1X 2001–02	8 *	Ad & R <sup>37 20</sup>				R (as ad by Sec. 14.5, Stats. 1998, Ch. 886) & Ad
739.3	2000	931	Am <sup>18</sup>				R (as ad by Sec. 14.5, Stats. 1998, Ch. 886) & Ad
	2001	745 *	Am				R (as ad by Sec. 14.5, Stats. 1998, Ch. 886) & Ad
739.4	1X 2001–02	11 *	Ad				R (as ad by Sec. 14.5, Stats. 1998, Ch. 886) & Ad
739.9	1999	1005	R	1758	2000	953	R (as ad by Sec. 15.5, Stats. 1998, Ch. 886) & Ad
740.10	1X 2001–02	7 *	Ad				R (as ad by Sec. 15.5, Stats. 1998, Ch. 886) & Ad
740.11	1X 2001–02	7 *	Ad				R (as ad by Sec. 15.5, Stats. 1998, Ch. 886) & Ad
740.7	1X 2001–02	7 *	Ad				R (as ad by Sec. 15.5, Stats. 1998, Ch. 886) & Ad
740.8	1999	1005	Am				R (as ad by Sec. 15.5, Stats. 1998, Ch. 886) & Ad
740.9	1X 2001–02	7 *	Ad				R (as ad by Sec. 15.5, Stats. 1998, Ch. 886) & Ad
743.3	2001	862	Ad	1768	1X 2001–02	9	Ad
746	1999	1005	R	1823	1999	1005	R

**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>
1824	1999	1005	R	2827.9	2002	845	Ad & R <sup>43</sup>
1904	1999	1005	Am	2851	1999	1005	R
2739	1999	1005	R	2875.5	2001	696	Ad
2740	1999	1005	R	2881	1999	1005	Am
2741	1999	1005	R		2001	109*	Am
2742	1999	1005	R		2002	143	Am
2743	1999	1005	R	2881.01	2001	109*	R
2744	1999	1005	R	2881.1	1999	1005	Am
2745	1999	1005	R	2881.2	2001	109*	Am
2750	1999	1005	R		2001	159	Am <sup>305</sup>
2751	1999	1005	R	2881.4	2002	61*	Ad
2752	1999	1005	R	2882	1999	1005	R
2753	1999	1005	R	2882.5	1999	1005	R
2754	1999	1005	R	2889.4	1999	384	Ad
2754.1	1999	1005	R	2889.8	1999	1005	Am
2755	1999	1005	R	2890	1999	1005	Am (as ad by
2756	1999	1005	R				Sec. 2 and
2757	1999	1005	R				Sec. 3,
2758	1999	1005	R				Stats. 1998,
2759	1999	1005	R				Ch. 1041)
2761	1999	1005	R		2000	931	Am (as am by
2762	1999	1005	R				Sec. 65.5,
2763	1999	1005	R				Stats. 1999,
2764	1999	1005	R				Ch. 1005) <sup>45</sup>
2765	1999	1005	R				Am (as am by
2766	1999	1005	R				Sec. 65.7,
2767	1999	1005	R				Stats. 1999,
2768	1999	1005	R				Ch. 1005) <sup>96</sup>
2769	1999	1005	R	2890.1	2000	931	Ad
2769.5	1999	1005	R	2890.2	2002	286	Ad
2772	2001	447*	Am (as am by	2892	2000	981	R & Ad
			Sec. 1,	2892.5	2002	255	Ad
			Stats. 2001–02	2894	1999	256	Am
			(2nd Ex. Sess.),	3250	2002	839	Ad
			Ch. 2)	3251	2002	839	Ad
	2X 2001–02	2*	Am	3252	2002	839	Ad
2774.5	2001	3*	Ad	3255	2002	839	Ad
	2001	822	Am	3300	1X 2001–02	10	Ad
	2002	664	Am <sup>431</sup>	3301	1X 2001–02	10	Ad
2774.6	2002	601	Ad	3302	1X 2001–02	10	Ad
2790	1999	700	Am	3304	1X 2001–02	10	Ad
	2X 2001–02	11	Am	3310	1X 2001–02	10	Ad
2826.5	2002	515	Ad	3320	1X 2001–02	10	Ad
2826.6	2002	515	Ad & R <sup>68</sup>	3325	1X 2001–02	10	Ad
2827	2000	1043	Am	3326	1X 2001–02	10	Ad
	2002	836	R (as ad by	3327	1X 2001–02	10	Ad
			Sec. 12,	3328	1X 2001–02	10	Ad
			Stats. 2001–02	3330	1X 2001–02	10	Ad
			(1st Ex. Sess.),	3340	2002	1124*	Am
			Ch. 8)		1X 2001–02	10	Ad
			Am (as am by	3341	1X 2001–02	10	Ad
			Sec. 11,	3341.1	1X 2001–02	10	Ad
			Stats. 2001–02	3341.2	1X 2001–02	10	Ad
			(1st Ex. Sess.),	3341.5	1X 2001–02	10	Ad
			Ch. 8) <sup>13</sup>	3342	1X 2001–02	10	Ad
	1X 2001–02	8*	Am	3343	1X 2001–02	10	Ad
			R & Ad <sup>34</sup>	3344	1X 2001–02	10	Ad
2827.5	1X 2001–02	8*	Ad	3345	1X 2001–02	10	Ad
2827.7	2002	836	Am	3346	1X 2001–02	10	Ad
	1X 2001–02	8*	Ad	3347	1X 2001–02	10	Ad
2827.8	2002	836	Ad	3350	2002	664	Am <sup>431</sup>

**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
3350 (Cont.)				7678	2000	263*	Am
	1X	2001-02 10	Ad	7711	1999	1005	Am
3351	1X	2001-02 10	Ad	7902	1999	1005	R
3352	1X	2001-02 10	Ad	7902.5	1999	1005	R
3353	1X	2001-02 10	Ad	7910	2002	183	Ad
3354	1X	2001-02 10	Ad	7934	1999	809*	Ad
3355	1X	2001-02 10	Ad	7935	1999	809*	Ad
3356	1X	2001-02 10	Ad	7936	1999	809*	Ad
3365	1X	2001-02 10	Ad	7937	1999	809*	Ad
3366	1X	2001-02 10	Ad	7938	1999	809*	Ad
3367	1X	2001-02 10	Ad	7939	1999	809*	Ad
3367.5	1X	2001-02 10	Ad	7940	1999	809*	Ad
3368	1X	2001-02 10	Ad	7943	2000	907	Ad
3369	1X	2001-02 10	Ad		2001	159	Am <sup>305</sup>
3369.5	1X	2001-02 10	Ad	9202	1999	1005	Am
3370	1X	2001-02 10	Ad	9607	2000	1041	Ad <sup>82</sup>
3380.1	1X	2001-02 10	Ad		2000	1042	Ad
3380.2	1X	2001-02 10	Ad	9608	2000	1042	Ad
3381	1X	2001-02 10	Ad		2001	159	Am <sup>305</sup>
3382	1X	2001-02 10	Ad	9610	2000	1042	Ad
3383	1X	2001-02 10	Ad		2001	159	Am <sup>305</sup>
3384	1X	2001-02 10	Ad	9611	2000	1042	Ad
3950	1999	1005	Ad	9612	2000	1042	Ad
4006	1999	1005	Am	9613	2X 2001-02 16	Ad & R	<sup>387</sup>
4007	1999	1005	Am	9614	2001	862	Ad
4021	1999	1005	Am	10004.5	2000	146*	Ad
4458	1999	1005	Am	11652	2X 2001-02 18	Am (by Sec. 1 of Ch.)	
5001.5	1999	1005	Am				
5002	1999	1005	Am	11825	2002	221	Am
5003.2	1999	1005	Am	12702.5	2000	146*	Ad
5009	1999	1005	Am		2001	159	Am <sup>305</sup>
5012	1999	1005	Am	12751	1999	55	Am
5102	1999	1005	Am	12751.3	2001	665	Ad & R <sup>75</sup>
5109	1999	1005	Am	12751.5	1999	55	Ad & R <sup>20</sup>
5112	1999	1005	Am	12816	2002	221	Am
5113	1999	1005	Am	15702	2002	221	Am
5133	1999	1005	Am	15703	2002	221	Am
5135	1999	1005	Am	15704	2002	221	Am
5137	1999	1005	Ad	15705	2002	221	Am
5191	1999	1005	Am	15706	2002	221	Am
5195	1999	1005	R	15794	2002	221	Am
5259.5	1999	1005	Am	15796	2002	221	Am
5285.6	1999	1006	Am	15842	2002	221	Am
5326	1999	1005	Am	15956	2002	221	Am
5328	1999	1005	Am	16402.5	2000	146*	Ad
5329	1999	1005	Am	16574	2001	606*	Am
5331	1999	1005	Am	16580	2001	606*	Ad
5363	1999	1005	Ad	19000	2000	772	Ad & R <sup>111</sup>
5371.2	1999	1005	Am	19001	2000	772	Ad & R <sup>111</sup>
5411.5	2002	784	Am <sup>490</sup>	19002	2000	772	Ad & R <sup>111</sup>
7000	2002	655	Ad	19010	2000	772	Ad & R <sup>111</sup>
7001	2002	655	Ad	19012	2000	772	Ad & R <sup>111</sup>
7002	2002	655	Ad	19014	2000	772	Ad & R <sup>111</sup>
7003	2002	655	Ad	19020	2000	772	Ad & R <sup>111</sup>
7004	2002	655	Ad	19022	2000	772	Ad & R <sup>111</sup>
7005	2002	655	Ad	19024	2000	772	Ad & R <sup>111</sup>
7531.5	1999	1005	Am	19026	2000	772	Ad & R <sup>111</sup>
7532	1999	1005	R	19030	2000	772	Ad & R <sup>111</sup>
7532.5	1999	1005	R	19032	2000	772	Ad & R <sup>111</sup>
7604	2000	263*	Am	19050	2000	772	Ad & R <sup>111</sup>
	2001	601*	Am	19052	2000	772	Ad & R <sup>111</sup>

**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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19054	2000	772	Ad & R <sup>111</sup>	90773	2002	221	Am
19060	2000	772	Ad & R <sup>111</sup>	90933	2002	221	Am
21019	2002	758	Am	95163	2002	221	Am
21020	2001	534	Ad	95194	2002	221	Am
21414	1999	1000	R	98005	2001	597	Am
21503	2000	860	R	98043	2002	221	Am
21602	2002	438	Am <sup>426</sup>	98100	2002	221	Am
21606	2000	860	R	99162	2002	314	Ad
21632	2000	860	Am	99165	2002	602	Ad
21661.6	2001	534	Am	99170	2002	650	Ad
21670	2000	506	Am	99233.5	2002	743	Am
21670.1	2002	438	Am <sup>426</sup>	99310.6	2002	445*	Ad
21670.2	2002	438	Am <sup>426</sup>	99312.7	2000	787	Am
21670.3	2001	946	Ad	99314	2000	632	Am
21670.4	2002	438	Am <sup>426</sup>	99314.1	2000	632	Ad
21671.5	2002	438	Am <sup>426</sup>	99314.2	2000	632	Ad
21674	2002	438	Am <sup>426</sup>	99314.3	2000	632	Am
21674.5	2002	438	Am <sup>426</sup>	99314.5	2002	201	Am
21674.7	2002	438	Am <sup>426</sup>	99315.5	1999	278	Ad <sup>62</sup>
21675	2002	438	Am <sup>426</sup>				R <sup>22</sup>
	2002	971	Am	99315.7	1999	1007	Ad
21675.1	2002	438	Am <sup>426</sup>	99315.8	2000	860	Ad
21676	2002	438	Am <sup>426</sup>	99315.95	2002	736	Ad
21676.5	2002	438	Am <sup>426</sup>	99317.1	2001	597	Am
21679	2002	438	Am <sup>426</sup>	99317.10	2001	597	Am
21679.5	2002	438	Am <sup>426</sup>	99317.2	2001	597	R
21681	2002	438	Am <sup>426</sup>	99317.8	2001	597	Am
21683.1	2002	754*	Am	99317.9	2001	597	Am
21687	1999	105	Am	99318.1	2001	597	Am
21702	2002	438	Am <sup>426</sup>	99318.4	2001	597	R
22002	2000	191	Am	99319	2001	597	Am
22002.5	2000	191	Ad	99400.7	1999	729	Ad
	2000	1056	R (as ad by Stats. 2000, Ch. 191)		2000	655	Am
				99420	2002	270	Ad
22553	2000	191	Am	Div. 10,			
22553.2	2000	1056	Ad	Pt. 12,			
22555	2000	191	Am	heading			
22702	2000	191	Am	(Sec. 100000			
26405	2002	221	Am	et seq.)	1999	724	Am
26654	2002	221	Am	100000	1999	724	Am
27405	2002	221	Am	100001.5	2001	217	Ad
27424	2002	221	Am	100002	1999	724	Ad
28746	2002	221	Am	100011	1999	724	Am
27747	2002	221	Am	100022	2001	217	Ad
28747.4	2002	221	Am	100115.5	2000	784	Ad
28748.8	1999	724	Am	100130.5	1999	624	Ad
28750.4	2002	221	Am	100160.1	2001	217	Ad
28767.3	2001	745*	Am	100161	2001	217	Am
29010.3	1999	624	Ad	100164	2001	217	Am
29031.1	2002	970	Ad <sup>414</sup>	100170	2001	217	Am
			R <sup>80</sup>	101170	2002	221	Am
29035.5	2002	280	Ad	101285	2002	221	Am
29664	2002	221	Am	101286	2002	221	Am
29714	2002	221	Am	101287	2002	221	Am
30630.5	2000	145*	Am	101295	2002	221	Am
31405	2002	221	Am	102222	1999	1007	Am
31411	2002	221	Am	102223	1999	1007	Ad
50033	2002	221	Am	102240.5	2001	280	Ad
50039	2002	221	Am	103113	1999	724	Am
70033	2002	221	Am	103240.5	1999	624	Ad
				105000	2002	341	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>
105001	2002	341	Ad	105170	2002	341	Ad
105002	2002	341	Ad	105171	2002	341	Ad
105003	2002	341	Ad	105172	2002	341	Ad
105004	2002	341	Ad	105180	2002	341	Ad
105010	2002	341	Ad	105181	2002	341	Ad
105011	2002	341	Ad	105200	2002	341	Ad
105012	2002	341	Ad	105201	2002	341	Ad
105020	2002	341	Ad	105202	2002	341	Ad
105021	2002	341	Ad	105203	2002	341	Ad
105022	2002	341	Ad	105204	2002	341	Ad
105023	2002	341	Ad	105205	2002	341	Ad
105030	2002	341	Ad	105206	2002	341	Ad
105031	2002	341	Ad	105207	2002	341	Ad
105032	2002	341	Ad	105208	2002	341	Ad
105040	2002	341	Ad	105209	2002	341	Ad
105041	2002	341	Ad	105210	2002	341	Ad
105042	2002	341	Ad	105211	2002	341	Ad
105043	2002	341	Ad	105212	2002	341	Ad
105044	2002	341	Ad	105213	2002	341	Ad
105050	2002	341	Ad	105220	2002	341	Ad
105051	2002	341	Ad	105221	2002	341	Ad
105052	2002	341	Ad	105230	2002	341	Ad
105060	2002	341	Ad	105231	2002	341	Ad
105061	2002	341	Ad	105232	2002	341	Ad
105062	2002	341	Ad	105233	2002	341	Ad
105070	2002	341	Ad	105240	2002	341	Ad
105071	2002	341	Ad	105241	2002	341	Ad
105072	2002	341	Ad	105250	2002	341	Ad
105073	2002	341	Ad	105251	2002	341	Ad
105074	2002	341	Ad	105260	2002	341	Ad
105075	2002	341	Ad	105261	2002	341	Ad
105076	2002	341	Ad	105262	2002	341	Ad
105085	2002	341	Ad	105280	2002	341	Ad
105086	2002	341	Ad	105281	2002	341	Ad
105087	2002	341	Ad	105282	2002	341	Ad
105095	2002	341	Ad	105283	2002	341	Ad
105096	2002	341	Ad	105284	2002	341	Ad
105097	2002	341	Ad	105285	2002	341	Ad
105098	2002	341	Ad	105286	2002	341	Ad
105099	2002	341	Ad	105287	2002	341	Ad
105100	2002	341	Ad	105288	2002	341	Ad
105101	2002	341	Ad	105300	2002	341	Ad
105102	2002	341	Ad	105301	2002	341	Ad
105103	2002	341	Ad	105302	2002	341	Ad
105104	2002	341	Ad	105303	2002	341	Ad
105105	2002	341	Ad	105304	2002	341	Ad
105115	2002	341	Ad	105305	2002	341	Ad
105125	2002	341	Ad	105306	2002	341	Ad
105126	2002	341	Ad	105307	2002	341	Ad
105140	2002	341	Ad	105308	2002	341	Ad
105141	2002	341	Ad	105309	2002	341	Ad
105142	2002	341	Ad	105310	2002	341	Ad
105143	2002	341	Ad	105330	2002	341	Ad
105150	2002	341	Ad	105331	2002	341	Ad
105151	2002	341	Ad	105332	2002	341	Ad
105152	2002	341	Ad	105333	2002	341	Ad
105153	2002	341	Ad	105334	2002	341	Ad
105154	2002	341	Ad	105335	2002	341	Ad
105155	2002	341	Ad	105336	2002	341	Ad
105160	2002	341	Ad	105337	2002	341	Ad
105161	2002	341	Ad	120102.5	1999	729	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>Section</i>	<i>Affected By</i>		
	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>		<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
120222	2000	1035	Am	132370.1	2002	743	Ad
	2001	825	Am	132370.10	2002	743	Ad
120265	1999	729	Am	132370.2	2002	743	Ad
	2001	297	R	132370.3	2002	743	Ad
120354	2001	297	Ad	132370.4	2002	743	Ad
120450	2000	1035	Am	132370.5	2002	743	Ad
120451	2000	1035	Am	132370.6	2002	743	Ad
125223	2001	825	Am	132370.7	2002	743	Ad
130051.12	2000	1080	Am	132370.8	2002	743	Ad
	2002	938	Am	132370.9	2002	743	Ad
130051.24	2000	1080	Ad	132372	2002	743	Ad
130110	2000	1080	Am	132372.1	2002	743	Ad
130232	1999	1007	Am	132372.2	2002	743	Ad
130240	2002	688	Am	132372.3	2002	743	Ad
130241.5	2000	526	Ad & R <sup>19</sup>	132372.4	2002	743	Ad
130265	2001	512 *	Am	132410	2001	745 *	Am
130292	2001	745 *	Am	132632	2002	743	Ad
131268	1999	724	Am	132634	2002	743	Ad
132320	2001	297	Ad	142001	2001	474	Am
132322	2001	297	Ad	142050	2001	474	Am
132324	2001	297	Ad	142052	2001	474	Am
132326	2001	297	Ad	142110	2001	474	R
132328	2001	297	Ad	142200	2001	474	Am
132330	2001	297	Ad	142201	2001	474	Am
132332	2001	297	Ad	142250	2001	474	Am
132334	2001	297	Ad	142251	2001	474	Am
132350	2002	743	Ad	142254	2001	474	Am
132350.1	2002	743	Ad	142255	2001	474	R & Ad
132350.2	2002	743	Ad	142256	2001	474	R & Ad
132351	2002	743	Ad	142257	2001	474	Am
132351.1	2002	743	Ad	142258	2001	474	Am
132351.2	2002	743	Ad	142259	2001	474	R & Ad
132351.3	2002	743	Ad	142260	2001	474	Am
132351.4	2002	743	Ad	142263	2001	474	R & Ad
132351.5	2002	743	Ad	161026	2002	168	R
132351.6	2002	743	Ad	170000	2001	946	Ad
132352	2002	743	Ad	170002	2001	946	Ad
132352.1	2002	743	Ad	170004	2001	946	Ad
132352.2	2002	341	Ad		2002	978 *	Am
132352.3	2002	743	Ad	170006	2001	946	Ad
132352.4	2002	743	Ad		2002	978 *	Am
132352.5	2002	743	Ad	170010	2001	946	Ad
132352.6	2002	743	Ad		2002	978 *	Am
132353	2002	743	Ad	170012	2001	946	Ad
132353.1	2002	743	Ad		2002	978 *	Am
132353.2	2002	743	Ad	170014	2001	946	Ad
132353.3	2002	743	Ad	170016	2001	946	Ad
132353.4	2002	743	Ad		2002	664	Am <sup>431</sup>
132354	2002	743	Ad		2002	978 *	Am
132354.1	2002	743	Ad	170018	2001	946	Ad
132354.2	2002	743	Ad		2002	664	Am <sup>431</sup>
132354.3	2002	743	Ad		2002	978 *	Am
132354.4	2002	743	Ad	170020	2001	946	Ad
132354.5	2002	743	Ad	170022	2001	946	Ad
132354.6	2002	743	Ad	170024	2001	946	Ad
132355	2002	743	Ad		2002	978 *	Am
132355.1	2002	743	Ad	170026	2001	946	Ad
132355.2	2002	743	Ad		2002	978 *	Am
132355.3	2002	743	Ad	170028	2002	978 *	Ad
132355.4	2002	743	Ad	170030	2001	946	Ad
132370	2002	743	Ad	170032	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>
170034	2001	946	Ad	170066	2001	946	Ad
170038	2001	946	Ad		2002	978 *	R & Ad
	2002	978 *	Am	170068	2001	946	Ad
170040	2001	946	Ad		2002	978 *	Am
170042	2001	946	Ad	170070	2001	946	Ad
	2002	978 *	Am		2002	978 *	Am
170044	2001	946	Ad	170072	2001	946	Ad
170046	2001	946	Ad		2002	978 *	Am
170048	2001	946	Ad	170074	2001	946	Ad
	2002	978 *	Am	170076	2001	946	Ad
170050	2001	946	Ad		2002	978 *	Am
170052	2001	946	Ad	170078	2001	946	Ad
	2002	978 *	Am		2002	978 *	Am
170054	2001	946	Ad	170080	2001	946	Ad
170056	2001	946	Ad		2002	978 *	R
	2002	978 *	Am	170082	2001	946	Ad
170058	2001	946	Ad		2002	978 *	Am
	2002	978 *	Am	170084	2001	946	Ad
170058.5	2001	946	Ad		2002	978 *	Am
	2002	978 *	R	180050	2000	408	Am
170059	2001	946	Ad	180051	1999	1007	Am
	2002	978 *	R	185020	2000	791	Am
170060	2001	946	Ad		2002	696	Am (by Sec. 1 of Ch.)
	2002	978 *	R & Ad	185032	2000	791	Am
170062	2001	946	Ad	185034	2002	696	Am
	2002	978 *	Am	185038	2002	696	Ad
170064	2001	946	Ad				
	2002	978 *	Am				

**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				
53	2000	272	Am (by Sec. 1 of Ch.)				
62	2002	775	Am				
62.1	2001	772	Am		1999	649	Am (as am by Stats. 1999, Ch. 78)
	2002	664	Am <sup>431</sup>				
	2002	775	Am		2000	611	Am
62.2	1999	603 *	Am		2001	159	Am <sup>305</sup>
	2002	775	Am	97.39	1999	567	Ad
63.1	1999	941	Am	97.43	1999	84 *	Ad <sup>29</sup>
	2001	613	Am	98	2000	171	Am (by Sec. 1 of Ch.)
	2002	775	Am				
64	1999	83	Am <sup>30</sup>		2000	419	Am (by Sec. 1.5 of Ch.)
66	1999	941	Am				
69.4	1999	941	Ad	98.02	1999	550 *	Am <sup>1</sup>
69.5	2000	417	Am		2000	171	Am
	2000	693 *	Am (by Sec. 1 of Ch.) <sup>14</sup>	99	1999	550 *	Am <sup>1</sup>
			Am (by Sec. 1.5 of Ch.) <sup>25</sup>	100.4	2000	611	Ad
	2001	613	Am	100.7	1999	611	Ad
	2002	775	Am	100.9	2002	57	Ad
70	1999	352 *	Am	168.5	1999	941	Ad
	2001	330 *	Am	170	2001	407	Am
74	1999	200 *	Am	Div. 1,			
74.5	1999	504	Am <sup>13</sup>	Pt. 1,			
	2001	330 *	Am	Ch. 2.6,			
75.11	2000	646	Am	heading			
	2000	647	Am	(Sec. 172			
	2001	159	Am <sup>305</sup>	et seq.)	2002	775	Am
	2001	407	Am	172	2002	775	Am
75.21	2000	646	Am	172.1	2002	775	Am
	2000	647	Am	181	2002	775	Am
	2001	159	Am <sup>305</sup>	194	2002	775	Am
75.31	2000	647	Am	194.2	1999	387 *	Am
	2001	744	Am	194.4	1999	387 *	Am
75.5	2000	406 *	Am	194.5	1999	387 *	Am
75.51	1999	941	Am	194.6	1999	387 *	R
	2002	775	Am	195.1	1999	387 *	Am
75.55	2002	775	Am	195.83	1999	165 *	Ad
95.31	2000	602	Am	195.84	1999	165 *	Ad
95.35	2001	521	Ad	195.85	1999	165 *	Ad
	2002	214	Am	195.86	2001	158 *	Ad
96.1	2001	381	Am	195.87	2001	158 *	Ad
96.18	1999	824 *	Ad	195.88	2001	158 *	Ad
96.19	2000	604	Ad	197	2002	775	Am
96.27	1999	567	Ad	205.5	2000	1085 *	Am (by Sec. 1 of Ch., as am by Sec. 17, Stats. 1996, Ch. 1087)
96.52	1999	567	Ad				
96.6	1999	184	Am				
	2002	500	Am				
97.2	1999	34	Am		2000	1086 *	R (as am by Sec. 17, Stats. 1996, Ch. 1087)
	1999	78 *	Am <sup>101</sup>				
	1999	464	Am (as am by Stats. 1999, Ch. 78)				
	1999	643	Am <sup>82</sup>				
	1999	646	Am (as am by Stats. 1999, Ch. 78)				
	2000	611	Am		2001	407	Am
97.3	1999	78 *	Am	211	1999	291 *	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
214	1999	927 *	Am <sup>121</sup>	441	1999	334	Am
	2000	601 *	Am		2002	775	Am
	2001	159	Am <sup>305</sup>	441.5	2002	775	Am
214.02	2001	533 *	Am <sup>322</sup>	463	1999	334	Am
214.15	1999	927 *	Ad <sup>121</sup>	465	2002	214	Am
225	2000	861 *	Ad	469	2000	613	Am
	2001	826	Am		2001	238	Am
227	2000	647	Am	480.4	2002	775	Am
230	2000	601 *	Ad	482	2002	775	Am
236.5	2001	609 *	Ad	531.1	2002	775	Am
237	1999	941	Ad	531.2	1999	941	Am
	2000	135	Am <sup>203</sup>	531.8	1999	941	Am
	2000	601 *	Am	531.9	2002	775	Ad
	2002	775	Am	532	2000	646	Am
241	2001	161 *	Am		2000	647	Am
254	2002	775	Am		2001	613	Am
254.5	1999	927 *	Am <sup>121</sup>	534	2000	647	Am
	2002	214	Am		2001	744	Am
257	2002	214	Am	602	1999	941	Am
259.13	2002	775	Ad	606	2001	613	Am
270	2002	214	Am	620.5	2002	775	R
	2002	775	Am	674	2000	647	Am
271	2002	214	Am	721.5	2002	57	Ad
	2002	775	Am	731	2000	646	Am
276	2000	922 *	R & Ad		2000	647	Am
	2000	1085 *	R & Ad	732	2000	646	Am
	2002	775	Am		2000	647	Am
276.1	2000	1085 *	Ad	733	2000	646	Am
	2002	775	Am		2000	647	Am
276.2	2000	922 *	Ad	746	2000	646	Am
	2000	1085 *	Ad		2000	647	Am
	2002	775	R (as ad by Sec. 3, Stats. 2000, Ch. 922) Am (as ad by Sec. 6, Stats. 2000, Ch. 1085)	748	2000	646	Am
					2000	647	Am
				749	2000	646	Am
					2000	647	Am
					2001	744	Am
				755	2002	775	Am
				756	2002	664	Am <sup>431</sup>
					2002	775	Am
276.3	2000	922 *	Ad	758	2000	646	Am
	2000	1085 *	Ad		2000	647	Am
	2002	775	R (as ad by Sec. 4, Stats. 2000, Ch. 922) Am (as ad by Sec. 7, Stats. 2000, Ch. 1085)	759	2000	646	Am
					2000	647	Am
				760	2000	116	Am
327.1	2002	214	Ad	830	2001	407	Am
401.10	2000	607	Am <sup>111</sup>	830.1	2001	407	Am
401.15	1999	83	Am <sup>30</sup>	833	2001	407	Am
401.16	2002	299	Ad	995.2	1999	83	Am <sup>30</sup>
402.1	2002	616	Am	1603	2001	238	Am
402.9	1999	941	Am		2002	775	Am
408	2000	647	Am	1605	2000	647	Am
	2002	759	Am		2001	744	Am
421.5	2002	616	Am	1606	2001	407	Am
423.4	2002	616	Am	1612.5	1999	941	Ad
423.8	2002	616	Am	1612.7	1999	941	Ad
426	2002	616	Am	1622.6	1999	941	Am
				1624	1999	941	Am
					1999	942	Am
				1624.01	1999	942	Am
				1624.02	1999	942	Am
				1624.05	1999	941	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
1624.05 (Cont.)					2002	593 *	Am
	1999	942	Am	6051.45	2001	156 *	Ad
1624.3	1999	941	Ad	6055	2000	600	Am
1636.2	1999	941	Ad	6066	2000	256	Am
1636.5	1999	941	Ad		2000	923	Am
2187	2002	206	Am	6066.3	1999	908	Ad & R <sup>19</sup>
2189.5	2001	121	Am	6066.4	1999	908	Ad & R <sup>19</sup>
2189.6	2001	121	Am	6201.45	2001	156 *	Ad
2511.6	2002	775	Am	6203	1999	865	Am
2512	1999	941	Am		2000	617 *	Am (by Sec. 1 of Ch.)
	2000	135	Am <sup>203</sup>	6203.5	2000	600	Am
	2001	86	Am	6245.5	2000	923	Ad
2610.5	1999	941	Am	6261	2000	32 *	R
2613	1999	941	Am	6262	2000	32 *	R
	2000	135	Am <sup>203</sup>	6263	2000	32 *	Am
2910.1	1999	941	Am	6275	2000	861 *	Am
2921.5	2002	269	Am	6285	2000	861 *	Am
3101	2001	121	Am	6291	2000	861 *	Am
3102	2001	121	Am	6293	2000	861 *	Am
3351	2002	723	Am	6353	2001	156 *	Am
3371	2002	723	Am	6356.5	2001	156 *	Ad
3437	1999	941	Am	6356.6	2001	156 *	Ad
3440	1999	941	R	6357.1	2001	156 *	Ad
3692	1999	941	Am	6358	1999	289 *	Am <sup>64</sup>
	2001	121	Am	6358.5	2001	156 *	Ad
3695.4	2000	606	Am	6363.3	2001	383	Am <sup>75</sup>
3695.5	2000	606	Am	6364	1999	758 *	Am <sup>64</sup>
3698.8	2001	121	Ad	6366	2000	256	Am
3700	2000	606	Am		2000	923	Am
3772.5	1999	83	Am <sup>30</sup>	6366.1	2000	256	Am
3791.4	2000	606	Am		2000	923	Am
3793.1	2000	606	Am	6367	2000	861 *	Am
	2001	121	Am	6368.8	2001	592 *	Ad & R <sup>19</sup>
3793.5	2000	606	R	6369	2001	706 *	Am (by Sec. 1 of Ch.)
3793.6	2000	606	R		2000	107 *	Ad <sup>64</sup>
3794.2	2000	606	R	6378.1	2000		R <sup>80</sup>
3795	2000	606	Am	6388.5	2001	826	Am
3795.5	2000	606	Am	6452	1999	865	Am
	2002	269	Am		2000	256	Am
3807.3	2000	606	R		2000	923	Am
3807.5	2000	606	R	6454	1999	865	Am
4222.5	1999	941	Am	6456	2000	1052	Am
4837.5	1999	941	Am	6471	1999	484	Am (as ad by Stats. 1985, Ch. 106)
4911	2001	121	Am		2000	135	Am <sup>203</sup>
4911.1	2001	121	Am	6471.4	2001	429 *	Am <sup>64</sup>
4985	1999	941	Am	6472	1999	484	Am
4986.3	1999	550 *	Am		2000	135	Am <sup>203</sup>
5108	1999	274	Am <sup>20</sup>	6477	1999	484	Am (as ad by Sec. 5, Stats. 1983, Ch. 337)
5801	2002	775	Am	6479.3	1999	865	Am
5802	2002	775	Am	6479.31	1999	865	Ad
5803	2002	775	Am		2000	256	Am
5811	2002	775	Am		2000	923	Am
5812	2002	775	Am	6480	2001	429 *	Am <sup>64</sup>
5813	2002	775	Am	6480.1	1999	865	Am
5814	2001	407	Am				
5831	2002	775	Am				
6010.30	1999	799 *	Ad <sup>64</sup>				
6010.40	1999	361 *	Ad				
6011	2000	923	Am				
	2002	593 *	Am				
6012	2000	923	Am				

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>
6480.1 (Cont.)	2000	256	Am	7104	2000	91*	Ad <sup>196</sup> R <sup>100</sup>
	2001	429*	Am <sup>64</sup>		2000	656*	Am <sup>227</sup>
6480.10	2001	429*	R <sup>64</sup>		2001	113*	Am <sup>302</sup>
6480.11	2001	429*	R <sup>64</sup>	7205.1	2002	775	Am
6480.12	2001	429*	R <sup>64</sup>	7232	1999	1005	Am (by Sec. 96 of Ch.)
6480.13	2001	429*	R <sup>64</sup>		1999	1007	Am (by Sec. 12 of Ch.)
6480.14	2001	429*	R <sup>64</sup>	7235	2000	973	Am
6480.15	2001	429*	R <sup>64</sup>	7236	2000	973	Am
6480.16	1999	865	Am		2002	805*	Am <sup>175</sup>
	2001	429*	R <sup>64</sup>	7252.10	2001	474	Ad
6480.17	2001	429*	R <sup>64</sup>	7273	1999	865	Am
6480.18	2001	429*	R <sup>64</sup>		2001	745*	Am
6480.19	2001	429*	R <sup>64</sup>	7285	2001	251	Am
6480.2	2001	429*	Am <sup>64</sup>	7285.5	1999	643	Am
6480.20	2001	429*	R <sup>64</sup>		2001	251	Am
6480.21	2001	429*	R <sup>64</sup>	7286.24	2002	331	Ad
6480.22	2001	429*	R <sup>64</sup>	7286.28	2002	338	Ad
6480.23	2001	429*	R <sup>64</sup>	7286.43	2001	285*	Ad
6480.3	2001	429*	Am <sup>64</sup>	7286.44	2002	346	Ad
	2002	446*	Ad <sup>409</sup>	7286.47	2002	119	Ad
6480.4	2001	429*	Am <sup>64</sup>	7286.56	1999	110	Ad
6480.5	2001	429*	R <sup>64</sup>	7286.75	2001	263	Ad
6480.6	1999	865	Am	7286.80	2000	264*	Ad
	2001	429*	Am <sup>64</sup>		2001	292	Am
6480.7	2001	429*	Am <sup>64</sup>	7288.3	2001	251	Am
6480.8	2001	429*	R <sup>64</sup>	7290	2002	330	Ad
6592	1999	865	Am	7301	2000	1053	R & Ad <sup>s</sup>
	2000	1052	Am	7302	2000	1053	R & Ad <sup>s</sup>
6593.5	2001	251	Am	7303	2000	1053	R & Ad <sup>s</sup>
6703	1999	991	Am <sup>96 114</sup>	7304	2000	1053	R & Ad <sup>s</sup>
6704	2000	1052	Ad	7305	2000	1053	R & Ad <sup>s</sup>
6832	2000	1052	Am	7305.5	2000	1053	R <sup>s</sup>
6832.5	1999	929	Ad	7306	2000	1053	R & Ad <sup>s</sup>
6832.6	2000	1052	Ad	7307	2000	1053	R & Ad <sup>s</sup>
6902.4	1999	929	Ad	7308	2000	1053	R & Ad <sup>s</sup>
6909	2000	32*	Ad	7309	2000	1053	R & Ad <sup>s</sup>
7056.6	2000	1052	Ad	7310	2000	1053	R & Ad <sup>s</sup>
7063	1999	443	Ad & R <sup>18</sup>	7311	2000	1053	R & Ad <sup>s</sup>
7076.1	2000	1052	S <sup>20</sup>	7312	2000	1053	R & Ad <sup>s</sup>
7076.2	2000	1052	S <sup>20</sup>	7313	2000	1053	R & Ad <sup>s</sup>
7076.3	2000	1052	S <sup>20</sup>	7314	2000	1053	R & Ad <sup>s</sup>
7076.4	2000	1052	S <sup>20</sup>	7315	2000	1053	R & Ad <sup>s</sup>
7076.5	2000	1052	S <sup>20</sup>	7316	2000	1053	R & Ad <sup>s</sup>
7076.6	2000	1052	S <sup>20</sup>	7317	2000	1053	Ad <sup>s</sup>
7076.7	2000	1052	Am <sup>20</sup>	7318	2000	1053	Ad <sup>s</sup>
7081	2001	670	Am	7319	2000	1053	Ad <sup>s</sup>
7091	2000	1052	Am	7320	2000	1053	Ad <sup>s</sup>
7093.5	2000	923	Am		2001	429*	Am <sup>64</sup>
7093.6	2002	152	Ad	7321	2000	1053	Ad <sup>s</sup>
7093.8	2002	488*	Ad <sup>462</sup> R <sup>434</sup>	7322	2000	1053	Ad <sup>s</sup>
			Am <sup>370</sup>	7323	2000	1053	Ad <sup>s</sup>
7096	2001	543	Am <sup>370</sup>	7324	2000	1053	Ad <sup>s</sup>
7099.1	2000	438	Ad & R <sup>18</sup>	7325	2000	1053	Ad <sup>s</sup>
7102	2000	91*	Am	7326	2000	1053	Ad <sup>s</sup>
			R & Ad <sup>195</sup>		2001	429*	Am <sup>64</sup>
	2001	113*	Am (as ad by Sec. 11, Stats. 2000, Ch. 91)	7327	2000	1053	Ad <sup>s</sup>
				7328	2000	1053	Ad <sup>s</sup>

**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
7329	2000	1053	Ad <sup>8</sup>	7393	2000	1053	Ad <sup>8</sup>
7330	2000	1053	Ad <sup>8</sup>	7394	2000	1053	Ad <sup>8</sup>
	2001	429*	Am <sup>64</sup>	7395	2000	1053	R & Ad <sup>8</sup>
7331	2000	1053	Ad <sup>8</sup>	7396	2000	1053	R & Ad <sup>8</sup>
7332	2000	1053	Ad <sup>8</sup>	7397	2000	1053	Ad <sup>8</sup>
7333	2000	1053	Ad <sup>8</sup>	7398	2000	1053	Ad <sup>8</sup>
7334	2000	1053	Ad <sup>8</sup>	7401	2000	1053	R & Ad <sup>8</sup>
7335	2000	1053	Ad <sup>8</sup>	7402	2000	1053	Ad <sup>8</sup>
7336	2000	1053	Ad <sup>8</sup>	7403	2000	1053	Ad <sup>8</sup>
7337	2000	1053	Ad <sup>8</sup>	7403.1	2000	1053	Ad <sup>8</sup>
	2001	429*	Am <sup>64</sup>	7403.2	2000	1053	Ad <sup>8</sup>
7338	2000	1053	Ad <sup>8</sup>		2002	459	Am
7339	2000	1053	Ad <sup>8</sup>	7404	2000	1053	Ad <sup>8</sup>
7340	2000	1053	Ad <sup>8</sup>		2001	429*	Am <sup>64</sup>
7341	2000	1053	Ad <sup>8</sup>	7405	2000	1053	Ad <sup>8</sup>
7342	2000	1053	Ad <sup>8</sup>		2001	429*	Am <sup>64</sup>
7343	2000	1053	Ad <sup>8</sup>	7406	2000	1053	R <sup>8</sup>
	2001	429*	Am <sup>64</sup>	7408	2000	1053	R <sup>8</sup>
7344	2000	1053	Ad <sup>8</sup>	7409	2000	1053	R <sup>8</sup>
	2001	429*	Am <sup>64</sup>	7451	2000	1053	R & Ad <sup>8</sup>
7345	2001	429*	Ad <sup>64</sup>	7452	2000	1053	R & Ad <sup>8</sup>
7351	2000	1053	R <sup>8</sup>	7453	2000	1053	Ad <sup>8</sup>
7351.5	2000	1053	R <sup>8</sup>		2001	429*	Am <sup>64</sup>
7352	2000	1053	R <sup>8</sup>	7457	2000	1053	R <sup>8</sup>
7353	2000	1053	R <sup>8</sup>	7460	2000	1053	Ad <sup>8</sup>
7354	1999	865	Am	7470	2000	1053	Ad <sup>8</sup>
	2000	1053	R <sup>8</sup>	7481	2000	1053	R <sup>8</sup>
7355	2000	1053	R <sup>8</sup>	7482	2000	1053	R <sup>8</sup>
7356	2000	1053	R <sup>8</sup>	7483	2000	1053	R <sup>8</sup>
7357	2000	1053	R <sup>8</sup>	7484	2000	1053	R <sup>8</sup>
7360	2000	1053	Ad <sup>8</sup>	7485	2000	1053	R <sup>8</sup>
7361	2000	1053	Ad <sup>8</sup>	7486	2000	1053	R & Ad <sup>8</sup>
7362	2000	1053	Ad <sup>8</sup>		2001	429*	R & Ad <sup>64</sup>
7363	2000	1053	Ad <sup>8</sup>	7487	2000	1053	R & Ad <sup>8</sup>
7364	2000	1053	Ad <sup>8</sup>		2001	429*	R & Ad <sup>64</sup>
	2001	429*	Am <sup>64</sup>	7491	2000	1053	R & Ad <sup>8</sup>
7365	2000	1053	Ad <sup>8</sup>	7492	2000	1053	R & Ad <sup>8</sup>
7366	2000	1053	Ad <sup>8</sup>	7493	2000	1053	R & Ad <sup>8</sup>
7367	2000	1053	Ad <sup>8</sup>	7505	2000	1053	Ad <sup>8</sup>
7368	2000	1053	Ad <sup>8</sup>	7506	2000	1053	R & Ad <sup>8</sup>
7369	2000	1053	Ad <sup>8</sup>	7506.5	2000	1053	R <sup>8</sup>
7370	2000	1053	R & Ad <sup>8</sup>	7507	2000	1053	R & Ad <sup>8</sup>
7371	2000	1053	R & Ad <sup>8</sup>	7508	2000	1053	R & Ad <sup>8</sup>
7372	2000	1053	R <sup>8</sup>	7509	2000	1053	Ad <sup>8</sup>
	2001	429*	Ad <sup>64</sup>	7510	2000	1053	Ad <sup>8</sup>
7373	2000	1053	R <sup>8</sup>	7511	2000	1053	Ad <sup>8</sup>
	2001	429*	Ad <sup>64</sup>	7520	2000	1053	Ad <sup>8</sup>
7374	2000	1053	R <sup>8</sup>	7651	2000	1053	R & Ad <sup>8</sup>
7375	2000	1053	R <sup>8</sup>		2002	459	Am
7376	2000	1053	R <sup>8</sup>	7652	2000	1053	R & Ad <sup>8</sup>
7380	2000	1053	R <sup>8</sup>		2001	429*	R <sup>64</sup>
7381	2000	1053	R <sup>8</sup>	7652.5	2000	1053	R & Ad <sup>8</sup>
7382	2000	1053	R <sup>8</sup>		2002	459	Am
7385	2000	1053	Ad <sup>8</sup>	7652.7	2000	1053	Ad <sup>8</sup>
7386	2000	1053	Ad <sup>8</sup>		2002	459	Am
7387	2000	1053	Ad <sup>8</sup>	7653	2000	1053	R & Ad <sup>8</sup>
7388	2000	1053	Ad <sup>8</sup>		2001	429*	Am <sup>64</sup>
7389	2000	1053	Ad <sup>8</sup>	7654	2000	1053	Ad <sup>8</sup>
7390	2000	1053	R & Ad <sup>8</sup>		2001	429*	R <sup>64</sup>
7391	2000	1053	R & Ad <sup>8</sup>	7655	2000	923	Am
7392	2000	1053	Ad <sup>8</sup>		2000	1053	R & Ad <sup>8</sup>

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
7655 (Cont.)	2001	251	Am	7710	2000	1053	R & Ad <sup>8</sup>
7656	2000	1053	R & Ad <sup>8</sup>	7710.5	2000	1053	R & Ad <sup>8</sup>
7657	2000	923	Am (by Sec. 8 of Ch.)	7711	2000	1053	R & Ad <sup>8</sup>
	2000	1052	Am (by Sec. 8.5 of Ch.)	7711.5	2000	1053	R & Ad <sup>8</sup>
	2000	1053	R & Ad <sup>8</sup>	7712	2000	1053	R & Ad <sup>8</sup>
	2001	251	Am (by Sec. 9 of Ch.)	7713	2000	1053	R & Ad <sup>8</sup>
	2001	429*	Am <sup>64</sup>	7714	2000	1053	R & Ad <sup>8</sup>
7657.1	2000	1053	R & Ad <sup>8</sup>	7715	2000	1053	R & Ad <sup>8</sup>
7658	2000	923	Am	7716	2000	1053	R & Ad <sup>8</sup>
	2000	1053	R & Ad <sup>8</sup>	7726	2000	1053	R & Ad <sup>8</sup>
	2001	251	Am	7727	2000	1053	R & Ad <sup>8</sup>
7658.1	1999	929	Ad		2001	429*	Am <sup>64</sup>
	2000	1053	R & Ad <sup>8</sup>	7728	2000	1053	R & Ad <sup>8</sup>
	2001	251	Am	7729	2000	1053	R & Ad <sup>8</sup>
7658.5	2000	1053	R & Ad <sup>8</sup>	7730	2000	1053	R & Ad <sup>8</sup>
7659	2000	1053	R & Ad <sup>8</sup>	7731	2000	1053	R & Ad <sup>8</sup>
7659.1	2000	1053	R & Ad <sup>8</sup>	7732	2000	1053	R & Ad <sup>8</sup>
7659.2	2000	923	Am	7732	2000	1053	R & Ad <sup>8</sup>
	2000	1053	R & Ad <sup>8</sup>	7851	2000	1053	Am <sup>8</sup>
	2001	251	Am	7855	1999	991	Am <sup>96 114</sup>
7659.3	2000	1053	R & Ad <sup>8</sup>		2000	1053	Am (as am by
7659.4	2000	1053	R & Ad <sup>8</sup>				Stats. 1998,
7659.5	2000	1053	R & Ad <sup>8</sup>	7861	2000	1053	Ch. 609 and
7659.6	2000	1053	R & Ad <sup>8</sup>	7863	2000	1053	Stats. 1999,
7659.7	2000	1053	R & Ad <sup>8</sup>	7865	2000	1053	Ch. 991) <sup>8</sup>
7659.8	2000	1053	R & Ad <sup>8</sup>	7891	2000	1053	Am <sup>8</sup>
7659.9	2000	923	Ad	7892	2000	1053	Am <sup>8</sup>
	2001	251	Ad	7893	2000	1053	Am <sup>8</sup>
7659.91	2000	923	Ad	7895	2000	1053	Am <sup>8</sup>
	2001	251	Ad	7931	2000	1053	Am <sup>8</sup>
7659.92	2000	923	Ad	7934	2000	1053	Am <sup>8</sup>
	2001	251	Ad	7956	2000	1053	Am <sup>8</sup>
7659.93	2001	429*	Ad <sup>64</sup>	7958	2000	1053	Am <sup>8</sup>
7660	2000	1053	R & Ad <sup>8</sup>	8101	1999	865	Am
7661	2000	1053	R & Ad <sup>8</sup>		2000	1053	Am <sup>8</sup>
7662	2000	1053	R & Ad <sup>8</sup>		2001	429*	Am <sup>64</sup>
7663	2000	1053	R & Ad <sup>8</sup>	8103	2000	1053	Am <sup>8</sup>
7670	2000	1053	R & Ad <sup>8</sup>	8106	2000	1053	Am <sup>8</sup>
7671	2000	1053	R & Ad <sup>8</sup>	8106.1	2000	1053	Am <sup>8</sup>
7672	2000	1053	R & Ad <sup>8</sup>	8106.5	2000	1053	Am <sup>8</sup>
7673	2000	1053	R & Ad <sup>8</sup>	8106.7	1999	865	Ad
7674	2000	1053	R & Ad <sup>8</sup>		2000	1053	R <sup>8</sup>
7675	2000	1053	R & Ad <sup>8</sup>	8106.8	2001	429*	Ad <sup>64</sup>
7675.1	2000	1053	R & Ad <sup>8</sup>	8126	2000	1053	Am <sup>8</sup>
7676	2000	1053	R & Ad <sup>8</sup>		2001	429*	Am <sup>64</sup>
7698	2000	1053	R & Ad <sup>8</sup>	8127.6	1999	865	Ad
7699	2000	1053	R & Ad <sup>8</sup>		2000	1053	R <sup>8</sup>
7700	2000	1053	R & Ad <sup>8</sup>	8128	2000	1053	Am <sup>8</sup>
7700.5	2000	1053	R & Ad <sup>8</sup>	8128.1	2000	1052	Ad
7701	2000	1053	R & Ad <sup>8</sup>	8130	2000	1053	Am <sup>8</sup>
7702	2000	1053	R & Ad <sup>8</sup>	8146	2000	1053	Am <sup>8</sup>
7703	2000	1053	R & Ad <sup>8</sup>	8150	2000	1053	Am <sup>8</sup>
7704	2000	1053	R & Ad <sup>8</sup>	8152	2000	1053	Am <sup>8</sup>
7705	2000	1053	R & Ad <sup>8</sup>	8174	1999	929	Ad
7706	2000	1053	R & Ad <sup>8</sup>	8253	2000	1053	Am <sup>8</sup>
7707	2000	1053	R & Ad <sup>8</sup>	8257	2000	1052	Ad
				8262	1999	929	Am
				8263	2000	1053	Am <sup>8</sup>

**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
8269	1999	929	Am	10753	1999	724	Am (as am by Sec. 139,
	2000	1052	Am				Stats. 1997,
8270	2000	1053	Am <sup>8</sup>				Ch. 17) <sup>24</sup>
8301	2000	1053	R & Ad <sup>8</sup>				Am (as am by
8302	2000	1053	R & Ad <sup>8</sup>				Sec. 140,
8303	2000	1053	R & Ad <sup>8</sup>				Stats. 1997,
8304	2000	1053	R & Ad <sup>8</sup>				Ch. 17) <sup>25</sup>
8305	2000	1053	R <sup>8</sup>		2000	596	R (as am by
8306	2000	1053	R <sup>8</sup>				Sec. 15,
8351	2000	1053	Am <sup>8</sup>				Stats. 1999,
8352.1	2000	1053	Am <sup>8</sup>				Ch. 724)
8352.4	2000	1053	Am <sup>8</sup>				Am (as am by
8352.8	2002	563	Am				Sec. 14,
8401	2000	1053	R & Ad <sup>8</sup>				Stats. 1999
8402	2000	1053	R & Ad <sup>8</sup>				Ch. 724) <sup>13</sup>
8403	2000	1053	R & Ad <sup>8</sup>				Am
8404	2000	1053	R & Ad <sup>8</sup>	10753.1	2000	861 *	Am
8405	2000	1053	R & Ad <sup>8</sup>		2001	744	R (as am by
8406	2000	1053	Ad <sup>8</sup>				Sec. 160,
8502	2000	1053	Am <sup>8</sup>				Stats. 1992,
8503	1999	724	Am				Ch. 427 and as
	2002	161	Am				am by Sec. 7,
8504	1999	724	Am				Stats. 2000,
8752	2002	459	Am				Ch. 861)
8760	2000	923	Ad		2001	826	Am (as am by
8761	2000	923	Ad				Sec. 7,
8762	2000	923	Ad				Stats. 2000,
8763	2002	459	Ad				Ch. 861) <sup>82</sup>
8876	2000	923	Am	10753.2	2000	861 *	Am
8877	1999	941	Am	10753.5	2002	528	Am
	2000	923	Am (by Sec. 13	10753.9	2000	861 *	Am
			of Ch.)		2001	744	R (as ad by
	2000	1052	Am (by				Sec. 3,
			Sec. 13.5 of Ch.)				Stats. 1991,
	2000	923	Am				Ch. 474 and as
8878	2001	251	Am				am by Sec. 9,
8878.5	1999	929	Ad				Stats. 2000,
	2001	251	Am				Ch. 861)
8957	1999	991	Am <sup>96 114</sup>		2001	826	Am (as am by
8958	2000	1052	Ad				Sec. 9,
9033	1999	929	Ad				Stats. 2000,
	2000	1052	Am				Ch. 861) <sup>82</sup>
9033.5	2000	1052	Ad	10754	1999	74 *	Am
9152.1	2000	1052	Ad		2001	5 *	Am <sup>96</sup>
9184	1999	929	Ad	10754.1	1999	76 *	Ad
9255.2	2000	1052	Ad	10754.2	2000	91 *	Ad
9262	1999	929	Am		2000	106 *	Ad
9269	1999	929	Am		2000	107 *	Am (as ad by
	2000	1052	Am				Stats. 2000,
9272.1	1999	929	Ad				Ch. 106)
9274	2001	543	Am <sup>370</sup>		2001	5 *	R (as ad by
9275	1999	929	Am				Sec. 12,
9278	2002	152	Ad				Stats. 2000,
10752	2000	861 *	Am				Ch. 91) <sup>96</sup>
	2001	826	Am (as am by				R (as am by
			Sec. 6.8,				Sec. 2,
			Stats. 2000,				Stats. 2000,
			Ch. 861)				Ch. 107) <sup>297</sup>

**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>
10759.5	2002	566 *	Am <sup>317</sup>	17052.18	2001	650 *	Am <sup>371</sup>
10781.1	1999	911	Ad	17052.2	2000	75 *	Ad
10903	2000	107 *	Ad		2000	603	Am (as ad by Stats. 2000, Ch. 75) <sup>268</sup>
	2001	5 *	Am <sup>96</sup>				
11005	1999	550 *	Am <sup>1</sup>		2002	487	Am
11006	2000	861 *	Ad		2002	488 *	Am
11253	1999	929	Ad	17052.6	2000	114 *	Ad
	2000	1052	Am		2002	757 *	Am (by Sec. 1 of Ch.) <sup>383</sup>
11253.5	2000	1052	Ad		2002	824 *	Am (by Sec. 1.5 of Ch.) <sup>436</sup>
11254	1999	929	Ad				
11273	2001	407	Am				
	2002	664	Am <sup>431</sup>	17053.14	2000	311 *	Am
11338	2001	407	Am	17053.30	2000	113 *	Ad
11339	2001	407	Am	17053.37	2002	487	Am
11409	1999	929	Ad	17053.45	1999	987 *	Am <sup>134</sup>
	2001	251	Am	17053.46	2000	864	Am
11452	1999	991	Am <sup>96 114</sup>	17053.47	1999	58	Am
11453	2000	1052	Ad		2000	864	Am
11553.5	2000	1052	Ad		2000	865	Am
11597	2000	1052	Am	17053.49	1999	987 *	Am <sup>136</sup>
11656	2000	1052	Ad	17053.5	1999	931 *	Am <sup>6</sup>
11657	2000	1052	Ad	17053.57	2001	535 *	Am <sup>371</sup>
11925	1999	75	Am		2002	664	Am <sup>431</sup>
12206	2000	3 *	Am	17053.80	2000	105 *	Ad & R <sup>199</sup>
	2001	668 *	Am		2000	107 *	Ad & R <sup>199</sup>
12208	1999	808	Ad	17053.84	2002	487	Am
12209	1999	821 *	Ad & R <sup>145</sup>		2X 2001–02	12 *	Ad & R <sup>337</sup>
	2001	535 *	Am <sup>323</sup>	17054.5	1999	987 *	Am
	2002	664	Am <sup>431</sup>	17055	2001	920	Am <sup>383</sup>
12210	2000	614	Ad	17058	2000	3 *	Am
13304	2000	363 *	Am		2001	668 *	Am
13402	2000	363 *	Am	17062	2001	543	Am <sup>370</sup>
13404	2000	363 *	Am		2001	920	Am <sup>383</sup>
13405	2000	363 *	Am		2002	34 *	Am
13550	2000	363 *	Am <sup>25</sup>		2002	35 *	Am
13551	2000	363 *	R <sup>25</sup>	17062.3	2002	34 *	Ad
13563	2000	363 *	Am <sup>25</sup>		2002	35 *	Ad
	2002	1124 *	Am	17063	2001	920	Am
16760	2000	363 *	Am <sup>25</sup>		2002	34 *	Am
16870	2000	363 *	Am <sup>25</sup>		2002	35 *	Am
16871	2000	363 *	R <sup>25</sup>	17071	1999	987 *	Am
17013	1999	987 *	R	17073	1999	987 *	Am
17015.5	2001	920	Ad <sup>383</sup>		2002	664	Am <sup>431</sup>
17021.7	2001	893	Ad		2X 2001–02	5 *	Am
17024.5	2002	34 *	Am	17074	1999	987 *	Am
	2002	35 *	Am	17075	1999	987 *	Am
17037	2001	543	Am <sup>370</sup>	17076	1999	987 *	Am
17039	1999	930 *	Am	17077	1999	987 *	Am
	2000	75 *	Am	17077.5	1999	987 *	R
	2001	920	Am	17083	1999	987 *	Am
	2002	34 *	Am	17084	1999	987 *	R
	2002	35 *	Am	17085	1999	987 *	Am
17039.1	2000	113 *	Ad		2002	34 *	Am <sup>404</sup>
17041	2001	920	Am <sup>383</sup>		2002	35 *	Am <sup>404</sup>
17052.12	1999	77 *	Am	17085.5	1999	987 *	R
	2000	103 *	Am (by Sec. 1 of Ch.)	17085.7	1999	931 *	Ad
	2000	107 *	Am	17087	1999	987 *	Am
	2002	34 *	Am	17131	2002	690 *	Am
	2002	35 *	Am		2002	807 *	Am
17052.17	2001	650 *	Am <sup>371</sup>	17131.1	2002	701	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
17131.8	2002	807*	Ad	17274	1999	987*	Am
17132	2002	34*	Ad	17275.5	2002	34*	Am
	2002	35*	Ad		2002	35*	Am
17132.5	1999	987*	R	17275.6	1999	83	Am <sup>30</sup>
	2002	690*	Ad(RN)		1999	987*	R
	2002	807*	Ad(RN)	17276	2000	104*	Am
17132.6	2002	34*	Ad		2000	107*	Am
	2002	35*	Ad		2000	862	Am <sup>262</sup>
	2002	690*	Am (as am by Sec. 20, Stats. 1998, Ch. 322) & RN		2001	543	Am <sup>370</sup>
			Am (as am by Sec. 20, Stats. 1998, Ch. 322 and as ad by Sec. 9, Stats. 2002, Ch. 35) & RN		2001	623*	Am
	2002	807*	Am (as am by Sec. 20, Stats. 1998, Ch. 322 and as ad by Sec. 9, Stats. 2002, Ch. 35) & RN	17276.1	2001	488*	Am
				17276.3	2002	623*	Am
				17276.5	1999	488*	Am
				17276.7	2001	987*	Am
					2001	623*	Ad
					2002	524	Am
				17279.5	2000	862	Am <sup>262</sup>
					2002	34*	R
					2002	35*	R
17132.7	2002	807*	Ad(RN)	17287	1999	987*	Am
17134.5	1999	987*	R	17301	2001	920	Am <sup>383</sup>
17137	2002	807*	Ad	17301.3	2001	920	Ad <sup>383</sup>
17138	2001	212*	Am	17301.4	2001	920	Ad <sup>383</sup>
17138.1	2002	843*	Ad	17301.5	2001	920	Ad <sup>383</sup>
17139	1999	987*	R	17303	2001	920	R <sup>383</sup>
17139.5	2000	31*	Ad	17304	2001	920	Ad <sup>383</sup>
17140	1999	987*	Am	17306	2001	920	Ad <sup>383</sup>
	2002	34*	Am <sup>398 404</sup>	17307	2001	920	Ad <sup>383</sup>
	2002	35*	Am <sup>398 404</sup>	17310	2001	920	R <sup>383</sup>
17140.3	1999	987*	Am	17330	1999	987*	R
	2002	34*	Am <sup>404</sup>	17501	2002	34*	Am <sup>404</sup>
	2002	35*	Am <sup>404</sup>		2002	35*	Am <sup>404</sup>
17142.5	1999	987*	Am		2002	807*	Am
17143	1999	987*	Am	17501.5	2002	30*	Ad
17144	1999	987*	Am	17501.7	2002	30*	Ad
	2002	34*	Am	17507.6	1999	8*	Am <sup>6</sup>
	2002	35*	Am	17551	1999	987*	Am
17144.5	2002	34*	Ad <sup>404</sup>		2002	34*	Am <sup>404</sup>
	2002	35*	Ad <sup>404</sup>		2002	35*	Am <sup>404</sup>
17151	2000	107*	Am		2002	807*	Am
17155.5	2000	685*	Ad	17551.5	1999	987*	R
17156	1999	619*	Ad <sup>106</sup>	17552	1999	987*	Am
17156.5	1999	471*	Ad	17552.3	2002	34*	Ad <sup>399</sup>
17157	2000	630	Ad		2002	35*	Ad <sup>399</sup>
17205	2002	34*	Ad <sup>404</sup>	17553	1999	987*	Am
	2002	35*	Ad <sup>404</sup>	17554	2001	920	R <sup>383</sup>
17207	1999	165*	Am	17560	2002	34*	Am
	2001	618*	Am		2002	35*	Am
17208.1	2X 2001–02	5*	Ad		2002	807*	Am
17218	1999	987*	R	17563	1999	987*	R
17250	1999	987*	Am	17563.5	2002	34*	Ad
17251.5	2002	34*	R		2002	35*	Ad
	2002	35*	R	17570	2002	34*	Am
17268	1999	987*	Am		2002	35*	Am
17270	1999	987*	Am	17639	1999	987*	Am
17270.5	2002	34*	R	17640	1999	987*	Am
	2002	35*	R	17651	1999	987*	Am
17271	2002	34*	R	17671	1999	987*	Am
	2002	35*	R	17731	2002	690*	Am
17273	1999	117*	Am		2002	807*	Am
	1999	146*	Am	17731.5	2002	34*	Am <sup>400</sup>

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>
17731.5 (Cont.)				18621.7	2000	1084	Ad
	2002	35 *	Am <sup>400</sup>	18622	1999	987 *	Am
17732	1999	987 *	Am	18624	1999	931 *	Am
17734	2001	920	Am <sup>383</sup>	18628	2000	863	Ad(RN)
17751	2002	34 *	Am <sup>401</sup>	18631	2000	863	Am
	2002	35 *	Am <sup>401</sup>	18633	2000	863	Am
17851	1999	987 *	Am	18633.5	2000	862	Am <sup>262</sup>
17852	1999	987 *	R		2000	863	Am
17853	1999	987 *	Am		2001	543	Am <sup>370</sup>
17854	2001	920	Am <sup>383</sup>	18635.5	2000	863	Ad
17857	1999	987 *	Am	18636	2000	863	R
17859	1999	987 *	R	18637	2000	863	R
17860	1999	987 *	R	18638	2000	863	R
17935	1999	987 *	Am	18639	2000	863	Am
	2000	647	Am	18641	2000	863	R
	2001	920	Am	18643	2000	863	R
17941	2002	169	Am	18645	2000	863	R
17942	2001	391 *	Am <sup>363</sup>	18647	2000	863	R
	2002	664	Am <sup>431</sup>	18662	1999	987 *	Am
17943	2001	391 *	R & Ad		2002	488 *	Am
17948	2002	169	Am	18663	2002	488 *	Am
17951	2001	920	Am <sup>383</sup>	18665	2001	191	Am
17952	2001	920	Am <sup>383</sup>	18668	2000	862	Am <sup>262</sup>
17952.5	2001	920	Am <sup>383</sup>		2002	488 *	Am
17953	2001	920	Am <sup>383</sup>	18671	1999	991	Am <sup>96 114</sup>
17954	2001	920	Am <sup>383</sup>	18673	1999	931 *	Ad
17955	2001	920	Am <sup>383</sup>	18701	2000	577	Ad & R <sup>252</sup>
18001	2002	374	Am	18702	2000	577	Ad & R <sup>252</sup>
18038.5	2002	34 *	Am <sup>402</sup>	18703	2000	577	Ad & R <sup>252</sup>
	2002	35 *	Am <sup>402</sup>	18704	2000	577	Ad & R <sup>252</sup>
18152.5	1999	69 *	Am	18711	1999	987 *	Am
18405	2000	862	Am <sup>262</sup>		2002	647	Ad & R <sup>469</sup>
18408	2000	863	Ad(RN)	18712	2002	647	Ad & R <sup>469</sup>
18409	2000	863	Ad(RN)	18713	2002	647	Ad & R <sup>469</sup>
18415	2000	862	Am <sup>262</sup>	18714	2002	647	Ad & R <sup>469</sup>
18417	2001	543	Am <sup>370</sup>	18715	2002	647	Ad & R <sup>469</sup>
18501	1999	196	Am <sup>47</sup>	18716	2002	647	Ad & R <sup>469</sup>
18503	2000	863	Am & RN	18721	1999	228	S <sup>60</sup>
18504	2000	863	R		1999	987 *	Am
18505	2000	862	Am <sup>262</sup>	18722	1999	228	S <sup>60</sup>
	2000	863	Am	18723	1999	228	S <sup>60</sup>
18505.3	2000	863	Ad	18724	1999	228	Am <sup>60</sup>
18505.6	2000	863	Ad(RN)	18741	1999	987 *	Am
18507	2000	863	R		2002	594	Ad & R <sup>486</sup>
18508	2000	863	Am	18742	2002	594	Ad & R <sup>486</sup>
18510	2001	164 *	R	18743	2002	594	Ad & R <sup>486</sup>
18521	1999	605	Am	18744	2002	594	Ad & R <sup>486</sup>
18528	2000	863	Am	18761	1999	315	S <sup>65</sup>
18531.5	2000	863	Ad	18762	1999	315	S <sup>65</sup>
18532	2000	863	Am	18763	1999	315	S <sup>65</sup>
18533	1999	931 *	Am		1999	987 *	Am
18534	1999	931 *	Am	18764	1999	315	S <sup>65</sup>
18535	2002	807 *	Am	18765	1999	315	S <sup>65</sup>
18547	2000	863	Am & RN	18766	1999	315	Am <sup>65</sup>
18552	2000	863	Am & RN	18782	1999	987 *	Am
18572	2002	690 *	R & Ad	18791	2002	484	S <sup>466</sup>
	2002	807 *	R & Ad	18792	2002	484	S <sup>466</sup>
18601	1999	987 *	Am	18793	1999	987 *	Am
	2000	862	Am <sup>262</sup>		2002	484	S <sup>466</sup>
18604	1999	987 *	Am	18794	2002	484	S <sup>466</sup>
18605	1999	987 *	R	18795	2002	484	Am <sup>466</sup>

**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
18796	2002	484	Am <sup>466</sup>	19043	2001	191	Am
18801	1999	987*	Am	19043.5	2001	191	Ad
	1999	988	Am <sup>43</sup>	19045	1999	931*	Am
18802	1999	988	S <sup>43</sup>	19052	1999	931*	R <sup>6</sup>
18803	1999	988	Am <sup>43</sup>		2000	647	Ad
18804	1999	988	Am <sup>43</sup>		2002	374	Am
	2000	854	Am	19053	1999	987*	R
18805	1999	215	Ad & R <sup>58</sup>	19057	1999	83	Am <sup>30</sup>
18806	1999	215	Ad & R <sup>58</sup>	19059	1999	987*	Am
18807	1999	215	Ad & R <sup>58</sup>	19060	1999	987*	Am
	2001	274*	Am	19064	1999	931*	Am
18808	1999	215	Ad & R <sup>58</sup>	19067	1999	931*	Am
	2000	854	Am	19081	2000	862	Am <sup>262</sup>
18812	1999	987*	Am	19082	2000	862	Am <sup>262</sup>
18821	1999	987*	Am	19084	1999	931*	Am
	1999	989	S <sup>152</sup>	19089	1999	987*	Am
18822	1999	989	S <sup>152</sup>	19101	2000	863	Am
18823	1999	989	S <sup>152</sup>	19102	2000	863	R
18824	1999	989	Am <sup>152</sup>	19103	2000	863	R
18831	2000	818	Ad & R <sup>231</sup>	19104	1999	203	Am
	2002	620	R		2000	183	Am (as am by Stats. 1999, Ch. 203)
			Ad & R <sup>491</sup>				Am <sup>262</sup>
18832	2000	818	Ad & R <sup>231</sup>		2000	862	Am <sup>262</sup>
	2002	620	R		2000	863	Am (as am by Stats. 2000, Ch. 183)
			Ad & R <sup>491</sup>				Am <sup>370</sup>
18833	2000	818	Ad & R <sup>231</sup>		2001	543	Am
	2002	620	R	19105	2000	863	Am
			Ad & R <sup>491</sup>	19106	1999	987*	Am
18834	2000	818	Ad & R <sup>231</sup>		2000	863	R
	2002	620	R	19109	1999	931*	Am
			Ad & R <sup>491</sup>		2002	690*	Am
18835	2000	818	Ad & R <sup>231</sup>		2002	807*	Am
	2002	620	R	19111	2000	863	R
			Ad & R <sup>491</sup>	19115	2000	863	R
18836	2001	455	Ad & R <sup>318</sup>	19116	1999	931*	Am
	2002	664	Am <sup>431</sup>	19117	1999	931*	Ad
18837	2001	455	Ad & R <sup>318</sup>	19120	2000	863	Ad
18838	2001	455	Ad & R <sup>318</sup>	19134	2000	862	Am <sup>262</sup>
	2002	135	Am	19135	2000	862	Am <sup>262</sup>
18839	2001	455	Ad & R <sup>318</sup>	19136	2000	862	Am <sup>262</sup>
18840	2001	455	Ad & R <sup>318</sup>		2002	34*	Am
18841	1999	987*	Am		2002	35*	Am
18851	1999	987*	Am	19136.3	2000	862	Am <sup>262</sup>
18861	1999	398	Ad & R <sup>72</sup>	19136.6	2000	862	Am <sup>262</sup>
18862	1999	398	Ad & R <sup>72</sup>	19136.8	2002	34*	Ad
18863	1999	398	Ad & R <sup>72</sup>		2002	35*	Ad
18864	1999	398	Ad & R <sup>72</sup>		2002	488*	Am
18865	1999	398	Ad & R <sup>72</sup>	19141	2002	34*	Am
18871	1999	987*	Am		2002	35*	Am
19005	1999	203	Am	19141.2	2000	862	Am <sup>262</sup>
19006	2002	374	Am	19141.6	1999	83	Am <sup>30</sup>
19008	1999	931*	Am		2000	862	Am <sup>262</sup>
19011	2000	862	Am <sup>262</sup>	19142	2000	862	Am <sup>262</sup>
19023	1999	987*	Am	19144	2000	862	Am <sup>262</sup>
19025	2000	862	Am <sup>262</sup>	19145	1999	987*	Am
19026	2000	862	Am <sup>262</sup>		2000	862	Am <sup>262</sup>
19027	2000	862	Am <sup>262</sup>	19147	2000	862	Am <sup>262</sup>
19033	2000	414	Am		2001	4*	Am
19034	1999	931*	Am	19148	2000	862	Am <sup>262</sup>
19041	1999	931*	Am				
19041.5	1999	463	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
19150	2000	862	Am <sup>262</sup>	19323	1999	931*	Am
19151	1999	987*	Am	19347	1999	605	Am
19164	2000	862	Am <sup>262</sup>	19354	2002	374	Am
19164.1	2001	410	Ad	19363	2000	862	Am <sup>262</sup>
19180	2002	374	Am	19364	2000	862	Am <sup>262</sup>
19183	2000	863	Am	19365	2000	862	Am <sup>262</sup>
	2002	488*	Am		2002	34*	Am
19187	1999	931*	Ad		2002	35*	Am
19191	2000	862	Am <sup>262</sup>	19368	2000	863	Ad
	2001	543	Am <sup>370</sup>	19378	2001	543	Am <sup>370</sup>
19192	2000	862	Am <sup>262</sup>	19384	1999	605	Am
	2001	543	Am <sup>370</sup>	19411	1999	987*	Am
19193	2000	862	Am <sup>262</sup>		2000	415	Am
19194	2000	862	Am <sup>262</sup>	19442	2002	258	Am
19225	1999	348	Ad	19443	1999	931*	Ad
19226	1999	931*	Ad		2001	543	Am <sup>370</sup>
19236	1999	931*	Ad	19444	2002	488*	Ad <sup>462</sup>
	2000	647	Am			R <sup>434</sup>	
19271	1999	83	Am <sup>30</sup>	19503	2000	862	Am <sup>262</sup>
	1999	478	Am	19504	1999	931*	Am
	1999	480	Am (as am by Stats. 1999, Ch. 478)	19504.5	1999	931*	Ad
				19504.7	1999	931*	Ad
	2001	111*	Am	19521	2002	34*	Am
	2001	651	Am		2002	35*	Am
19271.5	1999	478	R		2002	1124*	Am (as am by Sec. 33, Stats. 2002, Ch. 35)
19271.6	1999	980	Am <sup>96</sup>				
	2000	808*	Am (as ad(RN) by Stats. 1998, Ch. 322 and as am by Stats. 1999, Ch. 980)	19524	2000	1127*	Am
				19533	1999	863	Am & RN
19272	1999	480	Am	19542.3	1999	478	Am
	1999	980	Am (by Sec. 17.5 of Ch.)	19546.5	1999	931*	Ad
	2000	808*	Am	19548	1999	931*	Ad
	2001	111*	Am	19550	2000	478	Am
19273	1999	980	Am	19551.1	2001	940	Ad
19274	2000	808*	Am		2001	915	Ad & R <sup>352</sup>
19275	1999	480	Ad		2002	664	Am <sup>431</sup>
	2000	808*	Am	19556	1999	67*	R
19280	1999	344*	Am		2001	920	Ad
	2000	545	Am	19559	2002	690*	Ad
	2000	940	Am <sup>20</sup>		2002	807*	Ad
	2002	487	S <sup>13</sup>	19565	2000	862	Am <sup>262</sup>
19281	2000	940	S <sup>20</sup>	19570	2002	694	Ad
	2002	487	S <sup>13</sup>	19604	2001	543	Am <sup>370</sup>
19282	2000	940	S <sup>20</sup>	19607	2001	543	Am <sup>370</sup>
	2002	487	S <sup>13</sup>	19705	1999	931*	Am
19283	2000	940	Am <sup>20</sup>		2001	543	Am <sup>370</sup>
	2002	487	Am <sup>13</sup>		2001	854	Am (by Sec. 65.5 of Ch.)
	2002	776	Am <sup>43</sup>	19707	2002	784	Am <sup>490</sup>
19306	1999	614	Am	19717	1999	931*	Am
	2001	543	Am <sup>370</sup>	19753.2	2001	826	Am (as am by Sec. 8, Stats. 2000, Ch. 861)
19311	1999	987*	Am	20503	2002	374	Am
	2001	543	Am <sup>370</sup>	20505	2002	374	Am
	2002	807*	Am	20508.1	1999	928	Ad
19316	2002	807*	Ad	20514	2002	374	Am
19322.1	2001	920	Ad	20543	2000	60*	Am
					2001	156*	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
20543 (Cont.)	2001	266 *	Am (as am by Sec. 8, Stats. 2001, Ch. 156)	23151.2	2000	862	Am <sup>262</sup>
	2002	664	Am <sup>431</sup>	23153	1999	64 *	Am
20544	2000	60 *	Am		1999	987 *	Am (as am by Stats. 1999, Ch. 64)
	2001	156 *	Am	23181	2000	862	Am
	2001	266 *	Am (as am by Sec. 9, Stats. 2001, Ch. 156)	23182	2001	543	Am <sup>370</sup>
20561	2002	399	Am	23183	2000	862	Am
20563	2000	60 *	Am	23183.1	2000	862	Am
	2002	374	Am	23183.2	2000	862	Am <sup>262</sup>
20583.1	1999	928	Ad	23186	2000	862	Am <sup>262</sup>
20642	2002	374	Am	23188	2000	415	Am
20645	2002	374	Am	23221	1999	64 *	Am
21002	2001	670	Am		1999	987 *	Am (as am by Sec. 2, Stats. 1999, Ch. 64)
21006	2001	543	Am <sup>370</sup>	23253	2000	862	Am <sup>262</sup>
21007	2000	414	Am	23281	2000	862	Am
21013	1999	931 *	Am (by Sec. 34 of Ch.)	23282	2000	862	Am
21015.5	1999	348	Ad	23301	2000	862	Am <sup>262</sup>
21015.6	2001	669	Ad	23304.1	2000	862	Am <sup>262</sup>
	2002	664	Am <sup>431</sup>	23305.1	2000	862	Am <sup>262</sup>
21016	1999	931 *	Am	23305.5	1999	249	Am <sup>61</sup>
21026	2000	862	Am <sup>262</sup>	23331	2002	390	Am
21027	2001	543	Am <sup>370</sup>	23334	2002	390	Am
21028	2000	438	Ad & R <sup>18</sup>	23335	1999	987 *	Am
Div. 2, Pt. 11, heading (Sec. 23001 et seq.)	2001	543	Am <sup>370</sup>	23361	2000	862	Am <sup>262</sup>
23001	2001	543	Am <sup>370</sup>	23362	2000	862	Am <sup>262</sup>
23036	2000	862	Am <sup>262</sup>	23453	2001	920	Am
	2001	920	Am	23455	2000	862	Am <sup>262</sup>
23036.1	2000	113 *	Ad	23456	2000	862	Am <sup>262</sup>
23038.5	1999	83	Am <sup>30</sup>		2002	34 *	Am
	2002	34 *	Am	23456.5	2002	35 *	Am
	2002	35 *	Am		2002	34 *	Ad
23040.1	2000	4 *	Am <sup>173</sup>		2002	35 *	Ad
	2001	543	Am <sup>370</sup>	23457	2000	862	Am <sup>262</sup>
23041	2000	862	Am <sup>262</sup>		2002	34 *	Am
23042	2000	862	Am		2002	35 *	Am
23043	1999	987 *	R		2002	488 *	Am (as am by Sec. 37, Stats. 2002, Ch. 35)
23051.5	2000	862	Am <sup>262</sup>	23604	2000	862	Am <sup>262</sup>
23051.7	2001	543	Am <sup>370</sup>	23608	2000	862	Am <sup>262</sup>
23055	2001	543	Am <sup>370</sup>	23608.2	2000	311 *	Am
23058	2000	862	Am <sup>262</sup>		2000	862	Am <sup>262</sup>
Div. 2, Pt. 11, Ch. 2, heading (Sec. 23101 et seq.)	2001	543	Am <sup>370</sup>		2001	543	Am <sup>370</sup>
23104	2000	862	Am <sup>262</sup>	23608.3	2000	862	Am <sup>262</sup>
23114	2000	862	Am <sup>262</sup>	23609	1999	77 *	Am
23151	2000	862	Am		2000	103 *	Am (by Sec. 3 of Ch.)
23151.1	2000	862	Am		2000	107 *	Am
				23610	2000	862	Am <sup>262</sup>
				23610.5	1999	83	Am <sup>30</sup>

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>
23610.5 (Cont.)	2000				2002		35* Am <sup>404</sup>
		3*	Am	23701t	1999		83 Am <sup>30</sup>
	2000	862	Am <sup>262</sup>	23701y	1999		675* Ad
	2001	543	Am <sup>370</sup>	23702	2000		252 R & Ad
	2001	668*	Am <sup>330</sup>	23703	2000		862 Am <sup>262</sup>
23612.2	1999	987*	Am	23704	1999		83 Am <sup>30</sup>
	2000	862	Am <sup>262</sup>		2000		252 R & Ad
23617	2000	862	Am <sup>262</sup>		2000		862 Am <sup>262</sup>
	2001	650*	Am <sup>371</sup>	23704.3	2000		252 R & Ad
23617.5	2000	862	Am <sup>262</sup>	23704.4	2000		252 R & Ad
	2001	650*	Am <sup>371</sup>	23704.5	1999		987* Am
23621	2000	862	Am <sup>262</sup>		2000		252 R & Ad
23622.7	1999	987*	Am	23704.6	1999		987* Am
	2000	862	Am <sup>262</sup>		2000		252 R & Ad
23622.8	1999	58	Am	23705	2002		34* Am <sup>404</sup>
	2000	862	Am <sup>262</sup>		2002		35* Am <sup>404</sup>
	2000	864	Am	23711	2002		34* Am <sup>404</sup>
	2000	865	Am		2002		35* Am <sup>404</sup>
	2001	159	Am <sup>305</sup>	23712	2002		34* Am <sup>404</sup>
	2001	543	Am <sup>370</sup>		2002		35* Am <sup>404</sup>
23624	2000	862	Am <sup>262</sup>	23731	1999		987* Am
23630	2000	113*	Ad		2000		862 Am <sup>262</sup>
	2001	543	Am <sup>370</sup>	23735	2000		862 Am <sup>262</sup>
23633	2000	862	Am <sup>262</sup>	23736.1	1999		987* Am
23634	2000	862	Am <sup>262</sup>	23736.3	2000		862 Am <sup>262</sup>
23636	2000	862	Am <sup>262</sup>	23736.4	2000		862 Am <sup>262</sup>
23637	2000	862	Am <sup>262</sup>	23737	2000		862 Am <sup>262</sup>
	2002	487	Am	23740	1999		987* Am
23642	2000	862	Am <sup>262</sup>		2000		252 R & Ad
23645	1999	987*	Am <sup>135</sup>	23771	2000		862 Am <sup>262</sup>
	2000	862	Am <sup>262</sup>	23772	2000		252 Am
	2001	543	Am <sup>370</sup>		2000		862 Am <sup>262</sup>
23646	2000	862	Am <sup>262</sup>		2001		543 Am <sup>370</sup>
	2000	864	Am	23774	2000		862 Am <sup>262</sup>
	2001	159	Am <sup>305</sup>	23775	2000		862 Am <sup>262</sup>
	2001	543	Am <sup>370</sup>	23776	1999		987* Am
23649	1999	987*	Am <sup>136</sup>	23777	1999		987* Am
	2000	862	Am <sup>262</sup>		2000		862 Am <sup>262</sup>
	2001	543	Am <sup>370</sup>	23778	1999		987* Am
23657	2000	862	Am <sup>262</sup>	23800	2000		862 Am <sup>262</sup>
	2001	535*	Am <sup>371</sup>	23801	2000		862 Am <sup>262</sup>
23666	2000	862	Am <sup>262</sup>		2002		34* Am
23684	2002	487	Am		2002		35* Am
	2002	664	Am <sup>431</sup>		2002		807* Am
	2X 2001–02	12*	Ad & R <sup>337</sup>	23802	2000		863 Am
23701a	2000	862	Am <sup>262</sup>		2002		34* Am
23701b	2000	252	R & Ad		2002		35* Am
23701c	1999	987*	Am	23802.5	2000		862 Am <sup>262</sup>
	2000	252	R & Ad	23803	2000		862 Am <sup>262</sup>
23701e	2000	252	R & Ad	23804.5	2000		862 Am <sup>262</sup>
23701f	2000	252	R & Ad	23806	2000		862 Am <sup>262</sup>
23701g	2000	252	R & Ad	23810	2000		863 R
23701i	2000	252	R & Ad	23811	2000		862 Am <sup>262</sup>
23701j	2000	252	R & Ad		2002		34* Am
23701l	2000	252	R & Ad		2002		35* Am
23701n	2000	252	R & Ad	24273	2000		862 Am <sup>262</sup>
	2000	862	Am <sup>262</sup>	24273.5	2000		862 Am <sup>262</sup>
23701q	1999	987*	R	24275	2000		862 Am <sup>262</sup>
23701s	2000	252	R & Ad	24276	2000		862 Am <sup>262</sup>
	2000	862	Am <sup>262</sup>	24306	1999		987* Am
	2002	34*	Am <sup>404</sup>		2000		862 Am <sup>262</sup>

**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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24306 (Cont.)	2002	34 *	Am <sup>398 404</sup>	2000	862		Am <sup>262</sup>
	2002	35 *	Am <sup>398 404</sup>	2001	543		Am <sup>370</sup>
24307	2000	862	Am <sup>262</sup>	2001	623 *		Am
	2002	34 *	Am	2002	488 *		Am
	2002	35 *	Am	24416.1	2001	623 *	Am
24308	2000	862	Am <sup>262</sup>	24416.2	1999	83	Am <sup>30</sup>
24308.1	2002	843 *	Ad		1999	987 *	Am
24322	2000	862	Am <sup>262</sup>		2000	862	Am <sup>262</sup>
24324	2000	862	Am <sup>262</sup>	24416.3	2002	488 *	Am
24343.3	2000	862	Am <sup>262</sup>	24416.4	2000	862	Am <sup>262</sup>
24343.5	2000	862	Am <sup>262</sup>	24416.5	1999	987 *	Am
24343.7	2000	862	Am <sup>262</sup>		2000	862	Am <sup>262</sup>
	2002	34 *	Am	24416.6	2000	862	Am <sup>262</sup>
	2002	35 *	Am	24416.7	2001	623 *	Ad
24344	2000	862	Am <sup>262</sup>	24424	2000	862	Am <sup>262</sup>
24344.5	2000	862	Am <sup>262</sup>		2002	34 *	R & Ad
24344.7	2000	862	Am <sup>262</sup>		2002	35 *	R & Ad
24345	2000	862	Am <sup>262</sup>	24425	2000	862	Am <sup>262</sup>
24346	2000	862	Am <sup>262</sup>	24434	2000	862	Am <sup>262</sup>
24347	2000	862	Am <sup>262</sup>	24436.1	2000	862	Am <sup>262</sup>
24347.5	1999	165 *	Am	24436.5	1999	987 *	Am
	2000	862	Am <sup>262</sup>		2000	862	Am <sup>262</sup>
	2001	618 *	Am	24438	2000	862	Am <sup>262</sup>
24348	2000	862	Am <sup>262</sup>	24442.5	2000	862	Am <sup>262</sup>
	2002	488 *	Am <sup>463</sup>	24443	2002	34 *	Am
24349	2000	862	Am <sup>262</sup>		2002	35 *	Am
24351	2000	862	Am <sup>262</sup>	24448	2000	862	Am <sup>262</sup>
24354.1	2000	862	Am <sup>262</sup>	24449	2002	488 *	Am
24355.5	2000	862	Am <sup>262</sup>	24453	2001	543	Am <sup>370</sup>
24356	2000	862	Am <sup>262</sup>	24472	2001	543	Am <sup>370</sup>
24356.5	2000	862	Am <sup>262</sup>	24473	2002	1108 *	Ad
24356.6	2000	862	Am <sup>262</sup>	24601	2002	807 *	Am
24356.7	2000	862	Am <sup>262</sup>	24602	2000	862	Am <sup>262</sup>
24356.8	2000	862	Am <sup>262</sup>	24611	2000	862	Am <sup>262</sup>
24357	2000	862	Am <sup>262</sup>	24631	2000	862	Am
	2002	34 *	Am	24632	2000	862	Am <sup>262</sup>
	2002	35 *	Am	24633	2000	862	Am <sup>262</sup>
24357.2	2000	862	Am <sup>262</sup>	24633.5	2000	862	Am <sup>262</sup>
24357.6	1999	987 *	Am	24634	2000	862	Am <sup>262</sup>
24357.7	2000	862	Am <sup>262</sup>	24636	2000	862	Am <sup>262</sup>
24357.9	2000	862	Am <sup>262</sup>	24637	2000	862	Am <sup>262</sup>
	2002	34 *	Am	24654	2000	862	Am <sup>262</sup>
	2002	35 *	Am	24661.3	2002	34 *	Ad <sup>399</sup>
24358	2000	862	Am <sup>262</sup>		2002	35 *	Ad <sup>399</sup>
24360	2000	862	Am <sup>262</sup>	24667	2000	862	Am <sup>262</sup>
24361	2000	862	Am <sup>262</sup>		2002	34 *	Am
24362	2000	862	Am <sup>262</sup>		2002	35 *	Am
24363	2000	862	Am <sup>262</sup>		2002	807 *	Am
24364	2000	862	Am <sup>262</sup>	24673.2	2000	862	Am <sup>262</sup>
24377	2000	862	Am <sup>262</sup>	24674	2000	862	Am <sup>262</sup>
24383	2000	862	Am <sup>262</sup>	24675	2000	862	Am <sup>262</sup>
24402	2000	862	Am <sup>262</sup>	24676	2000	862	Am <sup>262</sup>
24404	2000	862	Am <sup>262</sup>	24676.5	2000	862	Am <sup>262</sup>
24409	2000	862	Am <sup>262</sup>	24677	2000	862	Am <sup>262</sup>
24410	1999	987 *	Am (by Sec. 97 of Ch.) <sup>137</sup>	24678	2000	862	Am <sup>262</sup>
	2000	862	Am <sup>262</sup>	24685	2000	862	Am <sup>262</sup>
24415	2000	862	Am <sup>262</sup>	24685.5	2002	34 *	Ad
24416	2000	104 *	Am		2002	35 *	Ad
	2000	107 *	Am	24690	2000	862	Am <sup>262</sup>
				24692	2000	862	Am <sup>262</sup>
				24710	2000	862	Am <sup>262</sup>

**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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24710 (Cont.)	2002	34 *	Am	30005.5	2001	426 *	Am
	2002	35 *	Am	30014	2001	251	Am
24871	2000	862	Am <sup>262</sup>	30016	2001	251	Am
24871.5	2000	862	Am <sup>262</sup>	30018	2002	1124 *	Ad
24872	2001	4 *	Am	30101.7	2002	686	Ad
24872.4	2000	862	Am <sup>262</sup>	30103.5	1999	941	Am
24872.5	2000	862	Am <sup>262</sup>	30104	2001	251	Am
24872.6	2001	4 *	Ad	30108	2001	251	Am
24872.7	2000	862	Am <sup>262</sup>	30123	2001	426 *	Am
24905.5	2000	862	Am <sup>262</sup>	Div. 2,			
24916	2000	862	Am <sup>262</sup>	Pt. 13,			
24918	2000	862	Am <sup>262</sup>	Ch. 2,			
24942	2002	34 *	Am	Art. 3,			
	2002	35 *	Am	heading			
24943	2000	862	Am <sup>262</sup>	(Sec. 30131			
24944	2000	862	Am <sup>262</sup>	et seq.)	1999	126 *	Am
24945	2000	862	Am <sup>262</sup>	30131	1999	126 *	Am
24946	2000	862	Am <sup>262</sup>	30131.2	2001	426 *	Am
24949.1	2000	862	Am (as am by	30131.3	1999	126 *	Am
			Sec. 98,	30131.4	1999	126 *	Am
			Stats. 1998,	30162	2002	881	Am
			Ch. 322) <sup>262</sup>				R & Ad <sup>63</sup>
	2002	34 *	R (as am by	30163	1999	935 *	Am
			Sec. 98,		2000	18 *	Am
			Stats. 1998,	30176.1	2001	251	Am
			Ch. 332)	30176.2	2001	426 *	Ad
			Am (as ad by	30177	2001	426 *	Am
			Stats. 1961,	30178.2	2001	426 *	Am
			Ch. 846) <sup>403</sup>	30181	2001	251	Am
	2002	35 *	R (as am by		2002	459	Am
			Sec. 98,	30182	2002	459	Am
			Stats. 1998,	30183	2002	459	Am
			Ch. 322)	30186	2002	459	Am
			Am (as ad by	30187	2002	459	Am
			Stats. 1961,	30188	1999	941	Am
			Ch. 846) <sup>403</sup>		2002	459	Am
24952	2000	862	Am <sup>262</sup>	30190	2000	923	Ad
24954	2000	862	Am <sup>262</sup>	30191	2000	923	Ad
24955	2000	862	Am <sup>262</sup>	30192	2000	923	Ad
24956	2000	862	Am <sup>262</sup>	30193	2002	459	Ad
24990.4	2000	862	Am <sup>262</sup>	30281	2000	923	Am
24990.7	2000	862	Am <sup>262</sup>	30282	2000	923	Am (by Sec. 18
24994	2000	862	Am <sup>262</sup>				of Ch.)
	2002	487	R		2000	1052	Am (by
25101.3	2000	862	Am <sup>262</sup>				Sec. 23.5 of Ch.)
25105	2000	862	Am <sup>262</sup>	30283	2000	923	Am
25106	1999	987 *	Am	30283.5	1999	929	Ad
25108	2000	862	Am <sup>262</sup>		2001	251	Am
25110	2000	862	Am <sup>262</sup>	30315	1999	991	Am <sup>96 114</sup>
25111	2000	862	Am <sup>262</sup>	30316	2000	1052	Ad
25111.1	2000	862	Am <sup>262</sup>	30354	1999	929	Ad
25112	2000	862	Am <sup>262</sup>		2000	1052	Am
25114	1999	987 *	Am (by Sec. 102	30354.5	2000	1052	Ad
			of Ch.)	30362.1	2000	1052	Ad
25124	2000	862	Am <sup>262</sup>	30384	1999	929	Ad
25129	2000	862	Am <sup>262</sup>	30436	1999	935 *	Am
25131	2000	862	Am <sup>262</sup>		1999	941	Am
25132	2000	862	Am <sup>262</sup>	30455.5	2000	1052	Ad
25134	2000	862	Am <sup>262</sup>	30458.2	1999	929	Am
25141	2000	862	Am <sup>262</sup>	30458.9	1999	929	Am
					2000	1052	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
30459.2A	1999	929	Ad	38708	2000	1052	Ad
30459.4	2001	543	Am <sup>370</sup>	40016	2002	1033*	Am
30459.5	1999	929	Am		2002	1124*	Am
30461.6	2002	274	Am	40061	2002	459	Am
30463	2001	251	R	40063	2002	459	Am
30474.5	2002	687	Ad <sup>413</sup>	40067	2000	923	Ad
32177.5	2000	609*	Ad <sup>238</sup>	40068	2000	923	Ad
32251	2002	459	Am	40069	2000	923	Ad
32252	2000	923	Am		2002	459	Ad
32254	2000	923	R	40101	2000	923	Am
32255	2000	923	Am (by Sec. 23 of Ch.)	40102	2000	923	Am (by Sec. 31 of Ch.)
	2000	1052	Am (by Sec. 30.5 of Ch.)		2000	1052	Am (by Sec. 41.5 of Ch.)
	2001	251	Am	40103	2000	923	Am
32256	2000	923	Am	40103.5	1999	929	Ad
32256.5	1999	929	Ad		2001	251	Am
	2001	251	Am	40112.1	2000	1052	Ad
32260	2000	923	Ad	40155	1999	991	Am <sup>96 114</sup>
32261	2000	923	Ad	40156	2000	1052	Ad
32262	2000	923	Ad	40167	1999	929	Ad
32263	2002	459	Ad		2000	1052	Am
32292	2000	923	R	40167.5	2000	1052	Ad
32311	2000	923	Am	40176	2000	1052	Ad
32387	1999	991	Am <sup>96 114</sup>	40202	1999	929	Am
32387.5	2000	1052	Ad	40209	1999	929	Am
32389	1999	929	Ad		2000	1052	Am
	2000	1052	Am	40212.5	1999	929	Ad
32389.5	2000	1052	Ad	40214	2001	543	Am <sup>370</sup>
32402	2001	543	Am <sup>370</sup>	40215	1999	929	Am
	2002	664	Am <sup>431</sup>	41020	2001	638	Am
32402.1	2000	1052	Ad	41052	2002	459	Am
32432	1999	929	Ad	41060	2000	923	Ad
32455.5	2000	1052	Ad	41061	2000	923	Ad
32462	1999	929	Am	41062	2000	923	Ad
32469	1999	929	Am	41063	2002	459	Ad
	2000	1052	Am	41095	2000	923	Am
32472.1	1999	929	Ad	41096	2000	923	Am (by Sec. 36 of Ch.)
32474	2001	543	Am <sup>370</sup>				Am (by Sec. 49.5 of Ch.)
32475	1999	929	Am		2000	1052	Am (by Sec. 49.5 of Ch.)
38061	2000	619	Ad & R <sup>19</sup>	41097	2000	923	Am
38062	2000	619	Ad & R <sup>19</sup>	41097.5	1999	929	Ad
38063	2000	619	Ad & R <sup>19</sup>		2001	251	Am
38064	2000	619	Ad & R <sup>19</sup>	41101.1	2000	1052	Ad
38065	2000	619	Ad & R <sup>19</sup>	41123.5	1999	991	Am <sup>96 114</sup>
38066	2000	619	Ad & R <sup>19</sup>	41123.6	2000	1052	Ad
38067	2000	619	Ad & R <sup>19</sup>	41127.6	1999	929	Ad
38452	2000	1052	Am		2000	1052	Am
38455	1999	929	Ad	41127.7	2000	1052	Ad
	2001	251	Am	41132	2000	1052	Ad
38503	1999	991	Am <sup>96 114</sup>	41136	1999	83	Am <sup>30</sup>
38503.5	2000	1052	Ad	41162	1999	929	Am
38504	1999	929	Ad	41169	1999	929	Am
	2000	1052	Am		2000	1052	Am
38504.5	2000	1052	Ad	41172.5	1999	929	Ad
38505	1999	929	Ad	41174	2001	543	Am <sup>370</sup>
38602.5	2000	1052	Ad	41175	1999	929	Am
38621	1999	929	Am	43010.1	1999	941	Am
38624	1999	929	Ad	43011.1	1999	941	Am
38631	1999	941	Am	43151	2002	459	Am
38707	2000	1052	Ad				

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43152.12	2000	923	Am	45605	1999	991	Am <sup>96 114</sup>
43152.13	2002	459	Am	45605.5	2000	1052	Ad
43152.14	2002	459	Am	45609	1999	929	Ad
43152.15	2000	923	Am		2000	1052	Am
43152.6	2002	459	Am	45609.5	2000	1052	Ad
43152.7	2002	459	Am	45652	2001	543	Am <sup>370</sup>
43152.9	2001	251	Am	45652.1	2000	1052	Ad
	2002	459	Am	45752	1999	929	Ad
43155	2000	923	Am	45855.5	2000	1052	Ad
43156	2000	923	R	45858	1999	929	Am
43157	2000	923	Am (by Sec. 43 of Ch.)	45865	1999	929	Am
	2000	1052	Am (by Sec. 56.5 of Ch.)		2000	1052	Am
43158	2000	923	Am	45868.5	1999	929	Ad
43158.5	1999	929	Ad	45870	2001	543	Am <sup>370</sup>
	2001	251	Am	45871	1999	929	Am
43170	2000	923	Ad	46151	2002	459	Am
43171	2000	923	Ad	46154	2000	923	Am
43172	2000	923	Ad	46154.1	2000	923	Ad
43173	2002	459	Ad	46155	2000	923	R
43444.2	1999	991	Am <sup>96 114</sup>	46156	2000	923	Am (by Sec. 56 of Ch.)
43444.3	2000	1052	Ad		2000	1052	Am (by Sec. 72.5 of Ch.)
43448	1999	929	Ad	46157	2000	923	Am
	2000	1052	Am	46157.5	1999	929	Ad
43448.5	2000	1052	Ad		2001	251	Am
43452.1	2000	1052	Ad	46160	2000	923	Ad
43484	1999	929	Ad	46161	2000	923	Ad
43506	2000	1052	Ad	46162	2000	923	Ad
43513	1999	929	Am	46163	2002	459	Ad
43520	1999	929	Am	46406	1999	991	Am <sup>96 114</sup>
	2000	1052	Am	46407	2000	1052	Ad
43523.5	1999	929	Ad	46464	1999	929	Ad
43525	2001	543	Am <sup>370</sup>		2000	1052	Am
43526	1999	929	Am	46464.5	2000	1052	Ad
44000	2000	110 *	Ad & R <sup>19</sup>	46502	2001	543	Am <sup>370</sup>
44001	2000	110 *	Ad & R <sup>19</sup>	46502.1	2000	1052	Ad
44002	2000	110 *	Ad & R <sup>19</sup>	46544	1999	929	Ad
44003	2000	110 *	Ad & R <sup>19</sup>	46606	2000	1052	Ad
44004	2000	110 *	Ad & R <sup>19</sup>	46613	1999	929	Am
44005	2000	110 *	Ad & R <sup>19</sup>	46620	1999	929	Am
44006	2000	110 *	Ad & R <sup>19</sup>		2000	1052	Am
	2001	159	Am <sup>305</sup>	46623.5	1999	929	Ad
44007	2000	110 *	Ad & R <sup>19</sup>	46625	2001	543	Am <sup>370</sup>
44008	2000	110 *	Ad & R <sup>19</sup>	46626	1999	929	Am
45151	2002	459	Am	50109	2002	459	Am
45153	2000	923	Am	50112	2000	923	Am
	2001	159	Am <sup>305</sup>	50112.1	2000	923	R
45154	2000	923	R	50112.10	2002	459	Ad
45155	2000	923	Am (by Sec. 49 of Ch.)	50112.2	1999	929	Am
	2000	1052	Am (by Sec. 64.5 of Ch.)		2000	923	Am (by Sec. 62 of Ch.)
45156	2000	923	Am		2000	1052	Am (by Sec. 80.5 of Ch.)
45156.5	1999	929	Ad	50112.3	2000	923	Am
	2000	923	Am	50112.4	1999	929	Ad
	2001	251	Am		2000	923	Am
45160	2000	923	Ad		2001	251	Am
45161	2000	923	Ad	50112.7	2000	923	Ad
45162	2000	923	Ad	50112.8	2000	923	Ad
45163	2002	459	Ad	50112.9	2000	923	Ad

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

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	Year	Chapter	Effect		Year	Chapter	Effect
50136	1999	991	Am <sup>96 114</sup>	60034	2001	429*	Am <sup>64</sup>
50136.5	2000	1052	Ad	60047	2001	429*	Ad <sup>64</sup>
50138.6	1999	929	Ad	60047.1	2001	429*	Ad <sup>64</sup>
	2000	1052	Am	60048	2001	429*	Ad <sup>64</sup>
50138.7	2000	1052	Ad	60048.1	2001	429*	Ad <sup>64</sup>
50140	2001	543	Am <sup>370</sup>	60049	2001	429*	Ad <sup>64</sup>
50140.1	2000	1052	Ad	60049.1	2001	429*	Ad <sup>64</sup>
50150.5	1999	929	Ad	60052	2001	429*	Am <sup>64</sup>
50155.5	2000	1052	Ad	60056	2001	429*	Am <sup>64</sup>
50156.14	2001	543	Am <sup>370</sup>	60057	2001	429*	Am <sup>64</sup>
50156.15	1999	929	Am	60058	2001	429*	Am <sup>64</sup>
50156.17	1999	929	Ad	60063	2001	429*	Ad <sup>64</sup>
50156.18	2002	152	Ad	60064	2001	429*	Ad <sup>64</sup>
50156.2	1999	929	Am	60101	2001	429*	Am <sup>64</sup>
50156.9	1999	929	Am	60105	2001	429*	Am <sup>64</sup>
	2000	1052	Am	60106.2	2001	429*	Am <sup>64</sup>
50159	1999	941	Am	60106.3	2001	429*	Am <sup>64</sup>
55040	2002	459	Ad	60107	2001	429*	Am <sup>64</sup>
55042	2000	923	Am		2002	459	Am
55043	2000	923	R	60135	2001	429*	Ad <sup>64</sup>
55044	2000	923	Am (by Sec. 69 of Ch.)	60161	2001	429*	Am <sup>64</sup>
	2000	1052	Am (by Sec. 89.5 of Ch.)	60163	2001	429*	Am <sup>64</sup>
55046	2000	923	Am	60181	2001	429*	Am <sup>64</sup>
	2001	251	Am	60201	2002	459	Am
55046.5	2002	152	Ad	60202	2002	459	Am
55050	2000	923	Ad	60203	2001	429*	R <sup>64</sup>
55051	2000	923	Ad	60204	2002	459	Am
55052	2000	923	Ad	60204.5	2001	429*	Ad <sup>64</sup>
55053	2001	543	Ad	60205	2002	459	Am
55046	1999	929	Ad	60205.5	2002	459	Am
55205	1999	991	Am <sup>96 114</sup>	60206	2001	429*	Am <sup>64</sup>
55205.5	2000	1052	Ad	60207	2000	923	Am
55209	1999	929	Ad	60209	2000	923	Am (by Sec. 74 of Ch.)
	2000	1052	Am	60209	2000	1052	Am (by Sec. 96.5 of Ch.)
55209.5	2000	1052	Ad	60211	2000	923	Am
55222	2001	543	Am <sup>370</sup>		2001	429*	Am <sup>64</sup>
55222.1	2000	1052	Ad	60212	1999	929	Ad
55262	1999	929	Ad		2001	251	Am
55305	2000	1052	Ad	60250	2000	923	Ad
55323	1999	929	Am	60251	2000	923	Ad
55330	1999	929	Am	60252	2000	923	Ad
	2000	1052	Am	60253	2001	429*	Ad <sup>64</sup>
55333.5	1999	929	Ad	60360	2001	429*	Am <sup>64</sup>
55335	2001	543	Am <sup>370</sup>	60361.5	2001	429*	Ad <sup>64</sup>
55336	1999	929	Am	60401	2001	429*	Am <sup>64</sup>
60012	2000	1053	Am <sup>8</sup>	60407	1999	991	Am <sup>96 114</sup>
60015	2001	429*	Am <sup>64</sup>	60408	2000	1052	Ad
60022	2001	429*	Am (by Sec. 39 of Ch.) <sup>64</sup>	60493	1999	929	Ad
	2X 2001–02	8*	Am (by Sec. 2 of Ch.) R & Ad <sup>100</sup>		2000	1052	Am
60023	2000	1053	Am <sup>8</sup>	60493.5	2000	1052	Ad
	2X 2001–02	8*	Am (as am by Stats. 2000, Ch. 1053) R & Ad <sup>100</sup>	60501	2001	429*	Am <sup>64</sup>
60025	2001	429*	Ad <sup>64</sup>	60503.1	2001	429*	Am <sup>64</sup>
60027	2001	429*	Am <sup>64</sup>	60503.2	2001	429*	Am <sup>64</sup>
				60505.5	2002	459	Ad
				60508.4	2001	429*	Ad <sup>64</sup>
				60521	2001	429*	Am <sup>64</sup>
				60522.1	2000	1052	Ad
				60564	1999	929	Ad
				60605	2001	429*	Am <sup>64</sup>

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

**REVENUE AND TAXATION 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>
60609.5	2000	1052	Ad	65001	2001	343	S <sup>36 341</sup>
60623	1999	929	Am	65002	2001	343	S <sup>36 341</sup>
60630	1999	929	Am	65003	2001	343	S <sup>36 341</sup>
	2000	1052	Am	65004	1999	83	Am <sup>30</sup>
60632.1	1999	929	Ad		2000	618	Am <sup>82</sup>
60633.1	1999	929	Ad		2001	343	Am <sup>36</sup>
	2001	543	Am <sup>370</sup>				R <sup>341</sup>
60633.2	1999	929	Ad				

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

## 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	188.15	1999	628	Ad
97	1999	169 *	Am <sup>19</sup>	188.5	2001	907	Am
	2000	446	Am	188.51	2001	907	Ad
	2001	481	Am	188.6	2001	597	R
	2002	378	Am	188.8	2001	815	Am
100	2001	745 *	Am	216	2002	438	Am <sup>426</sup>
101.10	2001	864	Ad & R <sup>75</sup>	216.5	2002	656	Ad
101.11	2002	100 *	Ad	217	1999	378 *	Ad <sup>70</sup>
101.7	2002	576	Am				R <sup>63</sup>
104.12	2000	860	Am		2000	340	Am <sup>54</sup>
104.18	1999	724	Am	217.2	1999	378 *	Ad <sup>70</sup>
121	2002	530	Ad				R <sup>63</sup>
136.1	2002	239	Ad		2000	340	Am <sup>54</sup>
136.5	2002	239	Am	217.4	1999	378 *	Ad <sup>70</sup>
140.3	2000	127 *	Ad				R <sup>63</sup>
143	2002	688	Am		2000	340	Am <sup>54</sup>
147	2001	759	Ad	217.6	1999	378 *	Ad <sup>70</sup>
149.1	1999	481	Am <sup>5</sup>				R <sup>63</sup>
	2001	275	Am <sup>13</sup>		2000	340	Am <sup>54</sup>
150	2002	438	Am <sup>426</sup>	217.8	1999	378 *	Ad <sup>70</sup>
154.1	2001	758	Ad				R <sup>63</sup>
164.16	2002	438	Am <sup>426</sup>		2000	340	R
164.56	1999	739	Am	253.1	1999	724	Am
164.6	2000	91 *	Am	253.2	2001	136 *	Am
170	2002	438	Am <sup>426</sup>	253.7	1999	724	Am
172	2001	597	R	284	2002	965 *	Ad
179	2002	805 *	R & Ad	301	2001	757	Am
179.1	2002	805 *	R & Ad	301.5	2001	825	Ad
179.2	2002	805 *	R & Ad	302	2001	825	Am
179.3	2002	805 *	R & Ad	318	1999	724	Am
179.4	2002	805 *	R	319	1999	172	Am <sup>48</sup>
179.5	2002	805 *	R				R <sup>49</sup>
179.6	2002	805 *	R				Ad <sup>50</sup>
179.7	2002	805 *	R		2001	597	Am (as am by
179.8	2002	805 *	R				Sec. 1,
182.6	1999	783 *	Am				Stats. 1999,
	2000	91 *	Am				Ch. 172) <sup>377</sup>
	2001	512 *	Am				Am (as ad by
182.7	1999	783 *	Am				Sec. 2,
	2000	91 *	Am				Stats. 1999,
	2001	512 *	Am (by Sec. 4				Ch. 172) <sup>378</sup>
			of Ch.)	325	2001	825	Am
	2001	597	Am (by	339	2000	596	Am
			Sec. 18.5 of Ch.)	344	1999	724	Am
182.8	2000	91 *	Ad	354	1999	99 *	Am
	2001	512 *	Am	366	1999	724	Am
	2001	597	Am		2002	248	Am (by Sec. 1
183	2002	445 *	Am				of Ch.)
183.1	2000	91 *	Ad		2002	251	Am (by Sec. 1.5
183.3	2001	597	R				of Ch.)
	2002	445 *	Ad	383	1999	724	Am
188.10	2002	445 *	Am (as ad by	390	2002	27 *	Am
			Sec. 4,	391.3	1999	724	Ad
			Stats. 1997,		1999	1007	Ad
			Ch. 327)	401	1999	559	Am
	2002	805 *	Am (as ad by	410	2000	270	Am
			Sec. 4,	426	2001	757	Am
			Stats. 1997,	442	1999	724	Am
			Ch. 327)	444	1999	99 *	Am & R <sup>41</sup>

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**STREETS AND HIGHWAYS 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>
460	1999	172	Am	2001	600		R (as ad by
509	2000	523	Am				Sec. 4,
517.1	1999	1007	Ad				Stats. 1999,
527	2000	787	Am				Ch. 663)
559	1999	724	Am				Am (as am by
574	1999	724	R				Sec. 3,
603	1999	724	Ad(RN)				Stats. 1999,
625	2000	538	Am				Ch. 663) <sup>18</sup> ,
630	1999	724	Am & RN				Ad <sup>63</sup>
635	1999	724	Am	2333.5	1999	663	Ad & R <sup>5</sup>
	2001	739	Am <sup>350</sup>		2001	600	Am <sup>18</sup>
673	2001	152	Am	2401	2002	805*	Am
730.5	2001	284	Am	2551	1999	262	Am
	2002	664	Am <sup>431</sup>	2557	2002	441	Am
760	1999	546*	Am	2560	2000	513	S <sup>57</sup>
891.5	1999	262	Ad	2560.5	2000	513	Am <sup>57</sup>
894.6	2000	833	Ad		2002	578*	Am
894.7	2000	833	Ad	2561	2000	513	S <sup>57</sup>
894.8	2000	833	Ad	2561.3	2000	513	Am <sup>57</sup>
909	2002	221	Am		2002	578*	Am
1162.6	1999	269	Ad	2561.5	2000	513	Am <sup>57</sup>
1179.6	2000	179	Ad		2002	578*	Am
1181	2002	221	Am	2562	2000	513	Am <sup>57</sup>
1186	2002	221	Am		2002	578*	Am & RN
1950	2000	155	S <sup>57</sup>	2562.1	2002	578*	Ad(RN)
1951	2000	155	S <sup>57</sup>	2562.2	2002	578*	Ad <sup>313</sup>
1953	2000	155	S <sup>57</sup>	2562.3	2000	513	Am <sup>57</sup>
1955	2000	155	S <sup>57</sup>	2562.5	2000	513	Am <sup>57</sup>
1957	2000	155	S <sup>57</sup>	2563	2000	513	Am <sup>57</sup>
1959	2000	155	S <sup>57</sup>	2563.5	2000	513	R
1961	2000	155	S <sup>57</sup>	2564	2000	513	Am
1965	2000	155	S <sup>57</sup>	2564.5	2000	513	R
	2001	745*	R	2565	2000	513	Ad
1967	2000	155	R	2601	1999	47*	R <sup>22</sup>
2104	1999	724	Am	2602	1999	47*	R <sup>22</sup>
2105.1	2001	597	R	2602.5	1999	47*	Ad & R <sup>19</sup>
2106	2000	834	Am	2602.7	1999	47*	Ad & R <sup>19</sup>
2108	2001	597	Am	2704	2002	697	Ad <sup>501</sup>
2110	2001	176	Am	2704.01	2002	697	Ad <sup>501</sup>
2121	2001	597	Am	2704.04	2002	697	Ad <sup>501</sup>
2182	2000	91*	Ad	2704.05	2002	697	Ad <sup>501</sup>
	2000	656*	Am	2704.06	2002	697	Ad <sup>501</sup>
	2002	445*	Am	2704.07	2002	697	Ad <sup>501</sup>
2182.1	2000	91*	Ad	2704.08	2002	697	Ad <sup>501</sup>
	2000	656*	Am	2704.09	2002	697	Ad <sup>501</sup>
	2002	445*	Am	2704.095	2002	697	Ad <sup>501</sup>
2331	1999	663	Am	2704.10	2002	697	Ad <sup>501</sup>
			R & Ad <sup>8</sup>	2704.11	2002	697	Ad <sup>501</sup>
	2001	600	R (as ad by	2704.12	2002	697	Ad <sup>501</sup>
			Sec. 2,	2704.13	2002	697	Ad <sup>501</sup>
			Stats. 1999,	2704.14	2002	697	Ad <sup>501</sup>
			Ch. 663)	2704.15	2002	697	Ad <sup>501</sup>
			Am (as am by	2704.16	2002	697	Ad <sup>501</sup>
			Sec. 1,	2704.17	2002	697	Ad <sup>501</sup>
			Stats. 1999,	2704.18	2002	697	Ad <sup>501</sup>
			Ch. 663) <sup>18</sup> ,	2704.19	2002	697	Ad <sup>501</sup>
			Ad <sup>63</sup>	2704.20	2002	697	Ad <sup>501</sup>
2333	1999	663	Am	2704.21	2002	697	Ad <sup>501</sup>
			R & Ad <sup>8</sup>	3111	2002	221	Am

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**STREETS AND HIGHWAYS 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>
3112.5	2002	221	Am	27109	2002	221	Am
3114	2002	221	Am	27123	2002	221	Am
5026	2002	221	Am	27322	2002	221	Am
5419	2002	784	Am <sup>490</sup>	30796.10	1999	729	Am
6619	2002	784	Am <sup>490</sup>	30796.7	1999	729	Am
6621	2002	784	Am <sup>490</sup>	30796.9	2001	745*	Am
6622	2002	784	Am <sup>490</sup>	30895	2001	745*	R
6623	2002	784	Am <sup>490</sup>	30950.3	2001	745*	Am
8266	2002	784	Am <sup>490</sup>	30961	2001	745*	Am
8314	2000	787	Am	31010	2001	907	Am <sup>374</sup>
8653	2002	221	Am	31050	2001	907	R
9019	2002	221	Am	31070	2001	907	Ad
10550	2000	253	Ad	31070.5	2001	907	Ad
10555	2000	253	Ad	31070.7	2001	907	Ad
11302	2000	262	Am	31071	2001	907	Ad
	2002	221	Am		2002	805*	Am
11303	2000	262	Am	31071.3	2001	907	Ad
11307	2000	262	Am	31071.5	2001	907	Ad
11308	2000	262	Am	31072	2001	907	Ad
11501	2000	262	Am	31073	2001	907	Ad
11502	2000	262	Am	32657	2002	130*	Am
18070	2000	262	Am	35469.6	2001	636	Am
18074	2000	262	Am	36605	2001	88	R
18075	2000	262	Am	36614.5	2001	88	Ad
18076	2000	262	Am	36615	1999	871	Am
18343	2000	262	Am	36621	1999	871	Am
18362	2000	262	Am	36622	2001	88	Am
18363	2000	262	R	36623	1999	871	Am
18663	2000	262	Am	36624	1999	871	R & Ad(RN)
19090	2002	221	Am	36625	1999	871	R & Ad
19092	2002	221	Am	36626	1999	871	Am & RN & Ad
19093	2002	221	Am	36626.5	1999	871	R
19094	2002	221	Am	36626.6	1999	871	R
22090	2000	262	Am	36626.7	1999	871	R
22092	2000	262	Am	36627	1999	871	R & Ad
22096	2000	262	Am	36631	1999	871	Am
22525	2000	262	Am		2001	88	R & Ad
22525.5	2000	262	R	36632	2001	88	R & Ad
22556	2000	262	Am	36633	1999	871	Am
22588	2000	262	Am		2001	88	R & Ad
22589	2000	262	R	36634	2001	88	R & Ad
22590	2000	262	R	36635	1999	871	Am
22593	2000	262	Am		2001	88	R & Ad
22624	2000	262	Am	36636	2001	88	R & Ad
22626	2000	262	Am	36637	2001	88	Ad
22629	2000	262	Am	36640	2001	88	R
22630.5	2000	262	Am	36641	1999	871	Am
25206	2002	221	Am		2001	88	R
27044	2002	221	Am	36642	1999	871	Am
27045	2002	221	Am		2001	88	R
27046	2002	221	Am	36643	2001	88	R
27047	2002	221	Am	36650	1999	871	Am
27048	2002	221	Am		2001	88	R & Ad
27062	2002	221	Am	36651	1999	871	Am
27063	2002	221	Am		2001	88	R & Ad
27080	2002	221	Am	36660	2001	88	Ad
27082	2002	221	Am	36670	2001	88	Ad
27100	2002	221	Am	36671	2001	88	Ad
27102	2002	221	Am				

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**UNEMPLOYMENT INSURANCE 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>
125.4	2001	255	Am <sup>309</sup>	1266	2000	299	S <sup>18</sup>
135	2001	255	Am <sup>309</sup>	1267	2000	299	S <sup>18</sup>
301	2002	859	Am	1268	2000	299	S <sup>18</sup>
	2002	GRP 1	S <sup>536</sup>	1269	2000	299	Am <sup>18</sup>
305	2002	29	Am	1270	2000	299	S <sup>18</sup>
320.5	2002	29	Am	1271	2000	299	Am <sup>18</sup>
328	2002	29	R	1271.5	2000	299	Ad & R <sup>18</sup>
329	1999	306	Am <sup>43</sup>	1272	2000	299	S <sup>18</sup>
	2001	180	Am	1272.5	2000	299	S <sup>18</sup>
	2002	29	Am	1273	2000	299	S <sup>18</sup>
335	2002	1042	Ad	1274	2000	299	S <sup>18</sup>
411	2002	29	Am	1274.05	2000	299	S <sup>18</sup>
605	2001	255	Am <sup>309</sup>		2001	745*	R
605.5	2002	29	R	1274.10	2000	299	Am <sup>18</sup>
633	2002	29	Am	1275	2001	409	Am
634.5	2000	365	Am	1279.1	1999	9*	Ad & R <sup>7</sup>
	2001	255	Am <sup>309</sup>	1280	2001	409	Am
709	2001	255	Am <sup>309</sup>		3X 2001–02	4	Am
710	2001	255	Am <sup>309</sup>	1281.5	1999	558*	Ad & R <sup>130</sup>
710.6	2001	255	Am <sup>309</sup>	1327	2001	409	Am
710.7	2002	878	Ad	1610	2000	491	S <sup>57</sup>
710.8	2002	878	Ad	1611	2000	491	S <sup>57</sup>
802	2001	255	Am <sup>309</sup>	1611.5	1999	147*	Am
803	2001	255	Am <sup>309</sup>		2000	108*	Am
804	2001	255	Ad <sup>309</sup>		2000	491	S <sup>57</sup>
832	2002	29	Am		2001	111*	Am
931.5	2002	29	Am		2002	1022*	Am
976.6	2001	111*	Am <sup>13</sup>	1611.6	2000	491	R
984	2002	901	Am <sup>476</sup>	1612	2000	491	R
1030	2001	893	Am	1735.1	2001	255	Am <sup>309</sup>
1032	2001	893	Am	1755	1999	991	Am <sup>96 114</sup>
1086	2001	255	Am <sup>309</sup>	1815	2002	784	Am <sup>490</sup>
1087	2002	29	Am	2116	2002	901	Am <sup>476</sup>
1088	1999	144	Am	2601	2002	901	Am <sup>476</sup>
1088.7	2001	745*	R	2606	2002	29	Am
1088.8	1999	478	Ad <sup>56</sup>	2610	2002	52	Am
	1999	480	Am (as ad by Stats. 1999, Ch. 478) <sup>25</sup>	2613	2002	901	Am <sup>476</sup>
	2000	808*	Am	2629.5	2002	701	Ad
1095	1999	83	Am <sup>30</sup>	2630	2000	808*	Am
	2002	744	Am	2655	1999	973	Am
1110	2001	159	Am <sup>305</sup>	2705.1	2001	893	Am
1119	2001	255	Ad <sup>309</sup>	2707.5	2002	403	Am
1128	2002	29	Am	2708	2002	901	Am <sup>476</sup>
1128.1	2001	255	Am <sup>309</sup>	3254	2002	52	Am
1141.1	2001	255	Am <sup>309</sup>		2002	901	Am <sup>476</sup>
1141.5	2002	29	R	3255	2002	52	Am
1177.5	2002	29	Am	3260	2002	52	Am
1185	1999	987*	Am	3260.5	2002	52	Ad
1222	2001	409	Am	3261	2002	52	Am
	2002	1022*	Am	3262	2002	52	Am
1252.3	1999	9*	Ad & R <sup>7</sup>	3263	2002	52	Am
	1999	147*	Am	3300	2002	901	Ad <sup>476</sup>
1253.3	2001	255	Am <sup>309</sup>	3301	2002	901	Ad <sup>476</sup>
1253.8	2001	409	R & Ad	3302	2002	901	Ad <sup>476</sup>
1253.9	2002	1022*	Ad	3303	2002	901	Ad <sup>476</sup>
1255.7	2000	808*	Am	3304	2002	901	Ad <sup>476</sup>
1256	2001	893	Am	3305	2002	901	Ad <sup>476</sup>
1265.1	2001	409	Ad	5007	2001	745*	Am
	2002	1022*	Am	5202	2001	745*	R
				9603	2002	1022*	R
				9604	2002	1022*	Am

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

## UNEMPLOYMENT INSURANCE CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
9608	2002	1022 *	Am	10212	2000	491	R
9611	2002	1022 *	R	10212.1	2000	491	R
9614	2000	299	Am	10212.2	2000	491	S <sup>57</sup>
	2001	745 *	R		2001	111 *	Am
9615	2002	1022 *	Am	10213	2000	491	S <sup>57</sup>
9616	2001	745 *	Am	10213.5	2000	491	S <sup>57</sup>
9616.1	2001	745 *	Am	10214	2000	491	S <sup>57</sup>
9616.5	2001	745 *	R	10214.5	2000	491	R & Ad
9617	2000	108 *	Ad		2001	111 *	Am
9618	2X 2001–02	17	Ad	10214.6	2000	491	R
9700	2002	1022 *	R	10214.7	2000	491	S <sup>57</sup>
9701	2002	1022 *	R	10215	2000	491	S <sup>57</sup>
9702	2002	1022 *	R	10217	2000	491	S <sup>57</sup>
9703	2002	1022 *	R	10218	2000	491	R
9704	2002	1022 *	R	10218.5	2000	491	R
9800	1999	829	Ad <sup>107</sup>	10521	2002	1022 *	Am
9801	1999	829	Ad <sup>107</sup>	10522	2001	745 *	R
9802	1999	829	Ad <sup>107</sup>	10525	2000	1055 *	Am
9802.5	1999	829	Ad <sup>107</sup>	10529	2000	108 *	Ad
9803	1999	829	Ad <sup>107</sup>	10532	2001	745 *	Am
9805	1999	829	Ad <sup>107</sup>	11020	2000	108 *	Ad
9806	1999	829	Ad <sup>107</sup>	11022	2000	108 *	Ad
9807	1999	829	Ad <sup>107</sup>	11024	2000	108 *	Ad
9808	1999	829	Ad <sup>107</sup>	12112	2000	1055 *	Am
9809	1999	829	Ad <sup>107</sup>	12151	2000	1055 *	Am
9809.5	1999	829	Ad <sup>107</sup>	13003	2002	29	Am
9900	2000	313	Ad	13009.5	1999	144	Ad
9901	2000	313	Ad	13019	2000	438	Ad & R <sup>18</sup>
9902	2000	313	Ad	13021	1999	144	Am
9903	2000	313	Ad	13021.5	2002	29	Am
9904	2000	313	Ad	13028	1999	144	Am
9905	2000	313	Ad		2002	29	Am
9907	2000	313	Ad	13043	2002	488 *	Am
9908	2000	313	Ad	13050	1999	144	Am
9910	2002	541	Ad		2002	29	Am
9912	2002	541	Ad	13052.5	2002	29	Am
10003	1999	551	Am	14000	2001	111 *	Ad
10006	1999	551	Ad	14002	2001	111 *	Ad
10200	2000	491	Am <sup>57</sup>	15037	2001	745 *	Am
10201	2000	491	Am <sup>57</sup>	15037.1	2000	491	Am
10201.5	2000	108 *	Ad	15051	2002	1142	Am
	2000	491	S <sup>57</sup>	15076	2000	1055 *	Am
10202	2000	491	R & Ad	15076.5	2000	1055 *	Am
10202.5	2000	491	Ad		2001	745 *	Am
10203	2000	491	Am <sup>57</sup>		2002	664	Am <sup>431</sup>
10204	2000	491	Am <sup>57</sup>	15077	2000	1055 *	Am
10205	2000	491	Am <sup>57</sup>	15079	2000	299	Am
	2001	111 *	Am	17002	2001	745 *	Am
10206	2000	491	Am <sup>57</sup>	18000	2002	1088	Ad
	2001	111 *	Am	18002	2002	1088	Ad
10206.5	2000	491	R	18004	2002	1088	Ad
10207	2000	491	Am <sup>57</sup>	18006	2002	1088	Ad
10208	2000	491	S <sup>57</sup>	18008	2002	1088	Ad
10209	2000	491	S <sup>57</sup>	18010	2002	1088	Ad
10210	2000	491	S <sup>57</sup>	18012	2002	1088	Ad
10211	2000	491	S <sup>57</sup>				

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

**VEHICLE 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>
28	1999	1007	Am	1666.5	2001	300	Ad
111	2002	205	Am	1672	2001	740	Am
221	1999	316	Am	1673	2000	31 *	Ad
246	1999	1007	Am	1673.2	2000	31 *	Ad
260	2000	861 *	Am	1673.4	2000	31 *	Ad
285	2001	539	Am	1673.5	2000	31 *	Ad
286	2001	460	Am	1673.6	2000	31 *	Ad
	2001	539	Am (by Sec. 2.5 of Ch.)	1673.7	2000	31 *	Ad
				1674	2000	985	Ad
	2002	664	Am <sup>431</sup>	1674.2	2000	985	Ad & R <sup>20</sup>
	2002	758	Am (by Sec. 3 of Ch.)	1674.4	2000	985	Ad
288	2000	861 *	Ad	1674.6	2000	985	Ad
289	2000	861 *	Ad	1675	2001	739	Am <sup>350</sup>
296	2001	539	Am	1677	2001	739	Am <sup>350</sup>
297	2001	539	Am	1680	1999	880	R
313	2002	979	Ad <sup>506</sup>		2001	857	Ad & R <sup>20</sup>
			R <sup>69</sup>	1685	2001	127 *	Ad
322	2000	308	Am	1803	1999	22 *	Am (as am by Sec. 4, Stats. 1998, Ch. 756) <sup>16</sup>
331	2001	539	Am				
331.1	2001	539	Am		1999	722	Am
331.2	2001	539	Am		1999	723	Am
350	2000	861 *	Ad(RN)		2000	787	Am
385.5	1999	140	Ad	1803.4	1999	22 *	Am
390	2000	861 *	Am & RN	1806	1999	885	Am
407.5	1999	722	Ad	1808	1999	489	Am
	1999	724	Ad		2001	473	Am <sup>369</sup>
	2002	979	Am <sup>506</sup>		2002	545	Am <sup>422</sup>
			R & Ad <sup>69</sup>	1808.1	2000	1035	Am
426	2000	135	Am <sup>203</sup>		2002	418	Am
431	2002	670	Am	1808.21	2000	1008	Am
465	1999	1008	Am		2001	854	Am
467	2002	979	Am <sup>506</sup>	1808.24	1999	880	Ad
			R & Ad <sup>69</sup>	1808.25	2001	676	Am <sup>19</sup>
468	2000	861 *	Ad	1808.4	2001	363 *	Am
505.2	2000	1035	Am		2001	486	Am (by Sec. 1 of Ch.)
521.5	2002	670	Ad		2001	809	Am (by Sec. 3 of Ch.)
543.5	2002	670	Ad		2002	1 *	Am
545.1	2001	739	Am <sup>350</sup>	1808.47	1999	880	Am
593	2002	670	Ad	1810	1999	489	Am
615	1999	456	Am		2002	805 *	Am
626	2001	457	Am	1810.7	2001	745 *	Am
627	2000	45	Am		2002	805 *	Am
635	2000	566	Am	1825	2000	524	Ad
666	1999	1008	Am	2256	2001	162	Am
	2001	826	R	2266	2001	786	Ad
670.5	2002	670	Ad	2402.6	2002	610	Am
671	2002	670	Am	2407.5	2001	710	Ad & R <sup>20</sup>
672	2001	539	Am	2408.5	2000	1035	Ad & R <sup>19</sup>
	2002	664	Am <sup>431</sup>	2425	2001	127 *	Ad & R <sup>20</sup>
1655	2000	1035	Am	2429	1999	557 *	Ad
1656.2	2000	375	Am	2429.3	2001	658 *	Ad
	2000	787	Am	2429.5	1999	556 *	Ad
	2002	766	Am	2430.3	2001	127 *	Am
1656.3	2001	300	Am	2432	2001	127 *	Am
1660	2001	460	Am	2478	1999	83	Am <sup>30</sup>
1661	1999	22 *	Am	2503	1999	1008	Am
	2002	805 *	Am	2800	1999	724	Am
1666	2000	135	Am <sup>203</sup>				
	2000	833	Am				

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

## VEHICLE 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>
2802.5	2001	115	R	4463.3	2000	215	Ad
2805	2000	688	Am	4466	1999	83	Am <sup>30</sup>
2810	1999	83	Am <sup>30</sup>	4467	2002	80	Ad
2900	2000	181	Am	4601.1	2001	868	Ad
2930	1999	610	S <sup>57</sup>	4604.5	1999	724	Am <sup>13</sup>
2931	1999	610	S <sup>57</sup>		2002	805*	Am
2932	1999	610	S <sup>57</sup>	4750	1999	880	Am
2933	1999	610	S <sup>57</sup>	4750.1	2002	693	Ad
2934	1999	610	S <sup>57</sup>	4751	2000	1035	Am
2935	1999	610	S <sup>57</sup>	4764.1	2001	115	R
2936	1999	610	Am <sup>57</sup>	4764.2	2000	787	R
	2001	745*	R		2001	115	R <sup>82</sup>
2937	1999	610	R	4764.3	2001	115	R
2938	1999	610	R	4764.4	2001	115	R
3010	2000	637	Am	4852	2000	163	Am
3050.1	2000	637	Am		2000	859	Am
3051	2000	637	Am	5000	2000	861*	Am
4000	2000	861*	Am	5002.7	1999	724	Am
4000.1	2002	127	Am		2000	860	Am
4000.11	2001	465*	Ad <sup>368</sup>	5007	2000	524	Am
			R <sup>8</sup>	5011	2000	861*	Am
4000.37	1999	880	R & Ad		2001	826	Am
	2000	455	Am (by Sec. 1 of Ch.)	5014	2000	861*	Am
	2000	1035	Am (by Sec. 6.5 of Ch.)	5014.1	2000	861*	Ad
	2001	159	Am <sup>305</sup>		2001	825	Am (by Sec. 8.5 of Ch.)
4000.38	1999	880	Ad		2001	826	Am (by Sec. 14.5 of Ch.)
4000.6	2000	861*	Ad	5015	2000	861*	Am
	2001	825	Am (by Sec. 7.5 of Ch.)	5016	2000	861*	Am
	2001	826	Am (by Sec. 8.5 of Ch.)	5017	2000	861*	Am
4004	2000	861*	Am		2001	825	Am (by Sec. 8.9 of Ch.)
	2001	826	Am (as am by Sec. 18, Stats. 2000, Ch. 861)		2001	826	Am (by Sec. 15.5 of Ch.)
4004.7	2001	539	Ad		2002	664	Am <sup>431</sup>
4023	1999	140	Ad	5023	2001	745*	Am
4150.1	2000	861*	Am	5060	2000	163	Am
	2001	826	Am (as am by Sec. 19, Stats. 2000, Ch. 861)	5061	2000	859	Ad
4152.5	2000	1035	Am	5066	2002	38*	Ad
4154	1999	557*	Ad	5068	2001	201	Am <sup>21</sup>
4161	2001	94	Am		2002	664	R <sup>34</sup>
4451	2000	1035	Am		2002	664	Am (as ad by Sec. 2, Stats. 2001, Ch. 201) <sup>431</sup>
4452	2001	826	Am	5070	2000	651	Ad
4453	2000	566	Am	5071.1	2000	422	Ad
4453.2	1999	557*	Ad	5073	1999	594	Ad
4454	1999	106	Am	5080	2000	372	Ad
4458	2000	861*	Am	5101	2000	163	Am
	2001	826	Am (as am by Sec. 20, Stats. 2000, Ch. 861)		2000	859	Am (by Sec. 3 of Ch.)
4461	2000	524	Am		2000	861*	Am (by Sec. 28.5 of Ch.) <sup>293</sup>
4461.5	2000	215	Ad		2001	826	Am (as am by Sec. 28.5, Stats. 2000, Ch. 861)
4463	2000	524	Am	5101.2	1999	988	Am

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**VEHICLE 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>
5101.3	1999	612	Am		2000	861 *	Am (by Sec. 45 of Ch.)
5101.4	1999	612	Am				
5101.8	1999	612	Am		2000	1064 *	Am (by Sec. 5 of Ch.) <sup>291</sup>
5103	2000	163	Am				Am (by Sec. 5.5 of Ch.) <sup>292</sup>
	2000	859	Am (by Sec. 4 of Ch.)				
	2000	861 *	Am (by Sec. 29.5 of Ch.) <sup>293</sup>		2001	826	Am (as am by Sec. 5.5, Stats. 2000, Ch. 1064)
5106	2000	861 *	Am				
5108	2000	861 *	Am	9250.15	2001	539	Am
5201	1999	1007	Am	9250.19	2000	861 *	Am
5204	2000	135	Am <sup>203</sup>		2001	826	Am (as am by Sec. 46, Stats. 2000, Ch. 861)
	2000	861 *	Am				
5205.5	1999	330	Ad & R <sup>68</sup>		2002	986	Am & R <sup>43</sup>
	2000	686	Am		2000	861 *	Am (by Sec. 41 of Ch.)
5301	2000	861 *	Am				
	2001	826	Am (as am by Sec. 33, Stats. 2000, Ch. 861)	9250.7	2001	175	Am
					2001	826	Am (by Sec. 19.5 of Ch., as am by Sec. 41, Stats. 2000, Ch. 861)
5302	2000	861 *	Am				
5305	2000	861 *	Am				
5505	2002	670	Am (by Sec. 7 of Ch.) <sup>13</sup>		2002	664	Am <sup>431</sup>
5506	2002	670	Ad				
5600	2000	1035	Am	9250.8	2000	861 *	Am
5604.5	2000	455	Ad		2001	826	Am (as am by Sec. 42, Stats. 2000, Ch. 861)
5751.5	2002	127	Am				
5900	2000	1035	Am				
5902	2000	861 *	Am				
	2001	826	Am (as am by Sec. 36, Stats. 2000, Ch. 861)	9255	1999	1007	Am
					2002	758	Am
6700.2	2000	30	Am	9255.2	2002	670	Am <sup>13</sup>
	2001	825	Am	9259.3	2001	539	Ad
6701	1999	100	Am	9259.5	2001	539	Ad
6851	2000	861 *	R	9260	2000	861 *	Am
6851.5	2000	861 *	R	9261	2000	861 *	Am
8000	2000	861 *	Am	9400	2000	861 *	Am (by Sec. 49 of Ch.)
8054	2000	861 *	Am				
8057	2002	758	Am		2000	973	Am (by Sec. 3 of Ch.) <sup>291</sup>
8058	2001	539	Ad				Am (by Sec. 3.5 of Ch.) <sup>292</sup>
	2002	758	Am				
8201	2002	758	Am		2001	826	Am
9104.5	1999	911	Ad	9400.1	2000	861 *	Ad
9250.10	2000	861 *	Am		2001	825	Am (by Sec. 10.5 of Ch.)
	2001	826	Am (as am by Sec. 43, Stats. 2000, Ch. 861)				
					2001	826	Am (by Sec. 26.5 of Ch.)
9250.11	1999	36 *	R	9400.3	2001	826	Ad
			Ad & R <sup>18</sup>	9406	2000	861 *	Am
9250.13	2000	861 *	Am	9406.1	2000	861 *	Ad
	2001	826	Am (as am by Sec. 44, Stats. 2000, Ch. 861)	9407	2001	826	Am
				9408	2000	861 *	Am
					2001	826	Am (as am by Sec. 53, Stats. 2000, Ch. 861)
9250.14	1999	232	Am <sup>18</sup>				

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

## VEHICLE 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>
9410	2001	825	Am		2000	773	Am (by Sec. 4 of Ch.) <sup>96</sup>
9552	2002	805 *	Am				
9553	1999	22 *	Am <sup>16</sup>		2001	441	Am
	2002	805 *	Am		2002	947	Am
9553.5	2002	758	Ad	11713.10	1999	140	Ad
9554	2002	805 *	Am	11713.11	1999	672	Am
9554.2	2000	861 *	Ad	11713.14	1999	672	Ad
9554.5	2002	805 *	Am	11713.16	2002	947	Ad
9564	1999	316	Am	11713.3	2000	566	Am (by Sec. 6 of Ch.)
9700	2001	826	Am				
9706	2001	826	Am		2000	789	Am (by Sec. 2.5 of Ch.)
9805	2002	784	Am <sup>490</sup>				
9806	2002	784	Am <sup>490</sup>	11715	2001	739	Am <sup>350</sup>
9862.5	2001	825	Am	11722	2002	303	Am
9872.1	2002	784	Am <sup>490</sup>	11729	1999	672	Am
9980	2000	135	Am <sup>203</sup>	11730	2000	1035	Am
10751	2002	784	Am <sup>490</sup>	11738	2000	1035	Am
10904	2000	867	Ad	11740	2002	407	Ad
11101	2002	774 *	Am <sup>70</sup> R <sup>63</sup> Ad <sup>513</sup>	11803	2002	758	Am
				12110	2000	641	Am
				12502	2002	103 *	Am
11102	2000	243	Am	12509	2000	1035	Am
11102.1	2002	784	Am <sup>490</sup>		2001	825	Am
11102.5	2000	243	Am		2002	418	Am
11104	2000	243	Am		2002	758	Am (by Sec. 11.5 of Ch.)
11110	2000	243	Am				
11113	2000	642	Am	12512	2000	596	Ad
11113.3	2000	833	Ad	12514	2000	1035	Am
11200	2001	457	Am	12517.1	2002	766	Am
11202.5	1999	282	Am	12517.3	1999	229 *	Am
	2000	243	Am	12517.5	1999	1007	Am
11203	2002	784	Am <sup>490</sup>		2002	664	Am <sup>431</sup>
11208	2001	457	Am	12800.5	1999	489	Am
11212	2001	739	Am <sup>350</sup>	12800.7	1999	1008	Am
11219	2000	642	Am	12802.5	1999	22 *	Am <sup>16</sup>
	2000	833	Ad	12804.10	2001	658 *	Ad
11219.3	2000	833	Ad	12804.15	2001	658 *	Ad
11222	2001	739	Am <sup>350</sup>	12804.9	1999	722	Am (as am by Sec. 54.5 and Sec. 55, Stats. 1998, Ch. 877)
11301.5	2002	784	Am <sup>490</sup>				
11515	2002	826	Am		2000	1035	R (as am by Sec. 4, Stats. 1999, Ch. 722)
11568	2002	826	Ad <sup>82</sup>				
11614	1999	83	Am <sup>30</sup>				
	2000	773	Am				
	2002	947	Am				
11614.1	2002	947	Ad				
11700.3	2002	407	Ad				
11701	2002	758	Am				
11704.5	1999	230	Am				
	2000	221	Am				
	2001	93	Am				
11709.3	2001	441	Ad		2001	658 *	Am (as am by Sec. 16 and as ad by Sec. 16.5, Stats. 2000, Ch. 1035)
11710	2002	303	Am				
11710.1	2002	1110	Ad	12805	2000	985	Am
11710.2	2002	784	Am <sup>490</sup>	12808	2000	135	Am <sup>203</sup>
11711.3	2002	407	Ad		2000	985	Am
11713	2002	947	Am				
11713.1	1999	230	Am				
	2000	566	Am (by Sec. 5 of Ch.)				
							R & Ad <sup>192</sup>

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**VEHICLE CODE—Continued**

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
12810	2000	675	Am (by Sec. 1 of Ch.)	13352.4	2002	545	Am <sup>422</sup>
	2000	1035	Am (by Sec. 18.1 of Ch.)		1999	22*	Am (as am by Stats. 1998, Ch. 756) <sup>16</sup>
12811	2002	758	Am		2002	545	Am <sup>422</sup>
	1999	1008	Am (as ad by Sec. 7, Stats. 1998, Ch. 887)	13352.5	1999	22*	Am (as ad by Sec. 7, Stats. 1998, Ch. 756) <sup>16</sup>
	2001	740	Am (by Sec. 5 of Ch., as am by Sec. 5, Stats. 1999, Ch. 1008) <sup>328</sup>		2002	545	Am <sup>422</sup>
			Am (by Sec. 5.5 of Ch., as am by Sec. 5, Stats. 1999, Ch. 1008) <sup>324</sup>	13352.6	2000	1063	Ad
	2002	664	Am (as am by Sec. 5, Stats. 2001, Ch. 740) <sup>431</sup>	13353	2001	473	Am <sup>369</sup>
				13353.1	2001	473	Am <sup>369</sup>
12814	2000	985	Am	13353.2	1999	22*	Am (as am by Sec. 3.12, Stats. 1998, Ch. 118) <sup>16</sup>
12814.1	2000	985	R & Ad <sup>192</sup>	13353.3	2001	473	Am <sup>369</sup>
12814.6	2000	1035	Ad & R <sup>5</sup>		2002	545	Am <sup>422</sup>
	2002	418	Am	13353.4	2002	545	Am <sup>422</sup>
	2002	758	Am (by Sec. 13.5 of Ch.)	13353.45	2002	545	Am <sup>422</sup>
				13353.5	2002	545	Am <sup>422</sup>
				13369	2002	766	Am
12814.7	2002	418	Ad	13377	2000	135	Am <sup>203</sup>
12814.8	1999	206	Ad & R <sup>19</sup>		2002	787	Am <sup>422</sup>
12815	1999	1008	Am	13386	1999	22*	Ad(RN) <sup>16</sup>
	2000	135	Am <sup>203</sup>		2000	1064*	Am
12818	2000	985	Am		2001	473	Am <sup>369</sup>
			R & Ad <sup>192</sup>		2002	545	Am <sup>422</sup>
13000	1999	1008	Am	13551.1	1999	1008	R
13000.1	2000	787	Ad	13803	2000	985	Ad & R <sup>111</sup>
13003	1999	1008	Am	14100	2001	658*	Am
13005	2001	740	Am (by Sec. 6 of Ch., as ad by Sec. 9, Stats. 1998, Ch. 887) <sup>328</sup>	14104.5	1999	724	Am
			Am (by Sec. 6.5 of Ch., as ad by Sec. 9, Stats. 1998, Ch. 887) <sup>324</sup>	14105	1999	724	Am
				14105.5	1999	724	Am
13005.5	1999	489	Am	14601	2000	1064*	Am
13102	1999	724	Am	14601.1	2000	1064*	Am
13106	1999	22*	Am <sup>16</sup>	14601.10	1999	877	Ad & R <sup>19</sup>
	2002	805*	Am	14601.2	1999	22*	Am (as am by Sec. 10, Stats. 1998, Ch. 756) <sup>16</sup>
13202.4	2001	854	Am		1999	22*	Am <sup>16</sup>
13210	2000	642	Ad	14601.3	1999	22*	Am
13350	1999	22*	Am <sup>16</sup>	14601.4	2000	1064*	Am
	2002	545	Am <sup>422</sup>	14601.5	2000	1064*	Am
13350.5	1999	22*	Am <sup>16</sup>	14601.9	1999	122	Ad & R <sup>19</sup>
13351.8	2000	642	Ad		2000	401	Am
13351.85	2000	641	Ad	14602.1	2001	745*	Am
13352	1999	22*	Am <sup>16</sup>	14602.6	2001	480	Am (by Sec. 1 of Ch.)
							Am (by Sec. 2.5 of Ch.)
					2001	554	Am
					2002	402	Am
					2002	664	Am <sup>431</sup>
				14602.7	2001	554	Am
					2002	402	Am
					2002	664	Am <sup>431</sup>
				14900	2000	787	Am
					2002	805*	Am
				14900.1	2000	787	Am
					2001	739	Am <sup>350</sup>

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

## VEHICLE 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>
14900.1 (Cont.)	2002	805 *	Am	Div. 7, Ch. 1,			
14905	2002	805 *	Am	Art. 3,			
14907	2002	805 *	Ad	heading			
14908	1999	1008	R	(Sec. 16050			
15210	2001	504	Am	et seq.)	2001	739	Am <sup>350</sup>
15240	2001	504	Am	16050	2001	739	Am <sup>350</sup>
15242	2001	298	Am	16051	2001	739	Am <sup>350</sup>
	2002	774 *	Am	16052	2001	739	Am <sup>350</sup>
15250.5	2001	739	R <sup>350</sup>	16054	1999	183	Am
15255	2001	739	R <sup>350</sup>		2001	739	Am <sup>350</sup>
15275	1999	224	Am	16054.2	2000	1035	Am
15278	1999	224	Am		2001	739	Am <sup>350</sup>
	2002	758	Am	16055	2001	739	Am <sup>350</sup>
15300	1999	724	Am	16056	2000	1035	Am
	2001	504	Am	16056.1	2000	1035	Ad & R <sup>19</sup>
15302	1999	724	Am		2002	742	Am <sup>75</sup>
	2001	504	Am	16070	1999	880	R (as ad by
	2002	664	Am <sup>431</sup>				Sec. 11,
	2002	787	Am <sup>422</sup>				Stats. 1996,
15309	1999	724	Ad				Ch. 1126)
15310	1999	1008	R				Am (as am by
15311	1999	724	Ad				Sec. 10,
15312	2001	504	Ad				Stats. 1996,
15320	1999	724	Ad				Ch. 1126) <sup>13</sup>
15600	2001	855	Ad		2001	739	Am <sup>350</sup>
15602	2001	855	Ad	16071	1999	880	R (as ad by
15603	2001	855	Ad				Sec. 13,
15620	2001	855	Ad				Stats. 1996,
	2002	664	Am <sup>431</sup>				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 <sup>350</sup>				Ch. 1126) <sup>13</sup>
	2002	766	Am	16075	2002	766	Am
16000.1	2002	766	Am	16251	2002	766	Am
16002	2001	84 *	Am	16370	2001	44	Am
16020	1999	880	R (as ad by	16373	2001	44	Am
			Sec. 5,	16376	2001	44	Am
			Stats. 1996,	16377	2002	766	Am
			Ch. 1126)	16379	2001	44	Am
			Am (as am by	16430	2002	766	Am
			Sec. 10,	16434	2002	766	Am
			Stats. 1997,	16457	1999	880	R (as ad by
			Ch. 652) <sup>13</sup>				Sec. 15,
	2000	1035	Am				Stats. 1996,
	2001	825	Am				Ch. 1126)
16020.1	1999	794	Ad				Am (as am by
	2000	135	Am <sup>203</sup>				Sec. 14,
	2000	1035	Am				Stats. 1996,
	2002	666	Am				Ch. 1126) <sup>13</sup>
16020.2	1999	807	Ad	16560	1999	1007	Am
	2000	1035	Am	20001	1999	854 *	Am
	2002	666	Am	20002	1999	421	Am
16021	2000	1035	Am		2001	825	Am
16025	1999	880	Am	21051	2000	135	Am <sup>203</sup>
16028	1999	880	Am <sup>13</sup>	21059	1999	1007	Am
	2001	825	Am	21100.4	1999	724	R
16029	1999	880	Am <sup>13</sup>	21104	2002	177	Am
16030	1999	880	Am <sup>13</sup>	21107.9	2002	284	Ad
16033	1999	880	Am <sup>13</sup>	21115	1999	140	Am

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**VEHICLE 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>
21115.1	1999	140	Am	21753	1999	724	Am
21200.5	1999	22*	Am	21800	2X	2001–02	6* Am
21211	1999	1007	Am	21810	1999	482	Ad & R <sup>20</sup>
	2001	127*	Am		2002	937	Am <sup>19</sup>
21212	2002	475	Am	21949	2000	833	Ad
21220	1999	722	Ad	21950	2000	833	Am
21220.5	1999	722	Ad	21950.5	2000	833	Ad
21221	1999	722	Ad	21956	2000	833	Am
21221.5	1999	722	Ad	21960	1999	722	Am
	2000	287	Am <sup>216</sup>	21970	2000	833	Ad
21223	1999	722	Ad	21971	2000	833	Ad
21224	1999	722	Ad	22110	1999	1008	Am
21225	1999	722	Ad	22112	1999	647*	Am
21227	1999	722	Ad		2002	397	Am
21228	1999	722	Ad	22349	1999	724	Am
21229	1999	722	Ad	22352	2000	521	Am (as am by
21230	1999	722	Ad				Sec. 1 and as ad
21235	1999	722	Ad				by Sec. 2,
21250	1999	140	Ad				Stats. 1997,
21251	1999	140	Ad				Ch. 421)
21252	1999	140	Ad	22353	2002	186	Ad
21253	1999	140	Ad	22406	1999	724	Am
21254	1999	140	Ad		2000	787	Am
21260	1999	140	Ad	22406.1	2000	787	Ad
21266	1999	140	Ad	22411	1999	722	Ad
21280	2002	979	Ad <sup>506</sup>	22451	2000	1035	Am
			R <sup>69</sup>	22452	2001	504	Am
21280.5	2002	979	Ad <sup>506</sup>	22454	1999	647*	Am
			R <sup>69</sup>	22456	2000	344	Ad
21281	2002	979	Ad <sup>506</sup>	22500	2002	640	Am
			R <sup>69</sup>	22507	2001	223	Am
21282	2002	979	Ad <sup>506</sup>	22511	2002	640	Ad
			R <sup>69</sup>	22511.1	2002	640	Ad
21283	2002	979	Ad <sup>506</sup>	22511.55	2000	524	Am
			R <sup>69</sup>		2001	708	Am
21376	2001	300	Ad	22511.56	2000	135	Am <sup>203</sup>
21450	1999	277	Am	22511.59	2000	524	Am
			R & Ad <sup>63</sup>		2001	708	Am
21453	2001	14	Am	22511.85	2000	215	Ad
21455.5	2001	496	Am	22522	1999	1007	Am
21455.6	2000	833	Am	22526	2001	504	Am
	2000	860	Am	22651	1999	22*	Am (as am by
21455.7	2001	496	Ad				Sec. 11.5,
21456.2	1999	277	Ad & R <sup>18</sup>				Stats. 1998,
21456.3	1999	277	Ad & R <sup>18</sup>				Ch. 118) <sup>16</sup>
21655.12	1999	168	Ad <sup>4</sup>	22656	2002	438	Am <sup>426</sup>
			R <sup>8</sup>	22658	1999	1007	Am (by Sec. 23
	2000	63*	Am				of Ch.)
21655.16	2000	337	Ad <sup>222</sup>	22658.1	2001	854	Am
			R <sup>34</sup>	22710	2001	175	Am
21655.5	2002	277	Am		2002	500	Am (as am by
21655.9	1999	330	Ad & R <sup>68</sup>				Stats. 2001,
21716	2000	155	R (as am by	22850.5	1999	456	Am
			Sec. 4,		2001	554	Am
			Stats. 1997,		2002	402	Am
			Ch. 536)	22851	2001	127*	Am
			Am (as am by	23103	2001	739	Am <sup>350</sup>
			Sec. 3,	23109.2	2002	411*	Am
			Stats. 1997,				R & Ad <sup>100</sup>
			Ch. 536) <sup>13</sup>	23113	1999	421	Am
21752	2000	596	Am				

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

## VEHICLE CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
23114	2002	673	Am	23247	1999	22*	Am (as am by Sec. 22,
23115	2001	279	Am				Stats. 1998,
23116	2000	308	Am				Ch. 756) <sup>16</sup>
23130	2001	92	R	23249	2001	473	Am <sup>369</sup>
23130.5	2001	92	R		2002	545	Am <sup>422</sup>
23157	1999	22*	Am & RN <sup>16</sup>	23249.52	1999	22*	Am & RN <sup>16</sup>
23160	1999	22*	Am (as am by Sec. 11,	23249.53	1999	22*	Am & RN <sup>16</sup>
			Stats. 1998,	23249.54	1999	22*	Am (as am by Sec. 6 and as ad
			Ch. 756) & RN <sup>16</sup>				by Sec. 7,
23161	1999	22*	Am (as am by Sec. 12,				Stats. 1998,
			Stats. 1998,	23249.55	1999	22*	Ch. 656) <sup>16</sup>
			Ch. 756) & RN <sup>16</sup>	23330	1999	722	& RN <sup>16</sup>
23166	1999	22*	Am (as am by Sec. 13.5,	23502	2000	1063	Am & RN <sup>16</sup>
			Stats. 1998,	23504	2000	1063	Am
			Ch. 756) & RN <sup>16</sup>	23506	2000	1063	R & Ad
23186	1999	22*	Am (as am by Sec. 15,	23508	2000	1063	R
			Stats. 1998,	23521	2002	545	R
			Ch. 756) & RN <sup>16</sup>	23522	1999	22*	Am <sup>422</sup>
23198	1999	22*	R	23524	1999	22*	R <sup>16</sup>
			Ad & R <sup>15</sup>	23536	1999	22*	R <sup>16</sup>
23203	1999	22*	Am (as am by Sec. 17,		2002	545	Ad(RN) <sup>16</sup>
			Stats. 1998,	23538	1999	22*	Am <sup>422</sup>
			Ch. 756) & RN <sup>16</sup>		2002	545	Am <sup>422</sup>
23204	1999	22*	Am (as am by Sec. 19,	23540	2002	545	Am <sup>422</sup>
			Stats. 1998,	23542	1999	22*	Am <sup>422</sup>
			Ch. 756) & RN <sup>16</sup>		2002	545	Ad(RN) <sup>16</sup>
23221	1999	723	Am	23546	1999	22*	Am <sup>16</sup>
23223	1999	723	Am		2002	545	Am <sup>422</sup>
23225	1999	723	Am	23548	2002	545	Am <sup>422</sup>
23226	1999	723	Am	23550	1999	22*	Am <sup>16</sup>
23235	1999	22*	Am (as am by Sec. 19,		2002	545	Am <sup>422</sup>
			Stats. 1998,	23550.5	1999	22*	Am <sup>16</sup>
			Ch. 756) & RN <sup>16</sup>		1999	706*	Am
					2001	849	Am
23221	1999	723	Am		2002	545	Am <sup>422</sup>
23223	1999	723	Am	23552	1999	22*	Am <sup>16</sup>
23225	1999	723	Am		2002	545	Am <sup>422</sup>
23226	1999	723	Am	23554	2002	545	Am <sup>422</sup>
23235	1999	22*	Am (as am by Sec. 19,	23556	2002	545	Am <sup>422</sup>
			Stats. 1998,	23558	1999	706*	Am
			Ch. 756) & RN <sup>16</sup>	23560	2002	545	Am <sup>422</sup>
				23562	1999	22*	Ad(RN) <sup>16</sup>
					2002	545	Am <sup>422</sup>
Div. 11,				23566	1999	22*	Am <sup>16</sup>
Ch. 12,					2002	545	Am <sup>422</sup>
Art. 4.5,				23568	1999	22*	Am <sup>16</sup>
heading					2002	545	Am <sup>422</sup>
(Sec. 23246				23572	1999	22*	Am <sup>16</sup>
et seq.)	1999	22*	R <sup>16</sup>	23575	1999	22*	Ad(RN) <sup>16</sup>
23246	1999	22*	Am (as am by Sec. 21,		2000	1064*	Am
			Stats. 1998,		2001	473	Am <sup>369</sup>
			Ch. 756) & RN <sup>16</sup>	23577	1999	22*	Am <sup>16</sup>
				23580	2002	664	Am <sup>431</sup>
				23590	1999	22*	R <sup>16</sup>

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**VEHICLE 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>
23596	1999	22 *	R Ad <sup>16</sup>	27361	2000	675	Am
23600	1999	22 *	Am <sup>16</sup>	27362	2002	784	Am <sup>490</sup>
23602	1999	22 *	Am <sup>16</sup>	27362.1	2002	703	Ad
23612	1999	22 *	Ad(RN) <sup>16</sup>	27363	2000	675	Am
	1999	853	Am <sup>144</sup>		2001	84 *	R & Ad <sup>8</sup>
	1999	854 *	Am				Am (as ad by Sec. 9, Stats. 2000, Ch. 675)
	2000	287	Am <sup>216</sup>				
23620	1999	724	Am	27363.5	2000	675	Am
23640	1999	22 *	Am <sup>16</sup>				R & Ad <sup>8</sup>
23646	1999	22 *	Ad(RN) <sup>16</sup>	27365	2000	675	Am
	2000	1064 *	Am				R & Ad <sup>8</sup>
23647	1999	22 *	Ad(RN) <sup>16</sup>		2001	84 *	Am (as ad by Sec. 13, Stats. 2000, Ch. 675)
23648	1999	22 *	Ad(RN) (by Sec. 31 and Sec. 32 of Ch.) <sup>16</sup>				
23649	1999	22 *	Ad(RN) <sup>16</sup>	27903	2002	241 *	Am
	2000	1064 *	Am	27907	1999	456	Am
23650	1999	22 *	Am <sup>16</sup>	27910	2000	861 *	Ad
23655	1999	22 *	Am <sup>16</sup>	29004	1999	724	Am (by Sec. 45 of Ch.)
23660	1999	22 *	Ad(RN) <sup>16</sup>				
23662	1999	22 *	Ad(RN) <sup>16</sup>	31304	2002	104	Am
23665	1999	22 *	Am <sup>16</sup>	31401	1999	556 *	Am
24002.5	2000	873	Ad	31401.5	1999	557 *	Ad
24018	2002	937	Ad	31402	2000	873	Am
24604	2000	1035	Am	31404	1999	556 *	Am
24607	1999	140	Am	31405	1999	557 *	Ad
24612	2001	825	Ad		2000	308	Am
24616	2001	739	Ad <sup>350</sup>	31406	2000	308	Ad <sup>218</sup>
25108	2001	739	Am <sup>350</sup>	31407	2000	308	Ad
27150.1	2001	92	Am	31408	1999	556 *	Ad
	2002	569	Am	31409	2000	308	Ad
27150.2	2001	92	Am	31560	2002	625 *	Am
	2002	569	Am	32000.5	2002	610	Am
27150.3	2001	92	R	32001	2002	610	Am
27150.4	2001	92	R	34500	1999	724	Am
27150.6	2001	92	R		2000	566	Am
27150.7	2001	92	Am	34501.12	1999	1008	Am
	2002	569	Am		2002	610	Am
27150.8	2001	92	R	34501.13	1999	1007	Am
27151	2001	92	Am	34501.18	2001	789	Ad
Div. 12, Ch. 5, Art. 3, heading (Sec. 27302 et seq.)				34501.2	2000	787	Am
	1999	449	Am	34501.5	1999	1008	Am
27315	1999	557 *	Am	34505.6	1999	1005	Am
27316	1999	648	R & Ad		1999	1006	Am
	2001	581	Am		2000	860	Am
27316.5	2002	360	Ad	34505.9	2000	135	Am <sup>203</sup>
27317	1999	449	Ad		2002	897	Am
27360	2000	675	Am	34506.4	2000	873	Am
			R & Ad <sup>8</sup>	34506.5	2000	873	Ad
27360.5	2000	675	Am	34510	2001	504	Am
			R & Ad <sup>8</sup>	34520	1999	724	Am
			R(as ad by Sec. 6, Stats. 2000, Ch. 675)		2001	298	Am
	2001	84 *	Ad <sup>8</sup>		2002	774 *	Am
				34520.5	1999	1007	Am
				34601	1999	1005	Am (by Sec. 98 of Ch.)
					1999	1008	Am (by Sec. 15.5 of Ch.)

**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
34601 (Cont.)	2000	787	Am	40000.13	1999	330	Am
34602	2002	805 *	Am <sup>175</sup>	40000.15	1999	83	R & Ad <sup>69</sup>
34605	2002	805 *	Am <sup>175</sup>		2000	873	Am <sup>30</sup>
34622	1999	1005	Am	40000.5	1999	316	Am
34623	1999	1006	Am	40000.7	2002	670	Am
	2001	298	Am	40001	1999	724	Am
	2002	774 *	Am		2001	504	Am
34624	2002	774 *	Am	40215	2002	640	Am
34631	2002	758	Am	40226	2002	640	Ad
34631.5	1999	724	Am	40254	2002	184	Am
34672	2001	825	Am	40256	2002	784	Am <sup>490</sup>
35106	1999	724	Am	40303	1999	724	Am
			R & Ad <sup>8</sup>		2000	860	Am
35400	2000	860	Am (by Sec. 10 of Ch.)	40502	2002	784	Am <sup>490</sup>
	2001	658 *	Am	40506.5	2002	784	Am <sup>490</sup>
	2002	78	Am	40508.5	2002	148	Am
35401	2002	560	Am <sup>450</sup>	40508.6	2002	784	Am <sup>490</sup>
35401.3	2000	860	Am	40513	2001	830	Am
35401.5	2000	860	Am	40611	1999	880	R (as ad by Sec. 17, Stats. 1996, Ch. 1126)
35401.7	1999	911	Ad & R <sup>5</sup>				Am (as am by Sec. 16, Stats. 1996, Ch. 1126) <sup>13</sup>
	2001	413	Am <sup>19</sup>				
35401.8	2002	442	Ad <sup>98</sup> R <sup>100</sup>				
35402	1999	181	Am				
	2000	860	Am	40802	1999	1008	Am
35555	2001	497 *	Am		2000	521	Am
35559	2001	504	R	41501	1999	1008	Am
35581	2001	745 *	Am	41600	2002	105	Am
35655.5	2000	212	Ad	41601.5	2002	105	Ad
35700.5	2002	229	Am <sup>13</sup>	41602	2002	105	Am
35780.3	2000	566	Am	41603	2002	105	Am
35790.1	2000	135	Am <sup>203</sup>	42001	1999	841	Am
36010	2000	861 *	Am		2000	833	Am
36109	2000	861 *	Am	42001.1	1999	724	Am
38001	2002	563	Am	42001.16	1999	841	Ad
38007	2002	563	Am	42001.17	2000	833	Ad
38010	1999	1008	Am	42001.18	2000	833	Ad
38026	2002	563	Am	42001.6	2002	640	Ad
38225	2001	227	Am (as am by Sec. 6, Stats. 1996, Ch. 202) <sup>75</sup>	42003	2002	784	Am <sup>490</sup>
			Am (as am by Sec. 7, Stats. 1996, Ch. 202) <sup>100</sup>	42005	1999	724	Am
	2002	563	Am	42007	1999	679	Am
38231.5	2002	563	Am	42007.4	1999	841	Ad
38240	2002	563	Am	42008	2002	784	Am <sup>490</sup>
38240.1	2002	563	R	42008.5	2002	784	Am <sup>490</sup>
38246	1999	1008	Am	42010	1999	169 *	Am <sup>19</sup>
38286	2002	563	Am	42011	2002	590	Ad & R <sup>75</sup>
38370	2002	563	Am	42030.1	2000	861 *	Ad
39004	1999	277	Am	42203	2002	784	Am <sup>490</sup>
				42204	2002	563	Am
				42205	1999	85	Am
				42232	2000	787	Am
				42271.5	1999	85	Ad & R <sup>27</sup>

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**WATER 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>
128	2002	461	Am	8610	2001	745*	Am
138.9	2001	7	Ad	9368	2002	221	Am
175.5	2002	420	Am	9386	2002	221	Am
186	2002	396*	Am	10004	1999	210	Am
200	1X 2001-02	3*	Ad <sup>296</sup>		2000	720	Am
232	2001	745*	R	10004.5	1999	210	Ad
1003.5	2002	652	R		2000	720	Am
1011	1999	938	Am	10004.6	2000	720	Ad
1013	2002	617	Am	10010	2001	745*	R
1014	1999	938	Ad	10013	2001	320	Ad
1015	1999	938	Ad		2002	664	Am <sup>431</sup>
1016	1999	938	Ad	10530	2002	767	Ad
1017	1999	938	Ad	10531	2002	767	Ad
1055	2001	315	Am	10532	2002	767	Ad
	2002	652	Am	10533	2002	767	Ad
1055.2	2001	315	Am	10534	2002	767	Ad
	2002	652	Am	10535	2002	767	Ad
1062	1999	83	Am <sup>30</sup>	10536	2002	767	Ad
1122	2001	315	Am	10537	2002	767	Ad
1126	2001	315	Am	10540	2002	767	Ad
1211	2001	315	Am		2002	949	Ad <sup>507</sup>
Div. 2,				10541	2002	767	Ad
Pt. 2,				10543	2002	767	Ad
Ch. 1,				10545	2002	767	Ad
Art. 2.7,				10546	2002	767	Ad
heading				10610.2	2001	644	Am
(Sec. 1228					2002	664	Am <sup>431</sup>
et seq.)	2000	306	Am	10620	2001	320	Am
1228.1	2000	306	Am	10621	2000	297	Am
1228.2	2000	306	Am	10631	2000	712*	Am
1228.3	2000	306	Am		2001	643	Am (by Sec. 3
1228.5	2000	306	Am				of Ch.)
1228.8	2000	306	Am		2001	644	Am (by Sec. 2.5
1228.9	2000	306	Am				of Ch.)
1232	2002	7	Am		2002	664	Am <sup>431</sup>
1536	2002	652	Am		2002	969*	Am
1701.1	2001	315	Ad	10631.5	2002	321	Ad
1701.2	2001	315	Ad	10633	2002	261	Am
1701.3	2001	315	Ad	10634	2001	644	Ad
1701.4	2001	315	Ad	10642	2000	297	Am
1703.1	2001	315	Ad	10644	2000	297	Am
1703.2	2001	315	Ad	10656	2001	643	Am
1703.3	2001	315	Ad	10657	2001	643	Ad & R <sup>43</sup>
1703.4	2001	315	Ad	10750	2000	708	Am
1703.5	2001	315	Ad	10752	1999	779*	Am
1703.6	2001	315	Ad	10753.1	2002	603	Ad
1704	2001	315	Am	10753.10	2002	603	Ad(RN)
1707	1999	938	Am	10753.4	2002	603	Am
1726	1999	938	R & Ad	10753.7	2002	603	Am & RN & Ad
1727	1999	938	R & Ad	10753.8	2002	603	Am & RN
1728	1999	938	Am				& Ad(RN)
1732	1999	938	R & Ad	10753.9	2002	603	Am & RN
1812.6	1999	725*	Ad & R <sup>24</sup>				& Ad(RN)
1825	2002	652	Am	10756	2001	745*	R
1831	2002	652	Am	10780	2001	522	Ad
1832	2002	652	Am	10781	2001	522	Ad
1833	2002	652	R	10782	2001	522	Ad
1834	2002	652	Am	10782.3	2001	522	Ad
1845	2002	652	Am	10795	2000	708	Ad
1850	2002	652	Am	10795.10	2000	708	Ad
7048	2002	956	Am	10795.12	2000	708	Ad

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

## WATER 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>
10795.14	2000	708	Ad	12939	2001	745*	Am
10795.16	2000	708	Ad	12944.7	2001	929	Am
10795.19	2000	708	Ad	12949.6	2002	957	Ad <sup>37</sup>
10795.2	2000	708	Ad	12994	2002	461	Am
10795.20	2000	708	Ad	13176	2000	727	Am
10795.4	2000	708	Ad	13177.5	2000	144*	Ad
	2002	603	Am	13177.6	2000	144*	Ad
10795.6	2000	708	Ad	13178	1999	488	Ad
10795.8	2000	708	Ad		2000	727	Am
10910	2001	643	Am	13191	1999	495	Ad
10911	2001	643	Am	13191.3	2002	20*	Ad
10912	2001	643	Am	13192	1999	495	Ad
10913	2001	643	R	13193	2001	498	Ad
10915	2001	643	Am	13195	2000	727	Ad
11156	2001	745*	R	13196	2000	727	Ad
11912	2001	745*	Am	13197.5	2000	727	Ad
	2002	664	Am <sup>431</sup>	13198	2000	727	Ad
12260	1999	779*	S <sup>5</sup>	13207	2002	420	Am
12261	1999	779*	S <sup>5</sup>	13228.14	2002	420	Ad
12262	1999	779*	S <sup>5</sup>	13228.15	2002	420	Ad
12263	1999	779*	S <sup>5</sup>	13246	2002	20*	Am
12264	1999	779*	S <sup>5</sup>	13260	2002	1124*	Am
12265	1999	779*	S <sup>5</sup>	13261	2001	869	Am
12266	1999	779*	S <sup>5</sup>	13262	2001	869	Am
12267	1999	779*	S <sup>5</sup>	13263.3	1999	92	Ad
12268	1999	779*	S <sup>5</sup>		1999	93	Ad <sup>40</sup>
12269	1999	779*	S <sup>5</sup>		2000	807	Am
12270	1999	779*	S <sup>5</sup>	13263.6	1999	92	Ad
12271	1999	779*	S <sup>5</sup>		1999	93	Ad <sup>40</sup>
12272	1999	779*	S <sup>5</sup>	13267	2001	869	Am
12273	1999	779*	Am <sup>5</sup>	13269	1999	686	Am
12308	2001	745*	R		2002	999	Am
12310	1999	779*	Am	13271	2001	498	Am
12582.7	2000	1071	Ad	13273	2000	343	Am
12585.10	2001	606*	Ad	13285	2002	999	Am
12585.7	2000	1071	R & Ad	13286	2001	700	Ad
12585.8	2000	1071	Ad	13286.9	2002	1019*	Ad
12585.9	2000	1071	Ad	13290	2000	781	Ad
12643	2000	1071	Ad	13291	2000	781	Ad
12657	2000	1071	Am	13291.5	2000	781	Ad
12661.2	2000	1071	Ad	13291.7	2000	781	Ad
12670.14	2000	1071	Ad	13292	2002	604	Ad
12670.16	2000	1071	Ad	13301	2002	420	Am
12670.20	2000	1071	Ad	13302	2002	420	R
12670.7	2000	1071	Ad	13304	2001	332	Am
12670.8	2000	1071	Ad	13304.1	2001	332	Ad
12684.2	2000	1071	Ad	13307.1	2002	592	Am
12684.4	2000	1071	Ad	13320	2002	324	Am
12684.6	2000	1071	Ad	13321	2002	324	Am
12684.8	2000	1071	Ad	13323	2001	869	Am
12706.3	2000	1071	Ad		2002	420	Am
12721.5	2000	1071	Ad		2002	999	Am
12721.7	2000	1071	Ad	13327	1999	779*	Am
12721.8	2000	1071	Ad		2001	869	Am
12749.95	2001	637	Ad	13328	2002	420	Am
12830	2001	745*	Am	13350	1999	686	Am
12875	2001	745*	Am		2001	869	Am
12879.5	2001	745*	Am	13351	2001	869	Am
12890.4	2001	745*	Am	13362	1999	92	Ad
12928.5	2001	745*	R		1999	93	Ad <sup>40</sup>
12929.47	2001	745*	R	13365	2002	999	Am

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

**WATER 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>
13366	2001	469	Ad & R <sup>19</sup>	24253	2001	606*	Ad
13367	2001	469	Ad & R <sup>19</sup>	30061	2002	221	R
13369	1999	560	Ad	30230	2002	221	Am
13383.5	2001	492	Ad	30500.3	2001	176	Ad
13385	1999	92	Am	30547	1999	853	Am <sup>144</sup>
	1999	93	Am	30778	2002	221	Am
	2000	807	Am	31013.5	1999	166	Ad
	2001	869	Am	31133	2002	221	Am
	2002	995	Am (by Sec. 1 of Ch.)	31149.7	2002	848	Ad
	2002	1019*	Am (by Sec. 2 of Ch.) <sup>334</sup>	31304.5	2001	606*	Ad
			Am (by Sec. 3 of Ch.) <sup>34</sup>	31483	1999	779*	Am <sup>20</sup>
13387	2001	869	Am	31633	2001	929	Am
13391.5	2002	999	Am	34053	2002	221	Am
13396.9	2002	291	Am	35005	2002	221	Am
13397.5	2000	727	Am	35048	2002	221	Am
13399	2000	727	S <sup>57</sup>	35049	2002	221	Am
13399.1	2000	727	S <sup>57</sup>	35050	2002	221	Am
13399.2	2000	727	S <sup>57</sup>	35051	2002	221	Am
13399.3	2000	727	Am <sup>13</sup>	35052	2002	221	Am
13443	2001	869	Am	35053	2002	221	Am
13467	2001	745*	R	35260	2002	400	R
13480	1999	725*	Am	35261	2002	400	R
13540	2002	317	Am	35262	2002	400	R
13578	2001	590	Ad	35263	2002	400	R
13580.5	1999	173	Am	35264	2002	400	R
13580.7	1999	173	Am	35265	2002	400	R
13625	2002	422	Am	35266	2002	400	R
13625.1	2002	422	Ad	35267	2002	400	R
13627	2002	422	Am	35268	2002	400	R
13627.1	2001	869	Am	35269	2002	400	R
13627.2	2001	869	Am & RN & Ad	35470.5	1999	779*	Am
13627.3	2001	869	Am & RN & Ad(RN)	35539.10	2001	209	Ad
13627.4	2001	869	Ad(RN)	35539.12	2001	209	Ad
	2002	664	Am <sup>431</sup>	35539.14	2001	209	Ad
13627.5	2002	422	Ad	35539.16	2001	209	Ad
13630	2002	422	Am	36424.1	2000	25*	Ad
13752	1999	812	Am	37207.1	2000	25*	Ad
13952.1	2000	391*	Ad	39034	1999	779*	Ad
14014	2001	745*	R	39035	1999	779*	Ad
14058	1999	725*	Am <sup>123</sup>	41303	2002	221	Am
14919	2001	745*	R	41307	1999	779*	Am
20527.12	2000	1078	Ad <sup>273</sup>	45274	2002	221	Am
20527.13	2000	1078	Ad <sup>273</sup>	45275	2002	221	Am
	2001	606*	Am	45276	2002	221	Am
20740	2002	221	Am	46796	1999	779*	Ad
20804	2000	1042	Am	46797	1999	779*	Ad
20805	2000	1042	Am	50731.5	2002	454	Am
20911	2002	221	Am	50731.6	2002	454	Am
21100	2000	1041	Am	50752	2002	221	Am
22651.5	2000	146*	Ad	50805	2002	221	Am
22762	2002	617	Ad	50816	2002	221	Am
22970.10	2002	221	Am	50817	2002	221	Am
22970.20	2002	221	Am	50954	2002	221	Am
22970.25	2002	221	Am	55339	2000	722	Ad
24252.1	2002	846	Ad	60049	2002	221	R
				60080	2002	221	Am
				60082	2002	221	Am
				60083	2002	221	Am
				60085	2002	221	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>
60167	2001	829	Ad	73505	2002	841	Ad <sup>464</sup>
60211	2002	221	Am				R <sup>465</sup>
60212	2002	221	Am	73506	2002	841	Ad <sup>464</sup>
60213	2002	221	Am				R <sup>465</sup>
60230.5	2000	894	Ad	73508	2002	841	Ad <sup>464</sup>
60231	2000	894	Am				R <sup>465</sup>
60233.5	2000	888	Ad & R <sup>20</sup>	73510	2002	841	Ad <sup>464</sup>
	2002	941	Am <sup>18</sup>				R <sup>465</sup>
60290	2000	894	Ad	73511	2002	841	Ad <sup>464</sup>
60291	2000	894	Ad				R <sup>465</sup>
60292	2000	894	Ad	73512	2002	841	Ad <sup>464</sup>
60315	2000	894	Am				R <sup>465</sup>
60316	2000	894	Am	73513	2002	841	Ad <sup>464</sup>
60318	2000	727	Am				R <sup>465</sup>
60328.1	2000	894	Ad	73513.5	2002	841	Ad <sup>464</sup>
60430	2002	221	Am				R <sup>465</sup>
60431	2002	221	Am	73514	2002	841	Ad <sup>464</sup>
60434	2002	221	Am				R <sup>465</sup>
60440	2002	221	Am	74570.5	2001	606*	Ad
60600	2000	888	Ad	75480	2002	318	Ad
60602	2000	888	Ad	75480.5	2002	318	Ad
	2001	829	Am	75481	2002	318	Ad
60604	2000	888	Ad	75481.5	2002	318	Ad
60606	2000	888	Ad	78621	1999	725*	Am <sup>123</sup>
60608	2000	888	Ad	78626	1999	725*	R & Ad <sup>123</sup>
60610	2000	888	Ad	78648.12	1999	725*	R & Ad <sup>123</sup>
60612	2000	888	Ad		2000	1078	Am
60614	2000	888	Ad	78675	1999	725*	R & Ad <sup>123</sup>
	2001	829	Am	79000	1999	725*	Ad <sup>123</sup>
60616	2000	888	Ad	79005	1999	725*	Ad <sup>123</sup>
60618	2000	888	Ad	79006	1999	725*	Ad <sup>123</sup>
60620	2000	888	Ad	79007	1999	725*	Ad <sup>123</sup>
60622	2000	888	Ad	79008	1999	725*	Ad <sup>123</sup>
70033	2002	221	Am	79009	1999	725*	Ad <sup>123</sup>
70041	2002	221	Am	79010	1999	725*	Ad <sup>123</sup>
71031	2002	221	R	79011	1999	725*	Ad <sup>123</sup>
71120	2002	221	Am	79012	1999	725*	Ad <sup>123</sup>
71125	2002	221	Am	79013	1999	725*	Ad <sup>123</sup>
71126	2002	221	Am	79019	1999	725*	Ad <sup>123</sup>
71127	2002	221	Am	79020	1999	725*	Ad <sup>123</sup>
71128	2002	221	Am	79021	1999	725*	Ad <sup>123</sup>
71129	2002	221	Am	79022	1999	725*	Ad <sup>123</sup>
71130	2002	221	Am	79022.5	1999	725*	Ad <sup>123</sup>
71132	2002	221	Am	79022.7	1999	725*	Ad <sup>123</sup>
71133	2002	221	Am		2000	1078	Am
71135	2002	221	R	79023	1999	725*	Ad <sup>123</sup>
71461	2002	221	Am	79024	1999	725*	Ad <sup>123</sup>
71463	2002	221	Am	79025	1999	725*	Ad <sup>123</sup>
71631.7	1999	779*	Am <sup>18</sup>	79026	1999	725*	Ad <sup>123</sup>
71663.5	2002	848	Ad	79030	1999	725*	Ad <sup>123</sup>
71697	2000	129*	Am	79031	1999	725*	Ad <sup>123</sup>
73500	2002	841	Ad <sup>464</sup>	79033	1999	725*	Ad <sup>123</sup>
			R <sup>465</sup>	79033.2	1999	725*	Ad <sup>123</sup>
73501	2002	841	Ad <sup>464</sup>	79033.4	1999	725*	Ad <sup>123</sup>
			R <sup>465</sup>	79033.6	1999	725*	Ad <sup>123</sup>
73502	2002	841	Ad <sup>464</sup>	79035	1999	725*	Ad <sup>123</sup>
			R <sup>465</sup>	79036	1999	725*	Ad <sup>123</sup>
73503	2002	841	Ad <sup>464</sup>	79037	1999	725*	Ad <sup>123</sup>
			R <sup>465</sup>	79038	1999	725*	Ad <sup>123</sup>
73504	2002	841	Ad <sup>464</sup>	79039	1999	725*	Ad <sup>123</sup>
			R <sup>465</sup>	79040	1999	725*	Ad <sup>123</sup>

**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>
79041	1999	725 *	Ad <sup>123</sup>	79081	1999	725 *	Ad <sup>123</sup>
79042	1999	725 *	Ad <sup>123</sup>	79082	1999	725 *	Ad <sup>123</sup>
79043	1999	725 *	Ad <sup>123</sup>	79083	1999	725 *	Ad <sup>123</sup>
79044	1999	725 *	Ad <sup>123</sup>	79084	1999	725 *	Ad <sup>123</sup>
79044.5	1999	725 *	Ad <sup>123</sup>	79085	1999	725 *	Ad <sup>123</sup>
79044.6	1999	725 *	Ad <sup>123</sup>	79085.5	1999	725 *	Ad <sup>123</sup>
	2000	1078	Am	79086	1999	725 *	Ad <sup>123</sup>
79044.7	1999	725 *	Ad <sup>123</sup>	79087	1999	725 *	Ad <sup>123</sup>
79044.9	1999	725 *	Ad <sup>123</sup>	79088	1999	725 *	Ad <sup>123</sup>
79045	1999	725 *	Ad <sup>123</sup>	79090	1999	725 *	Ad <sup>123</sup>
79046	1999	725 *	Ad <sup>123</sup>	79091	1999	725 *	Ad <sup>123</sup>
79047	1999	725 *	Ad <sup>123</sup>	79092	1999	725 *	Ad <sup>123</sup>
79048	1999	725 *	Ad <sup>123</sup>		2001	606 *	Am
79049	1999	725 *	Ad <sup>123</sup>	79093	1999	725 *	Ad <sup>123</sup>
79050	1999	725 *	Ad <sup>123</sup>	79094	1999	725 *	Ad <sup>123</sup>
79051	1999	725 *	Ad <sup>123</sup>	79100	1999	725 *	Ad <sup>123</sup>
79052	1999	725 *	Ad <sup>123</sup>	79101	1999	725 *	Ad <sup>123</sup>
79055	1999	725 *	Ad <sup>123</sup>	79102	1999	725 *	Ad <sup>123</sup>
79056	1999	725 *	Ad <sup>123</sup>	79103	1999	725 *	Ad <sup>123</sup>
79057	1999	725 *	Ad <sup>123</sup>	79103.2	1999	725 *	Ad <sup>123</sup>
79060	1999	725 *	Ad <sup>123</sup>	79103.4	1999	725 *	Ad <sup>123</sup>
79061	1999	725 *	Ad <sup>123</sup>	79104	1999	725 *	Ad <sup>123</sup>
79062	1999	725 *	Ad <sup>123</sup>	79104.100	1999	725 *	Ad <sup>123</sup>
79062.5	1999	725 *	Ad <sup>123</sup>	79104.102	1999	725 *	Ad <sup>123</sup>
79065	1999	725 *	Ad <sup>123</sup>	79104.104	1999	725 *	Ad <sup>123</sup>
79065.2	1999	725 *	Ad <sup>123</sup>	79104.106	1999	725 *	Ad <sup>123</sup>
79065.4	1999	725 *	Ad <sup>123</sup>	79104.108	1999	725 *	Ad <sup>123</sup>
79065.6	1999	725 *	Ad <sup>123</sup>	79104.110	1999	725 *	Ad <sup>123</sup>
79065.8	1999	725 *	Ad <sup>123</sup>	79104.114	1999	725 *	Ad <sup>123</sup>
79067	1999	725 *	Ad <sup>123</sup>	79104.20	1999	725 *	Ad <sup>123</sup>
79067.2	1999	725 *	Ad <sup>123</sup>	79104.200	1999	725 *	Ad <sup>123</sup>
79067.4	1999	725 *	Ad <sup>123</sup>	79104.202	1999	725 *	Ad <sup>123</sup>
79068	1999	725 *	Ad <sup>123</sup>	79104.204	1999	725 *	Ad <sup>123</sup>
79068.10	1999	725 *	Ad <sup>123</sup>	79104.206	1999	725 *	Ad <sup>123</sup>
79068.12	1999	725 *	Ad <sup>123</sup>	79104.22	1999	725 *	Ad <sup>123</sup>
79068.14	1999	725 *	Ad <sup>123</sup>	79104.24	1999	725 *	Ad <sup>123</sup>
79068.16	1999	725 *	Ad <sup>123</sup>	79104.26	1999	725 *	Ad <sup>123</sup>
79068.18	1999	725 *	Ad <sup>123</sup>	79104.30	1999	725 *	Ad <sup>123</sup>
79068.2	1999	725 *	Ad <sup>123</sup>	79104.32	1999	725 *	Ad <sup>123</sup>
79068.20	1999	725 *	Ad <sup>123</sup>	79104.34	1999	725 *	Ad <sup>123</sup>
	2000	1078	Am	79105	1999	725 *	Ad <sup>123</sup>
79068.4	1999	725 *	Ad <sup>123</sup>	79106	1999	725 *	Ad <sup>123</sup>
79068.6	1999	725 *	Ad <sup>123</sup>		2000	1078	Am
79068.8	1999	725 *	Ad <sup>123</sup>	79110	1999	725 *	Ad <sup>123</sup>
79069	1999	725 *	Ad <sup>123</sup>	79111	1999	725 *	Ad <sup>123</sup>
	2000	1078	Am	79112	1999	725 *	Ad <sup>123</sup>
79069.10	1999	725 *	Ad <sup>123</sup>	79113	1999	725 *	Ad <sup>123</sup>
79069.12	1999	725 *	Ad <sup>123</sup>	79114	1999	725 *	Ad <sup>123</sup>
79069.2	1999	725 *	Ad <sup>123</sup>	79114.2	1999	725 *	Ad <sup>123</sup>
79069.4	1999	725 *	Ad <sup>123</sup>	79114.3	1999	725 *	Ad <sup>123</sup>
79069.6	1999	725 *	Ad <sup>123</sup>	79114.5	1999	725 *	Ad <sup>123</sup>
79069.8	1999	725 *	Ad <sup>123</sup>	79115	1999	725 *	Ad <sup>123</sup>
79070	1999	725 *	Ad <sup>123</sup>	79116	1999	725 *	Ad <sup>123</sup>
79071	1999	725 *	Ad <sup>123</sup>	79117	1999	725 *	Ad <sup>123</sup>
79075	1999	725 *	Ad <sup>123</sup>	79120	1999	725 *	Ad <sup>123</sup>
79076	1999	725 *	Ad <sup>123</sup>	79121	1999	725 *	Ad <sup>123</sup>
79077	1999	725 *	Ad <sup>123</sup>	79122	1999	725 *	Ad <sup>123</sup>
79078	1999	725 *	Ad <sup>123</sup>		2000	1078	Am
79079	1999	725 *	Ad <sup>123</sup>	79122.2	1999	725 *	Ad <sup>123</sup>
79079.5	1999	725 *	Ad <sup>123</sup>	79122.4	1999	725 *	Ad <sup>123</sup>
79080	1999	725 *	Ad <sup>123</sup>	79123	1999	725 *	Ad <sup>123</sup>

**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>
79124	1999	725 *	Ad <sup>123</sup>	79154	1999	725 *	Ad <sup>123</sup>
79125	1999	725 *	Ad <sup>123</sup>	79155	1999	725 *	Ad <sup>123</sup>
79126	1999	725 *	Ad <sup>123</sup>	79155.5	1999	725 *	Ad <sup>123</sup>
79127	1999	725 *	Ad <sup>123</sup>	79156	1999	725 *	Ad <sup>123</sup>
	2000	1078	Am	79157	1999	725 *	Ad <sup>123</sup>
79128	1999	725 *	Ad <sup>123</sup>	79158	1999	725 *	Ad <sup>123</sup>
	2000	1078	Am	79161	1999	725 *	Ad <sup>123</sup>
79128.5	1999	725 *	Ad <sup>123</sup>	79161.5	1999	725 *	Ad <sup>123</sup>
	2000	1078	Am	79162	1999	725 *	Ad <sup>123</sup>
79129	1999	725 *	Ad <sup>123</sup>	79162.2	1999	725 *	Ad <sup>123</sup>
79130	1999	725 *	Ad <sup>123</sup>	79162.4	1999	725 *	Ad <sup>123</sup>
79131	1999	725 *	Ad <sup>123</sup>	79163	1999	725 *	Ad <sup>123</sup>
79132	1999	725 *	Ad <sup>123</sup>	79164	1999	725 *	Ad <sup>123</sup>
79133	1999	725 *	Ad <sup>123</sup>	79165	1999	725 *	Ad <sup>123</sup>
	2000	1078	Am	79166	1999	725 *	Ad <sup>123</sup>
79135	1999	725 *	Ad <sup>123</sup>	79170	1999	725 *	Ad <sup>123</sup>
79136	1999	725 *	Ad <sup>123</sup>	79171	1999	725 *	Ad <sup>123</sup>
79137	1999	725 *	Ad <sup>123</sup>		2000	1078	Am
79138	1999	725 *	Ad <sup>123</sup>	79172	1999	725 *	Ad <sup>123</sup>
79139	1999	725 *	Ad <sup>123</sup>	79173	1999	725 *	Ad <sup>123</sup>
79140	1999	725 *	Ad <sup>123</sup>	79174	1999	725 *	Ad <sup>123</sup>
	2000	1078	Am	79175	1999	725 *	Ad <sup>123</sup>
79141	1999	725 *	Ad <sup>123</sup>	79176	1999	725 *	Ad <sup>123</sup>
79142	1999	725 *	Ad <sup>123</sup>	79177	1999	725 *	Ad <sup>123</sup>
79142.2	1999	725 *	Ad <sup>123</sup>	79178	1999	725 *	Ad <sup>123</sup>
79142.4	1999	725 *	Ad <sup>123</sup>	79179	1999	725 *	Ad <sup>123</sup>
79142.6	1999	725 *	Ad <sup>123</sup>	79180	1999	725 *	Ad <sup>123</sup>
79142.8	1999	725 *	Ad <sup>123</sup>	79181	1999	725 *	Ad <sup>123</sup>
79143	1999	725 *	Ad <sup>123</sup>	79182	1999	725 *	Ad <sup>123</sup>
79144	1999	725 *	Ad <sup>123</sup>	79183	1999	725 *	Ad <sup>123</sup>
79145	1999	725 *	Ad <sup>123</sup>	79190	1999	725 *	Ad <sup>123</sup>
79146	1999	725 *	Ad <sup>123</sup>	79191	1999	725 *	Ad <sup>123</sup>
79147	1999	725 *	Ad <sup>123</sup>	79192	1999	725 *	Ad <sup>123</sup>
79148	1999	725 *	Ad <sup>123</sup>	79193	1999	725 *	Ad <sup>123</sup>
	2000	1078	Am	79194	1999	725 *	Ad <sup>123</sup>
79148.10	1999	725 *	Ad <sup>123</sup>	79195	1999	725 *	Ad <sup>123</sup>
79148.12	1999	725 *	Ad <sup>123</sup>	79196	1999	725 *	Ad <sup>123</sup>
79148.14	1999	725 *	Ad <sup>123</sup>	79196.5	1999	725 *	Ad <sup>123</sup>
79148.15	1999	725 *	Ad <sup>123</sup>		2000	1078	Am
79148.16	1999	725 *	Ad <sup>123</sup>	79197	1999	725 *	Ad <sup>123</sup>
79148.2	1999	725 *	Ad <sup>123</sup>	79198	1999	725 *	Ad <sup>123</sup>
79148.4	1999	725 *	Ad <sup>123</sup>	79199	1999	725 *	Ad <sup>123</sup>
79148.6	1999	725 *	Ad <sup>123</sup>	79200	1999	725 *	Ad <sup>123</sup>
79148.7	1999	725 *	Ad <sup>123</sup>	79201	1999	725 *	Ad <sup>123</sup>
79148.8	1999	725 *	Ad <sup>123</sup>	79201.5	1999	725 *	Ad <sup>123</sup>
	2000	1078	Am	79202	1999	725 *	Ad <sup>123</sup>
79149	1999	725 *	Ad <sup>123</sup>	79203	1999	725 *	Ad <sup>123</sup>
79149.10	1999	725 *	Ad <sup>123</sup>	79205.10	1999	725 *	Ad <sup>123</sup>
79149.12	1999	725 *	Ad <sup>123</sup>	79205.12	1999	725 *	Ad <sup>123</sup>
79149.14	1999	725 *	Ad <sup>123</sup>	79205.14	1999	725 *	Ad <sup>123</sup>
79149.16	1999	725 *	Ad <sup>123</sup>	79205.16	1999	725 *	Ad <sup>123</sup>
79149.2	1999	725 *	Ad <sup>123</sup>	79205.2	1999	725 *	Ad <sup>123</sup>
79149.3	1999	725 *	Ad <sup>123</sup>	79205.4	1999	725 *	Ad <sup>123</sup>
79149.4	1999	725 *	Ad <sup>123</sup>	79205.6	1999	725 *	Ad <sup>123</sup>
79149.6	1999	725 *	Ad <sup>123</sup>	79205.8	1999	725 *	Ad <sup>123</sup>
79149.8	1999	725 *	Ad <sup>123</sup>	79210	1999	725 *	Ad <sup>123</sup>
79150	1999	725 *	Ad <sup>123</sup>	79211	1999	725 *	Ad <sup>123</sup>
79151	1999	725 *	Ad <sup>123</sup>	79212	1999	725 *	Ad <sup>123</sup>
79152	1999	725 *	Ad <sup>123</sup>	79213	1999	725 *	Ad <sup>123</sup>
79153	1999	725 *	Ad <sup>123</sup>	79214	1999	725 *	Ad <sup>123</sup>

**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>
79215	1999	725 *	Ad <sup>123</sup>	79503	2002		
79216	1999	725 *	Ad <sup>123</sup>		Initiative		
79217	1999	725 *	Ad <sup>123</sup>		(Prop. 50		
79218	1999	725 *	Ad <sup>123</sup>		adopted		
79219	1999	725 *	Ad <sup>123</sup>		Nov. 5, 2002)		Ad
79220	1999	725 *	Ad <sup>123</sup>	79504	2002		
79221	1999	725 *	Ad <sup>123</sup>		Initiative		
79400	2002	812	Ad & R <sup>493</sup>		(Prop. 50		
79401	2002	812	Ad & R <sup>493</sup>		adopted		
79402	2002	812	Ad & R <sup>493</sup>		Nov. 5, 2002)		Ad
79403.5	2002	812	Ad & R <sup>493</sup>	79505	2002		
79404	2002	812	Ad & R <sup>493</sup>		Initiative		
79405	2002	812	Ad & R <sup>493</sup>		(Prop. 50		
79406	2002	812	Ad & R <sup>493</sup>		adopted		
79407	2002	812	Ad & R <sup>493</sup>		Nov. 5, 2002)		Ad
79410	2002	812	Ad & R <sup>493</sup>	79506	2002		
79412	2002	812	Ad & R <sup>493</sup>		Initiative		
79413	2002	812	Ad & R <sup>493</sup>		(Prop. 50		
79414	2002	812	Ad & R <sup>493</sup>		adopted		
79415	2002	812	Ad & R <sup>493</sup>		Nov. 5, 2002)		Ad
79420	2002	812	Ad & R <sup>493</sup>	79507	2002		
	2002	955	Ad <sup>528</sup>		Initiative		
79421	2002	812	Ad & R <sup>493</sup>		(Prop. 50		
79422	2002	812	Ad & R <sup>493</sup>		adopted		
79423	2002	812	Ad & R <sup>493</sup>		Nov. 5, 2002)		Ad
	2002	955	Ad <sup>528</sup>	79508	2002		
79430	2002	812	Ad & R <sup>493</sup>		Initiative		
79431	2002	812	Ad & R <sup>493</sup>		(Prop. 50		
79432	2002	812	Ad & R <sup>493</sup>		adopted		
79440	2002	812	Ad & R <sup>493</sup>		Nov. 5, 2002)		Ad
79441	2002	812	Ad & R <sup>493</sup>	79509	2002		
79450	2002	812	Ad & R <sup>493</sup>		Initiative		
79451	2002	812	Ad & R <sup>493</sup>		(Prop. 50		
79452	2002	812	Ad & R <sup>493</sup>		adopted		
79453	2002	812	Ad & R <sup>493</sup>		Nov. 5, 2002)		Ad
	2002	955	Ad <sup>528</sup>	79510	2002		
79454	2002	812	Ad & R <sup>493</sup>		Initiative		
79455	2002	812	Ad & R <sup>493</sup>		(Prop. 50		
	2002	955	Ad <sup>528</sup>		adopted		
79456	2002	812	Ad & R <sup>493</sup>		Nov. 5, 2002)		Ad
79460	2002	812	Ad & R <sup>493</sup>	79511	2002		
79470	2002	812	Ad & R <sup>493</sup>		Initiative		
79471	2002	812	Ad & R <sup>493</sup>		(Prop. 50		
79475	2002	812	Ad & R <sup>493</sup>		adopted		
79476	2002	812	Ad & R <sup>493</sup>		Nov. 5, 2002)		Ad
79500	2002			79512	2002		
	Initiative				Initiative		
	(Prop. 50				(Prop. 50		
	adopted				adopted		
	Nov. 5, 2002)		Ad		Nov. 5, 2002)		Ad
79501	2002			79520	2002		
	Initiative				Initiative		
	(Prop. 50				(Prop. 50		
	adopted				adopted		
	Nov. 5, 2002)		Ad		Nov. 5, 2002)		Ad
79502	2002			79521	2002		
	Initiative				Initiative		
	(Prop. 50				(Prop. 50		
	adopted				adopted		
	Nov. 5, 2002)		Ad		Nov. 5, 2002)		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>	
79530	2002			79553	2002		
	Initiative				Initiative		
	(Prop. 50				(Prop. 50		
	adopted				adopted		
	Nov. 5, 2002)		Ad		Nov. 5, 2002)		Ad
79531	2002			79554	2002		
	Initiative				Initiative		
	(Prop. 50				(Prop. 50		
	adopted				adopted		
	Nov. 5, 2002)		Ad		Nov. 5, 2002)		Ad
79540	2002			79560	2002		
	Initiative				Initiative		
	(Prop. 50				(Prop. 50		
	adopted				adopted		
	Nov. 5, 2002)		Ad		Nov. 5, 2002)		Ad
79541	2002			79560.1	2002	618	Ad <sup>443</sup>
	Initiative			79561	2002		
	(Prop. 50				Initiative		
	adopted				(Prop. 50		
	Nov. 5, 2002)		Ad		adopted		
79542	2002				Nov. 5, 2002)		Ad
	Initiative			79562	2002		
	(Prop. 50				Initiative		
	adopted				(Prop. 50		
	Nov. 5, 2002)		Ad		adopted		
79543	2002				Nov. 5, 2002)		Ad
	Initiative			79563	2002		
	(Prop. 50				Initiative		
	adopted				(Prop. 50		
	Nov. 5, 2002)		Ad		adopted		
79544	2002				Nov. 5, 2002)		Ad
	Initiative			79564	2002		
	(Prop. 50				Initiative		
	adopted				(Prop. 50		
	Nov. 5, 2002)		Ad		adopted		
79545	2002				Nov. 5, 2002)		Ad
	Initiative			79565	2002		
	(Prop. 50				Initiative		
	adopted				(Prop. 50		
	Nov. 5, 2002)		Ad		adopted		
79546	2002				Nov. 5, 2002)		Ad
	Initiative			79567	2002		
	(Prop. 50				Initiative		
	adopted				(Prop. 50		
	Nov. 5, 2002)		Ad		adopted		
79550	2002				Nov. 5, 2002)		Ad
	Initiative			79568	2002		
	(Prop. 50				Initiative		
	adopted				(Prop. 50		
	Nov. 5, 2002)		Ad		adopted		
79551	2002				Nov. 5, 2002)		Ad
	Initiative			79570	2002		
	(Prop. 50				Initiative		
	adopted				(Prop. 50		
	Nov. 5, 2002)		Ad		adopted		
79552	2002				Nov. 5, 2002)		Ad
	Initiative			79571	2002		
	(Prop. 50				Initiative		
	adopted				(Prop. 50		
	Nov. 5, 2002)		Ad		adopted		
	Nov. 5, 2002)		Ad		Nov. 5, 2002)		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>
79572	2002			80002	1X 2001–02	4*	Ad
	Initiative			80002.5	1X 2001–02	4*	Ad
	(Prop. 50			80003	1X 2001–02	4*	Ad
	adopted			80004	1X 2001–02	4*	Ad
	Nov. 5, 2002)		Ad	80010	1X 2001–02	4*	Ad
79573	2002			80012	1X 2001–02	4*	Ad
	Initiative			80014	1X 2001–02	4*	Ad
	(Prop. 50			80016	1X 2001–02	4*	Ad
	adopted			80100	1X 2001–02	4*	Ad
	Nov. 5, 2002)		Ad	80102	1X 2001–02	4*	Ad
79580	2002			80104	1X 2001–02	4*	Ad
	Initiative			80106	1X 2001–02	4*	Ad
	(Prop. 50				1X 2001–02	9	Am
	adopted			80108	1X 2001–02	4*	Ad
	Nov. 5, 2002)		Ad	80110	1X 2001–02	4*	Ad
79581	2002			80112	1X 2001–02	4*	Ad
	Initiative			80114	1X 2001–02	4*	Ad
	(Prop. 50				1X 2001–02	9	R (as ad by
	adopted						Stats. 2001,
	Nov. 5, 2002)		Ad				Ch. 4)
79582	2002			80116	1X 2001–02	4*	Ad
	Initiative			80120	1X 2001–02	4*	Ad
	(Prop. 50			80122	1X 2001–02	4*	Ad
	adopted			80130	1X 2001–02	4*	Ad
	Nov. 5, 2002)		Ad		1X 2001–02	9	Am
79583	2002			80132	1X 2001–02	4*	Ad
	Initiative				1X 2001–02	9	Am
	(Prop. 50			80134	1X 2001–02	4*	Ad
	adopted			80200	1X 2001–02	4*	Ad
	Nov. 5, 2002)		Ad		1X 2001–02	9	Am
79584	2002			80250	1X 2001–02	4*	Ad
	Initiative			80260	1X 2001–02	4*	Ad
	(Prop. 50			80270	1X 2001–02	4*	Ad
	adopted			81300	2002	844	Ad
	Nov. 5, 2002)		Ad	81301	2002	844	Ad
79585	2002			81302	2002	844	Ad
	Initiative			81303	2002	844	Ad
	(Prop. 50			81304	2002	844	Ad
	adopted			81305	2002	844	Ad
	Nov. 5, 2002)		Ad	81306	2002	844	Ad
79586	2002			81307	2002	844	Ad
	Initiative			81307.5	2002	844	Ad
	(Prop. 50			81308	2002	844	Ad
	adopted			81309	2002	844	Ad
	Nov. 5, 2002)		Ad	81315	2002	844	Ad
79587	2002			81316	2002	844	Ad
	Initiative			81317	2002	844	Ad
	(Prop. 50			81318	2002	844	Ad
	adopted			81319	2002	844	Ad
	Nov. 5, 2002)		Ad	81325	2002	844	Ad
79588	2002			81325.5	2002	844	Ad
	Initiative			81325.7	2002	844	Ad
	(Prop. 50			81326	2002	844	Ad
	adopted			81327	2002	844	Ad
	Nov. 5, 2002)		Ad	81328	2002	844	Ad
79589	2002			81329	2002	844	Ad
	Initiative			81330	2002	844	Ad
	(Prop. 50			81331	2002	844	Ad
	adopted			81335	2002	844	Ad
	Nov. 5, 2002)		Ad	81336	2002	844	Ad
80000	1X 2001–02	4*	Ad	81336.5	2002	844	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>
81337	2002	844	Ad	81461	2002	844	Ad
81338	2002	844	Ad	81600	2002	849	Ad
81339	2002	844	Ad	81601	2002	849	Ad
81400	2002	844	Ad	81602	2002	849	Ad
81401	2002	844	Ad	81603	2002	849	Ad
81402	2002	844	Ad	81604	2002	849	Ad
81403	2002	844	Ad	81606	2002	849	Ad
81404	2002	844	Ad	81608	2002	849	Ad
81405	2002	844	Ad	81608.5	2002	849	Ad
81406	2002	844	Ad	81609	2002	849	Ad
81407	2002	844	Ad	81610	2002	849	Ad
81408	2002	844	Ad	81615	2002	849	Ad
81409	2002	844	Ad	81628	2002	849	Ad
81410	2002	844	Ad	81629	2002	849	Ad
81415	2002	844	Ad	81630	2002	849	Ad
81416	2002	844	Ad	81631	2002	849	Ad
81417	2002	844	Ad	81632	2002	849	Ad
81418	2002	844	Ad	81633	2002	849	Ad
81419	2002	844	Ad	81634	2002	849	Ad
81420	2002	844	Ad	81635	2002	849	Ad
81421	2002	844	Ad	81636	2002	849	Ad
81422	2002	844	Ad	81637	2002	849	Ad
81425	2002	844	Ad	81640	2002	849	Ad
81426	2002	844	Ad	81641	2002	849	Ad
81427	2002	844	Ad	81642	2002	849	Ad
81428	2002	844	Ad	81643	2002	849	Ad
81429	2002	844	Ad	81645	2002	849	Ad
81430	2002	844	Ad	81646	2002	849	Ad
81431	2002	844	Ad	81647	2002	849	Ad
81432	2002	844	Ad	81648	2002	849	Ad
81433	2002	844	Ad	81649	2002	849	Ad
81434	2002	844	Ad	81650	2002	849	Ad
81435	2002	844	Ad	81651	2002	849	Ad
81440	2002	844	Ad	81652	2002	849	Ad
81441	2002	844	Ad	81653	2002	849	Ad
81442	2002	844	Ad	81654	2002	849	Ad
81445	2002	844	Ad	81655	2002	849	Ad
81446	2002	844	Ad	81656	2002	849	Ad
81447	2002	844	Ad	81658	2002	849	Ad
81448	2002	844	Ad	81660	2002	849	Ad
81449	2002	844	Ad	81661	2002	849	Ad
81450	2002	844	Ad	81662	2002	849	Ad
81451	2002	844	Ad	81670	2002	849	Ad
81452	2002	844	Ad	81671	2002	849	Ad
81455	2002	844	Ad	81671.5	2002	849	Ad
81456	2002	844	Ad	81671.6	2002	849	Ad
81456.5	2002	844	Ad	81671.7	2002	849	Ad
81456.7	2002	844	Ad	81672	2002	849	Ad
81457	2002	844	Ad	81673	2002	849	Ad
81459	2002	844	Ad	81674	2002	849	Ad
81460	2002	844	Ad				

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**WELFARE AND INSTITUTIONS 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>
27	2001	683	Ad		2001	653*	Am
100	2000	447	Am	319.1	1999	892	Am
	2001	824	Am		2001	854	Am
202	1999	997	Am (by Sec. 1 of Ch.)	326	2000	450	R <sup>96</sup>
	2001	830	Am	326.5	2000	450	Ad
213.5	1999	661	Am (by Sec. 13 of Ch.)	335	2002	416	R
	1999	980	Am (by Sec. 19.5 of Ch.)	336	2002	416	R
	2001	572	Am (by Sec. 5 of Ch.)	337	2002	416	R
	2001	713	Am (by Sec. 1.5 of Ch.)	338	2002	416	Am
	2002	664	Am <sup>431</sup>	355.1	1999	417*	Am
	2002	1008	Am	358.1	2000	909	Am (by Sec. 1 of Ch.)
217	1999	233	Am		2000	930	Am
219.5	2002	196	Am		2001	754	Am
229.5	2000	908	Am		2002	785	Am
241.1	2001	830	Am	360	2002	416	Am
246	2002	784	Am <sup>490</sup>	360.6	1999	275*	Ad
255	2002	784	Am <sup>490</sup>	361	2002	180	Am
256	2000	228	Am	361.2	2000	909	Am (by Sec. 2 of Ch.)
257	2001	830	Am		2001	653*	Am
270	2002	784	Am <sup>490</sup>	361.21	1999	881*	Am
290.1	2002	416	Ad	361.3	2001	653*	Am
290.2	2002	416	Ad	361.4	2000	421*	Am
291	2002	416	Ad		2001	445*	Am
292	2002	416	Ad		2002	918	R & Ad <sup>63</sup>
293	2002	416	Ad				Am (as am by Sec. 1 and as ad by Sec. 2, Stats. 2001, Ch. 445)
294	2002	416	Ad	361.5	1999	399	Am (by Sec. 1 of Ch.)
295	2002	416	Ad		1999	805	Am (by Sec. 1.2 of Ch.)
296	2002	416	Ad		2000	135	Am <sup>203</sup>
297	2002	416	Ad		2000	824	Am
300	2000	824	Am R & Ad <sup>80</sup>		2001	653*	R & Ad <sup>80</sup>
300.2	1999	346	Am				Am (as am by Sec. 5 and as ad by Sec. 5.5, Stats. 2000, Ch. 824)
302	2000	921	Am		2002	918	Am (as am by Sec. 11.3 and 11.6, Stats. 2001, Ch. 653)
	2001	854	Am	362	2000	908	Am (by Sec. 2 of Ch.)
305.5	1999	275*	Ad		2000	910	Am (by Sec. 8.5 of Ch.)
	2002	920	Ad		2000	911	Am (by Sec. 1.5 of Ch.)
306.5	2001	747	Ad	362.1	2000	909	Am
309	2000	421*	Am	362.3	2002	416	Am
	2000	824	Am R & Ad <sup>80</sup>	362.7	2001	653*	Ad
	2001	653*	Am (as am by Sec. 4 and as ad by Sec. 4.5, Stats. 2000, Ch. 824)	366	1999	887	Am
	2002	918	Am (as am by Sec. 7 and Sec. 8, Stats. 2001, Ch. 653)		2000	909	Am
311	2002	416	Am		2001	111*	Am
312	2002	416	R		2001	653*	Am
316.2	2000	56	Am		2002	785	Am
317	2000	450	Am				
319	1999	83	Am <sup>30</sup>				

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**WELFARE AND INSTITUTIONS CODE—Continued**

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
366.1	2000	909	Am	602.5	1999	996	Ad
	2001	111 *	Am		2000		
	2001	653 *	Am		Initiative		
	2002	785	Am		(Prop. 21		
366.21	1999	399	Am (by Sec. 2 of Ch.)		adopted		
	1999	805	Am (by Sec. 2.2 of Ch.)		March 7,		
	2000	108 *	Am		2000)		Ad
	2000	910	Am		2001	854	Am (as ad by Stats. 1999, Ch. 996) & RN
	2001	747	Am	603.5	2001	824	Am
	2002	416	Am	606	1999	996	Am
	2002	918	Am	625.3	1999	996	Am
366.22	1999	399	Am		2000		
	2000	108 *	Am		Initiative		
	2000	910	Am		(Prop. 21		
366.23	1999	997	Am		adopted		
	2002	416	R		March 7,		
366.24	1999	887	Ad		2000)		Am
	2000	910	R	626	2001	334	Am
366.25	1999	887	Ad	628	1999	997	Am
	2000	910	R		2001	831	Am
366.26	1999	83	Am <sup>30</sup>	628.1	1999	996	Am
	1999	997	Am	629	1999	996	Am
	2000	910	Am		2000	663	Am
	2001	747	Am		2000		
366.28	2001	745 *	R		Initiative		
366.29	2001	747	Am		(Prop. 21		
366.3	1999	887	Am (by Sec. 2 of Ch.)		adopted		
	2000	108 *	Am		March 7,		
	2000	909	Am (by Sec. 6 of Ch.)	635	1999	997	Am
	2000	910	Am (by Sec. 14.1 of Ch.)	635.1	2001	854	Am
	2000	911	Am (by Sec. 2.3 of Ch.)	636	1999	997	Am
	2001	747	Am		2001	831	Am
	2002	785	Am	636.1	1999	997	Ad
366.4	2002	1115	Am		2001	831	Am
367	2001	854	Am		652	1999	997
369.5	1999	552	Ad		653.5	1999	997
387	2002	416	Am		654.3	2000	
388	2000	909	Am		Initiative		
391	2000	911	Ad		(Prop. 21		
396	1999	620	Am		adopted		
601.4	2002	784	Am <sup>490</sup>		March 7,		
602	1999	996	Am		2000)		Am
	2000				2002	784	Am <sup>490</sup>
	Initiative				656.2	1999	996
	(Prop. 21				658	1999	997
	adopted					2001	831
	March 7,				660	1999	997
	2000)		Am			2000	
	2001	854	Am			Initiative	
602.3	2001	854	Ad(RN)			(Prop. 21	
				660.5	2002	110	Am <sup>13</sup>

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**WELFARE AND INSTITUTIONS 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>
661	2002	784	Am <sup>490</sup>	730.6	2000	481	Am
663	2000				2000	1016	Am (by Sec. 12.5 of Ch.)
	Initiative (Prop. 21 adopted March 7, 2000)		Am	730.7	1999	996	Ad
676	1999	996	Am		2001	854	Am (as ad by Stats. 1999, Ch. 996) & RN
	2000			730.8	2001	854	Ad(RN)
	Initiative (Prop. 21 adopted March 7, 2000)		Am	731.3	2000	366*	Ad & R <sup>21 20</sup>
676.5	1999	996	Am	742.16	2002	784	Am <sup>490</sup>
706.5	1999	997	Am	Div. 2, Pt. 1, Ch. 2, Art. 18.5, heading (Sec. 743 et seq.)			
	2001	831	R & Ad		2001	854	Am & RN
	2002	785	Am	Div. 2, Pt. 1, Ch. 2, Art. 18.6, heading (Sec. 743 et seq.)			
706.6	1999	997	Ad				
	2001	831	Am				
707	2000			777	2001	854	Ad(RN)
	Initiative (Prop. 21 adopted March 7, 2000)		Am		2000		
725.1	1999	996	Ad		Initiative (Prop. 21 adopted March 7, 2000)		
726	2002	180	Am				Am
726.4	1999	997	Ad				Am <sup>30</sup>
727	2000	911	Am	781	1999	83	
	2001	653*	Am		2000		
727.1	1999	881*	Am		Initiative (Prop. 21 adopted March 7, 2000)		
	2001	831	Am				Am
727.2	1999	995	Ad				Ad & R <sup>52</sup>
	1999	997	Ad	781.5	1999	167	
	2000	287	Am (as ad by Stats. 1999, Ch. 995) & RN <sup>216</sup>	790	2000		
	2001	831	R & Ad		Initiative (Prop. 21 adopted March 7, 2000)		Ad
	2002	785	Am				
727.3	1999	997	Ad				
	2000	135	Am <sup>203</sup>	791	2000		
	2001	830	Am		Initiative (Prop. 21 adopted March 7, 2000)		Ad
	2001	831	R & Ad				
727.31	1999	997	Ad				
	2000	135	Am <sup>203</sup>				
	2001	831	Am				
727.32	2001	830	Ad				
	2001	831	Ad				
727.4	1999	997	Ad				Ad
	2000	287	Am <sup>216</sup>	792	2000		
	2001	831	Am		Initiative (Prop. 21 adopted March 7, 2000)		
	2002	664	Am <sup>431</sup>				
727.6	2000	287	Ad(RN) <sup>216</sup>				
728	2001	831	Am				
729.11	2001	115	R				Ad
729.6	2001	484	Ad				

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**WELFARE AND INSTITUTIONS CODE—Continued**

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
793	2000			827.6	1999	996	R & Ad
	Initiative				2000		
	(Prop. 21				Initiative		
	adopted				(Prop. 21		
	March 7,				adopted		
	2000)		Ad		March 7,		
794	2000				2000)		Am
	Initiative			827.7	1999	996	Ad(RN)
	(Prop. 21			827.9	2001	830	Ad
	adopted				2002	545	Am <sup>422</sup>
	March 7,			828	2001	830	Am
	2000)		Ad	828.01	2000		
795	2000				Initiative		
	Initiative				(Prop. 21		
	(Prop. 21				adopted		
	adopted				March 7,		
	March 7,				2000)		R
	2000)		Ad	872	2002	784	Am <sup>490</sup>
796	2000	366*	Ad & R <sup>21 20</sup>	903	2001	463	Am
827	1999	984	Am	903.3	2001	824	Am
	1999	985	Am (by Sec. 3	903.4	2000	808*	Am
			of Ch.)	903.41	2000	808*	Am
	1999	996	Am (by	903.45	2001	755*	Am
			Sec. 22.3	903.5	2000	808*	Am
			of Ch.)		2001	755*	Am
	2000	135	Am <sup>203</sup>		2002	664	Am <sup>431</sup>
	2000	908	Am (by Sec. 3	903.7	2000	108*	Am
			of Ch.)		2001	755*	Am
	2000	926	Am (by Sec. 8		2002	1022*	Am
			of Ch.)	904	2001	824	Am
	2001	754	Am	990	2000	59	Am
	2002	305	Am (by Sec. 2	1077	2000	659	Ad
			of Ch.)	1078	2000	659	Ad
827.1	1999	996	Am (as ad by	1120.1	1999	996	Am
			Stats. 1996,	1120.2	1999	78*	Am
			Ch. 422) & RN	1700	1999	333	Am
	2000			1714	2000	481	Am
	Initiative			1732.6	2000		
	(Prop. 21				Initiative		
	adopted				(Prop. 21		
	March 7,				adopted		
	2000)		Am (as ad by		March 7,		
			Stats. 1996,		2000)		Am
			Ch. 422) & RN		2002	787	Am <sup>422</sup>
827.2	2000			1732.8	2001	476	Ad
	Initiative			1737	2002	784	Am <sup>490</sup>
	(Prop. 21			1752.81	2000	481	Am
	adopted			1755.4	2000	659	Ad
	March 7,			1760.3	2001	115	R
	2000)		Ad(RN)	1764.2	2000	481	Am
827.5	1999	996	Am	1767	2000	481	Am
	2000			1768.85	2000	627	Ad
	Initiative			1787	1999	83	Ad(RN) <sup>30</sup>
	(Prop. 21			1788	1999	83	Ad(RN) <sup>30</sup>
	adopted				2000	135	Am <sup>203</sup>
	March 7,			1789	1999	83	Ad(RN) <sup>30</sup>
	2000)		Am	1789.5	1999	83	Ad(RN) <sup>30</sup>

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**WELFARE AND INSTITUTIONS 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>
1789.5 (Cont.)	2000			4358	1999	1023	S <sup>18</sup>
	2001	135	Am <sup>203</sup>		2001	171*	S <sup>312</sup>
	2001	159	Am <sup>305</sup>	4358.5	1999	1023	Ad & R <sup>18</sup>
1790	1999	83	Am & RN <sup>30</sup>		2001	171*	S <sup>312</sup>
1791	1999	83	Am & RN <sup>30</sup>	4359	1999	1023	Am <sup>18</sup>
1792	1999	83	Am & RN <sup>30</sup>		2001	171*	Am <sup>312</sup>
1793	1999	83	Am & RN <sup>30</sup>	4380	2002	1161*	Am
1801	1999	83	Am <sup>30</sup>	4402	2002	350	R
2100	2002	355	Ad	4403	2002	350	R
2102	2002	355	Ad	4418.2	2002	1161*	Ad
2104	2002	355	Ad	4418.25	2002	1161*	Ad
2106	2002	355	Ad	4418.3	2002	1161*	Am
3053	2002	1124*	Am	4418.7	2002	1161*	Am
3055	2002	1124*	Ad	4427.5	2001	171*	Ad
4015	2002	440	Ad	4433.5	2002	676	Am
4094.1	2000	93*	Ad	4441.5	1999	146*	Ad
4094.2	2000	93*	Ad	4457	2002	221	Am
	2001	171*	Am	4474.1	2002	676	Am
	2002	1161*	Am	4503	2002	350	Am
4096.7	2000	93*	Ad <sup>62</sup>	4514	2002	1013	Am
			R <sup>22</sup>	4519.7	2000	382	Ad & R <sup>43</sup>
4097	2000	93*	Ad	4520	2002	676	Am
4097.1	2000	93*	Ad	4521	2002	676	Am
4097.2	2000	93*	Ad	4521.5	2002	676	Am
4097.3	2000	93*	Ad	4521.6	2002	676	Ad
4098	2000	93*	Ad	4522	2002	676	Am
4098.1	2000	93*	Ad	4523	2002	676	Am
	2001	159	Am <sup>305</sup>	4525	2002	676	Am
4098.2	2000	93*	Ad	4530	2002	676	Am
4098.3	2000	93*	Ad	4535	2002	676	Am
4098.4	2000	93*	Ad	4540	2002	676	Am
4098.5	2000	93*	Ad	4542	2002	676	R
4099	2001	692	Ad & R <sup>37 20</sup>	4543	2002	676	Ad
4099.1	2001	692	Ad & R <sup>37 20</sup>	4544	2002	676	Ad
4099.3	2001	692	Ad & R <sup>37 20</sup>	4545	2002	676	Ad
4099.4	2001	692	Ad & R <sup>37 20</sup>	4546	2002	676	Ad
4107	2001	171*	Am	4547	2002	676	Ad
4107.5	2000	93*	Ad	4548	2002	676	Ad
4117	2002	221	Am	Div. 4.5,			
4125	2002	352	Am	Ch. 2,			
4136	2001	171*	Am	Art. 7,			
	2002	352	Am	heading			
4340	2002	352	Am	(Sec. 4550			
4341.1	2000	814	Ad	et seq.)	2002	676	Am
4353	1999	1023	S <sup>18</sup>	4550	2002	676	Am
	2001	171*	S <sup>312</sup>	4551	2002	676	Am
4354	1999	1023	Am <sup>18</sup>	4552	2002	676	Am
	2001	171*	S <sup>312</sup>	4552.5	2002	676	Ad
4354.5	1999	1023	Ad & R <sup>18</sup>	4553	2002	676	R & Ad
	2001	171*	S <sup>312</sup>	4554	2002	676	R
4355	1999	1023	Am <sup>18</sup>	4555	2002	676	Ad
	2001	171*	S <sup>312</sup>	4561	2002	676	Am
4356	1999	1023	R	4562	2002	676	R & Ad
			Ad & R <sup>18</sup>	4563	2002	676	R & Ad
	2001	171*	Am <sup>312</sup>	4564	2002	676	Am
4357	1999	1023	Am <sup>18</sup>	4565	2002	676	Am
	2001	171*	S <sup>312</sup>	4567	2002	676	Am
4357.1	1999	1023	Ad & R <sup>18</sup>	4568	2002	676	Am
	2001	171*	S <sup>312</sup>	4570	2002	676	R & Ad
4357.2	1999	1023	Ad & R <sup>18</sup>	4571	2002	676	R
	2001	171*	S <sup>312</sup>	4572	2002	676	R

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**WELFARE AND INSTITUTIONS CODE—Continued**

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
4575	2002	676	R	4712	2000	416	Am
4576	2002	676	R		2002	676	Am
4577	2002	676	R	4712.2	2000	416	Am
4578	2002	676	R	4712.5	2000	416	Am
4579	2002	676	R	4731	2001	171*	Am
4585	2002	676	R	4781.5	2002	1161*	Ad
4586	2002	676	R	4791	2000	93*	Am <sup>4.5</sup>
4590	2002	676	R	4804	2002	221	Am
4591	2002	676	R	4847	2002	1161*	R
4592	2002	676	R	5008.2	2001	506	Am
4593	2002	676	R	5012	2001	506	Ad
4594	2002	676	R	5110	2002	221	Am
4595	2002	676	R	5150.05	2001	506	Ad
4596	2002	676	R	5205	2002	784	Am <sup>490</sup>
4596.5	2002	676	R	5256.1	2002	1013	Am
4597	2002	676	R	5270.55	2001	854	Am
4598	2002	676	R	5328	2001	37	Am
4598.5	2000	93*	Ad		2001	506	Am (by Sec. 8.5 of Ch.)
	2001	171*	Am		2002	552	Am
	2002	676	R	5332	2001	506	Am
4599	2002	676	R	5345	2002	1017	Ad & R <sup>68</sup>
4600	2002	676	R	5346	2002	1017	Ad & R <sup>68</sup>
4601	2002	676	R	5347	2002	1017	Ad & R <sup>68</sup>
4602	2002	676	R	5348	2002	1017	Ad & R <sup>68</sup>
4605	2002	676	R	5349	2002	1017	Ad & R <sup>68</sup>
4610	2002	676	R	5349.1	2002	1017	Ad & R <sup>68</sup>
4611	2002	676	R	5349.5	2002	1017	Ad & R <sup>68</sup>
4612	2002	676	R	5405	2002	642	Ad
4613	2002	676	R	5586	2001	745*	R
4631	2001	171*	Am	5600.8	2000	93*	Ad
4631.5	2002	1161*	Ad <sup>70</sup> R <sup>63</sup>		2002	1161*	Am
4639.5	2000	93*	Ad	5614	2000	93*	Ad
4640.6	1999	146*	Am		2001	159	Am <sup>305</sup>
	2001	171*	Am	5614.5	2000	93*	Ad
	2001	745*	Am	5618	2000	93*	Ad
	2002	1161*	Am	5673	2001	745*	Am
4643	2002	1161*	Am	5675	2000	93*	Am <sup>4.5</sup>
4643.3	2001	171*	Ad		2001	171*	Am <sup>36.13</sup>
4646.5	2002	1161*	Am	5675.1	2000	93*	Ad
4647	1999	146*	Am	5676	2000	93*	Ad
4669.2	1999	369	S <sup>57</sup>	5676.5	2000	93*	Ad
4669.75	1999	369	S <sup>57</sup>	5689	2000	93*	Ad
	2001	745*	Am	5689.1	2000	93*	Ad
4669.8	1999	369	R	5689.2	2000	93*	Ad
4681.3	1999	146*	Am	5689.3	2000	93*	Ad
4681.5	2001	188	R	5689.4	2000	93*	Ad
4685.5	2001	171*	Am <sup>19</sup>	5689.5	2000	93*	Ad
4689.7	2000	93*	Am	5689.6	2000	93*	Ad
4691	2002	676	Am	5689.7	2000	93*	Ad
4695.2	2001	188	Ad	5689.8	2000	93*	Ad
4701	2000	416	Am	5689.9	2000	93*	Ad
4702.7	2000	416	Ad	5696.5	2000	140	Am
4705	2000	416	Am	5701.1	1999	146*	Ad
4710	2000	416	Am	5701.3	2002	1167*	Am
4710.5	2000	416	Am	5751	2002	1013	Am
4710.6	2000	416	Am	5751.2	2002	1013	Am
4710.7	2000	416	Am	5767	2002	1161*	Ad
4710.8	2000	416	Am	5768.5	1999	83	Am <sup>30</sup>
4711	2000	416	Am	5777	1999	525	Am <sup>112 114</sup>
4711.5	2000	416	Am		2000	857	Am <sup>203</sup>

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**WELFARE AND INSTITUTIONS 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>
5777 (Cont.)	2002	642	Am		1999	995	Am (by Sec. 2.2 of Ch.)
5777.5	2000	811	Ad		2000	643	Am (by Sec. 1 of Ch.)
5777.6	2000	811	Ad				
5802	1999	617*	Am	6600.05	2001	171*	Am
5806	1999	617*	Am	6601	1999	136*	Am
	2000	518*	Am	6601.1	1999	136*	Ad & R <sup>20</sup>
	2001	454	Am	6601.3	2000	41*	Am
5811	2000	518*	Am	6601.5	2000	41*	Am
	2001	454	Am	6602	2000	41*	Am
5811.2	2001	677	Ad	6603	2000	420*	Am
5814	1999	617*	Am		2001	323*	Am
	2000	518*	Am	6604	2000	420*	Am
	2001	454	Am	6604.1	2000	420*	R (as ad by Sec. 8, Stats. 1998, Ch. 961)
5814.5	2002	337	Am				Am (as am by Sec. 7, Stats. 1998, Ch. 961) <sup>36 13</sup>
	1999	617*	Ad <sup>45</sup> R <sup>25</sup>				
	2000	518*	Am				
	2001	454	Am				
5830	2000	93*	Ad & R <sup>5</sup>				
	2001	171*	S <sup>70 18</sup>				
5831	2000	93*	Ad & R <sup>5</sup>	6609.1	1999	83	Am <sup>30</sup>
	2001	171*	S <sup>70 18</sup>		2002	139	Am
5832	2000	93*	Ad & R <sup>5</sup>	6776	2002	784	Am <sup>490</sup>
	2001	171*	S <sup>70 18</sup>	8016	2001	115	R
5833	2000	93*	Ad & R <sup>5</sup>	8102	2000	254	Am
	2001	171*	S <sup>70 18</sup>		2001	159	Am <sup>305</sup>
5834	2000	93*	Ad & R <sup>5</sup>	8103	1999	578*	Am
	2001	171*	S <sup>70 18</sup>	9016	2001	242	Am
5835	2000	93*	Ad & R <sup>5</sup>	Div. 8.5, Ch. 2, Art. 1, heading (Sec. 9100 et seq.)	2000	797	Ad
	2001	171*	S <sup>70 18</sup>		1999	948	Ad
5836	2000	93*	Ad & R <sup>5</sup>	9101.5	2002	726	Ad
	2001	171*	S <sup>70 18</sup>	9105.1	2000	108*	Ad
5837	2000	93*	Ad & R <sup>5</sup>	9113	2000	797	Ad
	2001	171*	S <sup>70 18</sup>	9115	2000	797	Ad
5838	2000	93*	Ad & R <sup>5</sup>	9116	2000	797	Ad
	2001	171*	S <sup>70 18</sup>	9117	2000	797	Ad
5839	2000	93*	Ad & R <sup>5</sup>	9118	2002	541	Ad
	2001	171*	Am <sup>70 18</sup>	9118.5	2002	541	Ad
5851	2000	520	Am	9250	2002	541	Ad
5852.5	2000	520	Am	9251	2002	541	Ad
5855.5	2000	520	Am	9252	2002	541	Ad
5856.2	2000	520	Ad	9253	2002	541	Ad
5857	2000	520	Am	9254	2002	541	Ad
5859	2000	520	Am	9255	2002	541	Ad
5860	2000	520	Am	9256	2002	541	Ad
5863	2000	520	Am	9305	2000	108*	Am
5865	2000	520	Am	9320	2001	682	Ad <sup>37</sup>
5865.1	2000	520	Ad		2002	664	Am <sup>431</sup>
5865.3	2000	520	Ad	9450	2000	797	Ad
5866	2000	520	Am	9451	2000	797	Ad
5869	2000	520	Am	9452	2000	797	Ad
	2002	1161*	Am	9453	2000	797	Ad
5880	2000	520	Am	9454	2000	797	Ad
5881	2002	1161*	Am	9454	2000	797	Ad
5882	2002	1161*	Am	9520	2000	597	Ad <sup>255</sup>
5883	2002	1161*	Am				R <sup>63</sup>
6251	2002	784	Am <sup>490</sup>				
6501	1999	146*	Ad				
6513	2001	176	Am				
6600	1999	350*	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
9521	2000	597	Ad <sup>255</sup> R <sup>63</sup>	10095	1999	479*	R
9522	2000	597	Ad <sup>255</sup> R <sup>63</sup>	10096	1999	479*	R
9523	2000	597	Ad <sup>255</sup> R <sup>63</sup>	10097	1999	479*	R
9541	1999	525	Am <sup>112 114</sup>	10544.1	2000	108*	Am
9542	2000	857	Am <sup>203</sup>	10554	1999	887	Am
9560	1999	859	Am	10601.2	2001	678	Ad
9563	1999	859	Am	10603.3	2001	745*	R
9564	1999	147*	Am	10604.5	2000	808*	Am
	1999	859	Am	10604.6	2000	808*	Am
	2000	558	Am	10609.3	2000	108*	Am
	2000	135	Am <sup>203</sup>	10609.4	1999	147*	Ad
9650	2001	689	Ad		2002	271	Am
9651	2001	689	Ad	10609.5	2001	745*	Am
9652	2001	689	Ad	10609.6	2000	108*	Ad
9653	2001	689	Ad	10609.7	2002	635	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
	2002	541	Am	10740	2001	745*	Am
9662	2001	689	Ad	10790	2001	745*	Am
9663	2001	689	Ad	10823.1	2002	1022*	Ad
9664	2002	541	Ad	10850.3	2002	918	R (as ad by Sec. 3, Stats. 1995, Ch. 227)
9665	2002	541	Ad				Am (as am by Sec. 2, Stats. 1995, Ch. 227) <sup>13</sup>
9675	2001	689	Ad				
9676	2001	689	Ad	10851	2000	569	Am
9677	2001	689	Ad	10851.5	2001	111*	Ad
9678	2001	689	Ad	10950	1999	803	Am <sup>82</sup>
9679	2001	689	Ad	10951	1999	803	Am <sup>82</sup>
9680	2001	689	Ad	10963	1999	803	Am <sup>82</sup>
9681	2002	664	Am <sup>431</sup>	10980	1999	83	Am <sup>30</sup>
9710.5	1999	943	Ad		2002	1022*	Am
9712	1999	943	Am	11004.1	2002	1022*	Ad <sup>515</sup>
9740	1999	943	Am	11006.2	2000	795	Am
9745	1999	943	Ad		2002	1022*	Am <sup>515</sup>
10072	1999	371	Am	11008.17	1999	471*	Am
10080	1999	479*	R & Ad	11008.19	1999	83	Am (as ad by Sec. 2, Stats. 1998, Ch. 962) & RN <sup>30</sup>
10081	1999	479*	R & Ad				
	2001	755*	Am				
10082	1999	479*	R & Ad	11008.20	1999	83	Ad(RN) <sup>30</sup>
	2000	808*	Am		2002	701	Am
	2001	159	Am <sup>305</sup>	11020	2002	1022*	Am <sup>515</sup>
10083	1999	479*	R & Ad	11024	2001	276	Ad
10084	1999	479*	R & Ad	11024.3	2001	276	Ad
	2001	755*	Am	11155.4	2002	1024	Ad
10085	1999	479*	R	11155.5	2001	686	Am
			Ad <sup>119 120</sup>	11157	2002	439	Am
10086	1999	479*	R & Ad	11203	2001	111*	Am
10087	1999	479*	R & Ad		2002	664	Am <sup>431</sup>
10088	1999	479*	R & Ad	11254	2002	1022*	Am
10089	1999	479*	R	11257	2002	1022*	Am <sup>515</sup>
10090	1999	479*	R & Ad	11265.1	1999	826	Am <sup>131</sup>
10091	1999	479*	R & Ad				R <sup>140</sup>
10092	1999	479*	R & Ad				
10093	1999	479*	R & Ad				
10094	1999	479*	R		2002	1022*	R & Ad <sup>515</sup>

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

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11265.2	1999	826	R	11368	1999	147*	S <sup>1</sup>
			Ad <sup>132</sup>	11369	1999	83	Am <sup>30</sup>
			R <sup>63</sup>		1999	147*	R
	2000	108*	Am <sup>201 43</sup>				Ad <sup>1</sup>
11265.3	2002	1022*	R & Ad <sup>515</sup>	11370	1999	147*	Am <sup>1</sup>
	2002	1022*	Ad <sup>515</sup>	11371	1999	147*	Ad <sup>1</sup>
	2002	1024	Am (as ad by Stats. 2002, Ch. 1022)	11372	1999	147*	Ad <sup>1</sup>
					2000	108*	Am
11265.5	2001	115	Am		2001	111*	Am
11320.1	2001	652	Am	11373	1999	147*	Ad <sup>1</sup>
11320.3	2002	439	Am	11374	2000	108*	Ad
11322.6	2000	933	Am	11375	2000	108*	Ad
11322.61	2000	933	Am	11400	2001	125*	Am
11322.9	2000	933	Am		2001	653*	Am
	2001	652	Am	11401	1999	83	Am <sup>30</sup>
11323.3	2002	1022*	Ad		2001	653*	Am
11323.9	2001	750	Ad	11402	2001	653*	Am
11324.6	2002	1142	Am	11403.1	2001	125*	Ad <sup>8</sup>
11325.7	2002	1022*	Am <sup>516</sup>	11403.2	2001	125*	Ad
11325.9	1999	919	Ad		2002	639	Am
11325.91	1999	919	Ad	11403.3	2001	125*	Ad
11325.93	1999	919	Ad		2002	639	Am
11325.95	1999	919	Ad	11403.4	2001	125*	Ad
11329	2001	745*	Am	11404.1	1999	887	Am
11350	1999	478	R	11405	2002	1115	Am
	1999	653	Am <sup>82</sup>	11450	1999	147*	Am
11350.1	1999	478	R		2002	1022*	Am <sup>515</sup>
11350.2	1999	478	R	11450.12	2002	1022*	Am <sup>515</sup>
11350.3	1999	478	R	11450.13	2002	1022*	Am <sup>515</sup>
11350.4	1999	478	R	11450.16	1999	147*	Am
11350.5	1999	478	R	11450.2	2002	1022*	R <sup>515</sup>
11350.6	1999	478	R	11450.3	2001	745*	Am
	1999	652	Am <sup>82</sup>	11450.5	2002	1022*	Am <sup>515</sup>
	1999	654	Am (by Sec. 5 of Ch.)	11451.5	2000	933	Am
			Ad <sup>82</sup>		2002	1022*	Am <sup>515</sup>
11350.61	1999	653	Ad <sup>82</sup>	11453	2002	1022*	Am
11350.7	1999	478	R	11454	2001	652	Am
11350.75	1999	980	Ad <sup>82</sup>	11457	2000	808*	Am
11350.8	1999	478	R		2001	755*	Am
11350.9	1999	478	R	11460.1	2001	125*	R
11351	1999	478	R	11461	1999	147*	Am
11352	1999	478	R		2000	108*	Am
11354	1999	478	R		2001	653*	Am
11355	1999	478	R	11461.1	2001	745*	Am
	1999	652	Am <sup>82</sup>	11462	1999	147*	Am
11356	1999	478	R		2000	108*	Am
11356.2	1999	653	Ad <sup>82</sup>		2002	1022*	Am
11357	1999	478	R	11462.07	1999	634	Ad
11358	1999	653	Ad <sup>82</sup>	11462.4	2000	1060	Am
11360	1999	147*	S <sup>1</sup>	11463	1999	147*	Am
11361	1999	147*	S <sup>1</sup>		2000	108*	Am
11362	1999	147*	S <sup>1</sup>	11465	1999	147*	Am
11363	1999	147*	S <sup>1</sup>	11465.6	2000	108*	Ad
	2000	108*	Am	11466.21	1999	881*	Am
11364	1999	147*	R		2002	1022*	Am
			Ad <sup>1</sup>	11467.2	2000	108*	Ad
11365	1999	147*	S <sup>1</sup>	11475	1999	478	R
11366	1999	147*	S <sup>1</sup>	11475.1	1999	478	R
11367	1999	147*	S <sup>1</sup>		1999	980	Am <sup>82</sup>
	2000	108*	Am	11475.12	1999	653	Ad <sup>82</sup>
				11475.14	1999	653	Ad <sup>82</sup>

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

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11475.15	1999	478	R		1999	91 *	R (as am by
11475.3	1999	478	R (as ad by				Stats. 1999,
			Stats. 1994,				Ch. 90)
			Ch. 906)				& Ad <sup>42</sup>
			Am (as ad by		2000	108 *	Am
			Stats. 1997,	12301.8	2002	1135	Am
			Ch. 270)		1999	90 *	Ad
11475.4	1999	478	R		1999	91 *	R (as ad by
11475.5	1999	478	R				Stats. 1999,
11475.6	1999	652	Ad <sup>82</sup>				Ch. 90)
11475.8	1999	478	R	12302.2	2002	1135	Am
11476	1999	478	R	12302.25	1999	90 *	Ad
11476.1	1999	478	R		2002	1135	Am
11476.2	2002	927	Am	12302.3	1999	83	Am <sup>30</sup>
11476.3	1999	654	Ad <sup>82</sup>	12302.7	1999	90 *	R
11476.6	1999	478	Am	12303.4	1999	90 *	Am
11477	1999	478	Am	12306.1	1999	91 *	Ad
	2000	808 *	Am		2000	108 *	R
11477.02	1999	478	Am				Ad <sup>202</sup>
	2000	808 *	Am		2001	111 *	Am
11477.04	1999	478	Am	12306.2	2000	108 *	Ad <sup>25</sup>
11478	1999	478	R	12306.21	2001	111 *	Ad <sup>96</sup>
11478.1	1999	653	Ad <sup>82</sup>	12306.3	2000	108 *	Ad
11478.2	1999	478	R	12400	2000	143 *	Ad
11478.3	1999	652	Ad <sup>82</sup>	12500	2001	111 *	Am
11478.5	1999	478	R	12501	2001	111 *	Am
	1999	652	Am <sup>82</sup>	12502	2001	111 *	Ad
11478.51	1999	478	R	12550	2001	111 *	Am
	1999	652	Am <sup>82</sup>	12550.1	2001	111 *	Ad
11478.52	1999	652	Ad <sup>82</sup>	12552.1	2001	111 *	Ad <sup>96</sup>
11478.6	1999	478	R	12554	1999	906	Ad
11478.7	1999	478	R		2001	452	Am
11478.8	1999	478	R	13002	2000	108 *	Am
11478.9	1999	478	R		2001	111 *	Am
11479	1999	478	Am	13004	2001	111 *	Am
11479.5	1999	478	R	13006	2001	111 *	Am
11479.6	1999	478	R	13600	2002	350	Am
11479.7	2000	808 *	R	13601	2002	350	Am
11484	2000	808 *	Ad	14000.03	2002	1161 *	Ad
11485	1999	478	Am	14000.5	2002	1161 *	Ad
11486	2002	1022 *	Am	14005.24	2000	824	Ad & R <sup>43</sup>
11487.5	2001	745 *	Am	14005.25	2000	945	Ad
11488	1999	478	R	14005.28	2000	93 *	Ad
11489	1999	478	R		2001	159	Am <sup>305</sup>
11490	1999	478	R	14005.30	1999	146 *	Am
11491	1999	478	R		1999	148 *	Am (as am by
11492	1999	478	R				Stats. 1999,
11492.1	1999	478	R				Ch. 146)
12200.018	1999	147 *	R		2000	93 *	Am
12201	2002	1022 *	Am		2001	171 *	Am
	2002	1024	Am	14005.31	2000	1088	Ad
12201.03	2002	1024	Am	14005.32	2000	1088	Ad
12201.05	2002	1021	Ad	14005.33	2000	1088	Ad
12251	2001	111 *	Am	14005.34	2000	1088	Ad
12300	2002	1088	Am	14005.35	2000	1088	Ad
12301.3	1999	90 *	Ad		2001	159	Am <sup>305</sup>
	2000	445 *	Am	14005.36	2000	1088	Ad
12301.4	1999	90 *	Ad	14005.37	2000	1088	Ad
	2000	445 *	Am	14005.38	2000	1088	Ad
12301.6	1999	90 *	Am	14005.39	2000	1088	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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14005.40	2000	93 *	Ad	14043.4	1999	146 *	Ad
	2001	171 *	Am	14043.45	1999	146 *	Ad
14005.41	2001	894	Ad	14043.5	1999	146 *	Ad
	2002	1161 *	Am	14043.55	1999	146 *	Ad
14005.7	2001	171 *	Am	14043.6	1999	146 *	Ad
14005.81	2000	1088	Am	14043.61	2000	322	Ad
14006.3	1999	227	Am	14043.62	2000	322	Ad
14006.4	1999	227	Am	14043.65	1999	146 *	Ad
14006.7	2002	556	Ad		2000	322	Am
14007.45	2001	171 *	Ad	14043.7	1999	146 *	Ad
14007.5	1999	146 *	Am		2000	322	Am
14007.65	1999	146 *	Ad	14043.75	1999	146 *	Ad
	1999	148 *	R (as ad by Stats. 1999, Ch. 146) & Ad		2000	322	Am
				14051	1999	887	Am <sup>163</sup>
					2002	1161 *	Am <sup>495</sup>
14007.7	1999	146 *	Ad	14053	1999	146 *	Am
14007.71	2001	171 *	Ad		2000	93 *	Am
14007.9	1999	820	Ad <sup>146</sup> R <sup>80</sup>	14053.1	1999	146 *	Ad
					1999	148 *	Am (as ad by Stats. 1999, Ch. 146) & R <sup>39</sup>
14007.95	2002	1088	Ad		2000	93 *	Am <sup>194</sup>
14008.6	2000	808 *	Am		2001	171 *	Am <sup>13</sup>
	2001	159	Am <sup>305</sup>	14067	1999	146 *	Am
14008.85	1999	146 *	Ad <sup>44</sup>	14067.5	2000	93 *	Ad
14011.15	1999	146 *	Ad	14085.5	1999	701	Am
	2000	93 *	Am		2001	745 *	Am
14011.2	2001	171 *	Ad	14085.54	2000	842	Ad
14011.6	2001	171 *	Ad	14085.56	2000	846	Ad
	2002	1161 *	Am <sup>492</sup>	14085.7	1999	146 *	Am <sup>45 24</sup>
14011.7	2002	1161 *	Ad		2000	93 *	Am <sup>21 20</sup>
14011.8	2002	1161 *	Ad		2002	1161 *	Am <sup>70 18</sup>
14011.9	2002	1161 *	Ad	14085.8	1999	146 *	Am <sup>45 24</sup>
14015	2000	435	Am		2000	93 *	Am <sup>21 20</sup>
14016.8	2000	347	Ad		2002	1161 *	Am <sup>70 18</sup>
14017.1	2001	745 *	Am	14085.81	2000	93 *	Ad
14017.6	2001	171 *	Ad	14085.9	1999	226	Ad
14017.7	2001	171 *	Ad	14087.11	2001	172	Ad
14018.1	2001	742	Ad	14087.23	2001	526	Ad
14018.5	1999	146 *	Ad	14087.301	1999	146 *	Ad
14019.3	2002	1161 *	Am	14087.32	1999	525	Am <sup>112 114</sup>
14021.35	2000	108 *	Ad		2000	857	Am <sup>203</sup>
14021.4	2000	93 *	Am		2000	858	Am (as am by Stats. 1999, Ch. 525)
14021.6	2002	1022 *	Am		2001	159	Am <sup>305</sup>
14021.8	2001	506	Ad	14087.325	2001	171 *	Am
14022.5	2002	522	Ad		2002	756	Am (by Sec. 1 of Ch.)
14040	2000	322	Am		1999	525	Am <sup>112 114</sup>
14040.1	2000	322	Ad <sup>219</sup>		2000	857	Am <sup>203</sup>
14040.5	2000	322	Am		2000	858	Am (as am by Stats. 1999, Ch. 525)
14043	1999	146 *	Ad	14087.37	1999	525	Am <sup>112 114</sup>
14043.1	1999	146 *	Ad		2000	857	Am <sup>203</sup>
	2000	322	Am	14087.38	1999	525	Am <sup>112 114</sup>
14043.15	1999	146 *	Ad		2000	857	Am <sup>203</sup>
14043.2	1999	146 *	Ad	14087.4	1999	525	Am <sup>112 114</sup>
	2000	322	Am		2000	857	Am <sup>203</sup>
14043.25	1999	146 *	Ad		1999	525	Am <sup>112 114</sup>
14043.3	1999	146 *	Ad		2000	857	Am <sup>203</sup>
14043.34	2000	322	Ad	14087.41	1999	539	Ad
14043.35	1999	146 *	Ad				
14043.36	1999	146 *	Ad				
	2000	322	Am				
14043.37	1999	146 *	Ad				
	2000	322	Am				

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14087.51	2000	696	Am	14105.38	1999	146 *	Am <sup>24</sup>
14087.57	2000	696	Am		2000	93 *	Am <sup>20</sup>
	2002	262 *	Am		2002	1161 *	Am <sup>13</sup>
14087.961	2001	143	Am	14105.39	1999	146 *	Am <sup>24</sup>
	2002	664	Am <sup>431</sup>		2000	93 *	Am <sup>20</sup>
14087.9655	2001	528	Am		2002	1161 *	Am <sup>13</sup>
14087.9657	2001	528	Ad	14105.4	1999	146 *	Am (as am by
14087.969	2001	143	Am				Sec. 90,
14087.9705	1999	525	Am <sup>112 114</sup>				Stats. 1998,
	2000	857	Am <sup>203</sup>				Ch. 310) <sup>24</sup>
14088.19	1999	525	Am <sup>112 114</sup>				Am (as am by
	2000	857	Am <sup>203</sup>				Sec. 91,
14089	1999	525	Am <sup>112 114</sup>				Stats. 1998,
	2000	857	Am <sup>203</sup>				Ch. 310) <sup>25</sup>
14089.4	1999	525	Am <sup>112 114</sup>		2000	93 *	Am (as am by
	2000	857	Am <sup>203</sup>				Sec. 51,
14089.7	2001	171 *	R & Ad				Stats. 1999,
14094.3	1999	146 *	Am				Ch. 146) <sup>20</sup>
	2002	536	Am				Am (as am by
14100.75	1999	993	Ad				Sec. 52,
	2000	322	Am <sup>220</sup>				Stats. 1999,
14100.95	2002	751	Ad				Ch. 146) <sup>34</sup>
14103.2	2001	745 *	Am		2002	1161 *	R (as am by
14103.5	2002	664	Am <sup>431</sup>				Sec. 78,
14103.6	2002	1161 *	Am (as am by				Stats. 2000,
			Sec. 1,				Ch. 93)
			Stats. 1975,				Am (as am by
			Ch. 1005 and				Sec. 77,
			Sec. 1,				Stats. 2000,
			Stats. 1985,				Ch. 93) <sup>13</sup>
			Ch. 682)	14105.405	1999	146 *	Am <sup>24</sup>
14104.3	2001	745 *	Am		2000	93 *	Am <sup>20</sup>
14105	2002	756	Am		2002	1161 *	Am <sup>13</sup>
14105.115	2002	486 *	Ad	14105.41	1999	146 *	Am (as am by
14105.13	2001	242	Ad				Sec. 93,
14105.17	2000	93 *	Ad <sup>256</sup>				Stats. 1998,
14105.18	2002	1161 *	Ad				Ch. 310) <sup>24</sup>
14105.2	2002	1161 *	Am				Am (as am by
14105.26	1999	757	Ad <sup>168</sup>				Sec. 94,
	2000	135	Am <sup>203</sup>				Stats. 1998,
	2000	852	Am				Ch. 310) <sup>25</sup>
	2001	159	Am <sup>305</sup>		2000	93 *	Am (as am by
14105.27	2001	171 *	Ad				Sec. 54,
14105.3	2002	1161 *	Am				Stats. 1999,
14105.31	1999	146 *	Am <sup>24</sup>				Ch. 146) <sup>20</sup>
	2000	93 *	Am <sup>20</sup>				Am (as am by
	2002	1161 *	Am <sup>13</sup>				Sec. 55,
14105.33	1999	146 *	Am <sup>24</sup>				Stats. 1999,
	2000	93 *	Am <sup>20</sup>				Ch. 146) <sup>34</sup>
	2001	171 *	Am		2002	1161 *	R (as am by
	2002	1161 *	Am <sup>13</sup>				Sec. 81,
14105.332	2002	1161 *	Ad				Stats. 2000,
14105.337	1999	190	Ad				Ch. 93)
	2002	1161 *	Am <sup>70</sup>				Am (as am by
14105.34	2002	1161 *	Am <sup>13</sup>				Sec. 80,
14105.35	1999	146 *	Am <sup>24</sup>				Stats. 2000,
	2000	93 *	Am <sup>20</sup>				Ch. 93) <sup>13</sup>
	2002	1161 *	Am <sup>13</sup>				Am (as am by
14105.37	1999	146 *	Am <sup>24</sup>	14105.42	1999	146 *	Sec. 95,
	2000	93 *	Am <sup>20</sup>				Stats. 1998,
	2002	1161 *	Am <sup>13</sup>				Ch. 310) <sup>24</sup>

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

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14105.42 (Cont.)				14126.02	2000	451	Ad
	2000	93 *	Am (as am by Sec. 56, Stats. 1999, Ch. 146) <sup>20</sup>		2001	171 *	Am
			Am (as am by Sec. 13, Stats. 1992, Ch. 723) & RN		2001	684	Am
				14132	1999	146 *	Am <sup>53</sup>
					2000	453	Am
					2001	745 *	Am
					2002	1161 *	Am
	2002	1161 *	Am <sup>13</sup>	14132.05	2000	93 *	Ad
14105.425	2000	93 *	Ad(RN)	14132.22	1999	146 *	Am <sup>24</sup>
14105.43	2002	1161 *	Am		2000	93 *	Am <sup>5</sup>
14105.436	2002	1161 *	Ad <sup>79</sup>	14132.26	2000	557	Ad
			R <sup>80</sup>		2002	1161 *	Am
14105.45	2002	1161 *	Am	14132.47	1999	831 *	Am
14105.46	2002	1161 *	Ad	14132.72	2000	93 *	Am <sup>13</sup>
14105.47	2002	1161 *	Ad	14132.73	2002	1161 *	Ad
14105.65	2002	1161 *	R	14132.88	2000	93 *	Ad
14105.8	2001	171 *	R		2002	1161 *	Am
	2002	1161 *	Ad	14132.90	1999	147 *	Am
14105.85	2002	1161 *	Ad		2001	745 *	Am
14105.91	1999	146 *	Am <sup>25</sup>	14132.91	2000	93 *	Ad
	2000	93 *	Am <sup>34</sup>	14132.92	2000	804 *	Ad
	2002	1161 *	R	14132.93	2000	804 *	Ad
14105.915	1999	146 *	Am <sup>25</sup>	14132.95	1999	90 *	Am
	2000	93 *	Am <sup>34</sup>		2002	1088	Am <sup>36 13</sup>
	2002	1161 *	R		2002	1161 *	Am <sup>13</sup>
14105.916	1999	146 *	Am	14132.955	2002	1088	Ad
	2000	93 *	Am	14132.98	2001	172	Ad
	2002	1161 *	R	14132.99	2001	172	Ad
14105.95	2002	747 *	Ad <sup>454</sup>		2002	664	Am <sup>431</sup>
14105.96	2002	747 *	Ad <sup>454</sup>	14133.05	2000	93 *	Ad
14105.98	1999	44 *	Am	14133.12	1999	845	Ad <sup>93</sup>
	2000	48 *	Am	14133.16	2002	704	Ad
14105.981	1999	146 *	Am <sup>24</sup>	14133.5	2001	745 *	Am
	2000	93 *	Am <sup>20</sup>	14133.61	2001	115	R
14105.982	2000	48 *	Ad	14138.5	2001	745 *	Am
14107	2000	322	Am	14139.13	1999	525	Am <sup>112 114</sup>
14107.11	1999	146 *	Ad		2000	857	Am <sup>203</sup>
	2000	322	Am	14139.53	2000	858	Am
14110.55	1999	845	Ad	14145.1	2001	745 *	Am
14110.6	1999	146 *	Am	14145.3	2002	537	Ad
	2000	93 *	Am	14148	2001	745 *	Am
14110.65	2001	171 *	Ad	14148.8	2001	745 *	Am
14110.7	1999	146 *	Am (as am by Sec. 3, Stats. 1990, Ch. 502)	14149	2002	684	Ad
				14149.3	2002	684	Ad
	2001	685	Am	14150	2002	1161 *	Ad
14110.8	1999	658	Am <sup>56</sup>	14163	1999	146 *	Am
	2000	800	Am		2000	93 *	Am
14115	2000	93 *	Am		2002	1161 *	Am
14115.6	2001	115	R	14170	2000	322	Am
14115.8	2001	655	Ad <sup>344</sup>	14170.8	1999	993	Am
14123.25	2000	322	Ad		2000	322	Am
14124.1	2000	322	Am	14171.6	1999	993	Am
14124.2	2000	322	Am		2000	322	Am
14124.7	2000	451	Am	14172	2002	784	Am <sup>490</sup>
14124.93	2000	808 *	Am	14176.5	2001	649	Ad
	2002	1022 *	Am	14251	1999	525	Am <sup>112 114</sup>
14125	2002	1161 *	Am		2000	857	Am <sup>203</sup>
				14308	1999	525	Am <sup>112 114</sup>
					2000	857	Am <sup>203</sup>
				14408.5	2000	93 *	Ad
				14409	2000	93 *	Am

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

## WELFARE AND INSTITUTIONS CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
14456	1999	525	Am <sup>112 114</sup>		2002	1022*	Am
	2000	857	Am <sup>203</sup>	15204.8	2001	111*	Am
14456.5	2000	811	Ad	15452	2001	745*	R
14457	1999	525	Am <sup>112 114</sup>	15601	2002	54	Am
	2000	857	Am <sup>203</sup>	15610.17	2002	54	Am
14459	1999	525	Am <sup>112 114</sup>	15610.19	2002	54	Ad
	2000	857	Am <sup>203</sup>	15610.23	2002	54	Am
14460	1999	525	Am <sup>112 114</sup>	15610.30	2000	442	Am
	2000	857	Am <sup>203</sup>		2000	813	Am <sup>236</sup>
14482	1999	525	Am <sup>112 114</sup>	15610.37	2002	54	Am
	2000	857	Am <sup>203</sup>	15610.39	2002	54	Ad
14495.10	1999	845	Ad & R <sup>20</sup>	15610.50	2002	54	Am
14499.71	1999	525	Am <sup>112 114</sup>	15610.53	2000	559	Am
	2000	857	Am <sup>203</sup>	15610.55	2002	54	Am
14500.5	2002	641	Am	15610.57	2002	54	Am <sup>216</sup>
14501	2001	745*	Am	15610.63	2000	287	Am <sup>216</sup>
	2002	641	Am	15630	1999	236	Am
14502	2002	641	Am		2002	54	Am
14503	2002	641	Am	15633.5	2002	54	Am
14503.5	2002	641	Am		2002	552	Am
14509	2002	641	Am	15634	2002	54	Am
14509.1	2002	641	Am	15653.5	2002	54	R (as ad by
14510	2002	641	Am				Stats. 1998,
14512	2002	641	Am				Ch. 946)
14530	2001	681	Am				Am (as ad by
14552	2001	681	Am				Stats. 1998,
14552.1	2001	681	R				Ch. 980)
14552.2	2001	681	R	15655	1999	414	Ad
14553	2001	681	Am		2001	196	Am
14554	2001	681	Am	15655.5	2002	54	Ad
14570	2001	681	Am	15657	2002	664	Am <sup>431</sup>
14571	2001	681	Am	15657.03	1999	561	Ad
14573	2001	681	Am		2001	176	Am
14574	2000	869	Am	15659	2002	54	Am
	2001	681	Am	15660	2000	972	Am
14574.1	2000	869	Ad		2001	845	Am
	2001	681	Am		2002	627	Am
14575	2001	681	Am	15660.1	2000	972	Ad <sup>82</sup>
14576	2001	681	Am	15701	2002	54	Am
14580	2001	681	R	15701.1	2002	54	R
14618	2001	745*	R	15701.15	2002	54	R
14995.10	2002	1161*	Am <sup>43</sup>	15701.2	2002	54	R
15200.05	2000	108*	Am	15701.35	2002	54	R
15200.6	1999	478	R	15750	2002	54	Am & RN & Ad
15200.75	1999	478	R	15751	2002	54	Am & RN &
15200.81	1999	147*	Am				Ad(RN)
	1999	478	R	15752	2002	54	R & Ad(RN)
	1999	480	R (as am by	15753	2002	54	R
			Sec. 34,	15753.5	2002	54	R
			Stats. 1999,				
			Ch. 147)	Div. 9,			
15200.92	1999	478	R	Pt. 3,			
15200.95	1999	478	R	Ch. 13.5,			
	1999	479*	Am & R <sup>2</sup>	heading			
				(Sec. 15760			
15200.96	1999	478	R	et seq.)	2002	54	R
15200.97	1999	478	R	15760	2002	54	Am <sup>407</sup>
15200.98	1999	478	R	15761	2002	54	R
15204.3	1999	147*	Am	15762	2002	54	S <sup>407</sup>
	2000	108*	Am	15763	1999	670	Am <sup>94</sup>
	2001	111*	Am		2001	111*	Am <sup>306</sup>

NOTE: Superior numbers appear as a separate section at the end of the Statutory Record.

**WELFARE AND INSTITUTIONS 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>
15763 (Cont.)	2002	54	Am <sup>407</sup>	16515	2001	115	R
	2002	552	Am (by Sec. 3 of Ch.)	16516.5	2001	675	Am
	2002	1022 *	Am	16516.6	2001	675	Ad
15764	2002	54	S <sup>407</sup>	16518	2001	653 *	Am
15765	2002	54	Am	16522	2001	125 *	Am
15766	1999	147 *	Ad	16522.1	2001	125 *	Am
16000	2000	745	Am	16522.3	2001	125 *	R
16001.7	2000	108 *	Ad	16525.2	2000	799	Am
16001.9	2001	683	Ad	16605	2000	866	Am
16002	2000	909	Am	16809	1999	146 *	Am (as am by Sec. 1, Stats. 1997, Ch. 669)
16003	2000	745	Ad		2000	93 *	Am (as am by Sec. 68, Stats. 1999, Ch. 146)
16004	2000	918	Am		2001	171 *	Am (as am by Sec. 99, Stats. 2000, Ch. 93)
16005	2001	909	Ad		2002	1161 *	Am (as am by Sec. 45, Stats. 2001, Ch. 171) <sup>68</sup>
16010	1999	353	Ad				Am (as am by Sec. 2, Stats. 1997, Ch. 669) <sup>69</sup>
16011	2001	552	Am	16809.4	2002	1161 *	Am <sup>68</sup>
16011	2001	353	Am	16946	1999	741	Am
16011	2001	125 *	Ad	17012.5	1999	83	R (as ad by Sec. 2, Stats. 1997, Ch. 283) <sup>30</sup>
16011	2002	1022 *	Am				Am (as ad by Sec. 2, Stats. 1997, Ch. 284) <sup>30</sup>
16012	2001	694	Ad & R <sup>75</sup>	17600	1999	90 *	Am
16118	1999	83	Am <sup>30</sup>	17600.110	1999	90 *	R
16118	1999	547	Am	18205	1999	480	Am (as ad by Stats. 1997, Ch. 606) & RN
16119	1999	547	Am		1999	980	Am & RN (by Sec. 22.5 of Ch.)
16119	1999	905 *	Am (by Sec. 1 of Ch.) <sup>77</sup>	18205.5	1999	480	Ad(RN)
			Am (by Sec. 2 of Ch.) <sup>1</sup>		1999	980	Ad(RN) (by Sec. 22.5 of Ch.)
16120.05	1999	547	Am	18206	2001	745 *	Am
16121.05	1999	547	Am	18210	2001	115	R
16121.2	1999	887	Ad	18211	2001	115	R
16122	1999	905 *	Am	18212	2001	115	R
16131	2002	1022 *	Am	18212.5	2001	115	R
16162	2002	1160	Am	18213	2001	115	R
16164	1999	147 *	Am	18214	2001	115	R
	2001	683	Am		2001	745 *	R
	2002	1160	Am (by Sec. 3 of Ch.)	18215	2001	115	R
16170	1999	887	Ad	18240	2001	745 *	Am
16171	1999	887	Ad	18242	1999	803	Am
16172	1999	887	Ad	18243	1999	803	Am
16173	1999	887	Ad				
16174	1999	887	Ad				
16175	1999	887	Ad				
16176	1999	887	Ad				
16177	1999	887	Ad				
16206	1999	211	Am				
	2002	354	Am				
16500.1	1999	634	Ad				
16500.2	2001	745 *	Am				
16501.1	1999	83	Am <sup>30</sup>				
	1999	887	Am				
	2000	909	Am				
	2001	111 *	Am				
	2001	683	Am				
16501.3	1999	147 *	Ad				
16504.5	2000	421 *	Ad				
	2001	653 *	Am				
	2002	918	Am				
16507	2001	470	Am				
16507.5	2001	653 *	Am				

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

## WELFARE AND INSTITUTIONS CODE—Continued

Section	Affected By			Section	Affected By		
	Year	Chapter	Effect		Year	Chapter	Effect
18246	1999	803	R	18986.60	2001	17*	S <sup>98 75</sup>
18247	1999	803	Am	18986.61	2001	17*	S <sup>98 75</sup>
18250	2001	111*	S <sup>54 57</sup>	18986.62	2001	17*	Am <sup>98 75</sup>
18251	2000	259	Am	18986.86	1999	705	Ad & R <sup>18</sup>
	2001	111*	S <sup>54 57</sup>	18986.87	1999	705	Ad & R <sup>18</sup>
18252	2001	111*	S <sup>54 57</sup>	18986.88	1999	705	Ad & R <sup>18</sup>
18253	2001	111*	S <sup>54 57</sup>	18987	2000	300	Am <sup>70 18</sup>
18253.5	2001	111*	S <sup>54 57</sup>	18987.05	2000	300	S <sup>70 18</sup>
18254	2000	259	Am	18987.1	2000	300	S <sup>70 18</sup>
	2001	111*	S <sup>54 57</sup>	18987.15	2000	300	Am <sup>70 18</sup>
18255	2001	111*	S <sup>54 57</sup>	18987.16	2000	300	Am <sup>70 18</sup>
18256	2001	111*	S <sup>54 57</sup>	18987.17	2000	300	Am <sup>70 18</sup>
18256.5	2001	111*	S <sup>54 57</sup>	18987.2	2000	300	Am <sup>70 18</sup>
18257	2001	111*	R	18987.25	2000	300	S <sup>70 18</sup>
18308	2001	90	Ad & R <sup>75</sup>	18987.3	2000	300	Am <sup>70 18</sup>
18358.30	1999	147*	Am	18987.36	2000	300	Am <sup>70 18</sup>
18600	2001	115	R	18987.4	2000	300	Am <sup>70 18</sup>
18901.8	2000	682	Ad	18987.45	2000	300	S <sup>70 18</sup>
18910	1999	826	Ad	18987.5	2000	300	Am <sup>70 18</sup>
	2002	1022*	R & Ad <sup>515</sup>	18990	2001	115	R
	2002	1024	Am (as ad by Stats. 2002, Ch. 1022)	18991	2001	115	R
				18993	1999	146*	S <sup>45 24</sup>
18918	2000	108*	Ad		2000	839	S <sup>54 57</sup>
18919	2001	115	R	18993.1	1999	146*	S <sup>45 24</sup>
18920	2001	115	R		2000	839	S <sup>54 57</sup>
18925	2001	897	Ad	18993.2	1999	146*	S <sup>45 24</sup>
	2002	1161*	Am		2000	839	S <sup>54 57</sup>
18930	1999	147*	Am (as ad by Sec. 34, Stats. 1998, Ch. 329)	18993.3	1999	146*	S <sup>45 24</sup>
					2000	839	S <sup>54 57</sup>
	2000	108*	Am	18993.4	1999	146*	S <sup>45 24</sup>
	2001	111*	Am		2000	839	S <sup>54 57</sup>
18930.5	1999	147*	Am <sup>36 13</sup>	18993.5	1999	146*	S <sup>45 24</sup>
18931	1999	147*	S <sup>36 13</sup>		2000	839	S <sup>54 57</sup>
18932	1999	147*	Am <sup>36 13</sup>	18993.6	1999	146*	S <sup>45 24</sup>
18933	1999	147*	S <sup>36 13</sup>		2000	839	S <sup>54 57</sup>
18934	1999	147*	Am <sup>36 13</sup>	18993.7	1999	146*	S <sup>45 24</sup>
18935	1999	147*	Ad		2000	839	S <sup>54 57</sup>
18937	1999	147*	S <sup>36 13</sup>	18993.8	1999	146*	S <sup>45 24</sup>
18938	1999	147*	Am <sup>36 13</sup>		2000	839	S <sup>54 57</sup>
	2000	108*	Am	18993.9	1999	146*	Am <sup>45 24</sup>
	2001	111*	Am		1999	754*	Am
18939	1999	147*	S <sup>36 13</sup>		2000	839	R & Ad
18940	1999	147*	Am <sup>36 13</sup>	19000	2001	193	Am
	1999	148*	Am (as am by Stats. 1999, Ch. 147)		2002	664	Am <sup>431</sup>
				19011	2001	193	Am
	2001	111*	Am	19050	2002	1102	Am
18941	1999	147*	S <sup>36 13</sup>	19050.5	2002	1102	Am
18942	1999	147*	S <sup>36 13</sup>	19054	2002	1102	Ad
18943	1999	147*	S <sup>36 13</sup>	19090	2001	193	Am
18944	1999	147*	Am <sup>36 13</sup>	19091	1999	147*	Am
18959	2000	108*	Ad <sup>197</sup>	19092	1999	147*	Am
			R <sup>22</sup>		2001	193	Am
18959.1	2000	108*	Ad <sup>197</sup>	19095	2002	1102	Ad
			R <sup>22</sup>	19095.5	2002	1102	Ad
18959.2	2000	108*	Ad <sup>197</sup>	19096	2002	1102	Ad
			R <sup>22</sup>	19097	2002	1102	Ad
				19097.5	2002	1102	Ad
				19098	2002	1102	Ad
				19098.5	2002	1102	Ad
18969	2002	647	Am	19352	2000	108*	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>Section</i>	<i>Affected By</i>		
	<i>Year</i>	<i>Chapter</i>	<i>Effect</i>		<i>Year</i>	<i>Chapter</i>	<i>Effect</i>
19355.5	1999	147 *	Am	22005.1	1999	802	Ad
	2000	95 *	Am <sup>197</sup> R <sup>22</sup>	22006	1999	802	Am
	2002	1022 *	Am	22007	1999	802	Am
19356	2000	108 *	Am	22008	1999	802	Am
	2002	1022 *	Am	22008.5	1999	802	Am
19356.5	2002	1022 *	Am	22009	1999	802	Am
19356.6	1999	147 *	Am <sup>45 24</sup>	22010	1999	525	Am <sup>112 114</sup>
	2000	95 *	Am <sup>197 19</sup>		1999	802	R & Ad(RN)
	2002	1022 *	Am <sup>467</sup>	22011	1999	802	R
19356.65	2000	108 *	Ad	22013	1999	802	Am & RN
	2002	1022 *	R	24000	1999	146 *	S <sup>54 57</sup>
19356.7	1999	147 *	Am <sup>45 24</sup>	24001	1999	146 *	Am <sup>54 57</sup>
	2000	95 *	Am <sup>197 19</sup>	24003	1999	146 *	S <sup>54 57</sup>
19461	2000	182	Am	24003.2	1999	146 *	Ad
19462	2001	193	Am	24003.5	1999	146 *	Ad
19469	2001	193	Am	24005	1999	146 *	Am <sup>54 57</sup>
19630.5	2001	327	Ad		2000	322	Am
19801	1999	493	Am	24007	1999	146 *	S <sup>54 57</sup>
19806	1999	147 *	Am	24007.5	1999	146 *	Ad
	2000	108 *	Am	24009	1999	146 *	S <sup>54 57</sup>
	2001	111 *	Am	24011	1999	146 *	S <sup>54 57</sup>
19820	1999	861	Ad & R <sup>20</sup>	24013	1999	146 *	S <sup>54 57</sup>
19821	1999	861	Ad & R <sup>20</sup>	24015	1999	146 *	S <sup>54 57</sup>
19822	1999	861	Ad & R <sup>20</sup>	24017	1999	146 *	S <sup>54 57</sup>
19823	1999	861	Ad & R <sup>20</sup>	24021	1999	146 *	S <sup>54 57</sup>
22000	1999	802	Am	24023	1999	146 *	S <sup>54 57</sup>
22001	1999	802	Am	24027	1999	146 *	R & Ad
22002	1999	802	Am	25000	1999	990	Ad
22003	1999	802	Am	25001	1999	990	Ad
22004	1999	802	Am	25002	1999	990	Ad
22005	1999	525	Am <sup>112 114</sup>		2000	135	Am <sup>203</sup>
	1999	802	R & Ad		2000	1067	Am
				25003	1999	990	Ad

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

## 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>			
<b>1911</b>	700	2000	714	Am 1	1544	1999	89	R 7 Am 3, 5, 12, 13, 13.1 Ad 12.1	
<b>1913</b>	317	2000	527*	Am 4, 5					
<b>1917</b>	594	2000	734*	Am 1	<b>1952 (1st Ex. Sess.)</b>				
<b>1919</b>	354	2000	262	Am 12 (as am by Sec. 2, Stats. 1933, Ch. 787)	10	1999	779*	Am 8.2, 54	
<b>1929</b>	651	2002	1130	Am 1 (as am by Sec. 1, Stats. 1979, Ch. 926), 2 (as ad by Stats. 1970, Ch. 1046), 5 (as ad by Stats. 1970, Ch. 1046), 6 (as ad by Stats. 1970, Ch. 1046)	<b>1955</b>	503	2000	1078	Am 14
<b>1933</b>	924	2002	41	Am 31.5	<b>1959</b>	2139	2001	91	Am 33
<b>1939</b>	73	2002	288	Am 2.6 Ad 2.7	<b>1961</b>	1654	1999 2002	96* 75	Ad 76.5 R 92, 93, 94, 95, 96, 97, 98, 99, 100, 101 R & Ad 91 Am 90
<b>1943</b>	545	1999 1999	62 83	Am 13 Am 8.2 (as am by Stats. 1998, Ch. 812) <sup>30</sup>	<b>1962 (1st Ex. Sess.)</b>	28	2001	225	Am 5.1 <sup>315</sup> Ad 15.1, 16.1
		1999 2000	97 506	Am 8 Am 10 (as am by Sec. 66, Stats. 1998, Ch. 829), 10.2 (as am by Sec. 67, Stats. 1998, Ch. 829)		67	2000 2001	929 302	Ad 5.5 Am 4 (as am by Sec. 1, Stats. 1996, Ch. 399) <sup>385</sup> Am 5 (as am by Sec. 1.5, Stats. 1996, Ch. 399) <sup>385</sup>
<b>1944 (4th Ex. Sess.)</b>	44	2002	564	Am 1, 32				946	Am 4 (as am by Sec. 1, Stats. 1996, Ch. 399) <sup>385</sup> Am 5 (as am by Sec. 1.5, Stats. 1996, Ch. 399) <sup>385</sup>
<b>1951</b>	303	2002	426	Am <sup>48</sup>	<b>1963</b>	1797	2001	473	R all <sup>369</sup> R 106, 107, 108 Am 105
	1405	2001	63*	Ad 13.2		1982	1999	96*	
		2001	170	Am 4, 5, 31, 33	<b>1969</b>	209	1999 1999	46 415	Am 132 Ad 126.5, 126.7, 130.5, 130.7 Ad & R 127 <sup>18</sup>
		2002	664	Am 5 <sup>431</sup>			1999	524	Ad 125.5
	1449	2002	283	R 18, 31 Am 1.5, 7, 8, 9, 12.5, 13, 13.5, 14, 15, 17, 21		1032	2001	473	R all <sup>369</sup>
					<b>1973</b>	113	2000	134	Am 4.1, 4.2, 4.3
						1089	2000	134	Am 4.1, 4.2, 4.5
					<b>1974</b>	569	2000	375	R 3
					<b>1976</b>	761	2002	974	Am 1 (as am by Sec. 8, Stats. 1996, Ch. 417)
						815	2002	387	Am 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>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>	
<b>1978</b>				<b>1995</b>			
74	2001	745 *	Am 1 (as am by Sec. 1, Stats. 1997, Ch. 317)	899	1999 2001	796 * 895	Am 3 Am 3 (as am by Sec. 3, Stats. 1999, Ch. 796)
<b>1982</b>				Res.			
1005	1999	174 *	Am 1	Ch. 100	2001	745 *	R all
<b>1984</b>				<b>1996</b>			
257	2002	50	Am 316	151	2000	585	Am 1
<b>1985</b>				204	1999	152 *	Am 31
1087	2002	974	Am 12	417	2001	610	R 2
1523	2001	745 *	R 3	953	1999	63	Am 31 <sup>5</sup>
<b>1987</b>				1047	2001	750	R 2
29	2001	170	R 5	<b>1997</b>			
<b>1988</b>				58	2000	19 *	Am 1 (as am by Sec. 39, Stats. 1997, Ch. 825)
1495	2001	745 *	Am 2				Am 1 (as am by Stats. 2000, Ch. 19)
1601	2000	590	Am 12		2002	467	Am 1
<b>1989</b>							R 1
620	1999	870	R 10				Am 39
1350	2001	745 *	Am 1				Am 2
<b>1990</b>							Am 12
674	2001	745 *	R 1		2000	393	Am 62
1309	2002	513	R 11		1999	152 *	Am 2
1621	2001	745 *	Am 1		2000	770	Am 2
<b>1991</b>					2001	610	Am 12
625	1999	870	Am 2 (as am by Stats. 1998, Ch. 731), 3 (as am by Stats. 1994, Ch. 391)		1999	351 *	Am 2
					2001	745 *	Am 44
	2002	974	Am 3 (as am by Sec. 3, Stats. 1999, Ch. 870)	<b>1998</b>			
<b>1992</b>				21	1999	83	Am 2 <sup>30</sup>
684	2001	319	Am 4	47	2000	139 *	R 1, 2
722	2001	171 *	R 147	310	1999	83	Am 111 <sup>30</sup>
776	2000	905	Am 304, 313, 502, 506, 507, 508, 511, 605, 607, 705, 706, 707 <sup>187</sup> R 602 Ad 314.5, 503.1 <sup>187</sup> S all <sup>187</sup>		1999	831 *	Am 111
					1999	67 *	Am 3 <sup>23</sup>
	2001	159	Am 511 <sup>305</sup>		1999	78 *	Am 56
	2001	810 *	Am 508, 511 Ad 401.1		1999	152 *	Am 53
<b>1993</b>					2001	595	Am 5
1012	2001	745 *	R 2		1999	83	Am 3 <sup>30</sup>
1094	2000	713	R 3		1999	83	Am 1 <sup>30</sup>
<b>1994</b>					1999	83	Am 11, 12 <sup>30</sup>
868	2001	24	R all		1999	153 *	Am 1
					2000	135	Am 1 (as am by Sec. 1, Stats. 1999, Ch. 153) <sup>203</sup>
					2000	953	Am 1.5
					1999	670	Am 14
					1999	78 *	Am 2
					1999	83	Am 10 <sup>30</sup>
					2000	671 *	Am 1
					1999	573 *	Am 1
					1999	365	Am 3, 4, 7 <sup>24</sup> S 1, 2, 5, 6 <sup>24</sup>
				<b>1999</b>			
				50	1999	800	Am 3.60
				66	1999	66 *	Ad 10, 11 <sup>31</sup> R 10, 11 <sup>25</sup>

**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>
67	1999	67 *	S 43 <sup>33</sup>	703	2000	703 *	S 11 <sup>37</sup>
78	1999	78 *	S 65, 66, 70, 72, 73 <sup>37</sup>	714	2001	159	Am 5, 6 <sup>305</sup>
	1999	646	Am 65	719	2000	719	S 1 <sup>37</sup>
	2000	76 *	Am 62	744	2000	744	S 1 <sup>37</sup>
	2002	1168 *	Am 62 (as am by Stats. 2000, Ch. 76)	746	2000	746	S 1 <sup>37</sup>
				754	2000	754	S 6 <sup>37</sup>
84	1999	84 *	S 9 <sup>29</sup>	770	2002	974	Am 1
	1999	86	Am 7	794	2000	794	S 3 <sup>37</sup>
	2000	135	Am 7 (as am by Sec. 7, Stats. 1999, Ch. 86) <sup>203</sup>	807	2000	807	R 3 <sup>8</sup>
				861	2001	826	Am 59
				862	2001	159	Am 228 <sup>305</sup>
				866	2000	866	S 2, 3 <sup>37</sup>
				902	2000	902	S 4 <sup>37</sup>
				935	2000	935	S 2 <sup>37</sup>
85	1999	85	R 4, 5, 6 <sup>28</sup>	942	2000	942	S 3 <sup>37</sup>
	1999	86	S 8 <sup>82</sup> , 9 <sup>82</sup>				R 4 <sup>8</sup>
					2001	382	Am 4
152	1999	646	Am 6	975	2001	159	Am 2, 3 <sup>305</sup>
521	1999	521 *	S 4 <sup>115</sup>		2002	499 *	Am 2
562	1999	562	R 1 <sup>104</sup>	1016	2000	1016	S 13 <sup>37</sup>
604	2002	502 *	Am 4	1023	2001	941	Am 1
607	2000	1035	Am 1	1024	2001	734 *	Am 3
721	1999	721	S 8, 9 <sup>171</sup>	1087	2000	1087	S 3 <sup>37</sup>
811	1999	811 *	S 2 <sup>37</sup>	Prop. 34	2001	241 *	Am 83
817	2001	874 *	Am 9	<b>1999–2000 (1st Ex. Sess.)</b>			
870	2001	610	Am 4	1	IX 1999–2000	1	S 1 <sup>1</sup>
956	1999	956 *	S 2 <sup>37</sup>	2	IX 1999–2000	2 *	S 9 <sup>9</sup>
959	1999	959	S 1 <sup>37</sup>	3	1999	646	Am 2
963	1999	963	R 2 <sup>133</sup>		2000	695 *	Am 2
	2000	506	R 901	<b>2001</b>			
	1999	965	S 2 <sup>37</sup>	106	2002	1168 *	Am 12.40
996	1999	996	S 28 <sup>37</sup>		3X 2001–02	1 *	Ad 3.20, 3.30, 3.40, 3.70
999	1999	999	R 2 <sup>143</sup>				S 4 <sup>37</sup>
1000	1999	1000	R 54.6 <sup>161</sup>	155	2001	155 *	Am 1
1001	1999	1001 *	S 2 <sup>37</sup>	367	2002	648 *	R 2, 3, 5 <sup>100</sup>
1010	1999	1010 *	S 2 <sup>37</sup>	421	2001	421	Am 41 <sup>34</sup> , 44 <sup>22</sup>
1021	1999	1021 *	S 2, 15, 17, 21 <sup>37</sup>	434	2002	1038	S 2 <sup>37</sup>
				443	2001	443	S 4 <sup>37</sup>
1022	1999	1022	S 1.5 <sup>37</sup>	468	2001	468 *	S 4 <sup>37</sup>
<b>2000</b>				523	2001	523	S 4 <sup>37</sup>
71	2000	71 *	S 41, 42, 43 <sup>37</sup>	558	2001	558	S 1 <sup>37</sup>
	2000	1058	Am 35, 42 <sup>37</sup>	566	2001	566	S 2 <sup>37</sup>
91	2000	656 *	R 21	576	2001	576	S 3 <sup>37</sup>
100	2000	100 *	S 6 <sup>37</sup>	577	2001	577	S 4 <sup>37</sup>
	2000	353 *	Am 6	579	2001	579	S 2 <sup>37</sup>
127	2000	127 *	S 33 <sup>200</sup> , 36 <sup>37</sup>	682	2001	682	S 3 <sup>37</sup>
223	2001	398	Am 3	692	2001	692	S 2 <sup>37</sup>
321	2000	321	S all <sup>8</sup>	698	2001	698	S 1 <sup>320</sup>
332	2000	332 *	R 1 <sup>5</sup>	711	2001	711	S 2, 3 <sup>35</sup>
352	2001	159	Am 1 <sup>305</sup>	721	2001	721 *	S 7 <sup>37</sup>
363	2000	363 *	S 11 <sup>191</sup>	723	3X 2001–02	2 *	Am 1
395	2000	395	S 3 <sup>37</sup>	736	2001	736	S 4 <sup>37</sup>
402	2000	402 *	S 23 <sup>37</sup>	737	2001	737	S 11 <sup>37</sup>
407	2000	407	S 2 <sup>229</sup>	743	2001	743	S 2 <sup>37</sup>
545	2000	545	S 4 <sup>5</sup>	749	2001	749 *	S 8 <sup>37</sup>
597	2000	597	S 3 <sup>37</sup>	768	2001	768 *	S 2 <sup>37</sup>
661	2001	159	Am 1 <sup>305</sup>	814	2002	19 *	Am 1
672	2000	672 *	S 24.5 <sup>37</sup>	827	2001	827	S 1 <sup>37</sup>
693	2001	159	Am 2 <sup>305</sup>	837	2001	837 *	S 3 <sup>37</sup>

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**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>
842	2002	15 *	Am 4	637	2002	637	S 2, 3, 5 <sup>68</sup>
859	2002	1011	Am 3	721	2002	721	S 2 <sup>417</sup>
860	2001	860	S 2 <sup>37</sup>	868	2002	868	S 1 <sup>487</sup>
870	2001	870 *	S 3, 4 <sup>37</sup>	887	2002	887	S 2 <sup>526</sup>
879	2001	879	S 4 <sup>37</sup>	910	2002	1106	Am 7
885	2001	885 *	S 4 <sup>37</sup>	915	2002	915	S 1, 6 <sup>175</sup>
886	2001	886	S 3 <sup>37</sup>	983	2002	983	S 7 <sup>37</sup>
891	2001	891 *	S 34 <sup>37</sup>	1060	2002	1060	S 2 <sup>520</sup>
	3X 2001–02	2 *	Am 33	1066	2002	1066	S 2 <sup>37</sup>
913	2001	913	S 3 <sup>37</sup>	1126	2002	1126	S 2 <sup>37</sup>
932	2001	932	S 1 <sup>37</sup>	1147	2002	1147	S 4 <sup>37</sup>
<b>2002</b>				1161	2002	1164 *	R 103
6	2002	866	Am 86	1167	2002	1167 *	S 44, 51 <sup>37</sup>
35	2002	807 *	Am 76	1170	2002	1170 *	S all <sup>535</sup>
99	2002	444 *	Am 2	<b>2001–02 (1st Ex. Sess.)</b>			
379	2002	1023 *	Ad 3,90, 3,91	4	1X 2001–02	9	Am & R 6 <sup>20</sup>
	2002	1170 *	Ad 3,90, 3,91 <sup>535</sup>	7	2001	111 *	Am 5
					1X 2001–02	7 *	S 5 <sup>37</sup>
381	2002	381	S all <sup>73 19</sup>				R 5, 6 <sup>63</sup>
482	2002	482	S 2 <sup>417</sup>	8	1X 2001–02	8 *	S 14 <sup>37</sup>
496	2002	496	S 1 <sup>22</sup>	12	1X 2001–02	12	S 12 <sup>222 20</sup>

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**BUDGET ITEMS**

<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>
<b>1986, Ch. 186</b>				<b>1991, Ch. 118</b>			
2660-101-046	1999	50 *	S	2660-001-890	1999	50 *	S
4440-801-036	2000	52 *	S		2000	52 *	S
<b>1987, Ch. 135</b>					2001	106 *	S
2660-001-890	1999	50 *	S		2002	379 *	S
	2000	52 *	S	2660-101-042	1999	50 *	S
	2001	106 *	S		2000	52 *	S
	2002	379 *	S		2001	106 *	S
2660-101-045	2000	52 *	S		2002	379 *	S
<b>1988, Ch. 313</b>				2660-101-045	2000	52 *	S
2660-001-890	1999	50 *	S	2660-101-046	1999	50 *	S
	2000	52 *	S		2000	52 *	S
	2001	106 *	S		2001	106 *	S
	2002	379 *	S		2002	379 *	S
2660-101-045	2000	52 *	S	2660-301-042	1999	50 *	S
<b>1989, Ch. 93</b>					2000	52 *	S
2660-001-890	1999	50 *	S		2001	106 *	S
	2000	52 *	S	2660-325-042	1999	50 *	S
	2001	106 *	S		2000	52 *	S
	2002	379 *	S		2001	106 *	S
2660-101-045	2000	52 *	S	6110-001-890	2001	750	Am
2660-101-046	1999	50 *	S	<b>1992, Ch. 587</b>			
	2000	52 *	S	2660-001-890	1999	50 *	S
	2001	106 *	S		2000	52 *	S
	2002	379 *	S		2001	106 *	S
2660-301-042	1999	50 *	S		2002	379 *	S
	2000	52 *	S	2660-101-045	2000	52 *	S
	2001	106 *	S	2660-101-853	1999	50 *	S
	2002	379 *	S		2000	52 *	S
2660-301-890	2001	106 *	S		2001	106 *	S
	2002	379 *	S		2002	379 *	S
3680-101-235	2000	52 *	S	2660-101-890	1999	50 *	S
<b>1990, Ch. 467</b>					2000	52 *	S
2660-001-890	1999	50 *	S		2001	106 *	S
	2000	52 *	S		2002	379 *	S
	2001	106 *	S	2660-125-042	1999	50 *	S
	2002	379 *	S		2000	52 *	S
2660-101-042	1999	50 *	S		2001	106 *	S
	2000	52 *	S		2002	379 *	S
	2001	106 *	S	2660-125-046	1999	50 *	S
	2002	379 *	S		2000	52 *	S
2660-101-045	2000	52 *	S		2001	106 *	S
2660-101-046	1999	50 *	S		2002	379 *	S
	2000	52 *	S	2660-301-890	1999	50 *	S
	2001	106 *	S		2000	52 *	S
2660-101-890	1999	50 *	S		2001	106 *	S
	2000	52 *	S		2002	379 *	S
	2001	106 *	S	2660-302-046	1999	50 *	S
	2002	379 *	S		2000	52 *	S
2660-301-042	1999	50 *	S		2001	106 *	S
	2000	52 *	S		2002	379 *	S
	2001	106 *	S	6110-001-890	2001	750	Am
	2002	379 *	S	<b>1993, Ch. 55</b>			
2660-301-890	2001	106 *	S	2660-001-890	1999	50 *	S
	2002	379 *	S		2000	52 *	S
2660-302-046	1999	50 *	S		2001	106 *	S
2660-325-042	1999	50 *	S		2002	379 *	S
	2000	52 *	S	2660-101-890	1999	50 *	S
	2001	106 *	S		2000	52 *	S
	2002	379 *	S		2001	106 *	S
3680-101-235	2000	52 *	S		2002	379 *	S

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**BUDGET ITEMS—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>
2660-125-042	1999	50 *	S	<b>1995, Ch. 303</b>	1760-301-768	1999	50 * S
	2000	52 *	S		2660-001-890	2000	52 * S
	2001	106 *	S		2001	106 * S	
	2002	379 *	S		2002	379 * S	
2660-125-046	1999	50 *	S	2660-101-042	2000	52 * S	
	2000	52 *	S		2001	106 * S	
	2001	106 *	S		2002	379 * S	
	2002	379 *	S	2660-101-045	1999	50 * S	
2660-301-042	1999	50 *	S		2000	52 * S	
	2000	52 *	S		2001	106 * S	
	2001	106 *	S	2660-125-042	1999	50 * S	
	2002	379 *	S		2000	52 * S	
2660-301-890	2001	106 *	S		2001	106 * S	
	2002	379 *	S		2002	379 * S	
2660-302-046	1999	50 *	S	2660-125-183	1999	50 * S	
	2000	52 *	S		2000	52 * S	
	2001	106 *	S		2001	106 * S	
	2002	379 *	S	2660-301-890	2002	379 * S	
2660-325-042	1999	50 *	S	2660-302-046	2000	52 * S	
	2000	52 *	S		2001	106 * S	
	2001	106 *	S		2002	379 * S	
	2002	379 *	S	2660-325-042	2001	106 * S	
3790-301-164	2000	52 *	S		2002	379 * S	
5240-303-746	1999	888	S	3790-101-156	2000	52 * S	
	2002	379 *	S	3790-111-786	2000	52 * S	
<b>1994, Ch. 139</b>				5240-301-746	2001	106 * S	
1760-101-768	1999	50 *	S	<b>1996, Ch. 162</b>			
	2000	52 *	S	2660-001-0890	2001	106 * S	
	2001	106 *	S		2002	379 * S	
	2002	379 *	S	2660-101-0042	2001	106 * S	
2660-001-890	1999	50 *	S		2002	379 * S	
	2000	52 *	S	2660-101-0045	1999	50 * S	
	2001	106 *	S		2000	52 * S	
	2002	379 *	S		2001	106 * S	
2660-101-046	2001	106 *	S		2002	379 * S	
	2002	379 *	S	2660-125-0042	2001	106 * S	
2660-101-890	1999	50 *	S		2002	379 * S	
	2000	52 *	S	2660-125-0183	1999	50 * S	
	2001	106 *	S		2000	52 * S	
	2002	379 *	S		2001	106 * S	
2660-125-042	1999	50 *	S	2660-301-0890	1999	50 * S	
	2000	52 *	S	2660-302-0046	2001	106 * S	
	2001	106 *	S		2002	379 * S	
	2002	379 *	S	2660-325-0042	1999	50 * S	
2660-125-046	1999	50 *	S		2002	379 * S	
	2000	52 *	S	3540-301-0001	1999	50 * S	
	2001	106 *	S		2000	52 * S	
	2002	379 *	S	3600-001-0321	2000	52 * S	
2660-302-046	1999	50 *	S	3760-101-0001	1999	50 * S	
	2000	52 *	S	3790-301-0001	1999	50 * S	
	2001	106 *	S	3790-301-0001	1999	50 * S	
	2002	379 *	S	3790-301-0235	1999	50 * S	
2660-325-042	2000	52 *	S	3790-301-0263	1999	50 * S	
	2001	106 *	S	3960-013-0710	2000	52 * S	
	2002	379 *	S	5430-101-0001	2002	379 * S	
2660-325-056	1999	50 *	S	6110-107-0001	1999	50 * S	
	2000	52 *	S	6870-101-0001	1999	50 * S	
	2001	106 *	S	6870-301-0658	1999	50 * S	
3125-101-001	1999	50 *	S	8940-301-0001	1999	50 * S	
3790-101-733	1999	50 *	S	8940-301-0890	1999	50 * S	

**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
<b>1997, Ch. 282</b>							
0540-101-0001	2001	106 *	S	1920-001-0835	2000	52 *	S
0820-001-0001	1999	50 *	S		1999	50 *	S
	2000	52 *	S	2320-001-0317	2001	106 *	S
0820-301-0660	1999	50 *	S	2660-101-0042	2002	379 *	S
2660-001-0890	2002	379 *	S	2660-101-0045	2001	106 *	S
2660-101-0042	2002	379 *	S		2002	379 *	S
2660-101-0045	2000	52 *	S	2660-101-0183	2001	106 *	S
	2001	106 *	S		2002	379 *	S
	2002	379 *	S	2660-311-0042	1999	50 *	S
2660-101-0183	2001	106 *	S	2720-301-0001	1999	50 *	S
2660-125-0183	2000	52 *	S	2920-101-0001	1999	50 *	S
2660-301-0042	2002	379 *	S	3340-301-0001	1999	50 *	S
2660-301-0890	2000	52 *	S	3360-001-0465	2001	106 *	S
2660-302-0046	2002	379 *	S	3360-101-0497	2002	379 *	S
2660-325-0042	2000	52 *	S	3540-301-0001	1999	50 *	S
2920-101-0001	2000	52 *	S		2000	52 *	S
3340-301-0001	2000	52 *	S		2001	106 *	S
3360-101-0497	2001	106 *	S	3600-301-0200	1999	50 *	S
3680-101-0516	2000	52 *	S	3680-301-0001	1999	50 *	S
3680-301-0516	1999	50 *	S	3680-301-0516	1999	50 *	S
3760-301-0545	2002	379 *	S	3690-001-0014	1999	50 *	S
3790-101-0140	2001	400 *	S	3790-102-0001	2000	672 *	S
3790-301-0001	1999	50 *	S		2001	400 *	S
3790-301-0263	2000	52 *	S	3790-301-0001	1999	50 *	S
3860-301-0001	2000	52 *	S		2000	52 *	S
	2001	106 *	S		2001	400 *	S
	2002	379 *	S	3790-301-0263	2001	106 *	S
4200-101-0001	1999	50 *	S	3790-301-0545	1999	50 *	S
4200-102-0001	1999	50 *	S	3790-302-0001	1999	50 *	S
5240-301-0660	2000	52 *	S	3860-001-0001	1999	50 *	S
5430-005-0890	2000	52 *	S	3860-301-0001	1999	50 *	S
5430-105-0890	2000	52 *	S		2001	106 *	S
6110-001-0890	1999	50 *	S		2002	379 *	S
6110-107-0001	1999	50 *	S	3960-001-0014	2000	52 *	S
6110-113-0001	1999	50 *	S	3960-001-0018	2000	52 *	S
6110-156-0001	1999	152 *	S	4170-101-0001	1999	50 *	S
6600-301-0658	2002	379 *	S		2000	52 *	S
6870-101-0001	1999	50 *	S	4200-101-0001	1999	50 *	S
	2000	52 *	S	4200-102-0001	1999	50 *	S
6870-301-0658	1999	50 *	S	4260-001-0001	1999	50 *	S
	2000	52 *	S	4260-001-0823	1999	50 *	S
	2001	106 *	S	4300-101-0001	1999	50 *	S
<b>1998, Ch. 324</b>				4300-301-0001	1999	50 *	S
0160-001-0001	1999	50 *	S		2000	52 *	S
0450-101-0932	1999	50 *	S	4440-011-0001	1999	50 *	S
0540-101-0001	2001	106 *	S	4440-111-0001	1999	50 *	S
0690-301-0660	1999	50 *	S	4700-001-0890	1999	50 *	S
	2000	52 *	S	4700-101-0890	1999	50 *	S
0820-301-0001	1999	50 *	S	5100-001-0579	2001	106 *	S
1100-301-0001	1999	50 *	S	5100-001-0870	1999	50 *	S
	2000	52 *	S	5100-031-0890	2001	106 *	S
1100-301-0890	1999	50 *	S	5100-101-0579	2001	106 *	S
	2000	52 *	S	5100-131-0890	2001	106 *	S
1730-301-0001	1999	50 *	S	5160-101-0001	1999	50 *	S
1760-101-0022	1999	50 *	S	5180-001-0001	1999	50 *	S
1760-101-0768	1999	50 *	S	5180-001-0890	1999	50 *	S
	2000	52 *	S	5180-101-0001	1999	50 *	S
1760-301-0002	1999	50 *	S		2000	52 *	S
1760-301-0768	1999	50 *	S		2002	1022 *	Am
				5180-101-0890	1999	50 *	S

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**BUDGET ITEMS—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>
5180-102-0001	1999	50 *	S	8940-301-0001	1999	50 *	S
	2000	52 *	S	8940-301-0890	1999	50 *	S
	2001	106 *	S	8960-301-0001	1999	50 *	S
5180-151-0001	1999	50 *	S	9800-001-0001	1999	12 *	S
5240-001-0001	1999	50 *	S	9800-002-0494	1999	12 *	S
5240-002-0001	1999	50 *	S	9800-011-0001	1999	12 *	S
5240-004-0001	1999	50 *	S	9840-001-0001	1999	50 *	S
	2001	106 *	S (as ad by Stats. 1998, Ch. 502)		1999	68 *	S
				9840-001-0494	1999	50 *	S
					1999	68 *	S
5240-301-0001	1999	50 *	S	9840-001-0988	1999	50 *	S
	1999	888	S		1999	68 *	S
	2000	52 *	S		1999	68 *	S
	2001	106 *	S	9840-011-0001	1999	68 *	S
5240-302-0001	1999	50 *	S	<b>1999, Ch. 50</b>			
	2000	52 *	S	0450-112-0556	2000	52 *	S
	2001	106 *	S	0540-103-0001	2000	672 *	S
	2002	379 *	S		2001	932	S
5240-303-0001	1999	50 *	S	0690-301-0660	2000	52 *	S
5430-006-0890	2002	379 *	S	0840-001-0001	2000	5 *	Am
5430-106-0890	2002	379 *	S	0845-001-0217	2000	52 *	S
5460-301-0001	1999	50 *	S	1100-301-0001	2000	52 *	S
	2000	52 *	S	1111-002-0421	2000	52 *	S
6110-001-0001	1999	37 *	S	1730-001-0001	1999	479 *	S
	1999	78 *	S	1760-101-0768	2000	52 *	S
6110-011-0001	1999	50 *	S		2001	106 *	S
6110-106-0001	1999	50 *	S		2002	379 *	S
6110-112-0001	1999	50 *	S	1760-301-0001	2000	52 *	S
	2000	52 *	S	1920-001-0835	2000	52 *	S
6110-113-0001	1999	50 *	S	2240-001-0001	2000	52 *	S
6110-156-0001	2000	52 *	S	2240-105-0001	1999	793 *	S
6110-191-0001	1999	50 *	S	2660-101-0001	2000	52 *	S
6110-196-0001	1999	50 *	S		2002	379 *	S
	2000	52 *	S	2660-101-0042	2002	379 *	S
	2001	106 *	S	2660-101-0045	2002	379 *	S
6110-200-0001	1999	50 *	S	2660-104-0001	2002	379 *	S
6110-212-0001	1999	50 *	S	2660-301-0042	2002	379 *	S
6110-232-0001	1999	50 *	S	2660-311-0042	2000	52 *	S
6110-295-0001	1999	50 *	S		2001	106 *	S
	2000	52 *	S	2720-301-0042	2002	379 *	S
6360-001-0408	1999	50 *	S	2720-301-0044	2000	52 *	S
6440-001-0001	1999	50 *	S	2920-101-0001	1999	1021 *	S <sup>37</sup>
6440-301-0574	1999	50 *	S	3360-001-0465	2002	379 *	S
6600-001-0001	1999	50 *	S	3360-102-0001	1999	1003	S
6610-001-0001	1999	50 *	S	3480-101-0001	3X 2001-02	1 *	S
6610-001-0498	1999	50 *	S	3540-001-0001	2000	2 *	S
6870-101-0001	1999	50 *	S		2000	52 *	S
	2000	52 *	S	3540-006-0001	2000	2 *	S
6870-103-0001	1999	50 *	S	3540-301-0001	2000	52 *	S
6870-301-0574	1999	50 *	S		2001	106 *	S
	2000	52 *	S		2002	379 *	S
6870-301-0658	2001	106 *	S	3540-301-0660	2001	106 *	S
6870-302-0574	1999	50 *	S	3600-102-0001	1999	811 *	S
8260-001-0001	1999	50 *	S	3600-301-0890	2000	52 *	S
	2000	52 *	S	3680-101-0516	1999	1003	S
	2002	379 *	S	3760-301-0940	2000	52 *	S
8570-001-0001	1999	50 *	S	3760-302-0001	1999	1003	S
	2001	106 *	S		1999	1021 *	S
8840-001-0001	1999	50 *	S		2000	672 *	S
				3790-002-0001	1999	811 *	S <sup>37</sup>

**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
3790-101-0001	1999	1003	S	6110-112-0001	2000	52*	S
	1999	1021*	S <sup>37</sup>	6110-122-0001	1999	646	Am
	2000	52*	S	6110-133-0001	2000	52*	S
	2000	672*	S	6110-156-0001	2001	106*	S
	3X 2001-02	1*	S	6110-181-0001	2000	52*	S
3790-301-0001	2000	52*	S	6110-184-0001	2000	52*	S
3790-301-0263	2001	106*	S	6110-186-0001	1999	646	Am
3790-302-0001	1999	811*	S <sup>37</sup>	6110-190-0001	2002	379*	S
	2000	52*	S	6110-196-0001	2000	52*	S
	2001	106*	S		2001	106*	S
3860-101-0001	1999	811*	S		2002	379*	S
3860-201-0001	1999	1003	S		2002	444*	S
3860-301-0001	2000	52*	S	6110-211-0001	2000	52*	S
	2001	106*	S	6110-232-0001	2002	444*	S
	2002	379*	S	6110-488	2000	52*	S
3960-001-0001	2000	52*	S	6110-490	2000	52*	S
	2001	106*	S	6110-495	1999	646	Am
3980-001-0001	2000	52*	S	6110-498	1999	646	Am
4200-101-0001	2000	52*	S	6120-140-0001	1999	1003	S
4200-102-0001	2000	52*	S	6440-001-0001	1999	1021*	S <sup>37</sup>
	2001	106*	S		2000	52*	S
4200-103-001	2001	106*	S	6440-301-0574	2001	106*	S
4260-001-0001	1999	148*	S	6600-001-0001	2000	52*	S
4260-001-0589	2002	1161*	S	6610-001-0001	2000	52*	S
4260-111-0001	1999	146*	S	6610-001-0498	2000	52*	S
4260-111-0233	1999	744*	S	6610-302-0574	2001	106*	S
4260-111-0236	1999	831*	S	6870-101-0001	1999	738	S
4300-101-0001	2000	52*	S		1999	959	S <sup>37</sup>
4300-301-0001	2000	52*	S		2000	52*	S
	2001	106*	S		2001	106*	S
4440-001-0001	1999	617*	S	6870-103-0001	2000	52*	S
4440-101-0001	1999	617*	S	6870-301-0574	2000	52*	S
4440-301-0001	2000	52*	S		2001	106*	S
	2001	106*	S		2002	379*	S
4440-301-0660	2000	52*	S	8100-101-0001	1999	1003	S
5100-001-0579	2001	106*	S	8260-001-0001	2000	52*	S
5100-031-0890	2001	106*	S		2001	106*	S
5100-101-0001	1999	1021*	S		2002	379*	S
	2000	52*	S	8260-103-0001	1999	602*	Am
5100-101-0579	2001	106*	S	8350-001-0001	1999	1021*	S
5100-131-0890	2001	106*	S		2000	52*	S
5160-001-0001	2000	52*	S	8350-001-0571	1999	1021*	S
5160-001-0890	2000	52*	S	8350-011-0001	1999	1021*	S
5180-001-0001	1999	479*	Am	8380-001-0001	2000	402*	S
5180-101-0001	1999	479*	S	8570-301-0001	2000	52*	S
	2000	52*	S	8940-001-0001	1999	793*	S
	2001	106*	S	8940-301-0001	2000	52*	S
	2002	1022*	Am		2002	379*	S
5180-102-0001	2000	52*	S	9210-117-0001	1999	1003	S
	2001	106*	S	9650-001-0001	1999	800	Am
5180-141-0001	1999	479*	S	9800-001-0001	1999	776*	S
5240-102-0001	1999	1003	Ad	9800-001-0494	1999	776*	S
5240-103-0001	1999	888	Ad		2000	402*	S <sup>37</sup>
5240-301-0001	2000	52*	S	9800-001-0988	1999	776*	S
5240-301-0660	2000	52*	S	9840-001-0001	2000	52*	S
	2001	106*	S		2001	2*	S
	2002	379*	S	9840-001-0494	2000	52*	S
5240-493	1999	888	Ad		2001	2*	S
5430-111-0001	2000	52*	S	9840-001-0988	2000	52*	S
5460-301-0001	2000	52*	S		2001	2*	S
6110-104-0001	2001	106*	S				

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**BUDGET ITEMS—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>
<b>2000, Ch. 52</b>				3940-101-0418	2000	672*	Am
0540-101-0005	2002	379*	S	3940-101-0419	2000	672*	Am
0540-491	2000	672*	Ad	3940-101-0744	2000	672*	Am
0690-103-0001	2000	672*	S	3940-101-6013	2000	672*	Am
0820-301-0001	2001	106*	S	3940-101-6016	2000	672*	Am
0855-001-0567	2001	23*	S	3940-101-6017	2000	672*	Am
1760-301-0001	2001	106*	S	3940-101-6019	2000	672*	Am
1760-301-0666	2001	106*	S	3940-101-6020	2000	672*	Am
	2002	379*	S	3940-101-6021	2000	672*	Am
1760-301-0768	2001	106*	S	3940-101-6022	2000	672*	Am
	2002	379*	S	3960-001-0001	2001	106*	S
1760-301-0853	2001	106*	S	4100-001-0890	2001	106*	S
	2002	379*	S	4130-001-0632	2001	106*	S
1920-001-0835	2001	106*	S	4170-101-0001	2001	106*	S
2660-001-0042	2001	106*	S	4200-101-0001	2000	672*	Am <sup>37</sup>
2660-001-0046	2001	106*	S	4200-102-0001	2001	106*	S
2660-001-0890	2001	106*	S		2002	379*	S
2660-101-0001	2002	379*	S	4200-103-0001	2001	106*	S
2660-101-0042	2002	379*	S		2002	379*	S
2660-102-0890	2001	106*	S		3X 2001–02	1*	S
2660-103-0046	2001	106*	S	4260-001-0001	2000	540*	S
2660-301-0001	3X 2001–02	1*	S		2001	106*	S
2660-301-0042	2002	379*	S		2002	379*	S
2660-311-0042	2001	106*	S	4260-001-0589	2002	1161*	S
2720-101-0001	2001	106*	S	4260-101-0001	2000	540*	S
2720-301-0044	2001	106*	S		2001	106*	S
2740-301-0042	2001	106*	S	4260-101-0890	2000	540*	S
2740-301-0044	2001	106*	S		2001	106*	S
	2002	379*	S	4260-111-0001	2000	540*	S
2740-301-0064	2001	106*	S		2001	106*	S
3360-001-0465	2001	106*	S	4300-101-0001	2001	106*	S
3480-101-0001	3X 2001–02	1*	S		2002	379*	S
3540-301-0001	2001	106*	S	4440-101-0001	2001	106*	S
	2002	379*	S	5175-101-0001	2001	106*	S
3600-001-0001	2001	106*	S		3X 2001–02	1*	S
3600-101-0001	2001	106*	S	5180-001-0001	2000	309*	S
3640-301-0001	2002	379*	S		2001	111*	Am
3680-301-0516	2001	106*	S	5180-101-0890	2001	106*	S
3720-101-0001	2001	11*	S	5180-102-0001	2001	106*	S
3760-302-0005	2000	672*	S	5180-111-0001	2001	106*	S
	2002	379*	S		2002	379*	S
3790-001-0001	2000	570*	S		3X 2001–02	1*	S
3790-101-0001	2000	672*	Am	5180-111-0890	2001	106*	S
	2001	106*	S	5180-141-0001	2001	106*	S
	2001	400*	S		2002	379*	S
	3X 2001–02	1*	S	5180-141-0890	2001	106*	S
3790-101-0005	2000	672*	S	5180-151-0001	2001	106*	S
3790-102-0005	2000	672*	Am		3X 2001–02	1*	S
	2001	106*	S	5180-151-0890	2001	106*	S
	2001	400*	S	5240-001-0001	2001	106*	S
3790-301-0001	2001	106*	S	5240-301-0001	2001	106*	S
3790-301-0005	2001	106*	S		2002	379*	S
3790-301-0263	2001	106*	S	5430-103-0001	2002	379*	S
	2002	379*	S	5430-113-0001	2002	379*	S
3790-302-0005	2000	672*	S	5430-118-0001	2002	379*	S
3860-001-6003	2001	106*	S	5460-301-0001	2001	106*	S
3860-101-0001	2000	672*	S		2002	379*	S
3860-101-6027	2001	106*	S	5480-001-0001	2001	106*	S
	2002	379*	S	6110-001-0001	2001	106*	S
3860-301-0001	2001	106*	S	6110-104-0001	2000	1058	Am
	2002	379*	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
6110-105-0001	2000	1058	Am	9100-101-0001	2000	615*	S
6110-108-0001	2002	379*	S		2001	2*	S
6110-111-0001	2002	379*	S	9650-001-0001	2000	1002	Am
6110-112-0001	2001	106*	S	9800-001-0001	2001	1*	S
	2002	379*	S		2001	22*	S
6110-116-0001	2002	379*	S		2001	25*	S
6110-125-0001	2001	106*	S	9800-001-0494	2001	1*	S
6110-128-0001	2002	379*	S		2001	22*	S
6110-133-0001	2001	106*	S		2001	25*	S
	2002	379*	S	9800-001-0988	2001	1*	S
	2002	444*	S		2001	22*	S
6110-134-0001	2000	1058	Am		2001	25*	S
	2002	444*	S	9840-001-0001	2001	106*	S
6110-151-0001	2000	1058	Am		2001	222*	S
6110-156-0001	2002	444*	S	9840-001-0494	2001	106*	S
6110-158-0001	2001	106*	S		2001	222*	S
6110-165-0001	2000	1058	Am	9840-001-0988	2001	106*	S
6110-181-0001	2001	106*	S		2001	222*	S
6110-184-0001	2001	106*	S	9905-001-0001	2001	106*	S
6110-185-0001	2002	379*	S	9906-001-0001	2001	106*	S
6110-186-0001	2002	379*	S	9908-001-0001	2001	106*	S
6110-190-0001	2002	444*	S		3X 2001-02	1*	S
6110-193-0001	2001	106*	S	9908-001-0494	2001	106*	S
	2002	379*	S	9908-001-0988	2001	106*	S
6110-195-0001	2002	444*	S	9914-001-0001	3X 2001-02	1*	S
6110-196-0001	2001	106*	S	<b>2001, Ch. 106</b>			
	2002	379*	S	0505-001-0001	2002	1*	S
6110-196-0890	2002	379*	S	0505-495	2002	1*	S
6110-198-0001	2001	106*	S	0530-001-0001	2002	379*	S
	2002	379*	S	0530-101-0001	2002	1*	S
	2002	444*	S	0540-101-6015	2002	379*	S
6110-204-0001	2001	106*	S	0552-001-0001	3X 2001-02	1*	S
6110-205-0001	2001	106*	S	0552-495	3X 2001-02	1*	Ad
6110-212-0001	2001	106*	S	0690-001-0001	3X 2001-02	1*	S
6110-228-0001	2002	379*	S	0690-495	3X 2001-02	1*	Ad
6110-232-0001	2001	106*	S	0860-001-0001	2002	379*	S
	2002	379*	S	0860-001-0061	2002	379*	S
6110-494	2002	379*	S	0954-101-0001	2002	379*	S
6110-495	2000	1058	Am	0971-495	3X 2001-02	1*	S
6440-001-0001	2000	672*	Am	1111-011-0582	3X 2001-02	1*	Ad
	2001	106*	S	1730-001-0001	2002	379*	S
6440-301-0574	2001	106*	S	1760-301-0768	2002	379*	S
	2002	379*	S	1760-491	2002	379*	S
6600-001-0001	2001	106*	S	1920-001-0835	2002	379*	S
6610-001-0498	2001	106*	S	2240-001-3006	3X 2001-02	1*	Ad
6610-301-0001	2001	106*	S	2240-114-3006	3X 2001-02	1*	S
6870-101-0001	2000	746	S <sup>37</sup>	2240-115-0929	3X 2001-02	1*	S
6870-301-0574	2001	106*	S	2240-115-3006	3X 2001-02	1*	Ad
	2002	379*	S	2240-495	3X 2001-02	1*	S
7980-101-0001	2001	106*	S	2660-001-0042	2001	400*	Am
8100-101-0001	2002	379*	S		2002	379*	S
	3X 2001-02	1*	S	2660-101-0042	2002	379*	S
8260-001-0001	2001	106*	S	2660-301-0042	2002	379*	S
	2002	379*	S	2660-302-0042	3X 2001-02	1*	Ad
8260-103-0001	2000	672*	Am	2660-311-0042	2002	379*	S
8380-001-0367	2001	106*	S	2660-399-0890	2002	379*	S
	2002	379*	S	2660-497	3X 2001-02	1*	Ad
8940-001-0001	2000	127*	S	2720-301-0044	2002	379*	S
8955-102-0001	2000	672*	S	2740-301-0042	2002	379*	S
8960-011-0001	2001	106*	S	2740-301-0044	2002	379*	S
8960-301-0001	2002	362*	S	2740-301-0064	2002	379*	S

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**BUDGET ITEMS—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>
2920-011-0001	2002		379* S	4440-301-0001	2002		379* S
2920-011-8100	3X	2001-02	1* Ad	4440-301-0660	2002		379* S
2920-012-0001	3X	2001-02	1* S	4440-495	3X	2001-02	1* Ad
2920-495	3X	2001-02	1* Am	4700-101-0001	3X	2001-02	1* S
3125-301-0001	3X	2001-02	1* Ad	4700-495	3X	2001-02	1* Am
3125-495	3X	2001-02	1* S	5160-001-0001	2002		379* S
3340-301-0660	2002		379* S	5175-101-0001	2002		379* S
3340-495	3X	2001-02	1* S		3X	2001-02	1* Ad
3360-001-0001	3X	2001-02	1* S	5175-495	3X	2001-02	1* S
3360-496	3X	2001-02	1* Ad	5180-101-0001	2001		111* S
3480-101-0001	3X	2001-02	1* S		2001		400* S
3480-495	3X	2001-02	1* Ad		2002		1022* Am
3540-301-0001	2002		379* S		3X	2001-02	1* Am
3540-301-0660	2002		379* S	5180-101-0890	2001		111* S
3600-001-0001	2002		379* S	5180-102-0001	2002		379* S
	3X	2001-02	1* S	5180-111-0001	2002		379* S
3600-495	3X	2001-02	1* Am		3X	2001-02	1* Ad
3680-101-0516	2001		932 Am	5180-111-0890	2002		379* S
3680-103-0516	2002		379* S	5180-141-0001	2002		379* S
3790-001-0263	2002		379* S	5180-141-0890	2002		379* S
3790-001-0392	2001		112 Am	5180-151-0001	2002		77* Am
3790-101-0001	2001		400* S		2002		379* S
3790-102-0383	2001		400* Am		3X	2001-02	1* Ad
3790-301-0005	2002		379* S	5180-151-0890	2002		379* S
3790-302-0005	2001		400* S	5180-153-0001	3X	2001-02	1* S
	2002		636* S	5180-495	3X	2001-02	1* Ad
3790-491	2001		400* S	5240-001-0001	2002		379* S
3790-495	3X	2001-02	1* Am (as am by Stats. 2001, Ch. 749)		3X	2001-02	1* Ad
			R	5240-301-0001	2002		379* S
3860-001-0001	3X	2001-02	1* R	5240-496	3X	2001-02	1* S
3860-011-0942	3X	2001-02	1* R	5440-001-0001	2001		131* S
3860-101-0001	3X	2001-02	1* Am	5460-001-0001	3X	2001-02	1* Ad
3860-495	3X	2001-02	1* Am	5460-301-0001	2002		379* S
3900-001-0001	3X	2001-02	1* Am	5460-497	3X	2001-02	1* S
3960-001-0383	3X	2001-02	1* Am	6110-001-0001	2001		749* S <sup>37</sup>
3960-496	3X	2001-02	1* Am	6110-001-0890	2001		734* Am
3940-101-0001	2001		400* S	6110-102-0001	2002		379* S
3960-001-0557	2002		379* S		3X	2001-02	1* Ad
3960-011-1003	3X	2001-02	1* Am	6110-111-0001	2002		99* S
4100-001-0890	2002		379* S	6110-112-0001	2002		99* S
4120-101-0001	3X	2001-02	1* R	6110-113-0001	2002		99* S
4120-495	3X	2001-02	1* Ad	6110-116-0001	2002		99* S
4130-001-0632	2002		379* S	6110-123-0001	2001		749* Am
4170-495	3X	2001-02	1* Ad		2002		99* S (as am by Stats. 2001-02 (3rd Ex. Sess.), Ch. 1)
4200-102-0001	2002		379* S		3X	2001-02	1* S
4200-103-0001	2002		379* S	6110-128-0001	2001		891* Ad
4200-495	3X	2001-02	1* Ad	6110-132-0001	2001		891* Am
4260-001-0001	2002		379* S		2002		99* S (as am by Stats. 2001, Ch. 891)
	3X	2001-02	1* Am				
4260-001-0589	2002		1161* S	6110-133-0001	3X	2001-02	1* S
4260-001-0890	2002		379* S	6110-134-0001	3X	2001-02	1* Ad
4260-111-3020	2002		379* S	6110-136-0001	3X	2001-02	1* Ad
4260-495	3X	2001-02	1* Am	6110-156-0001	2002		99* S
4280-101-3020	3X	2001-02	1* Ad	6110-161-0001	2001		203* S
4280-495	3X	2001-02	1* S	6110-161-0890	2001		690* S
4300-101-0001	2002		379* S	6110-165-0001	2001		734* Am
4440-011-0001	3X	2001-02	1* Ad				
4440-101-0001	2002		379* S				
	3X	2001-02	1* S				

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

**BUDGET ITEMS—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>		
9914-001-0001	3X	2001-02	1 *	Ad	5175-101-0001	2002	1024	Am	
9914-495	3X	2001-02	1 *	Ad	6110-113-0001	2002	1167 *	S <sup>37</sup>	
<b>2002, Ch. 379</b>					6110-116-0001	2002	1167 *	Ad	
1760-001-0666	2002	1127 *		Am					

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.



**1999–2002 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.

**BUDGET ITEMS—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>
6110-184-0001	2002	99*	S (as am by Stats. 2001-02 (3rd Ex. Sess.), Ch. 1)	6610-001-0498	2002	379*	S
				6610-496	3X 2001-02	1*	Ad
				6870-101-0001	2001	514	S
					2001	891*	S <sup>17</sup>
					2002	99*	S
6110-185-0001	3X 2001-02	1*	S		2002	379*	S
	2002	99*	S		2002	891*	S
6110-186-0001	2002	99*	S (as am by Stats. 2001, Ch. 891)	6870-301-0574	2001	379*	S
					2002	379*	S
6110-191-0001	2002	99*	S (as am by Stats. 2001-02 (3rd Ex. Sess.), Ch. 1)	6870-485	3X 2001-02	1*	S
				7980-101-0001	2002	379*	S
				8100-495	3X 2001-02	1*	Ad
				8260-101-0001	3X 2001-02	1*	Ad
				8260-103-0001	2001	400*	S
				8260-111-0001	3X 2001-02	1*	S
6110-193-0001	3X 2001-02	1*	S	8260-495	3X 2001-02	1*	Ad
	2002	99*	S (as am by Stats. 2001-02 (3rd Ex. Sess.), Ch. 1)	8350-001-0001	3X 2001-02	1*	S
				8350-495	3X 2001-02	1*	Ad
				8660-116-0470	3X 2001-02	1*	S
				8660-495	3X 2001-02	1*	Am
6110-195-0001	3X 2001-02	1*	Am	8940-001-0001	3X 2001-02	1*	Ad
	3X 2001-02	1*	Ad	8940-495	3X 2001-02	1*	S
6110-196-0001	2002	99*	S (as am by Stats. 2001-02 (3rd Ex. Sess.), Ch. 1)	9100-101-0001	2001	197*	S
				9210-107-0001	2001	400*	S
				9650-001-0001	2002	379*	S
				9670-015-0942	3X 2001-02	1*	Ad
	2002	379*	S	9800-001-0001	2001	366*	Ad
	3X 2001-02	1*	S		2002	14*	S
6110-198-0001	2002	99*	S		2002	40*	S
6110-200-0001	3X 2001-02	1*	Am		2002	190*	S
6110-210-0001	2001	734*	Am		2002	278*	S
					3X 2001-02	1*	S
6110-212-0001	3X 2001-02	1*	Ad	9800-001-0494	2001	366*	Ad
	2002	99*	S		2002	14*	S
6110-223-0001	3X 2001-02	1*	S		2002	40*	S
6110-231-0001	3X 2001-02	1*	Ad		2002	190*	S
6110-232-0001	2002	99*	S (as am by Stats. 2001-02 (3rd Ex. Sess.), Ch. 1)		2002	278*	S
					3X 2001-02	1*	Ad
				9800-001-0988	2001	366*	Ad
					2002	14*	S
6110-233-0001	3X 2001-02	1*	Ad		2002	40*	S
	2001	400*	S		2002	190*	S
6110-295-0001	2001	734*	Am		2002	278*	S
6110-485	2001	734*	Am		3X 2001-02	1*	Am
	2002	42*	Am (as am by Stats. 2001-02 (3rd Ex. Sess.), Ch. 1)	9840-001-0001	2002	44*	S
					2002	379*	S
					2002	509*	S
				9840-001-0494	2002	44*	S
					2002	379*	S
6110-495	3X 2001-02	1*	Ad		2002	509*	S
6110-496	3X 2001-02	1*	S	9840-001-0988	2002	44*	S
6120-101-0001	2001	400*	S		2002	379*	S
6360-101-0001	2002	99*	S		2002	379*	S
					2002	509*	S
6440-001-0001	2002	379*	S	9908-495	3X 2001-02	1*	Ad
	2001	564*	Am	9909-001-0001	2001	635*	S
	2002	379*	S		3X 2001-02	1*	Am
				9909-001-0494	2001	635*	S
6440-301-0660	3X 2001-02	1*	Ad	9909-001-0890	2001	635*	S
	2002	379*	S	9909-001-0988	2001	635*	Ad
6440-496	3X 2001-02	1*	S	9909-495	3X 2001-02	1*	Ad
6600-001-0001	2002	379*	S	9911-001-0001	3X 2001-02	1*	S
6610-001-0001	2002	99*	S	9911-495	3X 2001-02	1*	S
	2002	379*	S				
	3X 2001-02	1*	Ad				

**NOTE:** Superior numbers appear as a separate section at the end of the Statutory Record.

- 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 Approved by voters at March 5, 2002, election, Prop. 44.
- 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 by a majority vote, makes the provisions of this section applicable in the county.
- 352 Repeal operative December 31, 2008.

- 353 Approved by voters at March 5, 2002, election, Prop. 40.
- 354 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.
- 355 Inoperative July 1, 2020.
- 356 Operative January 1, 2021.
- 357 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.
- 368 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.
- 369 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 Approved by voters at March 5, 2002, election, Prop. 41.
- 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.
- 388 Operative August 31, 2001.
- 389 Approved by voters at November 5, 2002, election, Prop. 46.
- 390 Operative March 6, 2002.
- 391 Operative July 1, 2004.
- 392 Subdivision (b) shall be operative only until January 1, 2005.
- 393 Inoperative when building standards become effective after approval by the California Building Standards Commission pursuant to H&SC Ch. 4 (Sec. 18935 et seq.) that permit the construction of structures that use baled straw as a loadbearing or nonloadbearing material and that are safe to the public.
- 394 Approved by voters at November 5, 2002, election, Prop. 47.
- 395 Effective only upon approval by the voters, at the 2004 direct primary election, of the Kindergarten-University Public Education Facilities Bond Act of 2004, as set forth in Section 31 of this act (Pt. 68.2 (Sec. 100800 et seq.), EDC).

- 396 Operative upon approval of the voters, at the November 2, 2004, statewide general election, of the Kindergarten-University Public Education Facilities Bond Act of 2004, as set forth in Section 31.5 of this act (Pt. 68.2 (Sec. 100800 et seq.), EDC), if the voters do not approve the Kindergarten-University Public Education Facilities Bond Act of 2004, as set forth in Section 31 of this act (Pt. 68.2 (Sec. 100800 et seq.), EDC), at the 2004 direct primary election.
- 397 Paragraph (1) of subdivision (a) shall become inoperative commencing on the effective date of the measure that amended this section to add this paragraph, and shall remain inoperative through the date of the 2004 direct primary election after which date paragraph (1) shall again become operative.
- 398 For taxable years beginning on or after January 1, 2002, Sections 529(c) and 529(e) of the Internal Revenue Code, as amended by Section 402 of the Economic Growth and Tax Relief Reconciliation Act of 2001 (P. L. 107-16) and Section 417 of the Job Creation and Worker Assistance Act of 2002 (P. L. 107-147), shall apply in lieu of subdivisions (b) and (c).
- 399 Subdivision (a) applies to taxable years ending after December 31, 1995.
- 400 Amendments apply for the same taxable years as the amendments made by Section 6007(f)(2) of the Internal Revenue Service Restructuring and Reform Act of 1998 (P. L. 105-206), unless those amendments specifically apply for federal purposes to a date prior to the specified date of incorporation, in which case they shall apply as of the specified date of incorporation.
- 401 Amendments apply for the same taxable years as the amendments made by Section 6013(a) of the Internal Revenue Service Restructuring and Reform Act of 1998 (P. L. 105-206), unless those amendments specifically apply for federal purposes to a date prior to the specified date of incorporation, in which case they shall apply as of the specified date of incorporation.
- 402 Amendments apply for the same taxable years as the amendments made by Section 6005(f) of the Internal Revenue Service Restructuring and Reform Act of 1998 (P. L. 105-206), unless those amendments specifically apply for federal purposes to a date prior to the specified date of incorporation, in which case they shall apply as of the specified date of incorporation.
- 403 Amendments apply to taxable years beginning on or after January 1, 1999.
- 404 Operative with respect to the same period as the federal law provision to which it conforms.
- 405 Inoperative October 31, 2002.
- 406 Operative April 1, 2003.
- 407 Implemented only to the extent funds are provided in the annual Budget Act.
- 408 Operative on the date the Secretary of State adopts uniform standards for storing and recording permanent and nonpermanent documents in electronic media, as required by Section 12168.7 of the Government Code.
- 409 Operative 30 days after the effective date of this act.
- 410 Subdivision (c) operative January 1, 2004.
- 411 Subdivision (b) operative January 1, 2004.
- 412 Not operative unless the Costa-Hawkins Rental Housing Act (Chapter 2.7 (commencing with Section 1954.50) of Title 5 of Part 4 of Division 3 of the Civil Code) is repealed.
- 413 Effective until December 1, 2006, or until all the moneys remaining in the Unlawful Sales Reduction Fund on January 1, 2006, have been appropriated by the Legislature for allocation to the Office of Criminal Justice Planning for funding the competitive grant program established under this section, whichever occurs later.
- 414 Inoperative June 30, 2005.
- 415 Operative January 1, 2004, only if moneys are appropriated on or before January 1, 2004, for the purposes of increased reimbursements pursuant to this article.

- 416 Operative January 1, 2004, only if moneys are appropriated on or before January 1, 2004, for each of the following purposes: (a) providing nutrition policy development grants pursuant to subdivision (c) of Section 49433; (b) support and technical assistance to school districts pursuant to Section 49433.5; (c) increasing meal reimbursements pursuant to Section 49430.5.
- 417 Operative upon voter approval of the Housing and Emergency Shelter Trust Fund Act of 2002, approved by voters at November 5, 2002, election, Prop. 46.
- 418 Subdivision (p) inoperative January 1, 2008.
- 419 Amendments to subdivisions (d), (e), (f), and (g) relating to advanced practices, that are made by the act adding subdivision (k), shall become operative no later than January 1, 2004, or on the date the California Board of Occupational Therapy adopts regulations pursuant to subdivision (h), whichever first occurs.
- 420 Operation contingent upon an appropriation from the Dealers' Record of Sale Special Account.
- 421 Inoperative on the date that a federal law or regulation is enacted that regulates notice requirements in the event of termination of electronic mail service.
- 422 Any section of any act, other than Senate Bill 1316, that is enacted by the Legislature during the 2002 calendar year that takes effect on or before January 1, 2003, and that amends, amends and renumbers, adds, repeals and adds, or repeals any one or more 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 2002 calendar year and takes effect on or before January 1, 2003, amends, amends and renumbers, adds, repeals and adds, or repeals any section contained in that article, chapter, part, title, or division.
- 423 Repeal operative January 1, 2015.
- 424 Inoperative July 1, 2007.
- 425 Subdivision (b) shall become inoperative on January 1, 2007, unless otherwise provided by a memorandum of understanding or agreement with a recognized employee organization.
- 426 Any section of any act enacted by the Legislature during the 2002 calendar year that does both of the following shall prevail over this act, whether that act is enacted prior to, or subsequent to, the enactment of this act: (a) takes effect on or before January 1, 2003; (b) amends, amends and renumbers, adds, repeals and adds, or repeals a section that is amended, added, or repealed by this act.
- 427 Subdivision (e) inoperative January 1, 2007.
- 428 Any section of any act enacted by the Legislature during the 2002 calendar year that takes effect on or before the effective date of this act, 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.
- 429 Repeal operative April 1, 2003.
- 430 Operative January 2, 2003.
- 431 Any section of any act enacted by the Legislature during the 2002 calendar year that takes effect on or before January 1, 2003, 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 2002 calendar year and takes effect on or before January 1, 2003, amends, amends and renumbers, adds, repeals and adds, or repeals any section contained in that article, chapter, part, title, or division.

- 432 Operative only if all of the following conditions are met: (a) the petitioners in Sacramento Metropolitan Air Quality Management District, and Yolo Solano Air Quality Management District v. the United States Environmental Protection Agency, in the United States Court of Appeals for the Ninth Circuit (Petition Number 02-70848), move to withdraw from the lawsuit, with prejudice, on or before October 4, 2002; (b) the court issues an order granting that motion; and (c) the petitioners file a certified copy of that order with the Secretary of State.
- 433 Operative upon at least one of the following two events taking place, whichever occurs first, but in no event prior to July 1, 2004: (a) the amendment by Congress of subd. (f) of 42 U.S.C. Sec. 666 to statutorily require or authorize, in connection with the approval of state plans for purposes of federal funding, the adoption of the Uniform Interstate Family Support Act as promulgated by the National Conference of Commissioners on Uniform State Laws in 2001; (b) the approval, either generally or with specific application to California, by the federal office of Child Support Enforcement or by the Secretary of Health and Human Services, of a waiver, exemption, finding, or other indicia of regulatory approval of the Uniform Interstate Family Support Act, as promulgated by the National Conference of Commissioners on Uniform State Laws in 2001, in connection with the approval of state plans for purposes of federal funding.
- 434 Operative December 31, 2004.
- 436 The amendments to this section made by the act adding this subdivision shall apply only to taxable years beginning on or after January 1, 2002.
- 437 Inoperative on January 1, 2003, and shall remain inoperative until January 1, 2006, at which time it shall become operative.
- 438 Operative only upon a determination by the Insurance Commissioner that the personnel positions needed to carry out the provisions of this article are in existence or have been authorized in the Budget Act of 2002 or a subsequent budget act. On and after January 1, 2003, the commissioner may accept applications from communications equipment vendors seeking licensure pursuant to this article. However, the commissioner shall not act upon the applications. If, prior to April 30, 2003, the commissioner receives 50 applications or less, the commissioner shall be deemed to have sufficient personnel to carry out the provisions of this article and this article shall immediately become operative.
- 439 A city or county shall not be required to comply with the amendments made by this act, relating to military readiness activities, military personnel, military airports, and military installations, until (1) an agreement is entered into between the United States Department of Defense or other federal agency and the State of California, through the Governor's Office of Planning and Research, for the federal government to fully reimburse all claims approved by the Commission on State Mandates and paid by the Controller that cities and counties would be eligible to file as a result of the enactment of this act; and (2) the city or county undertakes its next general plan revision. The amendments made by this act shall become inoperative on the January 1 following the date that the Director of Planning and Research executes a declaration stating that the agreement described above has been terminated by either party.
- 441 Amendments to this section shall be retroactive to July 1, 2001.
- 442 Paragraph (2) of subdivision (a) shall become inoperative January 1, 2006.
- 443 Operative only if the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 is approved by the voters at the November 5, 2002, statewide general election.
- 444 Implemented only to the extent that funds are appropriated for these purposes in the annual Budget Act or another measure.
- 446 Operative January 1, 2013.

- 448 Operative upon an appropriation of funds by the Legislature, or the allocation of existing discretionary funds by the Governor pursuant to Section 128(a) of the Workforce Investment Act of 1998 (29 U.S.C. Sec. 2853 (a)), for the specific stated purpose of establishing the California Savings and Asset Project.
- 449 Not operative unless appropriate funding, as determined by the Office of Statewide Health Planning and Development, is made available.
- 450 Paragraph (3) of subdivision (b) inoperative January 1, 2006.
- 451 Inoperative July 1, 2012.
- 452 The changes made by this act to subdivision (f) of this section shall become operative 90 days after the effective date of this act.
- 453 Subdivision (b) shall become inoperative on January 1, 2007.
- 454 Inoperative in the event, and on the date, of a final judicial determination by any court of appellate jurisdiction or a final determination by the administrator of the federal Centers for Medicare and Medicaid Services that the supplemental reimbursement provided in this section must be made to any facility not described in this section.
- 456 Operative June 30, 2003.
- 457 Inoperative June 30, 2007.
- 458 Inoperative March 1, 2004.
- 459 Repeal operative June 1, 2006.
- 460 This section shall become inoperative on a date that is three years after the date that Section 5018.1 of the Public Resources Code is repealed, and, as of January 1 immediately following that inoperative date, is repealed.
- 462 Operative with respect to unpaid tax liabilities of high-risk collection accounts that are the subject of notifications made to eligible taxpayers on or after October 1, 2002, and before July 1, 2003.
- 463 Amendments made to this section by the act adding subdivision (c) shall apply only to taxable years beginning on or after January 1, 2002.
- 464 Inoperative on December 31, 2010, or the date on which the State Director of Health Services notifies, in writing, the Chairperson of the Joint Legislative Audit Committee and certifies that the city has awarded contracts for construction of each of the projects described in subdivision (b) of Section 73502 of the Water Code, whichever date is earlier.
- 465 Operative on January 1 immediately following the earlier of either December 31, 2010, or the date on which the State Director of Health Services notifies, in writing, the Chairperson of the Joint Legislative Audit Committee and certifies that the city has awarded contracts for construction of each of the projects described in subdivision (b) of Section 73502 of the Water Code.
- 466 Repeal operative January 1, 2008. If, in any calendar year, the Franchise Tax Board estimates by September 1 that contributions described in RTC Div. 2, Part 10.2, Ch. 3, Art. 8 (commencing with Sec. 18791) made on returns filed in that calendar year will be less than \$250,000 for taxable years beginning in 1997, or the adjusted amount specified in subdivision (c) of RTC 18796 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.
- 467 Inoperative September 1, 2003, and repealed January 1, 2004, if the final report required by subdivision (e) is submitted to the Department of Finance and the Legislature on or before February 1, 2003.
- 468 Not operative until the Legislature appropriates funds necessary to implement this division (Div. 22.9, PRC), or until a bond act approved by the voters of this state includes an allocation of funds for the purposes of this division.

- 469 Repeal operative January 1, 2008. If, in any calendar year, the Franchise Tax Board estimates by September 1 that contributions described in RTC Div. 2, Part 10.2, Ch. 3, Art. 2 (commencing with Sec. 18711) made on returns filed in that calendar year will be less than \$250,000 for taxable years beginning in 2002, or the adjusted amount specified in subdivision (c) of RTC 18716, as may be applicable, then this section is repealed with respect to taxable years beginning on or after January 1 of that calendar year.
- 470 Operative only until the operative date of regulations that revise the regulations set forth in Chapter 3 (commencing with Section 100101) of Division 9 of Title 22 of the California Code of Regulations and that authorize an EMT-I to receive EMT-II training in administering naloxone hydrochloride without having to complete the entire EMT-II certification course.
- 471 Not operative in a city unless and until the city council or board of supervisors, by ordinance adopted by majority vote, makes this section operative in the city.
- 472 Not operative in a city, including a charter city, county, including a charter county, or city and county unless and until the city council or board of supervisors, by ordinance or resolution adopted by majority vote, makes this section operative in the city, county, or city and county.
- 476 This act shall become operative on January 1, 2004, except that benefits shall be payable for periods of family temporary disability leave commencing on or after July 1, 2004.
- 478 Inoperative in any fiscal year in which Section 2550.1 of the Education Code is operative.
- 481 Subdivision (f) operative January 1, 2006.
- 482 Operative September 1, 2003.
- 483 Inoperative September 1, 2007.
- 484 Subdivision (f) shall become inoperative on September 1, 2007.
- 486 Repeal operative January 1, 2008. If, in any calendar year, the Franchise Tax Board estimates by September 1 that contributions described in RTC Div. 2, Part 10.2, Ch. 3, Art. 5 (commencing with Sec. 18741) made on returns filed in that calendar year will be less than \$250,000 for taxable years beginning in 2002, or the adjusted amount specified in subdivision (c) of RTC 18744 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.
- 487 Operative upon approval of the Kindergarten-University Public Education Facilities Bond Act of 2002, approved by voters at November 5, 2002, election, Prop. 47.
- 488 Subdivision (g) operative until January 1, 2003.
- 489 Repeal operative January 1, 2018.
- 490 Any section of any act enacted by the Legislature during the 2002 calendar year, other than a section of Assembly Bill 3034, that takes effect on or before January 1, 2003, and that amends, amends and renumbers, amends and repeals, adds, repeals and adds, or repeals a section that is amended, amended and renumbered, amended and repealed, added, repealed and added, or repealed by this act, shall prevail over this act, whether that act is chaptered before or after this act.
- 491 Repeal operative January 1 of the fifth taxable year following the first appearance of the Asthma and Lung Disease Research Fund on the tax return. If, in the second 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.
- 492 Subdivision (h) operative July 1, 2002, or the date that the program for accelerated enrollment coverage for children takes effect, whichever is later.

- 493 Repeal operative January 1, 2006, unless the Secretary of the Resources Agency determines that federal legislation has been enacted authorizing the participation of appropriate federal agencies in the California Bay-Delta Authority.
- 494 Paragraphs (1) and (2) of subdivision (b) inoperative for services provided after June 30, 2002.
- 495 Inoperative date of paragraph (3) of subdivision (a) deleted by amendment.
- 496 Effective only until July 1, 2003.
- 500 Paragraph (1) of subdivision (a) shall be implemented only to the extent that funds for these purposes are appropriated by the Legislature in the annual Budget Act or other statute.
- 501 Effective upon the adoption by the voters of the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, as set forth in Section 2 of this act (Ch. 20 (commencing with Sec. 2704), Div. 3, SHC).
- 502 This section shall become inoperative on the operative date of any regulation adopted by the California Integrated Waste Management Board relating to "inert waste removed from the solid waste stream and not disposed of in a solid waste landfill," as defined in subdivision (a)(2), if that regulation includes procedures to facilitate the counting of the inert waste for purposes of the disposal reporting system established under PRC Section 41821.5 when that inert waste is placed in a mine reclamation facility as fill material, and, as of January 1 immediately following that operative date, is repealed.
- 504 Inoperative January 1, 2008.
- 505 Not operative unless and until a memorandum of understanding has been agreed to by the state employer and the recognized employee organization making this section applicable to those members described in subdivision (a).
- 506 Operative March 1, 2003.
- 507 This section prevails over Section 10540 of the Water Code, as added by Chapter 767 of the Statutes of 2002.
- 509 Subdivision (b) operative January 1, 2005.
- 510 Operative only if the Housing and Emergency Shelter Trust Fund Act of 2002, approved by voters at November 5, 2002, election, Prop. 46, contains authority to use bond proceeds for the purposes of this act.
- 511 Inoperative March 1, 2004.
- 512 Operative March 1, 2004.
- 513 Operative July 1, 2004.
- 514 Except as provided in Article 6 (commencing with Section 23100) of Chapter 3 of Division 10 of the Financial Code, the provisions of Division 10 (commencing with Section 23000) of the Financial Code shall become effective on January 1, 2003, and shall become operative on March 1, 2004. However, the Commissioner of Corporations shall have the power and authority to implement the provisions of Division 10 prior to March 1, 2004.
- 515 This section shall become operative only as provided in a declaration of the State Director of Social Services that federal Food Stamp Program waivers have been granted and specifying a date upon which counties shall implement this act.
- 516 Subdivision (e) of this section shall become inoperative June 1, 2005.
- 517 Subdivision (c) operative July 1, 2003.
- 518 Effective July 1, 2003.
- 520 Implementation subject to the provision of funds for the purposes of this section in the Budget Act of 2002 or in another statute enacted during the 2001-02 Regular Session.
- 521 Implemented only during fiscal years for which an appropriation is provided for the purposes of this section in the annual Budget Act or in another statute.

- 523 Inoperative January 1, 2004, if the actual reserve balance in the Dealers' Record of Sale Special Account is \$1,000,000 or more on January 1, 2004, as determined by the Department of Justice. If the reserve balance is not equal to \$1,000,000 or more on January 1, 2004, as determined by the Department of Justice, these provisions shall become inoperative when the Department of Justice determines that the actual reserve balance in the Dealers' Record of Sale Special Account equals \$1,000,000 or more.
- 524 Operative January 1, 2004, if the actual reserve balance in the Dealers' Record of Sale Special Account is \$1,000,000 or more on January 1, 2004, as determined by the Department of Justice. If the reserve balance is not equal to \$1,000,000 or more on January 1, 2004, as determined by the Department of Justice, these provisions shall become operative when the Department of Justice determines that the actual reserve balance in the Dealers' Record of Sale Special Account equals \$1,000,000 or more.
- 525 The amendments to paragraph (1) of subdivision (e) made by this act shall be retroactive to June 30, 2002.
- 526 This section shall be implemented only to the extent sufficient funds for this purpose are appropriated by the Legislature in the annual Budget Act or other statute, or sufficient funds, as determined by the State Department of Mental Health, for the purposes of this section have been received pursuant to subdivision (d).
- 527 In effect until July 1, 2004.
- 528 This section shall prevail over same-numbered section as added by Chapter 812 of the Statutes of 2002.
- 529 Operation of subdivision (a) shall be suspended for the 2002-03 fiscal year.
- 530 Subdivision (e) shall not be operative if the total level of federal Community Services Block Grant funds is reduced more than 3.5 percent below the amount appropriated in the annual Budget Act.
- 531 Inoperative from July 1, 2002, to July 1, 2003, inclusive.
- 532 Inoperative March 31, 2005.
- 533 The amendments made to this section by the act adding this subdivision shall become operative six months after the date that act takes effect.
- 534 Operative only until the effective date of the Budget Act of 2003 or June 30, 2003, whichever occurs later, and, as of January 1, 2004, is repealed.
- 535 Not effective.
- 536 Amended by Governor's Reorganization Plan No. 1 of 2002. Effective July 2, 2002.
- 537 Added by Governor's Reorganization Plan No. 1 of 2002. Effective July 2, 2002.

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APPENDIX

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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.

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**CHARTER AMENDMENTS—2002**

Charter Chapter Number	City—County	Date of Election	Date of Filing
1	City and County of San Francisco.....	Nov. 6, 2001	Jan. 24, 2002
2	City of Palm Springs .....	Nov. 6, 2001	Feb. 4, 2002
3	City of Albany .....	Nov. 6, 2001	Feb. 6, 2002
4	City of San Bernardino.....	Nov. 6, 2001	Feb. 14, 2002
5	City of San Bernardino.....	Nov. 6, 2001	Feb. 14, 2002
6	County of Orange .....	March 5, 2002	April 4, 2002
7	City of Los Angeles.....	March 5, 2002	April 14, 2002
8	City of Huntington Beach .....	March 5, 2002	April 22, 2002
9	City of Huntington Beach .....	March 5, 2002	April 22, 2002
10	County of Los Angeles.....	March 5, 2002	April 24, 2002
11	County of Los Angeles.....	March 5, 2002	April 24, 2002
12	County of Los Angeles.....	March 5, 2002	April 24, 2002
13	City of San Diego.....	March 5, 2002	April 24, 2002
14	City of Oakland .....	March 5, 2002	April 25, 2002
15	City of Oakland .....	March 5, 2002	April 25, 2002
16	City of Oakland .....	March 5, 2002	April 25, 2002
17	City of Oakland .....	March 5, 2002	April 25, 2002
18	City and County of San Francisco.....	March 5, 2002	May 1, 2002
19	City and County of San Francisco.....	March 5, 2002	May 1, 2002
20	City and County of San Francisco.....	March 5, 2002	May 1, 2002
21	City and County of San Francisco.....	March 5, 2002	May 1, 2002
22	City of Seal Beach.....	March 5, 2002	April 15, 2002
23	City of Seal Beach.....	March 5, 2002	April 15, 2002
24	City of Seal Beach.....	March 5, 2002	April 15, 2002
25	City of Seal Beach.....	March 5, 2002	April 15, 2002
26	City of Seal Beach.....	March 5, 2002	April 15, 2002
27	City of Seal Beach.....	March 5, 2002	April 15, 2002
28	City of Seal Beach.....	March 5, 2002	April 15, 2002
29	City of Seal Beach.....	March 5, 2002	April 15, 2002
30	City of Seal Beach.....	March 5, 2002	April 15, 2002
31	City of Seal Beach.....	March 5, 2002	April 15, 2002

**CHARTER AMENDMENTS—2002—Continued**

Charter Chapter Number	City—County	Date of Election	Date of Filing
32	City of Los Alamitos .....	Nov. 3, 1998	May 12, 2002
33	City of San Bernardino.....	Nov. 2, 1999	May 14, 2002
34	City of San Bernardino.....	Nov. 5, 1996	May 14, 2002
35	City of Mountain View .....	Nov. 3, 1998	May 14, 2002
36	City of Salinas .....	June 4, 1991	May 14, 2002
37	City of Pasadena.....	March 6, 2001	June 6, 2002
38	City of Long Beach .....	April 9, 2002	June 10, 2002
39	City of Long Beach .....	April 9, 2002	June 10, 2002
40	City of Long Beach .....	April 9, 2002	June 10, 2002
41	City of Long Beach .....	April 9, 2002	June 10, 2002
42	City of Palm Springs .....	Nov. 2, 1999	June 19, 2002
43	City of Merced .....	March 5, 2002	July 25, 2002
44	City of Gilroy .....	Nov. 7, 1995	July 25, 2002
45	City of Gilroy .....	Nov. 5, 1996	July 25, 2002
46	City of Gilroy .....	Nov. 4, 1997	July 25, 2002
47	City of Gilroy .....	Nov. 3, 1998	July 25, 2002
48	City of Marina.....	June 2, 1998	July 22, 2002
49	County of Alameda.....	Nov. 8, 1994	July 11, 2002
50	County of Alameda.....	Nov. 5, 1996	July 11, 2002
51	County of Alameda.....	Nov. 5, 1996	July 11, 2002
52	County of Alameda.....	March 7, 2000	July 11, 2002
53	County of Alameda.....	March 7, 2000	July 11, 2002
54	City of Chula Vista .....	June 2, 1992	Aug. 22, 2002
55	City of Chula Vista .....	Nov. 3, 1992	Aug. 22, 2002
56	City of Chula Vista .....	Nov. 3, 1992	Aug. 22, 2002
57	City of Chula Vista .....	Nov. 3, 1992	Aug. 22, 2002
58	City of Chula Vista .....	Nov. 3, 1992	Aug. 22, 2002
59	City of Fresno.....	March 5, 2002	Oct. 30, 2002
60	City of Long Beach .....	Nov. 5, 2002	Nov. 27, 2002
61	City of San Luis Obispo.....	Nov. 5, 2002	Dec. 3, 2002

**CHARTER AMENDMENTS—2002—Continued**

Charter Chapter Number	City—County	Date of Election	Date of Filing
62	City of San Mateo .....	Nov. 5, 2002	Dec. 6, 2002
63	City of Indian Wells.....	Nov. 5, 2002	Dec. 20, 2002
64	City of Cypress.....	Nov. 5, 2002	Dec. 20, 2002
65	City of Berkeley .....	Nov. 5, 2002	Dec. 20, 2002
66	City of Santa Monica.....	Nov. 5, 2002	Dec. 20, 2002
67	City of Santa Monica.....	Nov. 5, 2002	Dec. 20, 2002
68	City and County of San Francisco.....	Nov. 5, 2002	Dec. 27, 2002
69	City and County of San Francisco.....	Nov. 5, 2002	Dec. 27, 2002
70	City and County of San Francisco.....	Nov. 5, 2002	Dec. 27, 2002
71	City and County of San Francisco.....	Nov. 5, 2002	Dec. 27, 2002
72	City and County of San Francisco.....	Nov. 5, 2002	Dec. 27, 2002
73	City and County of San Francisco.....	Nov. 5, 2002	Dec. 27, 2002



## 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 24, 2002.]

Section 1. The San Francisco Charter is hereby amended, by repealing Section 2.102.

Section 2. The San Francisco Charter is hereby amended, by amending Section 3.102 to read as follows:

**SEC. 3.102. ABSENCE FROM STATE OR TEMPORARY DISABILITY.**

If the Mayor is absent from the state or temporarily disabled without designating an Acting Mayor, the President of the Board of Supervisors shall act as Mayor until such time as the Mayor shall return to office.

In case of a disaster in which neither the Mayor nor the President of the Board of Supervisors is able to serve as Mayor, the order of succession shall be as designated by ordinance.

Section 3. The San Francisco Charter is hereby amended, by repealing Section 6.107.

Section 4. The San Francisco Charter is hereby amended, by amending Section 8.100 to read as follows:

**SEC. 8.100. UNIFIED SCHOOL DISTRICT.**

The Unified School District shall be under the control and management of a Board of Education composed of seven members who shall be elected by the voters of the Unified School District. A student representative shall serve on the Board in accordance with state law. No member of this Board shall be eligible to serve on the Governing Board of the Community College District. The compensation for each member shall be \$500 per month. The terms of office in effect for Board members on the date this Charter is adopted shall continue.

Section 5. The San Francisco Charter is hereby amended, by amending Section 8.101 to read as follows:

**SEC. 8.101. GOVERNING BOARD OF THE COMMUNITY COLLEGE DISTRICT.**

The Community College District shall be under the control and management of a Governing Board composed of seven members who shall be elected by the voters of the Community College District. A student representative shall serve on the Governing Board in accordance with state law. No member of this Board shall be eligible to serve on the Board of Education. The compensation for each member shall be \$500 per month. The terms of office in effect for Board members on the date this Charter is adopted shall continue.

Section 6. The San Francisco Charter is hereby amended, by adding Section 13.101.5 to read as follows:

**SEC. 13.101.5. VACANCIES.**

(a) If the office of Assessor-Recorder, City Attorney, District Attorney, Public Defender, Sheriff, Treasurer, or Member of the Board of Supervisors, Board of Education or Governing Board of the Community College District becomes vacant because of death, resignation, recall, permanent disability, or the inability of the respective officer to otherwise carry out the responsibilities of the office, the Mayor shall appoint an individual qualified to fill the vacancy under this Charter and state laws.

(b) If the Office of Mayor becomes vacant because of death, resignation, recall, permanent disability or the inability to carry out the responsibilities of the office, the President of the Board of Supervisors shall become Acting Mayor and shall serve until a successor is appointed by the Board of Supervisors.

(c) Any person filling a vacancy pursuant to subsection (a) or (b) of this Section shall serve until a successor is selected at the next election occurring not less than 120 days after the vacancy, at which time an election shall be held to fill the unexpired term, provided that (1) if an election for the vacated office is scheduled to occur less than one year after the vacancy, the appointee shall serve until a successor is selected at that election or (2) if an election for any seat on the same board as the vacated seat is scheduled to occur less than one year but at least 120 days after the vacancy, the appointee shall serve until a successor is selected at that election to fill the unexpired term.

(d) If no candidate receives a majority of the votes cast at an election to fill a vacated office, the two candidates receiving the most votes shall qualify to have their names placed on the ballot for a municipal runoff election at the next regular or otherwise scheduled election occurring not less than five weeks later. If an instant runoff election process is enacted for the offices enumerated in this Section, that process shall apply to any election required by this Section.

Section 1. The San Francisco Charter is hereby amended, by adding Section 16.122 to read as follows:

**SEC. 16.122. RIGHT TO VOTE ON ANY PROJECT THAT WOULD PLACE 100 ACRES OR MORE OF FILL IN SAN FRANCISCO BAY.**

(a) The qualified electors of the City and County shall have the right to vote on any Project of the City and County that would place 100 acres or more of fill in San Francisco Bay.

(b) Notwithstanding any contrary provisions of the Charter, the approval of any Project that would place 100 acres or more of fill in San Francisco Bay shall be conditioned upon the affirmative vote of a majority vote of the electorate.

(c) Within three (3) business days of such conditional approval by any department, board, commission, or other unit of government of the City and County, including any board, commission or other unit of government of the City and County of San Francisco established by state or federal law that is subject to

the provisions of the San Francisco Charter, of any Project that would place 100 acres or more of fill in San Francisco Bay, the approving entity shall provide written notice thereof to the Director of Elections who shall place the measure required by this Section on the ballot at the first general municipal or statewide election which occurs at least one hundred and twenty (120) days after said notice is received by the Director.

(d) Ballot measures generated and placed on the ballot pursuant to this Section are not exempt from the California Environmental Quality Act nor any other federal, state or local environmental laws and regulations to which the Project may be subject. Before any action is taken by the City and County to approve a Project that is required by this Section to be submitted to the electorate, the Project must comply with the California Environmental Quality Act. If compliance requires the preparation, consideration and certification of an Environmental Impact Report, that process shall be finalized prior to project approval and the information contained in the final certified Environmental Impact Report shall be made publicly available to the electorate for its consideration prior to the election.

(e) The general statement of the ballot measure to be voted on, pursuant to this Section, shall read as follows:

Shall the voters approve (insert name of project) that would fill in (insert number) acres of San Francisco Bay? Yes or No

The name of the Project to be inserted into the general statement shall be determined by the City Attorney pursuant to Section 510 of the San Francisco Elections Code, or any subsequent amended or renumbered version of Section 510.

(f) Definitions. Words and phrases used in this Section shall have the meanings specified in the San Francisco Charter, except that the following words and phrases as used in this Section shall have the following meanings:

“Project” or “Project of the City and County” shall mean any activity proposed, sponsored, initiated, or funded by any department, board, commission, or other unit of government of the City and County of San Francisco including any board, commission or other unit of government of the City and County of San Francisco established by state or federal law that is subject to provisions of the San Francisco Charter.

“Place fill” or “fill in” shall mean to introduce, or cause to be introduced, earth or any other substance or material, including pilings or structures placed on pilings, and structures floating at some or all times and moored for extended periods.

(g) If any part or provision of this Section, or the application thereof to any person or circumstance is held invalid, the remainder of this Section, including the application of such part or provision to other persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Section are severable.

Section 1. The San Francisco Charter is hereby amended, by adding Section 13.103.5, to read as follows:

**SEC. 13.103.5. ELECTIONS COMMISSION.**

An Elections Commission shall be established to oversee all public federal, state, district and municipal elections in the City and County. The Commission shall set general policies for the Department of Elections and shall be responsible for the proper administration of the general practices of the Department, subject to the budgetary and fiscal provisions of this Charter. These duties shall include but not be limited to approving written plans prior to each election, submitted by the Director of Elections, detailing the policies, procedures, and personnel that will be used to conduct the election as well as an assessment of how well the plan succeeded in carrying out a free, fair and functional election.

The Commission shall consist of seven members who shall serve five-year terms. No person appointed as a Commission member may serve as such for more than two successive five-year terms. Any person appointed as a Commission member to complete more than two and one half years of a five-year term shall be deemed, for the purpose of this section, to have served one full term. No person having served two successive five-year terms may serve as a Commission member until at least five years after the expiration of the second successive term in office. Any Commission member who resigns with less than two and one half years remaining until the expiration of the term shall be deemed, for the purposes of this section, to have served a full five-year term.

The Mayor, the Board of Supervisors, the City Attorney, the Public Defender, the District Attorney, the Treasurer, and the Board of Education of the San Francisco Unified School District each shall appoint one member of the Commission. The member appointed by the Mayor shall have a background in the electoral process. The member appointed by the City Attorney shall have a background in election law. The member appointed by the Treasurer shall have a background in financial management. The members appointed by the District Attorney, Public Defender, the Board of Education of the San Francisco Unified School District, and the Board of Supervisors shall be broadly representative of the general public. In the event a vacancy occurs, the appointing authority who appointed the member vacating the office shall appoint a qualified person to complete the remainder of the term. All members initially appointed to the Elections Commission shall take office on the first day of January, 2002.

The initial terms of Commission members shall expire according to the following guidelines: the term of the members appointed by the Mayor and the Board of Education of the San Francisco Unified School District shall expire on January 1, 2003; the term of the members appointed by the Board of Supervisors and the Treasurer shall expire on January 1, 2004; the term of the member appointed by the City Attorney shall expire January 1, 2005; the term of the member appointed by the Public Defender shall expire January 1, 2006; and the term of the member appointed by the District Attorney shall expire January 1, 2007.

Members of the Commission shall serve without compensation. Members of the Commission shall be officers of the City and County, and may be removed by the appointing authority only pursuant to Section 15.105. During his or her tenure, neither a member nor an employee of the Commission may: hold any other public office or employment with the City, state or federal government, with a district governmental body, with the governing body of any political party, with any City, district, state or federal official, or with a member of the governing body of any political party; participate in, contribute to, solicit contributions to, publicly endorse or urge the endorsement of a campaign supporting or opposing a candidate for City, district, state or federal office appearing on the ballot in San Francisco, the governing body of any political party appearing on the ballot in San Francisco, or a City, regional or state ballot measure appearing on the ballot in San Francisco; be an officer, director or employee of or hold a policymaking position in an organization that makes political endorsements regarding candidates or ballot measures appearing on the ballot in San Francisco; be a registered lobbyist or campaign consultant as defined under the City's lobbyist or campaign consultant ordinances; or employ or be employed by, or receive any gifts or other compensation from, a person required to register as a lobbyist or campaign consultant under the City's lobbyist or campaign consultant ordinances, a person who employs someone required to register as a lobbyist or campaign consultant under the City's lobbyist or campaign consultant ordinances, or a person who is employed by or holds office in an organization that makes political endorsements regarding candidates or ballot measures appearing on the ballot in San Francisco. If a person appointed to the Elections Commission is, at the time of appointment, an officer, director or employee of or holds a policymaking position in an organization described herein, that person shall be eligible to serve on the Elections Commission only if he or she resigns from his or her office or employment with that organization within thirty days of appointment.

For the purpose of this Section, "district" shall mean an existing or proposed public entity whose area includes any portion of the City and County of San Francisco or whose candidates or measures appear on the ballot in San Francisco. This Section is not intended to prohibit a member or employee of the Commission from serving with the federal or state military reserves.

Section 2. The San Francisco Charter is hereby amended, by amending Section 13.104, to read as follows:

**SEC. 13.104. DEPARTMENT OF ELECTIONS.**

A Department of Elections shall be established to conduct all public federal, state, district and municipal elections in the City and County. The department shall be administered by the Director of Elections, who shall be vested with the day to day conduct and management of the Department and of voter registration and matters pertaining to elections in the City and County. The Director shall report to the Elections Commission.

For purposes of this section, the conduct of elections shall include, but not be limited to: voter registration; the nomination and filing process for candidates to City and County offices; the preparation and distribution of voter information materials; ballots, precinct operations and vote count; the prevention of fraud in such elections; and the recount of ballots in cases of challenge or fraud.

The Director shall be appointed by the Elections Commission from a list of qualified applicants provided pursuant to the civil service provisions of this Charter. The Director shall serve a five-year term, during which he or she may be removed by the Elections Commission for cause, upon written charges and following a hearing. The Elections Commission shall present the written charges to the Director no less than thirty days before the hearing. If the Elections Commission votes to remove the Director, he or she shall have the right to appeal to the Civil Service Commission. On appeal, the Civil Service Commission shall be limited to consideration of the record before the Elections Commission; however, the Civil Service Commission may independently evaluate and weigh evidence and may in its discretion consider evidence proffered to the Elections Commission that the Commission excluded and may in its discretion exclude evidence that the Elections Commission considered. The term of the Director shall expire five years after his or her appointment. No less than thirty days before the expiration of the Director's term, the Elections Commission shall appoint a Director for the next term, who may but need not be the incumbent Director. Subject to the civil service provisions of this Charter, the Director shall have the power to appoint and remove other employees of the Department of Elections.

In addition to any other conflict of interest provisions applicable to City employees, the Director of Elections and all other employees of the Department of Elections shall be subject to the conflict-of-interest provisions in Section 13.103. The Elections Commission may, upon the recommendation of the Director of Elections and a finding that the Department will not have adequate staffing to conduct an election, request from the Board of Supervisors a waiver of the conflict-of-interest provisions in Section 13.103.5 for employees working no more than thirty days in a single calendar year. The Board of Supervisors shall approve or deny such requests from the Elections Commission by motion.

Section 3. The San Francisco Charter is hereby amended, by adding Section 13.104.5, to read as follows:

**SEC. 13.104.5. USE OF OTHER CITY EMPLOYEES AND OFFICERS.**

Except as provided below, no City employee or officer, other than the Director of Elections, an appointee of the Director of Elections or a member of the Elections Commission, may in any capacity perform any function relating to the conduct of an election that this Charter places under the Department of Elections. The Elections Commission may, upon the recommendation of the Director of Elections and a finding that the Department will not have adequate staffing to

conduct an election, request from the Board of Supervisors a waiver of this prohibition so as to allow City employees and officers to assist the Department of Elections on the day of an election. The Board of Supervisors shall approve or deny such requests from the Elections Commission by motion.

The City Attorney shall serve as legal counsel to the Elections Commission and the Department of Elections. The Commission may, by a majority vote of its members, hire outside legal counsel to advise the Commission and the Department on matters that directly involve the election or campaign of the City Attorney, if the City Attorney is standing for election. All outside legal counsel hired pursuant to this Section shall be a member in good standing of the California State Bar. In selecting outside legal counsel, the Commission shall give preference to engaging the services of a city attorney's office, a county counsel's office or other public entity law office with an expertise regarding the subject-matter jurisdiction of the Elections Commission. In the event that the Commission concludes that private counsel is necessary, it may, by a majority vote, engage the services of a private attorney who has at least five years' experience in the subject-matter jurisdiction of the Elections Commission. Any private counsel retained pursuant to this Section shall be subject to the conflict of interest provisions of Section 13.103.5. Any contract for outside legal counsel authorized by this section shall be paid for by the Commission and shall be subject to the budgetary and fiscal provisions of this charter.

The Sheriff shall be responsible for preserving the security and integrity of elections in all matters including but not limited to transporting all ballots and all other documents or devices used to record votes from the polls to the central counting location and providing security for the ballots until the certification of election results. This requirement shall not become operative following its adoption until the Sheriff has completed meeting and conferring required by state law. The Director of Elections shall develop and submit for the approval of the Elections Commission an alternative security plan if an incumbent sheriff is running for election. The Elections Commission shall send a copy of the approved security plan to the Board of Supervisors.

Section 4. The San Francisco Charter is hereby amended, by amending Section 13.107.5, to read as follows:

**SEC. 13.107.5. POSTING OF BALLOT COUNTS AT POLLS.**

After the closing of the polls, each precinct board shall cause to be posted outside of each polling place an accounting that includes the number of ballots delivered to that precinct board and the number of voted ballots, unused ballots, spoiled ballots, cancelled ballots, absentee ballots and provisional ballots returned to the Department of Elections by the precinct board at any time on election day. After the closing of the polls, each precinct board shall also post outside each polling place any computer record indicating the number of ballots cast for each candidate and for or against each ballot measure.

Section 5. The San Francisco Charter is hereby amended, by amending Section 15.105, to read as follows:

**SEC. 15.105. SUSPENSION AND REMOVAL.**

Any elective officer, and any member of the Airport Commission, Asian Art Commission, Civil Service Commission, Commission on the Status of Women, Health Commission, Human Services Commission, Juvenile Probation Commission, Public Utilities Commission, Recreation and Park Commission, Fine Arts Museums Board of Trustees, War Memorial and Performing Art Center Board of Trustees, Board of Education or Community College Board may be suspended by the Mayor and removed by the Board of Supervisors for official misconduct, and the Mayor shall appoint a qualified person to discharge the duties of the office during the period of suspension. On such suspension, the Mayor shall immediately notify the Ethics Commission and Board of Supervisors thereof in writing and the cause thereof, and shall present written charges against such suspended officer to the Ethics Commission and Board of Supervisors at or prior to their next regular meetings following such suspension, and shall immediately furnish a copy of the same to such officer, who shall have the right to appear with counsel before the Ethics Commission in his or her defense. Hearing by the Ethics Commission shall be held not less than five days after the filing of written charges. After the hearing, the Ethics Commission shall transmit the full record of the hearing to the Board of Supervisors with a recommendation as to whether the charges should be sustained. If, after reviewing the complete record, the charges are sustained by not less than a three-fourths vote of all members of the Board of Supervisors, the suspended officer shall be removed from office; if not so sustained, or if not acted on by the Board of Supervisors within 30 days after the receipt of the record from the Ethics Commission, the suspended officer shall thereby be reinstated.

Members of the Building Inspection Commission appointed by the Mayor may be suspended and removed pursuant to the provisions set forth above. Members of the Commission appointed by the President of the Board of Supervisors may be suspended and removed pursuant to the same procedures, except that the President of the Board shall act in place of the Mayor. Members of the Elections Commission and Ethics Commission may be suspended and removed pursuant to the provisions set forth above except that the appointing authority shall act in place of the Mayor.

The Mayor must immediately remove from office any elective official convicted of a crime involving moral turpitude, and failure of the Mayor so to act shall constitute official misconduct on his or her part. Any appointee of the Mayor or the Board of Supervisors guilty of official misconduct or convicted of crime involving moral turpitude must be removed by the Mayor or the Board of Supervisors, as the case may be, and failure of the Mayor or any Supervisor to take such action shall constitute official misconduct on their part. Any member of the Elections Commission or Ethics Commission guilty of official misconduct or convicted

of crime involving moral turpitude must be removed by the appointing authority, and failure of the appointing authority to act shall constitute official misconduct on his or her part.

Section 6. The San Francisco Charter is hereby amended, by amending Section 15.100, to read as follows:

**SEC. 15.100. ETHICS COMMISSION.**

The Ethics Commission shall consist of five members who shall serve six-year terms; provided that the first five commissioners to be appointed to take office on the first day of February, 2002 shall by lot classify their terms so that the term of one commissioner shall expire at 12:00 o'clock noon on each of the second, third, fourth, fifth and sixth anniversaries of such date, respectively; and, on the expiration of these and successive terms of office, the appointments shall be made for six-year terms.

The Mayor, the Board of Supervisors, the City Attorney, the District Attorney and the Assessor each shall appoint one member of the Commission. The member appointed by the Mayor shall have a background in public information and public meetings. The member appointed by the City Attorney shall have a background in law as it relates to government ethics. The member appointed by the Assessor shall have a background in campaign finance. The members appointed by the District Attorney and Board of Supervisors shall be broadly representative of the general public.

In the event a vacancy occurs, the officer who appointed the member vacating the office shall appoint a qualified person to complete the remainder of the term. Members of the Commission shall serve without compensation. Members of the Commission shall be officers of the City and County, and may be removed by the appointing authority only pursuant to Section 15.105.

No person may serve more than one six-year term as a member of the Commission, provided that persons appointed to fill a vacancy for an unexpired term with less than three years remaining or appointed to an initial term of three or fewer years shall be eligible to be appointed to one additional six-year term. Any term served before the effective date of this Section shall not count toward a member's term limit. Any person who completes a term as a Commissioner shall be eligible for reappointment six years after the expiration of his or her term. Notwithstanding any provisions of this Section or any other section of the Charter to the contrary, the respective terms of office of the members of the Commission who shall hold office on the first day of February, 2002, shall expire at 12 o'clock noon on said date, and the five persons appointed as members of the Commission as provided in this Section shall succeed to said offices on said first day of February, 2002, at 12 o'clock noon; provided that if any appointing authority has not made a new appointment by such date, the sitting member shall continue to serve until replaced by the new appointee.

During his or her tenure, a member of the Commission may not: hold any other public office or employment with the City, state or federal government, with a

district governmental body, with the governing body of any political party, with any City, district, state or federal official, or with a member of the governing body of any political party; participate in, contribute to, solicit contributions to, publicly endorse or urge the endorsement of a campaign supporting or opposing a candidate for City, district, state or federal office appearing on the ballot in San Francisco, the governing body of any political party appearing on the ballot in San Francisco, a City, regional or state ballot measure appearing on the ballot in San Francisco, or a City official seeking any elective office; be an officer, director or employee of or hold a policymaking position in an organization that makes political endorsements regarding candidates or ballot measures appearing on the ballot in San Francisco; be a registered lobbyist or campaign consultant as defined under the City's lobbyist or campaign consultant ordinances; or employ or be employed by, or receive any gifts or other compensation from, a person required to register as a lobbyist or campaign consultant under the City's lobbyist or campaign consultant ordinances, a person who employs someone required to register as a lobbyist or campaign consultant under the City's lobbyist or campaign consultant ordinances, or a person who is employed by or holds office in an organization that makes political endorsements regarding candidates or ballot measures appearing on the ballot in San Francisco. If a person appointed to the Ethics Commission is, at the time of appointment, an officer, director or employee of or holds a policymaking position in an organization described herein, that person shall be eligible to serve on the Ethics Commission only if he or she resigns from his or her office or employment with that organization within thirty days of appointment.

For the purpose of this Section, "district" shall mean an existing or proposed public entity whose area includes any portion of the City and County of San Francisco or whose candidates or measures appear on the ballot in San Francisco. This Section is not intended to prohibit a member of the Commission from serving with the federal or state military reserves.

For a period of one year upon completing his or her service with the Commission, no member of the Commission may: be a lobbyist or campaign consultant as defined under the City's lobbyist or campaign consultant ordinances; or employ or be employed by, or receive any gifts or other compensation from a person required to register as a lobbyist or campaign consultant under the City's lobbyist or campaign consultant ordinances, a person who employs someone required to register as a lobbyist or campaign consultant under the City's lobbyist or campaign consultant ordinances, or a person who is employed by or holds office in a committee, as defined under San Francisco Campaign and Government Conduct Code Section 1.305.

The Commission may subpoena witnesses, compel their attendance and testimony, administer oaths and affirmations, take evidence and require by subpoena the production of, any books, papers, records or other items material to the performance of the Commission's duties or exercise of its powers.

Section 7. The San Francisco Charter is hereby amended, by amending Section 15.101, to read as follows:

**SEC. 15.101. EXECUTIVE DIRECTOR AND COMMISSION STAFF.**

The Commission shall appoint and may remove an Executive Director. The Executive Director shall have a background in campaign finance, public information and public meetings and the law as it relates to governmental ethics. The Executive Director shall be the chief executive of the department and shall have all the powers provided for department heads. Subject to the civil service provisions of this Charter, the Executive Director shall have the power to appoint and remove other employees of the Commission. In addition to any other conflict of interest provisions applicable to City employees, the Executive Director and all other employees of the Commission shall be subject to the conflict of interest provisions in Section 15.100, except that the post-employment restrictions contained therein shall apply only to the Executive Director and management-level employees.

Section 8. The San Francisco Charter is hereby amended, by amending Section 15.102, to read as follows:

**SEC. 15.102. RULES AND REGULATIONS.**

The Commission may adopt, amend and rescind rules and regulations consistent with and related to carrying out the purposes and provisions of this Charter and ordinances related to campaign finances, conflicts of interest, lobbying, campaign consultants and governmental ethics and to govern procedures of the Commission. In addition, the Commission may adopt rules and regulations relating to carrying out the purposes and provisions of ordinances regarding open meetings and public records. The Commission shall transmit to the Board of Supervisors rules and regulations adopted by the Commission within 24 hours of their adoption. A rule or regulation adopted by the Commission shall become effective 60 days after the date of its adoption unless before the expiration of this 60-day period two-thirds of all members of the Board of Supervisors vote to veto the rule or regulation.

The City Attorney shall be the legal advisor of the Commission.

Any ordinance which the Supervisors are empowered to pass relating to conflicts of interest, campaign finance, lobbying, campaign consultants or governmental ethics may be submitted to the electors at the next succeeding general election by the Ethics Commission by a four-fifths vote of all its members.

Section 9. The San Francisco Charter is hereby amended, by amending Section C3.699-13, to read as follows:

**SEC. C3.699-13. INVESTIGATIONS AND ENFORCEMENT PROCEEDINGS.**

The commission shall conduct investigations in accordance with this subdivision of alleged violations of this charter and city ordinances relating to campaign finance, lobbying, conflicts of interest and governmental ethics.

(a) Investigations.

If the commission, upon the receipt of a sworn complaint of any person or its own initiative, has reason to believe that a violation of this charter or city ordinances relating to campaign finance, lobbying, conflicts of interest or governmental ethics has occurred, the commission immediately shall forward the complaint or information in its possession regarding the alleged violation to the district attorney and city attorney. Within ten working days, after receipt of the complaint or information, the district attorney and city attorney shall inform the commission in writing regarding whether the district attorney or city attorney has initiated or intends to pursue an investigation of the matter. If the commission, upon the sworn complaint or on its own initiative, determines that there is sufficient cause to conduct an investigation, it shall investigate alleged violations of this charter or city ordinances relating to campaign finance, lobbying, conflicts of interest and governmental ethics. A complaint filed with the commission shall be investigated only if it identifies the specific alleged violations which form the basis for the complaint and the commission determines that the complaint contains sufficient facts to warrant an investigation.

Within 14 days after receiving notification that neither the district attorney nor city attorney intends to pursue an investigation, the commission shall notify in writing the person who made the complaint of the action, if any, the commission has taken or plans to take on the complaint, together with the reasons for such action or non-action. If no decision has been made within 14 days, the person who made the complaint shall be notified of the reasons for the delay and shall subsequently receive notification as provided above.

The investigation shall be conducted in a confidential manner. Records of any investigation shall be considered confidential information to the extent permitted by state law. Any member or employee of the commission or other person who, prior to a determination concerning probable cause, discloses information about any preliminary investigation, except as necessary to conduct the investigation, shall be deemed guilty of official misconduct. The unauthorized release of confidential information shall be sufficient grounds for the termination of the employee or removal of the commissioner responsible for such release.

(b) Findings of Probable Cause.

No finding of probable cause to believe that a provision of this charter or city ordinances relating to campaign finance, lobbying, conflicts of interest or governmental ethics has been violated shall be made by the commission unless, at least 21 days prior to the commission's consideration of the alleged violation, the person alleged to have committed the violation is notified of the alleged violation by service of process or registered mail with return receipt requested, is provided with a summary of the evidence, and is informed of his or her right to be present in person and to be represented by counsel at any proceeding of the commission held for the purpose of considering whether probable cause exists for believing

the person committed the violation. Notice to the alleged violator shall be deemed made on the date of service, the date the registered mail receipt is signed, or, if the registered mail receipt is not signed, the date returned by the post office. A proceeding held for the purpose of considering probable cause shall be private to the extent permitted by state law unless the alleged violator files with the commission a written request that the proceeding be public.

(c) Administrative Orders and Penalties.

(i) When the commission determines there is probable cause for believing a provision of this charter or city ordinance has been violated, it may hold a public hearing to determine if such a violation has occurred. When the commission determines on the basis of substantial evidence presented at the hearing that a violation has occurred, it shall issue an order which may require the violator to:

- (1) Cease and desist the violation;
- (2) File any reports, statements or other documents or information required by law; and/or
- (3) Pay a monetary penalty to the general fund of the city of up to five thousand dollars (\$5,000) for each violation or three times the amount which the person failed to report properly or unlawfully contributed, expended, gave or received, whichever is greater. Penalties that are assessed but uncollected after 60 days shall be referred to the bureau of delinquent revenues for collection.

In addition, with respect to city officers other than those identified in Section 8.107 of this charter, when the commission determines on the basis of substantial evidence presented at the hearing that a violation has occurred, the commission may recommend to the appointing officer that the officer be removed from office.

When the commission determines that no violation has occurred, it shall publish a declaration so stating.

(d) In addition to any other penalty that may be imposed by law, any person who violates any provision of this charter or of a city ordinance relating to campaign finance, lobbying, conflicts of interest or governmental ethics, or who causes any other person to violate any such provision, or who aids and abets any other person in such violation, shall be liable under the provisions of this section.

Section 10. The San Francisco Charter is hereby amended, by amending Section C3.699-14, to read as follows:

**SEC. C3.699-14. COMMISSION FUNDING.**

The Ethics Commission may impose fees related to the administration and enforcement of ordinances and provisions of this charter related to campaign finance, lobbying, campaign consultants and governmental ethics. The fees shall become effective 30 days after their approval by the commission unless the board of supervisors, by a vote of two-thirds of all of its members, disapproves the fees within this 30 day period.

Section 11. The San Francisco Charter is hereby amended, by repealing Section C3.699-15.

Section 12. The San Francisco Charter is hereby amended, by amending Section 6.102, to read as follows:

SEC. 6.102. CITY ATTORNEY.

The City Attorney shall:

1. Represent the City and County in legal proceedings with respect to which it has an interest; provided that any elected officer, department head, board or commission may engage counsel other than the City Attorney for legal advice regarding a particular matter where the elected officer, department head, board or commission has reason to believe that the City Attorney may have a prohibited financial conflict of interest under California law or a prohibited ethical conflict of interest under the California Rules of Professional Conduct with regard to the matter, subject to the following limitations and conditions.

The elected officer, department head, board or commission shall first present a written request to the City Attorney for outside counsel. The written request shall specify the particular matter for which the elected officer, department head, board or commission seeks the services of outside counsel, a description of the requested scope of services and the potential conflict of interest that is the basis for the request. Within five working days after receiving the written request for outside counsel, the City Attorney shall respond in writing to the elected officer, department head, board or commission, either consenting or not consenting to the provision of outside counsel. If the City Attorney does not consent to the provision of outside counsel, the City Attorney shall state in the written response why he or she believes that there is no conflict of interest regarding the particular matter.

If the elected officer, department head, board or commission continues to believe there are adequate grounds for outside counsel despite the City Attorney's response that there is no conflict of interest, the elected officer, department head, board or commission may, within thirty days after receiving the City Attorney's response, refer the issue of whether the City Attorney has a prohibited conflict of interest regarding a particular matter to a retired judge or justice of the state courts of California for resolution. If the elected officer, department head, board or commission and City Attorney cannot agree on a retired judge to hear the matter, the retired judge shall be selected at random by an alternative dispute resolution provider. If the matter is referred to a retired judge, the elected officer, department head, board or commission, subject to the budgetary and fiscal provisions of the Charter, shall be entitled to retain outside counsel to represent it solely on the issue of whether the City Attorney has a conflict of interest regarding the particular matter.

In deciding whether the City Attorney has a conflict of interest regarding a particular matter, the retired judge shall be bound by and apply the applicable substantive law and Rules of Professional Conduct as if he or she were a court of law. To the extent practicable, the retired judge shall hear the matter within 15

days after its assignment to the retired judge, and within 15 days after the hearing, shall issue a written opinion stating the basis for the decision. The retired judge, but not the City Attorney or elected officer, department head, board or commission, shall have the power to subpoena witnesses and documents in this proceeding.

The retired judge may request that the City Attorney secure written advice from the California Fair Political Practices Commission, the State Bar of California, or the California Attorney General on the question of whether the City Attorney has a conflict of interest regarding the particular matter. Upon such a request by the retired judge, the City Attorney shall secure such written advice. The retired judge may consider, but is not bound by, written advice so secured. The decision of the retired judge shall be final for the limited purpose of determining whether or not the elected officer, department head, board or commission may retain outside counsel for the particular matter.

If the retired judge decides that the City Attorney does not have a conflict of interest regarding the particular matter, the City Attorney shall continue to be the legal adviser to the elected officer, department head, board or commission for such matter. If the retired judge decides that the City Attorney has a conflict of interest regarding a particular matter, the elected officer, department head, board or commission shall be entitled to retain outside counsel for legal advice regarding the particular matter, and the City Attorney shall thereupon cease to advise the elected officer, department head, board or commission on such matter. Any such finding of a conflict of interest shall not affect the City Attorney's role as legal advisor to the elected officer, department head, board or commission on all other matters.

If at any time after the retention of outside counsel, the City Attorney believes that there is no longer a conflict of interest, the City Attorney shall state in writing to the elected officer, department head, board or commission why he or she believes that there is no longer a conflict of interest. Within five working days after receiving the written statement from the City Attorney, the elected officer, department head, board or commission shall respond in writing, either agreeing or disagreeing that there is no longer a conflict of interest. If the elected officer, department head, board or commission agrees that there is no longer a conflict of interest regarding a particular matter, the elected officer, department head, board or commission shall cease employing outside counsel for legal advice regarding the matter, and the City Attorney shall serve as legal adviser to the elected officer, department head, board or commission regarding that matter. If the elected officer, department head, board or commission states in its written response that it believes the conflict of interest still exists, the City Attorney may, within ten working days after receiving the response of the elected officer, department head, board or commission, elect to refer the issue of whether the conflict of interest regarding the particular matter continues to exist to the same retired judge who originally heard the matter, if available. The same procedures as established herein shall apply thereafter.

In selecting outside counsel for any purpose described in this Section, the elected officer, department head, board or commission shall give preference to engaging the services of a city attorney's office, a county counsel's office or other public entity law office with an expertise regarding the subject-matter jurisdiction of the elected officer, department head, board or commission. If the elected officer, department head, board or commission concludes that private counsel is necessary, that attorney must be a member in good standing with the Bar of California who has at least five years' experience in the subject-matter jurisdiction of the elected officer, department head, board or commission. Any private counsel retained pursuant to this Section shall be subject to the conflict of interest provisions of Section 13.103.5. The cost of any of the services of outside counsel and of the alternative dispute resolution process authorized by this Section, shall be paid for by the elected officer, department head, board or commission, subject to the budgetary and fiscal provisions of this Charter.

2. Represent an officer or official of the City and County when directed to do so by the Board of Supervisors, unless the cause of action exists in favor of the City and County against such officer or official;

3. Whenever a cause of action exists in favor of the City and County, commence legal proceedings when such action is within the knowledge of the City Attorney or when directed to do so by the Board of Supervisors, except for the collection of taxes and delinquent revenues, which shall be performed by the attorney for the Tax Collector;

4. Upon request, provide advice or written opinion to any officer, department head or board, commission or other unit of government of the City and County;

5. Make recommendations for or against the settlement or dismissal of legal proceedings to the Board of Supervisors prior to any such settlement or dismissal. Such proceedings shall be settled or dismissed by ordinance and only upon the recommendation of the City Attorney;

6. Approve as to form all surety bonds, contracts and, prior to enactment, all ordinances; and examine and approve title to all real property to be acquired by the City and County;

7. Prepare, review annually and make available to the public a codification of ordinances of the City and County then in effect;

8. Prepare and make available to the public an annual edition of this Charter complete with all of its amendments and legal annotations; and

9. Establish in the Office of the City Attorney a Bureau of Claims Investigation and Administration which shall have the power to investigate, evaluate and settle for the several boards, commissions and departments all claims for money or damages. The Bureau shall also have the power to investigate incidents where the City faces potential civil liability, and to settle demands before they are presented as claims, within dollar limits provided for by ordinance, from a revolving fund to be established for that purpose. The City Attorney shall appoint a chief of the Bureau who shall serve at his or her pleasure. The chief of the Bureau may appoint,

subject to confirmation by the City Attorney, investigators who shall serve at the pleasure of the chief.

10. During his or her tenure, not participate in, contribute to, solicit contributions to, publicly endorse or urge the endorsement of a candidate for public office, other than his or her own candidacy for public office, appearing on the ballot in San Francisco or of a ballot measure appearing on the ballot in San Francisco; or be an officer, director or employee of or hold a policymaking position in an organization that makes political endorsements regarding candidates or ballot measures appearing on the ballot in San Francisco.

Section 1. The San Francisco Charter is hereby amended, by amending Section 13.110, to read as follows:

**SEC. 13.110. ELECTION OF SUPERVISORS.**

(a) The members of the board of supervisors shall be elected by district as set forth in this section.

(b) The city and county shall be divided into 11 supervisorial districts as set forth in this section. Beginning with the general municipal election in 2000, and until new districts are established pursuant to this section, these districts shall be used for the election or recall of the members of the board of supervisors, and for filling any vacancy in the office of member of the board of supervisors by appointment. Once new districts are established, those districts shall be used for the same purposes. No change in the boundary or location of any district shall operate to abolish or terminate the term of office of any member of the board of supervisors prior to the expiration of the term of office for which such member was elected or appointed.

(c) The 11 supervisorial districts shall be bounded and described as follows:

**FIRST SUPERVISORIAL DISTRICT**, shall comprise all of that portion of the city and county commencing at the point of intersection of the shoreline of the Pacific Ocean and a straight-line extension of Lincoln Way; thence easterly along Lincoln Way to Arguello Boulevard; thence northerly along Arguello Boulevard to Kezar Drive; thence easterly along Kezar Drive to Waller Street; thence easterly along Waller Street to Stanyan Street; thence northerly along Stanyan Street to Fulton Street; thence easterly along Fulton Street to Parker Avenue; thence northerly along Parker Avenue to Lone Mountain Terrace; thence westerly along Lone Mountain Terrace to Stanyan Boulevard; thence northerly along Stanyan Boulevard to Geary Boulevard; thence westerly along Geary Boulevard to Arguello Boulevard; thence northerly along Arguello Boulevard to Lake Street; thence westerly along Lake Street to Twenty-Seventh Avenue; thence southerly along Twenty-Seventh Avenue to California Street; thence westerly along California Street to its point of intersection with the eastern boundary of Lincoln Park; thence northerly along said boundary to the shoreline of the Pacific Ocean; thence westerly and southerly along said shoreline to the point of commencement. Unless specifically designated to the contrary, all references to streets, boulevards, drives, avenues, terraces and ways contained in the foregoing description shall refer to

the centerlines of said streets, boulevards, drives, avenues, terraces and ways, respectively.

SECOND SUPERVISORIAL DISTRICT, shall comprise all of that portion of the city and county commencing at the point of intersection of the shoreline of the Pacific Ocean and the eastern boundary of Lincoln Park; thence southerly along said boundary to California Street; thence easterly along California Street to Twenty-Seventh Avenue; thence northerly along Twenty-Seventh Avenue to Lake Street; thence easterly along Lake Street to Arguello Boulevard; thence southerly along Arguello Boulevard to Geary Boulevard; thence easterly along Geary Boulevard to Stanyan Boulevard; thence southerly along Stanyan Boulevard to Lone Mountain Terrace; thence easterly along Lone Mountain Terrace to Parker Avenue; thence southerly along Parker Avenue to Fulton Street; thence easterly along Fulton Street to Masonic Avenue; thence northerly along Masonic Avenue to Turk Boulevard; thence easterly along Turk Boulevard to St. Joseph's Avenue; thence northerly and northwesterly along St. Joseph's Avenue to Geary Boulevard; thence westerly along Geary Boulevard to Presidio Avenue; thence northerly along Presidio Avenue to California Street; thence easterly along California Street to Laguna Street; thence southerly along Laguna Street to Geary Boulevard; thence easterly along Geary Boulevard to the center point of the intersection of Geary Boulevard and Starr King Way; thence southeasterly and easterly along Starr King Way to Van Ness Avenue; thence northerly along Van Ness Avenue to Green Street; thence easterly along Green Street to Leavenworth Street; thence northerly along Leavenworth Street and a northerly straight-line extension thereof to the point of intersection with the shoreline of San Francisco Bay; thence generally westerly and southerly along said shoreline to the point of commencement. Unless specifically designated to the contrary, all references to streets, boulevards, drives, avenues, terraces and ways contained in the foregoing description shall refer to the centerlines of said streets, boulevards, drives, avenues, terraces and ways, respectively.

THIRD SUPERVISORIAL DISTRICT, shall comprise all of that portion of the city and county commencing at the point of intersection of a northerly straight-line extension of Leavenworth Street and the shoreline of San Francisco Bay; thence easterly and southerly along said shoreline to the point of intersection with a northeasterly straight-line extension of Mission Street and including all piers north of said intersection; thence southwestly along said straight-line extension of Mission Street to the Embarcadero; thence northwestly along the Embarcadero to the intersection with a northeasterly straight-line extension of Market Street; thence southwestly along Market Street to Sutter Street; thence westerly along Sutter Street to Van Ness Avenue; thence northerly along Van Ness Avenue to Green Street; thence easterly along Green Street to Leavenworth Street; thence northerly along Leavenworth Street and a straight-line extension thereof to the point of commencement. Unless specifically designated to the contrary, all refer-

ences to streets, boulevards, drives, avenues, terraces and ways contained in the foregoing description shall refer to the centerlines of said streets, boulevards, drives, avenues, terraces and ways, respectively.

FOURTH SUPERVISORIAL DISTRICT, shall comprise all of that portion of the city and county commencing at the point of intersection of the shoreline of the Pacific Ocean and a straight-line extension of Lincoln Way; thence easterly along Lincoln Way to Nineteenth Avenue; thence southerly along Nineteenth Avenue to Sloat Boulevard; thence westerly along Sloat Boulevard and a straight-line extension thereof to the point of intersection with the shoreline of the Pacific Ocean; thence northerly along said shoreline to the point of commencement. Unless specifically designated to the contrary, all references to streets, boulevards, drives, avenues, terraces and ways contained in the foregoing description shall refer to the centerlines of said streets, boulevards, drives, avenues, terraces and ways, respectively.

FIFTH SUPERVISORIAL DISTRICT, shall comprise all of that portion of the city and county commencing at the point of intersection of Lincoln Way and Nineteenth Avenue; thence easterly along Lincoln Way to Arguello Boulevard; thence northerly along Arguello Boulevard to Kezar Drive; thence easterly along Kezar Drive to Waller Street; thence easterly along Waller Street to Stanyan Street; thence northerly along Stanyan Street to Fulton Street; thence easterly along Fulton Street to Masonic Avenue; thence northerly along Masonic Avenue to Turk Boulevard; thence easterly along Turk Boulevard to St. Joseph's Avenue; thence northerly and northwesterly along St. Joseph's Avenue to Geary Boulevard; thence westerly along Geary Boulevard to Presidio Avenue; thence northerly along Presidio Avenue to California Street; thence easterly along California Street to Laguna Street; thence southerly along Laguna Street to Market Street; thence southwesterly along Market Street to Duboce Avenue; thence westerly along Duboce Avenue to Buena Vista Avenue East; thence southwesterly along Buena Vista Avenue East to Buena Vista Avenue West; thence northerly along Buena Vista Avenue West to Frederick Street; thence westerly along Frederick Street to Ashbury Street; thence southerly and southwesterly along Ashbury Street to Clayton Street; thence southerly along Clayton Street to Twin Peaks Boulevard; thence southwesterly along Twin Peaks Boulevard to Clarendon Avenue; thence westerly along Clarendon Avenue and a straight-line extension thereof to Stanyan Street; thence northerly along Stanyan Street to the intersection of Stanyan Street and Seventeenth Street; thence westerly to the intersection of a straight-line extension of Seventeenth Street with the eastern boundary of the campus of the University of California San Francisco; thence generally northerly, northwesterly and westerly along the eastern and northeastern boundary of said campus to Parnassus Avenue; thence westerly along Parnassus Avenue to Nineteenth Avenue; thence northerly along Nineteenth Avenue to the point of commencement. Unless specifically designated to the contrary, all references to streets, boulevards, drives,

avenues, terraces and ways contained in the foregoing description shall refer to the centerlines of said streets, boulevards, drives, avenues, terraces and ways, respectively.

SIXTH SUPERVISORIAL DISTRICT, shall comprise all of that portion of the city and county commencing at the point of intersection of a northeasterly straight-line extension of Mission Street and the shoreline of San Francisco Bay; thence southwesterly along said straight-line extension of Mission Street to the Embarcadero; thence northwesterly along the Embarcadero to the intersection with a northeasterly straight-line extension of Market Street; thence southwesterly along Market Street to Sutter Street; thence westerly along Sutter Street to Van Ness Avenue; thence southerly along Van Ness Avenue to Starr King Way; thence westerly and northwesterly along Starr King Way to the center point of the intersection of Geary Boulevard and Starr King Way; thence westerly along Geary Boulevard to Laguna Street; thence southerly along Laguna Street to Market Street; thence northeasterly along Market Street to Guerrero Street; thence southerly along Guerrero Street to Seventeenth Street; thence easterly along Seventeenth Street to Pennsylvania Street; thence northerly along Pennsylvania Street to Sixteenth Street; thence easterly along Sixteenth Street and a straight-line extension thereof to the shoreline of San Francisco Bay; thence generally northerly along said shoreline to the point of commencement and including all piers and rows of vessels. The Sixth Supervisorial District shall include Yerba Buena and Treasure Islands. Unless specifically designated to the contrary, all references to streets, boulevards, drives, avenues, terraces and ways contained in the foregoing description shall refer to the centerlines of said streets, boulevards, drives, avenues, terraces and ways, respectively.

SEVENTH SUPERVISORIAL DISTRICT, shall comprise all of that portion of the city and county commencing at the intersection of the southern boundary of the city and county and the centerline of Junipero Serra Boulevard; thence northerly along Junipero Serra Boulevard to Holloway Avenue; thence easterly along Holloway Avenue to Ashton Avenue; thence northerly along Ashton Avenue to Ocean Avenue; thence generally southeasterly and easterly along Ocean Avenue to the intersection of the Southern Freeway (Interstate Route 280); thence generally northeasterly along the centerline of the Southern Freeway (Interstate Route 280) to San Jose Avenue; thence northeasterly along San Jose Avenue to Bosworth Street; thence northwesterly along Bosworth Street to O'Shaughnessy Boulevard; thence generally northwesterly along O'Shaughnessy Boulevard to Portola Drive; thence northeasterly along Portola Drive to Twin Peaks Boulevard; thence generally northerly along Twin Peaks Boulevard to Clarendon Avenue; thence westerly along Clarendon Avenue and a straight-line extension thereof to Stanyan Street; thence northerly along Stanyan Street to the intersection of Stanyan Street and Seventeenth Street; thence westerly to the intersection of a straight-line extension of Seventeenth Street with the eastern boundary of the campus of the University of California San Francisco; thence northerly, northwesterly and

westerly along the eastern and northeastern boundary of said campus to Parnassus Avenue; thence westerly along Parnassus Avenue to Nineteenth Avenue; thence southerly along Nineteenth Avenue to Sloat Boulevard; thence westerly along Sloat Boulevard and a straight-line extension thereof to the point of intersection with the shoreline of the Pacific Ocean; thence southerly along said shoreline to the southern boundary of the city and county; thence easterly along said boundary to the point of commencement. Unless specifically designated to the contrary, all references to streets, boulevards, drives, avenues, terraces and ways contained in the foregoing description shall refer to the centerlines of said streets, boulevards, drives, avenues, terraces and ways, respectively.

EIGHTH SUPERVISORIAL DISTRICT, shall comprise all of that portion of the city and county commencing at the intersection of San Jose Avenue and Bosworth Street; thence northwesterly along Bosworth Street to O'Shaughnessy Boulevard; thence generally northwesterly along O'Shaughnessy Boulevard to Portola Drive; thence northeasterly along Portola Drive to Twin Peaks Boulevard; thence generally northerly along Twin Peaks Boulevard to Clarendon Avenue; thence easterly along Clarendon Avenue to Twin Peaks Boulevard; thence northeasterly along Twin Peaks Boulevard to Clayton Street; thence northerly along Clayton Street to Ashbury Street; thence northeasterly and northerly along Ashbury Street to Frederick Street; thence easterly along Frederick Street to Buena Vista Avenue West; thence southerly along Buena Vista Avenue West to Buena Vista Avenue East; thence northeasterly along Buena Vista Avenue East to Duboce Avenue; thence easterly along Duboce Avenue to Market Street; thence northeasterly along Market Street to Guerrero Street; thence southerly along Guerrero Street to San Jose Avenue; thence southwestly along San Jose Avenue to the point of commencement. Unless specifically designated to the contrary, all references to streets, boulevards, drives, avenues, terraces and ways contained in the foregoing description shall refer to the centerlines of said streets, boulevards, drives, avenues, terraces and ways, respectively.

NINTH SUPERVISORIAL DISTRICT, shall comprise all of that portion of the city and county commencing at the intersection of the centerline of the Southern Freeway (Interstate Route 280) and San Jose Avenue; thence northeasterly along San Jose Avenue to Guerrero Street; thence northerly along Guerrero Street to Seventeenth Street; thence easterly along Seventeenth Street to the centerline of the James Lick Freeway (State Route 101); thence generally southerly along the centerline of the James Lick Freeway (State Route 101) to the interchange with the Southern Freeway (Interstate Route 280); thence generally southwestly along the centerline of the Southern Freeway (Interstate Route 280) to the point of commencement. Unless specifically designated to the contrary, all references to streets, boulevards, drives, avenues, terraces and ways contained in the foregoing description shall refer to the centerlines of said streets, boulevards, drives, avenues, terraces and ways, respectively.

TENTH SUPERVISORIAL DISTRICT, shall comprise all of that portion of the city and county commencing at the intersection of the southern boundary of the city and county and the centerline of Carter Street; thence northerly along Carter Street to Geneva Avenue; thence northwesterly along Geneva Avenue to the point of intersection with a southerly straight-line extension of the boundary between Crocker Amazon Playground and John McLaren Park; thence generally northerly along the western boundary of John McLaren Park to Burrows Street; thence easterly along Burrows Street to Harvard Street; thence southerly along Harvard Street to Bacon Street; thence easterly along Bacon Street to Oxford Street; thence southerly along Oxford Street to Wayland Street; thence easterly along Wayland Street to Cambridge Street; thence northerly along Cambridge Street to Felton Street; thence easterly along Felton Street to Amherst Street; thence northerly along Amherst Street to Silver Avenue; thence easterly along Silver Avenue to Colby Street; thence northerly along Colby Street to Sweeny Street; thence easterly along Sweeny Street to Bowdoin Street; thence northerly along Bowdoin Street and a northerly straight-line extension thereof to the centerline of the Southern Freeway (Interstate Route 280); thence northeasterly along the centerline of the Southern Freeway (Interstate Route 280) to the point of interchange with the James Lick Freeway (State Route 101); thence generally northerly along the centerline of the James Lick Freeway (State Route 101) to Seventeenth Street; thence easterly along Seventeenth Street to Pennsylvania Street; thence northerly along Pennsylvania Street to Sixteenth Street; thence easterly along Sixteenth Street and a straight-line extension thereof to the point of intersection with the shoreline of San Francisco Bay; thence generally southerly along said shoreline to the southern boundary of the city and county and including all piers south of said intersection; thence along the southern boundary of the city and county to the point of commencement. Unless specifically designated to the contrary, all references to streets, boulevards, drives, avenues, terraces and ways contained in the foregoing description shall refer to the centerlines of said streets, boulevards, drives, avenues, terraces and ways, respectively.

ELEVENTH SUPERVISORIAL DISTRICT, shall comprise all of that portion of the city and county commencing at the intersection of the southern boundary of the city and county and the centerline of Junipero Serra Boulevard; thence northerly along Junipero Serra Boulevard to Holloway Avenue; thence easterly along Holloway Avenue to Ashton Avenue; thence northerly along Ashton Avenue to Ocean Avenue; thence generally southeasterly and easterly along Ocean Avenue to the intersection of the Southern Freeway (Interstate Route 280); thence generally northeasterly along the centerline of the Southern Freeway (Interstate Route 280) to the intersection with a northerly straight-line extension of Bowdoin Street; thence southerly along that straight-line extension and Bowdoin Street to Sweeney Street; thence westerly along Sweeny [sic] Street to Colby Street; thence southerly along Colby Street to Silver Avenue; thence westerly along Silver Avenue to Amherst Street; thence southerly along Amherst Street to Felton Avenue; thence

westerly along Felton Street to Cambridge Street; thence southerly along Cambridge Street to Wayland Street; thence westerly along Wayland Street to Oxford Street; thence northerly along Oxford Street to Bacon Street; thence westerly along Bacon Street to Harvard Street; thence northerly along Harvard Street to Burrows Street; thence westerly along Burrows Street to its end; thence generally southerly along the western boundary of John McLaren Park and a southerly straight-line extension of the boundary between Crocker Amazon Playground and John McLaren Park to the point of intersection with Geneva Avenue; thence southeasterly along Geneva Avenue to Carter Street; thence southerly along Carter Street to the southern boundary of the city and county; thence along the southern boundary of the city and county to the point of commencement. Unless specifically designated to the contrary, all references to streets, boulevards, drives, avenues, terraces and ways contained in the foregoing description shall refer to the centerlines of said streets, boulevards, drives, avenues, terraces and ways, respectively.

Voters residing within the boundaries of the City and County as established in Government Code Section 23138 but not on the San Francisco Peninsula or on Yerba Buena and Treasure Islands shall be deemed for the purpose of supervisorial elections to reside in the supervisorial district on the Peninsula closest to the voter's place of residence.

(d) Within 60 days following publication of the decennial federal census in the year 2000 and every decennial federal census after that, the Director of Elections shall report to the Board of Supervisors on whether the existing districts continue to meet the requirements of federal and state law and the criteria for drawing districts lines set in the Charter.

The criteria for drawing districts lines are:

Districts must conform to all legal requirements, including the requirement that they be equal in population. Population variations between districts should be limited to 1 percent from the statistical mean unless additional variations, limited to 5 percent of the statistical mean, are necessary to prevent dividing or diluting the voting power of minorities and/or to keep recognized neighborhoods intact; provided, however, that the redistricting provided for herein shall conform to the rule of one person, one vote, and shall reflect communities of interest within the city and county. Census data, at the census block level, as released by the United States Census Bureau, statistically adjusted by the Bureau to correct the unadjusted census counts for any measured undercount or overcount of any subset of the population according to the bureau's Accuracy and Coverage Evaluation or other sampling method, shall be used in any analysis of population requirements and application of the rule of one person one vote. In the event such adjusted census data, at the census block level, are not released by the Bureau, population data, at the census block level, adjusted by the California Department of Finance for any measured undercount or overcount may be used.

If it is determined that the districts are in compliance with all legal requirements, including the requirement that they be equal in population, the current districts as drawn will be valid for the next decade. If it is determined that any of the districts are not in compliance, the Board of Supervisors by ordinance shall convene and fund a nine-member Elections Task Force. Three members shall be appointed by the Board of Supervisors, three members shall be appointed by the Mayor, and three members shall be appointed by the Director of Elections, unless an Elections Commission is created in which case the appointments designated to the Director of Elections shall be made by the Elections Commission. Task Force shall be appointed by January 8, 2002, and following the publication of each decennial federal census thereafter, shall be appointed within sixty days after issuance of a report by the Director of Elections to the Board of Supervisors that the districts are not in compliance, pursuant to this subsection.

Members of the Task Force previously appointed by the Director of Elections shall serve on the Task Force until the Elections Commission, if established, appoints three members to the Task Force, whereupon, the terms of the members appointed by the Director of Elections shall expire.

The Director of Elections shall serve *ex officio* as a non-voting member. The Task Force shall be responsible for redrawing the district lines in accordance with the law and the criteria established in this Section, and shall make such adjustments as appropriate based on public input at public hearings.

The Task Force shall complete redrawing district lines before the fifteenth day of April of the year in which the first election using the redrawn lines will be conducted. The Board of Supervisors may not revise the district boundaries established by the Task Force.

If the Task Force determines that the adjusted population data to which this subsection refers are not available a sufficient period of time before the fifteenth day of April in order to use the adjusted population data in redrawing the district lines for the following supervisorial election, and the adjusted population data demonstrate more than a five percent variance from the figures used in redrawing the district lines for that supervisorial election, the Task Force shall by the fifteenth day of April immediately preceding the next supervisorial election redraw the district lines for that supervisorial election in accordance with the provisions of this section. The procedures for redrawing supervisorial lines following the publication of every subsequent decennial federal census shall follow the procedures established by this Section.

The City Attorney shall remove the description of district lines found in this subsection from the Charter after the Elections Task Force has completed redrawing the district lines as set forth above. Following each redrawing of the district lines thereafter, the City Attorney shall cause the redrawn district lines to be published in an appendix to this Charter.

(e) Each member of the board of supervisors, commencing with the general municipal election in November, 2000, shall be elected by the electors within a

supervisory district, and must have resided in the district in which he or she is elected for a period of not less than 30 days immediately preceding the date he or she files a declaration of candidacy for the office of supervisor, and must continue to reside therein during his or her incumbency, and upon ceasing to be such resident shall be removed from office.

(f) Notwithstanding any provisions of this section or any other section of the charter to the contrary, the respective terms of office of the members of the board of supervisors who shall hold office on the eighth day of January, 2001, shall expire at 12 o'clock noon on said date and the 11 persons elected as members of the board of supervisors at the general election in 2000 shall succeed to said offices on said eighth day of January, 2001. At that time, the clerk of the board of supervisors shall determine by lot whether the supervisors elected from the even- or odd-numbered supervisory districts at the general municipal election in 2000 shall have terms of office expiring at noon on the eighth day of January, 2003, and which shall have terms of office expiring at noon on the eighth day of January, 2005; commencing, however, with the general municipal election in November, 2002, the terms of office of the supervisors elected from the even- or odd-numbered supervisory districts, as the case may be, shall be for a term of four years and shall continue as such thereafter. Those members of the board of supervisors elected at the general election in 1998, and those elected at the general election in 2000 who only serve an initial two-year term, shall not be deemed to have served a full term for purposes of the term limit established in Section 2.101.

Section 1. Section 9.107 of the San Francisco Charter is hereby amended to read as follows:

**SEC. 9.107. REVENUE BONDS.**

The Board of Supervisors is hereby authorized to provide for the issuance of revenue bonds. Revenue bonds shall be issued only with the assent of a majority of the voters upon any proposition for the issuance of revenue bonds, except that no voter approval shall be required with respect to revenue bonds:

1. Approved by three-fourths of all the Board of Supervisors if the bonds are to finance buildings, fixtures or equipment which are deemed necessary by the Board of Supervisors to comply with an order of a duly constituted state or federal authority having jurisdiction over the subject matter;

2. Approved by the Board of Supervisors prior to January 1, 1977;

3. Approved by the Board of Supervisors if the bonds are to establish a fund for the purpose of financing or refinancing for acquisition, construction or rehabilitation of housing in the City and County;

4. Authorized and issued by the Port Commission for any Port-related purpose and secured solely by Port revenues, or authorized and issued for any Airport related purpose and secured solely by Airport revenues;

5. Issued for the purposes of assisting private parties and not-for-profit entities in the financing and refinancing of the acquisition, construction, reconstruction or equipping of any improvement for industrial, manufacturing, research and devel-

opment, commercial and energy uses or other facilities and activities incidental thereto, provided the bonds are not secured or payable from any monies of the City and County or its commissions.

6. Issued for the purpose of the reconstruction or replacement of existing water facilities or electric power facilities or combinations of water and electric power facilities under the jurisdiction of the Public Utilities Commission, when authorized by resolution adopted by a three-fourths affirmative vote of all members of the Board of Supervisors.

7. Approved and authorized by the Board of Supervisors and secured solely by an assessment imposed by the City.

8. Issued to finance or refinance the acquisition, construction, installation, equipping, improvement or rehabilitation of equipment or facilities for renewable energy and energy conservation.

Except as expressly provided in this Charter, all revenue bonds may be issued and sold in accordance with state law or any procedure provided for by ordinance.

Certified to be a true copy by Tom Ammiano, President of the Board of Supervisors, and Gloria L. Young, Clerk of the Board of Supervisors.

Date of Election: November 6, 2001.

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## Charter Chapter 2—City of Palm Springs

### *Amendments to the Charter of the City of Palm Springs*

[Filed with the Secretary of State February 4, 2002.]

#### SECTION 301. Elective Officers.

The elective officers of the City shall consist of a city council of five members, one of whom shall be the mayor. The members of the city council shall be elected from the city at large at the time and in the manner provided in this Charter. All members of city council shall serve for a term of four years and until their respective successors qualify.

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 candidates for city council offices for terms which expire on the fourth Tuesday following June 7, 1994, and who are elected in the same general municipal election at which this Charter is passed, shall serve a term lasting until no later than the fourth Tuesday following the November 4, 1997 general municipal election. Those city councilmembers who are serving existing terms as of the effective date of this Charter shall serve terms until no later than the fourth Tuesday following the November 7, 1995 election. 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 fifth day following the certification of his or her election. 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.

Certified to be a true copy by William Kleindienst, Mayor, Patricia A. Sanders, City Clerk.

Date of Election: November 6, 2001.

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Charter Chapter 3—City of Albany

***Amendments to the Charter of the City of Albany***

[Filed with the Secretary of State February 6, 2002.]

Section 3.01 OFFICERS AND EMPLOYEES. All officers and department heads, except as otherwise provided, shall be appointed by the City Council and shall hold office at the pleasure of the City Council. The City Treasurer, and City Attorney shall be elected from the City at-large, and shall hold office for four (4) years and until their successors are elected and qualified. The Council shall establish by ordinance the administrative offices of the City and shall designate the department heads of the City. The City Council shall be empowered to create, abolish, or reorganize departments and divisions as necessary for the proper administration of the City business, but not inconsistent with other sections of this Charter.

Certified to be a true copy by Peggy Thomsen, Mayor, and Jacqueline L. Bucholz, CMC, City Clerk.

Date of Special Election: November 6, 2001.

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Charter Chapter 4—City of San Bernardino

***Amendments to the Charter of the City of San Bernardino***

[Filed with the Secretary of State February 14, 2002.]

Section 225. Restrictions on Officers. No person holding a salaried office of this City, whether by election or appointment, shall hold any other office of honor, trust or emolument under the government of the United States, or of this State, except the office of Notary Public, Court Commissioner, or an office in the

National Guard, and any person holding any salaried office of this City, who, during his term of such office, shall accept or hold any other office as aforesaid, except that of Notary Public, Court Commissioner, or in the National Guard, shall be deemed thereby to have vacated the office held by him under this City Government, and the same shall immediately become vacant. Nothing herein shall be deemed to prohibit any person holding any salaried office of this City from accepting an appointment to and serving on any Federal or State Commission or Committee providing such appointment and service is not full-time.

Certified to be a true copy by Judith Valles, Mayor, and Rachel G. Clark, City Clerk.

Date of Election: November 6, 2001.

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Charter Chapter 5—City of San Bernardino

***Amendments to the Charter of the City of San Bernardino***

[Filed with the Secretary of State February 14, 2002.]

Section 241. Employment of Legal Counsel. Upon the recommendation, and with the written consent, of the City Attorney, the Mayor and Common Council shall have power and authority to employ and engage such legal counsel and services and other assistants, as may be necessary and proper for the interest and benefit of the City and the inhabitants thereof.

Certified to be a true copy by Judith Valles, Mayor, and Rachel G. Clark, City Clerk.

Date of Election: November 6, 2001.

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Charter Chapter 6—County of Orange

***Charter of the County of Orange***

[Filed with the Secretary of State April 4, 2002.]

PREAMBLE

ARTICLE I—BOARD OF SUPERVISORS

101. Governing Body

102. Terms of Office

103. Filling of Vacancies

ARTICLE II—GENERAL

201. Initiative and Referenda

202. General Law Governs

203. County Ordinances Enacted by the Voters Remain in Effect

## PREAMBLE

We, the citizens of Orange County, with a desire for self-determination in selecting our county elected officials and to initiate the process to govern our county by charter government, do hereby adopt this charter.

## ARTICLE I—BOARD OF SUPERVISORS

## 101. Governing Body.

The governing body of the county is a Board of Supervisors of five (5) members elected by and from designated supervisorial districts.

## 102. Terms of Office.

The term of the office of supervisor is four (4) years.

## 103. Filling of Vacancies.

Notwithstanding any other provision of law, whenever a vacancy occurs in the office of supervisor, the vacancy shall be filled as follows:

A. If the vacancy occurs in the first 1095 days of the term of office, the vacancy shall be filled by a vote of the electors of that district at a special election to be called by the Board of Supervisors not less than 56 days nor more than 70 days after the vacancy occurs. If the vacancy occurs within 180 days of a regularly scheduled election held throughout the supervisorial district, the election to fill the vacancy may be consolidated with that regularly scheduled election.

The person receiving the highest number of votes in that election shall fill the vacancy.

B. If the vacancy occurs within the final year of the term, the vacancy shall be filled by the person receiving the highest number of votes for Supervisor in that district in the March primary election that year. If that person for any reason does not assume the office for the remainder of the term, the Board of Supervisors is hereby authorized to appoint a person to fill the vacancy. If the Board of Supervisors does not make such an appointment within 30 days following the certification of the March primary election results or following the failure of that person to assume the office, whichever comes later, the Board of Supervisors shall call a special election to be held not less than 56 nor more than 70 days thereafter to fill the vacancy. The person receiving the highest number of votes in that special election shall fill the vacancy.

## ARTICLE II—GENERAL

## 201. Initiative and Referenda.

This charter does not abridge or modify the rights of citizens to propose initiatives and referenda (including amendments to this charter) as provided for in the general laws of the State of California.

## 202. General Law Governs.

Except as expressly set forth in this charter, the general law set forth in the Constitution of the State of California and the laws of the State of California shall govern the operations of the County of Orange.

203. County Ordinances Enacted by the Voters Remain in Effect.

Ordinances of the County of Orange adopted by the voters prior to the enactment of this charter shall remain in full force and effect and may only be modified or repealed by a vote of the people.

Certified to be a true copy by Rosalyn Lever, Registrar of Voters.

Date of Election: March 5, 2002.

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Charter Chapter 7—City of Los Angeles

***Amendments to the Charter of the City of Los Angeles***

[Filed with the Secretary of State April 14, 2002.]

The Charter of the City of Los Angeles is hereby amended as follows:

Sec. 1. Section 401 of the Charter of the City of Los Angeles is amended to read:

Sec. 401. Election Days—City of Los Angeles and Board of Education.

For City offices and elections of the Board of Education, primary nominating elections shall be held on the first Tuesday after the first Monday in March in every odd-numbered year, and general municipal elections shall be held on the third Tuesday in May in every odd-numbered year. However, if holding the election on that day would conflict with a significant event or occurrence, and the Council finds that holding the election on that day would substantially reduce voter participation, the Council may set the election on a specific alternate day not earlier than the previous Tuesday nor later than the subsequent Tuesday from the regularly scheduled election day. The Council may set the alternate day only if it finds that holding the election on such alternate day would not substantially reduce voter participation. Any action setting an alternate election day must be adopted by the Council by resolution no later than six months before the date on which the affected election would otherwise take place.

Sec. 2. Section 404 of the Charter of the City of Los Angeles is amended to read:

Sec. 404. Returns of Election.

The returns of every election shall be delivered to the City Clerk, who shall, within 21 days after any election, canvass the returns and certify them to the Council, who shall declare the result and order the issuance of certificates of nomination or election as appropriate. The Council shall be the judge of the qualifications of all of the elected officers. When any municipal election is consolidated with any state or county election, after the Board of Supervisors or Registrar of Voters of Los Angeles County has canvassed the returns and certified the result of the canvass of all municipal questions submitted at the election to the Council, the Council shall declare the result. Any act in relation to the conduct of the election required by the Charter to be performed by an officer or employee of the City may be performed by the proper officer or employee of the county.

Sec. 3. Subsections (a) and (b) of Section 421 of the Charter of the City of Los Angeles are amended to read:

(a) Form and Timing. Each candidate for nomination to any elected office shall sign and file with the City Clerk a sworn Declaration of Intention to become a candidate for the office designated in the Declaration. The Declaration of Intention must be made on a form furnished by the City Clerk, and shall include an affidavit by the candidate that he or she possesses all necessary legal qualifications to be a candidate for the designated office. The Declaration of Intention shall be filed not earlier than 120 days, nor later than 115 days prior to the primary nominating election.

(b) Restrictions; Withdrawal. A candidate may not file a Declaration of Intention to become a candidate for more than one office at the same primary nominating election. Prior to the issuance of a Nominating Petition, a candidate may withdraw the Declaration of Intention to become a candidate for the office designated therein by filing a written statement with the City Clerk. In that case, a candidate may file a new Declaration of Intention to become a candidate for another office not later than 115 days prior to the primary nominating election.

Sec. 4. Subsection (b) of Section 422 of the Charter of the City of Los Angeles is amended to read:

(b) Filing and Certification. Nominating Petitions shall be filed with the City Clerk not more than 115 days and not less than 90 days prior to the primary nominating election. No Nominating Petition shall be filed with the City Clerk until any filing fee requirement has been satisfied. The City Clerk shall examine the Nominating Petition, and determine whether it contains the requisite number of signatures of qualified registered voters, in accordance with procedures contained in the City Election Code. When the City Clerk has completed the examination of the petition, the Clerk shall prepare a dated certificate showing the result of the examination.

Certified to be a true copy by Alex Padilla, President of the City Council, and Maria Kostrencich, Council Clerk.

Date of Election: March 5, 2002.

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#### Charter Chapter 8—City of Huntington Beach

### *Amendments to the Charter of the City of Huntington Beach*

[Filed with the Secretary of State April 22, 2002.]

#### SECTION 1. Property Rights Protection Measure:

The City Charter of the City of Huntington Beach is hereby amended to add a new Section 803 to read as follows:

#### Section 803. PROPERTY RIGHTS PROTECTION MEASURE.

(a) The City shall not enact or enforce any measure which mandates the price or other consideration payable to the owner in connection with the sale, lease,

rent, exchange or other transfer by the owner of real property. Any such measure is hereby repealed.

(b) The word “mandates” as used in subsection (a) includes any measure taken by ordinance, resolution, administrative regulation or other action of the City to establish, continue, implement or enforce any control or system of controls on the price or other terms on which real property in the city may be offered, sold, leased, rented, exchanged or otherwise transferred by its owner. The words “real property” as used in subsection (a) refer to any parcel of land or site, either improved or unimproved, on which a dwelling unit or residential accommodation is or may be situated for use as a home, residence or sleeping place.

(c) This Section 803 shall not apply to:

(1) any real property which contains serious health, safety, fire or building code violations, excluding those caused by disasters, for which a civil or criminal citation has been issued by the City and remains unabated for six months or longer;

(2) any real property owned by a public entity, and real property where the owner has agreed by contract with the public entity, including the City and any of its related agencies, to accept a financial contribution or other tangible benefit including without limitation, assistance under the Community Redevelopment Law;

(3) any planning or zoning power of the City as relates to the use, occupancy or improvement of real property and to any real property which the City or any of its related agencies may acquire by eminent domain, purchase, grant or donation;

(4) any power of the City to require a business license for the sale or rental of real property, whether for regulation or general revenue purposes;

(5) any dwelling unit or accommodation in any hotel, motel or other facility when the transient occupancy of that dwelling unit or accommodation is subject to a transient occupancy tax; or

(6) to impair the obligation of any contract entered into prior to the enactment of this Section 803 or otherwise required by State law.

**SECTION 2.** Title of Proposal to Amend the City Charter:

The proposal to amend the City Charter of the City of Huntington Beach to add a new Section 803 shall be known as the “Property Rights Protection Measure”.

**SECTION 3.** Findings and Statement of Purpose of Property Rights Protection Measure:

There is strong and convincing practical evidence which shows that price controls on the sale or rental of any residential accommodation does nothing to preserve or maintain affordable housing. In fact the evidence in Southern California appears to show that rent control destroys affordable housing and accelerates development pressures to turn older properties into new and higher density commercial and so-called “up-scale” housing. To pick just one of many examples—in the City of Santa Monica with its rent control regulations Santa Monica has seen

a decline in the number of family households with children which is larger than any other comparable city in Southern California without rent control. Under rent control, Santa Monica's elderly population (age 65 or over) declined by 1.7 percent between 1980 and 1990, whereas the elderly population of Los Angeles County rose by more than 15% over the same decade. The elderly population increased over this period in every comparable city without rent control in Southern California.

The result of social experimentation with rent control in Southern California produces the following conclusion: rent control does not provide more or better affordable housing for anyone—especially the elderly and young families.

The imposition of rent control forces some property owners to change the use of their property and this change of use often can result in more development and pressures which cause the destruction of existing neighborhoods. Unnecessary and complicated government interference in private property transactions and homeownerships and rental decisions produces wasteful lawsuits and imposes needless costs on all taxpayers.

We the people find that the best means to assure that our community and neighborhoods are preserved is to protect property rights and to allow owners to make their own decisions about the price and other terms on which they can sell or lease their residential property.

**SECTION 4. Severability:**

If any provision of Section 803 of the City Charter of the City of Huntington Beach, or the application to any person or circumstance is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions or applications of Section 803 which can be given effect without the invalid provision or application, and to this end, the provisions of Section 803 are declared to be severable.

Certified to be a true copy by Debbie Cook, Mayor, and Connie Brockway, City Clerk.

Date of Municipal Election: March 5, 2002.

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Charter Chapter 9—City of Huntington Beach

***Amendments to the Charter of the City of Huntington Beach***

[Filed with the Secretary of State April 22, 2002.]

Section 617 of the Charter of the City of Huntington Beach is hereby added to read as follows:

**Section 617. INFRASTRUCTURE FUND.**

(a) All revenue raised by vote of the electors or imposed by vote of the City Council on or after March 5, 2002, by a measure which states that the revenue to be raised is for the purpose of infrastructure, as said term is defined in this para-

graph, shall be placed in a separate fund entitled “Infrastructure Fund.” The term “Infrastructure” shall mean long-lived capital assets that normally are stationary in nature and normally can be preserved for significantly greater number of years. They include storm drains, storm water pump stations, alleys, streets, highways, curbs and gutters, sidewalks, bridges, street trees, landscaped medians, parks, beach facilities, playgrounds, traffic signals, streetlights, block walls along arterial highways, and all public buildings and public ways. Interest earned on monies in the Infrastructure Fund shall accrue to that account. Monies in said Fund shall be utilized only for direct costs relating to infrastructure improvements or maintenance, including construction, design, engineering, project management, inspection, contract administration and property acquisition. Monies in said Fund shall not be transferred, loaned or otherwise encumbered for any other purpose.

(b) Revenues placed in the Infrastructure Fund shall not supplant existing infrastructure funding. The average percentage of general fund revenues utilized for infrastructure improvements and maintenance, for the five- (5) year period of 1996 to 2001, is and was 14.95%. Expenditures for infrastructure improvements and maintenance, subsequent to 2001, shall not be reduced below 15% of general fund revenues based on a five- (5) year rolling average.

(c) The City Council shall by ordinance establish a Citizens Infrastructure Advisory Board to conduct an annual review and performance audit of the Infrastructure Fund and report its findings to the City Council prior to adoption of the following fiscal-year budget.

Certified to be a true copy by Debbie Cook, Mayor, and Connie Brockway, City Clerk.

Date of Municipal Election: March 5, 2002.

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Charter Chapter 10—County of Los Angeles

***Amendments to the Charter of the County of Los Angeles***

[Filed with the Secretary of State April 24, 2002.]

Section 4 of Article II of the Charter of the County of Los Angeles is amended to add the following:

No person shall be elected and qualified for the office of member of the Board of Supervisors if such person has been elected or served in such office for three consecutive terms, commencing with a term of office which begins in December, 2002. The limitation on terms shall not apply to any unexpired term to which a person is elected or appointed if the remainder of the terms is less than one-half of the full term of office.

Section 12 of Article IV of the Charter of the County of Los Angeles is amended to add the following:

No person shall be elected and qualified for the office of Sheriff, District Attorney or Assessor if such a person has been elected or served in such office for three consecutive terms, commencing with a term of office which begins in December, 2002. The limitation on terms shall not apply to any unexpired term to which a person is elected or appointed if the remainder of the terms is less than one-half of the full term of office.

Certified to be a true copy by Zev Yaroslavsky, Chairman of the Board of Supervisors, and Violet Varona-Lukens, Executive Officer-Clerk of the Board of Supervisors.

Date of Municipal Election: March 5, 2002.

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Charter Chapter 11—County of Los Angeles

***Amendments to the Charter of the County of Los Angeles***

[Filed with the Secretary of State April 24, 2002.]

Section 4 of Article II of the Charter of the County of Los Angeles is amended to add the following:

No person shall be elected and qualified for the office of member of the Board of Supervisors if such person has been elected or served in such office for three consecutive terms, commencing with a term of office which begins in December, 2002. The limitation on terms shall not apply to any unexpired term to which a person is elected or appointed if the remainder of the terms is less than one-half of the full term of office.

Certified to be a true copy by Zev Yaroslavsky, Chairman of the Board of Supervisors, and Violet Varona-Lukens, Executive Officer-Clerk of the Board of Supervisors.

Date of Municipal Election: March 5, 2002.

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Charter Chapter 12—County of Los Angeles

***Amendments to the Charter of the County of Los Angeles***

[Filed with the Secretary of State April 24, 2002.]

Section 33 of Article IX of the Charter of the County of Los Angeles is amended to read:

(e) In the office of the Sheriff: The Undersheriff, or Chief Deputy, one Executive Assistant, one Executive Secretary, three Field Deputies, three Assistant

Sheriffs, one of whom may be non-sworn and may be appointed from outside the office of the Sheriff, and twelve Division Chiefs, two of whom may be non-sworn and may be appointed from outside the office of the Sheriff. In the office of the Assessor: The Chief Deputy, one Assistant Assessor, one Executive Secretary, three Special Assistants, and four Directors.

Section 33.5(a) of Article IX of the Charter of the County of Los Angeles is amended to read:

Notwithstanding any other provision of this Charter, any person employed as an Executive Assistant, Executive Secretary, Field Deputy, Division Chief, Assistant Sheriff, in the office of the Sheriff, or as an Assistant Assessor, Executive Secretary, Special Assistant, or Director in the office of the Assessor, or as a Bureau Chief, Assistant Bureau Chief, Administrative Deputy District Attorney or Chief Field Deputy in the office of the District Attorney on the effective date of this section shall remain in the classified service for so long as he holds the position that he held on the effective date of this section.

Any other provision of this Charter notwithstanding, a vacancy in the position of Assistant Sheriff, except for one such position, shall be filled without examination or creation of an eligibility list by appointment from among sworn personnel holding a current permanent appointment as a Commander or higher position in the classified service in the office of the Sheriff.

Any other provision of this Charter notwithstanding, a vacancy in the position of Division Chief, except for two such positions, shall be filled without examination or creation of an eligibility list by appointment from among sworn personnel holding a current permanent appointment as a Captain or a higher position in the classified service in the office of the Sheriff.

Any other provision of this charter notwithstanding, a vacancy in the position of the Assistant Assessor or Director shall be filled without examination or creation of an eligibility list by appointment from among those persons holding a current permanent appointment in the classified service in the office of the Assessor.

Any other provision of this Charter notwithstanding, a vacancy in the position of Bureau Chief and Assistant Bureau Chief shall be filled without examination or creation of an eligibility list by appointment from among those persons holding a current permanent appointment as a Deputy District Attorney Grade IV or higher attorney position in the classified service in the office of the District Attorney.

Any other provision of this Charter notwithstanding, a vacancy in the position of Administrative Deputy District Attorney shall be filled without examination or creation of an eligibility list by appointment from among those persons holding a permanent appointment to a classified position under this Charter.

Certified to be a true copy by Zev Yaroslavsky, Chairman of the Board of Supervisors, and Violet Varona-Lukens, Executive Officer-Clerk of the Board of Supervisors.

Date of Municipal Election: March 5, 2002.

## Charter Chapter 13—City of San Diego

*Amendments to the Charter of the City of San Diego*

[Filed with the Secretary of State April 24, 2002.]

Section 41(d) of the Charter of The City of San Diego is Added to read as follows:

**SEC. 41(d) ETHICS COMMISSION**

For so long as an Ethics Commission remains established by ordinance of the Council, the Executive Director of the Commission shall be appointed by the Commission, subject to confirmation by the Council, and shall thereafter serve at the direction and pleasure of the Commission. The Commission may, in accordance with complaint and investigation procedures approved by ordinance of the Council, subpoena witnesses, compel their attendance and testimony, administer oaths and affirmations, take evidence and require by subpoena the production of any books, papers, records, or other items material to the performance of the Commission's duties or exercise of its powers.

Section 149 of the Charter of The City of San Diego is Amended to read as follows:

**SEC. 149 CONTRACTING PUBLIC AGENCIES**

Subject to approval by the City Council, a public agency may participate in the City Employees Retirement Trust Fund. After a finding by the City Council that the public agency is eligible for participation in the Trust Fund and approval by the City Council of a contract between the Board of Administration and the public agency, as provided by ordinance, the Board may administer the benefits adopted by the public agency for its employees. The public agency shall establish its own benefits and vesting schedule. All monies contributed by the public agency and its employees or appropriated by the public agency or received from any other source under the terms of this Article shall be placed in the Trust Fund to be held and used only for the purpose of paying benefits and necessary expenses of administration related to the public agency's participation. The public agency and its employees shall be responsible for all costs associated with participation in the Fund and the administration of the public agency's benefits. The Board may establish such rules and regulations as it may deem proper, within the terms of applicable Charter sections and ordinances, for the administration of the public agency's contract and benefits.

Section 226 of the Charter of The City of San Diego is Added to read as follows:

**SEC. 226 SUPER MAJORITY VOTE REQUIREMENTS**

(a) Notwithstanding any other provision of this Charter, any amendment of this Charter, ballot proposal, initiative, statute, law or regulation of any type, whether proposed to be adopted by the electorate, the City Council, or any other body acting pursuant to this Charter or the Municipal Code, that requires a vote of the electorate in excess of a simple majority for any matter, must itself be approved

by a vote of the electorate in the same proportion as proposed, in order to be adopted, valid or otherwise effective.

(b) This section may be adopted by a simple majority vote, and shall be applicable to any amendment of this Charter, ballot proposal, initiative, statute, law or regulation of any type, as set forth in Subsection (a), proposed to be adopted at the municipal election by which this Charter Section 226 is approved by the electorate, or otherwise adopted on or after the date of that municipal election, and shall not be applicable to any matter adopted or approved prior to the date of such municipal election.

Certified to be a true copy by Dick Murphy, Mayor, and Charles G. Abdelnour, City Clerk.

Date of Election: March 5, 2002.

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Charter Chapter 14—City of Oakland

***Amendments to the Charter of the City of Oakland***

[Filed with the Secretary of State April 25, 2002.]

Article II of the Charter of the City of Oakland is amended at Section 205 to read:

Section 205. Vacancy, Filling of. All vacancies occurring in the office of Councilmember shall be filled by special election within 120 days of a vacancy. An extension of up to 60 days may be allowed for the express purpose of consolidating the special election with the next Municipal Election. The candidate who receives the highest number of votes at the special election shall be declared the winner and thereafter sworn into office as soon as legally possible. Whenever the period of vacancy in a Councilmember's term of office equals or exceeds 120 days the vacancy may be temporarily filled by appointment through the majority vote of the remaining Councilmembers, provided the appointee is not a candidate for the office which created the vacancy and provided the appointment does not exceed 128 days or go beyond the date the new incumbent is sworn in, whichever is shortest. Alternative legal voting procedures shall be used to the greatest extent feasible to increase voter participation in elections including but not limited to mail ballot voting, electronic voting, preference voting and extended voting period. Notwithstanding any other provision of this Section 205 or this Charter, an election shall not be required to fill a vacancy in the office of Councilmember that occurs when the Vice Mayor fills a mayoral vacancy pursuant to Sections 303 and 304 of this Charter, and the Vice Mayor shall be entitled to return to his/her seat.

Certified to be a true copy by Ignacio De La Fuente, President of the City Council, and Ceda Floyd, City Clerk.

Date of Election: March 5, 2002.

## Charter Chapter 15—City of Oakland

***Amendments to the Charter of the City of Oakland***

[Filed with the Secretary of State April 25, 2002.]

Article IV of the Charter of the City of Oakland is amended at Sections 401(1), 401(2), 401(3), 401(4), 401(5), 401(6) and 1213 to read:

Section 401(1). City Attorney. The City Attorney shall be nominated and elected in the same manner, and at the same election, as the Councilmember-at-large. The salary of the elected City Attorney shall be set by the Council and may not be reduced during the City Attorney's term of office, except as part of a general reduction in salaries of all officers and employees in the same amount or proportion.

Section 401(2). Qualifications, the City Attorney. No person shall be eligible for or continue to hold the Office of City Attorney, either by election or appointment, unless he or she is a citizen of the United States, a qualified elector and resident for at least 30 days of the City or a territory lawfully annexed or consolidated, licensed to practice law in all courts of the State of California and so licensed for at least ten years preceeding his or her election.

Section 401(3). Term of Office, the City Attorney. The City Attorney shall be elected to a term of four years beginning at 11:00 a.m. on the Monday following January 1 following his or her election.

Section 401(4). Vacancy, Filling of. Upon the declaration of vacancy in the Office of the City Attorney, the Office of the City Attorney shall be filled by appointment by the majority voter of the members of the Council; provided, that if the Council 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 to fill such vacancy pursuant to the manner and method as provided for in Article II, Section 205 of the Charter. An appointee or the person elected to the Office of City Attorney for the balance of an unexpired term shall hold office until the next general election for the Office of the City Attorney.

Section 401(5). Vacancy, What Constitutes. The Office of City Attorney shall be declared vacant by the Council when the person elected or appointed thereto fails to qualify within ten days after his or her term is to begin, dies, resigns, ceases to be a resident of the City or absents himself or herself continuously from the City for a period of more than thirty days without permission from the Council, absents himself or herself from any ten consecutive regular meetings except on account of own illness or when absent from the City by Permission of the Council, is convicted of a felony, is judicially determined to be an incompetent, is permanently so disabled as to be unable to perform the duties of his or her office, forfeits his or her office under any provision of this Charter, or is removed from office by judicial procedure. A finding of disability shall require the affirmative vote of at least six members of the Council after considering com-

petent medical evidence bearing on the physical or mental capability of the City Attorney.

Section 401(6). Powers of the City Attorney. The City Attorney shall serve as counsel to the Mayor, City Council, and each and every department of the City, except departments specifically enumerated by this Charter as an independent department of the City, in their official capacities pursuant to state law and the Charter, and as counsel, shall assert and maintain the attorney-client privilege pursuant to state law. He or she shall advise all officers, boards, commissions, and other agencies of the City on legal matters referred to him or her and shall render written legal opinions when the same are requested in writing by the Mayor or a member of the Council or the City Manager or any other officer, board or commission of the City. He or she shall draft such ordinances, resolutions, contracts and other legal documents as directed by the Council or requested by the Mayor or City Manager or any official board or commission of the City. He or she shall act as counsel in behalf of the City or any of its officers, boards, commissions, or other agencies in litigation involving any of them in their official capacity. He or she may, whenever a cause of action exists in favor of the City, commence legal proceedings, subject to ratification by the City Council, when such action is within the knowledge of the City Attorney, or, he or she shall commence legal proceedings when directed by the City Council. He or she shall pass on the form and legality of all contracts of the City before the same are executed. He or she shall not settle or dismiss any litigation brought for the City nor settle any litigation brought against the City which may be under his control unless upon his written recommendation he or she is authorized to do so by the Council. He or she shall administer the office of City Attorney, and shall have the power to appoint, discipline and remove all officers and employees of his or her office subject to the provisions of Article IX of the Charter. The Council may empower the City Attorney, at his or her request and without regard to the provisions of Article IX, to employ special legal counsel, and he or she shall have the power to appoint appraisers, engineers and other technical and expert services necessary for the handling of any pending or proposed litigation, proceeding or other legal matter. Upon the City Attorney's recommendation and the approval of the Council, when he or she has a conflict of interest in litigation involving another office of the City in his official capacity, such other officer may retain special legal counsel at City expense.

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, except that Sections 401(1) through 401(6), as adopted by the voters in 2002, relating to the City Attorney shall remain in effect until the end of the City

Attorney's four-year term at 11:00 a.m. on the Monday following January 1 of 2009, at which time Sections 401(1) through 401(6) shall lapse and have no further effect and shall be replaced by Section 401 as it existed prior to amendment by the 1998 adoption of Measure X.

Certified to be a true copy by Ignacio De La Fuente, President of the City Council, and Ceda Floyd, City Clerk.

Date of Election: March 5, 2002.

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Charter Chapter 16—City of Oakland

***Amendments to the Charter of the City of Oakland***

[Filed with the Secretary of State April 25, 2002.]

Article III of the Charter of the City of Oakland is amended at Section 303 to read:

Section 303. Vacancy, Filling of. Upon the declaration of vacancy in the office of the Mayor, the office of the Mayor shall be filled by the Vice-Mayor of the Council. Except as otherwise provided in this Section, when the Vice-Mayor of the Council assumes the office of Mayor upon declaration of a vacancy, she/he shall serve for the unexpired term if such term is less than one year; otherwise she/he shall serve until the vacancy is filled as provided herein. Whenever, the period of vacancy in a Mayor's term of office is less than one year and the Vice-Mayor notifies the Council in writing that she/he does not wish to serve as Mayor for the unexpired term, the vacancy shall be filled by appointment through a majority vote of the remaining Councilmembers; provided the appointee shall be ineligible to be a candidate for the next full term of the Office of Mayor. If at the time of a vacancy declaration the unexpired term is one year or more, the vacancy occurring in the office of Mayor shall be filled by special election within 120 days of such vacancy. An extension of up to 60 days may be allowed for the express purpose of consolidating the special election with the next Municipal Election. If no candidate receives the majority of the votes cast in the special election, then a run-off election shall be held for the two candidates who received the highest number of votes no later than 60 days after the date of the special election; provided that all persons receiving a number of votes equal to the highest number of votes received by any candidate shall also be candidates at such run-off election. The candidate receiving the highest number of votes cast for all candidates for the office at the run-off election shall be declared elected. The candidate elected to fill the vacancy shall hold office for the balance of the unexpired term.

Notwithstanding any other provision of this section or the Charter, the Council shall have the authority to provide by ordinance for preferential voting procedures as an alternative to a run-off election. Alternative legal voting procedures shall be used to the greatest extent feasible to increase voter participation in special elec-

tions including but not limited to mail ballot voting, electronic voting, and extended voting period.

Certified to be a true copy by Ignacio De La Fuente, President of the City Council, and Ceda Floyd, City Clerk.

Date of Election: March 5, 2002.

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Charter Chapter 17—City of Oakland

***Amendments to the Charter of the City of Oakland***

[Filed with the Secretary of State April 25, 2002.]

Article VII of the Charter of the City of Oakland is amended to add the following Section 728 to read:

Section 728. Living Wage and Labor Standards at Port-Assisted Businesses.

1. Scope and Definitions

The following definitions shall apply throughout this Section:

A. “Port” means the Port of Oakland.

B. “Port-Assisted Business” or “PAB” means (1) any person involved in a Port Aviation or Port Maritime Business receiving in excess of \$50,000 worth of financial assistance from the Port, or (2) any Port Contractor involved in a Port Aviation or Port Maritime Business if the person employs more than 20 persons per pay period, unless in the prior 12 pay periods the person has not had more than 20 such employees and will not have more than 20 persons in the next 12 pay periods. A PAB shall be deemed to employ more than 20 persons if it is part of an ‘enterprise’ as defined under the Fair Labor Standards Act employing more than 20 persons. “Port Contractor” means any person party to a Port Contract as herein defined.

C. “Port Contract” means:

(1) Any service contract with the Port for work to be performed at the Port under which the Port is expected to pay more than \$50,000 over the term of the contract;

(2) Any contract, lease or license from the Port involving payments to the Port expected to exceed \$50,000 either (a) over the term of the contract, lease or license, or (b) during the next 5 years if the current term is less than 1 year but may be renewed or extended, either with or without amendment;

(3) Any subcontract, sublease, sublicensed, management agreement or other transfer or assignment of any right, title or interest received from the Port pursuant to any of the foregoing contracts, leases or licenses.

A contract, lease or license with the Port or any agreement derived therefrom shall not be deemed a Port Contract unless entered into after enactment of this Section, or amended after enactment of this Section to benefit in any way the party dealing with the Port.

D. “Employee” means any individual employed by a PAB in Port related employment.

E. “Person” includes any natural person, corporation, partnership, limited liability company, joint venture, sole proprietorship, association, trust or any other entity.

F. “Valid collective bargaining agreement” as used herein means a collective bargaining agreement entered into between the person and a labor organization lawfully serving as the exclusive collective bargaining representative for such person’s employees.

G. “Port Aviation or Port Maritime business” means any business that principally provides services related to maritime or aviation business related services or whose business is located in the maritime or aviation division areas as defined by the Port.

## 2. Exemptions from Coverage

In addition to the above exemption for workforces of fewer than 20 workers, the following persons shall also be exempt from coverage under this Section:

A. An Employee, who is (1) under twenty-one (21) years of age and (2) employed by a nonprofit entity for after-school or summer employment or for training for a period not longer than ninety (90) days, shall be exempt.

B. An Employee who spends less than 25 percent of his work time on Port-related employment.

C. A person who employs not more than 20 employees per pay period.

## 3. Payment of Minimum Compensation to Employees

Port-Assisted Businesses shall provide compensation to each Employee of at least the following:

### A. Minimum Compensation

The minimum compensation shall be wages and health benefits totaling at least the rate of the living wage ordinance of the City of Oakland

### B. Credit for Health Benefits

The PAB shall receive a credit against the minimum wage required by this Section for health benefits in the amount provided by and in accordance with the living wage ordinance of the City of Oakland.

## 4. Notifying Employees of their Potential Right to the Federal Earned Income Credit

Each PAB shall inform each Employee who makes less than twelve dollars (\$12.00) per hour of his or her possible right to the federal Earned Income Credit (“EIC”) under Section 2 of the Internal Revenue Code of 1954, 26 U.S.C. §32, and shall make available the forms required to secure advance EIC payments from the business. These forms shall be provided to the eligible Employees in English (and other languages spoken by a significant number of such Employees) within thirty (30) days of employment under this Section and as required by the Internal Revenue Code.

### 5. Preventing Displacement of Workers

Each PAB, which is to replace a prior PAB shall offer employment to the Service Employees of the prior PAB, if, these Employees worked for the prior PAB for at least 90 calendar days. Such Employees may not be terminated by the new PAB during the first 90 workdays except for just cause. The new PAB may operate at lower staffing levels than its predecessor but in such event, shall place the prior Employees on a preferential reinstatement list based on seniority. For purposes of this Section, a PAB “replaces” another if it (1) assumes all or part of the lease, contract or subcontract of a prior employer or obtains a new lease, contract, or sublease, and (2) offers employment which Employees of the prior PAB can perform. In the case of a replacement connected to the new PAB relocating from another location, in staffing decisions the new PAB may recognize seniority from its prior locations in addition to the seniority of the prior PAB’s workforce. “Service Employees” means all employees except manager, supervisors, professionals, paraprofessionals, confidential and office employees.

### 6. Waiver

A. A PAB who contends it is unable to pay all or part of the living wage must provide a detailed explanation in writing to the Port Executive Director who may recommend a waiver to the Port board. The explanation must set for the reasons for its inability to comply, including a complete cost accounting for the proposed work to be performed with the financial assistance sought, including wages and benefits to be paid all employees, as well as an itemization of the wage and benefits paid to the five highest paid individuals employed by the PAB. The PAB must also demonstrate that the waiver will further the public interests in creating training positions which will enable employees to advance into permanent living wage jobs or better and will not be used to replace or displace existing positions or employees or to lower the wages of current employees.

B. The Port Board will grant a waiver only upon a finding and determination that the PAB has demonstrated the necessary economic hardship and that waiver will further the public interests in providing training positions which will enable employees to advance into permanent living wage jobs or better. However, no waiver will be granted if the effect of the waiver is to replace or displace existing positions or employees or to lower the wages of current employees.

C. Such waivers are disfavored, and will be granted only where the balance of competing interests weighs clearly in favor of granting the waiver. If waivers are to be granted, partial waivers are favored over blanket waivers. Moreover, any waiver shall be granted for no more than one year. At the end of the year the PAB may reapply for a new waiver which may be granted subject to the same criteria for granting the initial waiver.

D. Any party who objects to the grant of a waiver by the Port Board may appeal such decision to the City/Port Liaison Committee, who may reject such waiver.

### 7. Retaliation and Discrimination Barred; no Waiver of Rights

A. A PAB shall not discharge, reduce the compensation of or otherwise discriminate against any person for making a complaint to the Port, participating in

any of its proceedings, using any civil remedies to enforce his or her rights, or otherwise asserting his or her rights under this Section.

B. Any waiver by an individual of any of the provisions of this Section shall be deemed contrary to public policy and shall be void and unenforceable, except that Employees shall not be barred from entering into a written valid collective bargaining agreement waiving a provision of this Section if such waiver is set forth in clear and unambiguous terms. Any request to an individual by a PAB to waive his or her rights under this Section shall constitute a violation of this Section.

#### 8. Enforcement

A. Each PAB shall maintain for each person in Port-related employment a record of his or her name, pay rate and, if the PAB claims credit for health benefits, the sums paid by the PAB for the Employee's health benefits. The PAB shall submit a copy of such records to the Port at least by March 31st, June 30th, September 30th and December 31st of each year, unless the PAB has employed less than 20 persons during the preceding quarter, in which case the PAB need only submit a copy of such records every December 31st. Failure to provide a copy of such records within five days of the due date will result in a penalty of five hundred dollars (\$500.00) per day. Each PAB shall maintain a record of the name, address, job classification, hours worked, and pay and health benefits received of each person employed, and shall preserve them for at least three years.

B. If a PAB provides health benefits to persons in Port-related employment but does not pay for them on a per-hour basis, then upon the PAB's request, the amount of the hourly credit against its wage obligation shall be the Port's reasonable estimate of the PAB's average hourly cost to provide health benefits to its Employees in Port-related employment. The PAB shall support its request with such documentation as is reasonably requested by the Port or any interested party, including labor organizations in such industry.

C. Each PAB shall give written notification to each current Employee, and to each new Employee at the time of hire, of his or her rights under this Section. The notification shall be in the form provided by the Port in English, Spanish and other languages spoken by a significant number of the Employees, and shall also be posted prominently in areas at the work site where it will be seen by all Employees.

D. Each PAB shall permit access to work sites and relevant payroll records for authorized Port representatives for the purpose of monitoring compliance with this Section, investigating employee complaints of noncompliance and evaluating the operation and effects of this Section, including the production for inspection and copying of its payroll records for any or all persons employed by the PAB. Each PAB shall permit a representative of the labor organizations in its industry to have access to its workforce at the Port during non-working time and in non-work areas for the purpose of ensuring compliance with this Section.

E. Notwithstanding any provisions in Article VI of this Charter to the contrary, the City Manager may develop rules and regulations for the Port's activities in (1)

Port review of contract documents to insure that relevant language and information are included in the Port's RFP's, agreements and other relevant documents, (2) Port monitoring of the operations of the contractors, subcontractors and financial assistance recipients to insure compliance including the review, investigation and resolution of specific concerns or complaints about the employment practices of a PAB relative to this section, and (3) provision by the Port of notice and hearing as to alleged violations of this section.

#### 9. Private Rights of Action

A. Any person claiming a violation of this Section may bring an action against the PAB in the Municipal Court or Superior Court of the State of California, as appropriate, to enforce the provisions of this Section and shall be entitled to all remedies available to remedy any violation of this Section, including but not limited to back pay, reinstatement or injunctive relief. Violations of this Section are declared to irreparably harm the public and covered employees generally.

B. Any employee proving a violation of this Section shall recover from the PAB treble his or her lost normal daily compensation and fringe benefits, together with interest thereon, and any consequential damages suffered by the employee.

C. The Court shall award reasonable attorney's fees, witness fees and costs to any plaintiff who prevails in an action to enforce this Section.

D. No criminal penalties shall attach for any violation of this Section, nor shall this Section give rise to any cause of action for damages against the Port of the City.

E. No remedy set forth in this Section is intended to be exclusive or a prerequisite for asserting a claim for relief to enforce any rights hereunder in a court of law. This Section shall not be construed to limit an employee's right to bring a common law cause of action for wrongful termination.

#### 10. Severability

If any provision or application of this Section is declared illegal, invalid or inoperative, in whole or in part, by any court of competent jurisdiction, the remaining provisions and portions thereof and applications not declared illegal, invalid or inoperative shall remain in full force or effect. The courts are hereby authorized to reform the provisions of this Section in order to preserve the maximum permissible effect of each subsection herein. Nothing herein may be construed to impair any contractual obligations of the Port. This Section shall not be applied to the extent it will cause any loss of federal or state funding of Port activities.

Certified to be a true copy by Ignacio De La Fuente, President of the City Council, and Ceda Floyd, City Clerk.

Date of Election: March 5, 2002.

## Charter Chapter 18—City and County of San Francisco

***Amendments to the Charter of the City and  
County of San Francisco***

[Filed with the Secretary of State May 1, 2002.]

Section 1. The San Francisco Charter is hereby amended, by amending Section 13.101, to read as follows:

**SEC. 13.101. TERMS OF ELECTIVE OFFICE.**

Except in the case of an appointment or election to fill a vacancy, the term of office of each elected officer shall commence at 12:00 noon on the eighth day of January following the date of the election.

Subject to the applicable provisions of Section 13.102, the elected officers of the City and County shall be elected as follows:

At the general municipal election in 1995 and every fourth year thereafter, a Mayor, a Sheriff and a District Attorney shall be elected.

At the statewide general election in 1996 and every fourth year thereafter, four members of the Board of Education and four members of the Governing Board of the Community College District shall be elected.

At the general municipal election in 1997 and every fourth year thereafter, a City Attorney and a Treasurer shall be elected.

At the statewide primary election in 1998 and every fourth year thereafter, an Assessor-Recorder and Public Defender shall be elected.

At the statewide general election in 1998 and every fourth year thereafter, three members of the Board of Education and three members of the Governing Board of the Community College District shall be elected.

The election and terms of office of members of the Board of Supervisors shall be governed by Section 13.110.

Section 2. The San Francisco Charter is hereby amended, by repealing current Section 13.102.

Section 3. The San Francisco Charter is hereby amended, by adding a new Section 13.102, to read as follows:

**SEC. 13.102. INSTANT RUNOFF ELECTIONS.**

(a) For the purposes of this section: (1) a candidate shall be deemed “continuing” if the candidate has not been eliminated; (2) a ballot shall be deemed “continuing” if it is not exhausted; and (3) a ballot shall be deemed “exhausted,” and not counted in further stages of the tabulation, if all of the choices have been eliminated or there are no more choices indicated on the ballot. If a ranked-choice ballot gives equal rank to two or more candidates, the ballot shall be declared exhausted when such multiple rankings are reached. If a voter casts a ranked-choice ballot but skips a rank, the voter’s vote shall be transferred to that voter’s next ranked choice.

(b) The Mayor, Sheriff, District Attorney, City Attorney, Treasurer, Assessor-Recorder, Public Defender, and members of the Board of Supervisors shall be

elected using a ranked-choice, or “instant runoff,” ballot. The ballot shall allow voters to rank a number of choices in order of preference equal to the total number of candidates for each office; provided, however, if the voting system, vote tabulation system, or similar or related equipment used by the City and County cannot feasibly accommodate choices equal to the total number of candidates running for each office, then the Director of Elections may limit the number of choices a voter may rank to no fewer than three. The ballot shall in no way interfere with a voter’s ability to cast a vote for a write-in candidate.

(c) If a candidate receives a majority of the first choices, that candidate shall be declared elected. If no candidate receives a majority, the candidate who received the fewest first choices shall be eliminated and each vote cast for that candidate shall be transferred to the next-ranked candidate on that voter’s ballot. If, after this transfer of votes, any candidate has a majority of the votes from the continuing ballots, that candidate shall be declared elected.

(d) If no candidate receives a majority of votes from the continuing ballots after a candidate has been eliminated and his or her votes have been transferred to the next-ranked candidate, the continuing candidate with the fewest votes from the continuing ballots shall be eliminated. All votes cast for that candidate shall be transferred to the next-ranked continuing candidate on each voter’s ballot. This process of eliminating candidates and transferring their votes to the next-ranked continuing candidates shall be repeated until a candidate receives a majority of the votes from the continuing ballots.

(e) If the total number of votes of the two or more candidates credited with the lowest number of votes is less than the number of votes credited to the candidate with the next highest number of votes, those candidates with the lowest number of votes shall be eliminated simultaneously and their votes transferred to the next-ranked continuing candidate on each ballot in a single counting operation.

(f) A tie between two or more candidates shall be resolved in accordance with State law.

(g) The Department of Elections shall conduct a voter education campaign to familiarize voters with the ranked-choice or “instant runoff,” method of voting.

(h) Any voting system, vote tabulation system, or similar or related equipment acquired by the City and County shall have the capability to accommodate this system of ranked-choice or “instant run-off” balloting.

(i) Ranked-choice, or “instant runoff,” balloting shall be used for the general municipal election in November 2002 and all subsequent elections. If the Director of Elections certifies to the Board of Supervisors and the Mayor no later than July 1, 2002 that the Department of Elections will not be ready to implement ranked-choice balloting in November 2002, then the City shall begin using ranked-choice, or “instant runoff,” balloting at the November 2003 general municipal election.

If ranked-choice, or “instant runoff,” balloting is not used in November of 2002, and no candidate for any elective office of the City and County, except the Board of Education and the Governing Board of the Community College District,

receives a majority of the votes cast at an election for such office, the two candidates receiving the most votes shall qualify to have their names placed on the ballot for a runoff election held on the second Tuesday in December of 2002.

Certified to be a true copy by Tom Ammiano, President of the Board of Supervisors, and Gloria L. Young, Clerk of the Board of Supervisors.

Date of Election: March 5, 2002.

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Charter Chapter 19—City and County of San Francisco

***Amendments to the Charter of the City and  
County of San Francisco***

[Filed with the Secretary of State May 1, 2002.]

**A8.526-1 SUPPLEMENTAL COST OF LIVING BENEFIT**

Starting on July 1, 1997, the Retirement Board shall establish in the Retirement Fund a Reserve Account. Funds in this Reserve Account shall be used to provide supplemental cost of living benefit adjustments to retirement allowances in addition to cost of living adjustments now provided for in the Charter. Funds placed in this Reserve Account shall consist of all earnings of the Retirement Fund in the previous fiscal year which are in excess of the expected earnings on the actuarial value of the assets. The expected earnings are the earnings projected by the actuarial assumption for return on assets that were in place for that fiscal year. The maximum amount of funds to be placed in this Reserve Account shall not exceed the amount of funds projected to be necessary to fund benefits provided pursuant to this section for that fiscal year and the following two fiscal years. The funds in this Reserve Account shall be used solely to provide supplemental cost of living benefit adjustments as follows:

(a) On July 1, 1997 and July 1 of each succeeding year, if there are sufficient funds in this Reserve Account, each retirement allowance or death allowance payable on account of a member who died, including retirement allowances subject to change when the salary rate of a member is changed, shall be increased by an amount equal to three percent (3%) of the allowance, less the amount of any cost of living adjustment provided pursuant to Section 8.526 and less the amount of any cost of living adjustment, payable in that fiscal year, which is the result of a change in the salary of the member.

(b) On July 1, 1997, if there are sufficient funds in this Reserve Account, each retirement allowance payable to or account of a member who was retired on or before December 31, 1979 as a member under Sections 8.507 or 8.509 or 8.584 shall be increased by a monthly amount equal to \$3 for each complete year of retirement. In computing years of retirement, the Retirement System shall count completed fiscal years between the member's effective date of retirement and June 30, 1997.

(c) On and after June 30, 2003, any supplemental cost of living benefit adjustment, once paid to a member, shall not be reduced thereafter.

(d) On and after June 30, 2003, the Reserve Account set forth in this section shall be used to finance only the increase in the supplemental cost of living benefit adjustments for the next ensuing fiscal year as set forth in subsection (a). If there are insufficient funds in the Reserve Account to pay the increase in the supplemental cost of living benefit adjustments for the next ensuing fiscal year, then the increase in the supplemental cost of living benefit adjustments for that fiscal year shall not be paid. However, any excess earnings as defined in this section shall be accumulated until an amount sufficient to make one fiscal year's increase in the supplemental cost of living benefit adjustments is reached.

Certified to be a true copy by Tom Ammiano, President of the Board of Supervisors, and Gloria L. Young, Clerk of the Board of Supervisors.

Date of Election: March 5, 2002.

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Charter Chapter 20—City and County of San Francisco

***Amendments to the Charter of the City and  
County of San Francisco***

[Filed with the Secretary of State May 1, 2002.]

**SEC. 4.105. PLANNING COMMISSION.**

**GENERAL.** The Planning Commission shall consist of seven members nominated and appointed pursuant to this section. Four of the members shall be nominated by the Mayor, and three of the members shall be nominated by the President of the Board of Supervisors. Charter Section 4.101 shall apply to these appointments, with particular emphasis on the geographic diversity of City neighborhoods. Vacancies shall be filled by the appointing officer.

Each nomination of the Mayor and the President of the Board of Supervisors is subject to approval by the Board of Supervisors, and shall be the subject of a public hearing and vote within 60 days. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk of the Board of Supervisors, the nominee shall be deemed approved. The appointment shall become effective on the date the Board adopts a motion approving the nomination or after 60 days of the date the nomination is transmitted to the Clerk of the Board of Supervisors.

Members may be removed by the appointing officer only pursuant to Section 15.105.

In order to stagger the terms, three members shall initially serve two-year terms, and four members shall initially serve four-year terms. The initial two and four-year terms of office shall be instituted as follows:

1. The respective terms of office of members of the Planning Commission who hold office on the first day of July, 2002 shall expire at 12 o'clock noon on that

date, and the four members appointed by the Mayor and the three members appointed by the President of the Board of Supervisors shall succeed to said offices at that time.

2. The clerk of the Board of Supervisors shall determine by lot which two of the four Mayoral appointees shall serve an initial two-year term, and which one of the three appointees of the President of the Board of Supervisors shall serve an initial two-year term. The remaining appointees shall serve four-year terms. All subsequent terms shall be four years.

The Commission shall provide the Mayor with at least three qualified candidates for Director of Planning, selected on the basis of administrative and technical qualifications, with special regard for experience, training and knowledge in the field of city planning.

The Commission may contract with consultants for such services as it may require subject to the fiscal provisions of this Charter.

**GENERAL PLAN.** The Commission shall periodically recommend to the Board of Supervisors for approval or rejection proposed amendments to the General Plan. If the Board of Supervisors fails to act within 90 days of receipt, the proposed General Plan or amendments shall be deemed approved. The General Plan which will initially consist of the Master Plan in effect immediately prior to the effective date of this Charter shall consist of goals, policies and programs for the future physical development of the City and County that take into consideration social, economic and environmental factors. In developing their recommendations, the Commission shall consult with commissions and elected officials, and shall hold public hearings as part of a comprehensive planning process. The Planning Department, in consultation with other departments and the City Administrator, shall periodically prepare special area, neighborhood and other plans designed to carry out the General Plan, and periodically prepare implementation programs and schedules which link the General Plan to the allocation of local, state and federal resources. The Planning Department may make such other reports and recommendations to the Mayor, Board of Supervisors and other offices and governmental units as it may deem necessary to secure understanding and a systematic effectuation of the General Plan.

In preparing any plans, the Planning Department may include plans for systems and areas within the Bay Region which have a planning relationship with the City and County.

**REFERRAL OF CERTAIN MATTERS.** The following matters shall, prior to passage by the Board of Supervisors, be submitted for written report by the Planning Department regarding conformity with the General Plan:

1. Proposed ordinances and resolutions concerning the acquisition or vacation of property by, or a change in the use or title of property owned by, the City and County;
2. Subdivisions of land within the City and County;
3. Projects for the construction or improvement of public buildings or structures within the City and County;

4. Project plans for public housing, or publicly assisted private housing in the City and County;
5. Redevelopment project plans within the City and County; and
6. Such other matters as may be prescribed by ordinance.

The Commission shall disapprove any proposed action referred to it upon a finding that such action does not conform to the General Plan. Such a finding may be reversed by a vote of two-thirds of the Board of Supervisors.

All such reports and recommendations shall be issued in a manner and within a time period to be determined by ordinance.

**PERMITS AND LICENSES.** All permits and licenses dependent on, or affected by, the City Planning Code administered by the Planning Department shall be approved by the Commission prior to issuance. The Commission may delegate this approval function to the Planning Department.

**ENFORCEMENT.** The Planning Department shall administer and enforce the City Planning Code.

**ZONING AMENDMENTS.** The Commission may propose for consideration by the Board of Supervisors ordinances regulating or controlling the height, area, bulk, set-back, location, use or related aspects of any building, structure or land. An ordinance proposed by the Board of Supervisors concerning zoning shall be reviewed by the Commission. Applications for the reclassification of property may be made by interested parties and must be reviewed by the Commission.

Notwithstanding the Commission's disapproval of a proposal from the Board of Supervisors or the application of interested parties, the Board of Supervisors may adopt the proposed ordinance; however, in the case of any proposal made by the application of interested parties, any such adoption shall be by a vote of not less than two-thirds of the Board of Supervisors.

No application of interested parties proposing the same or substantially the same ordinance as that disapproved by the Commission or by the Board of Supervisors shall be resubmitted to or reconsidered by the Commission within a period of one year from the effective date of final action upon the earlier application.

**ZONING ADMINISTRATOR.** The director of planning shall appoint a Zoning Administrator from a list of qualified applicants provided pursuant to the Civil Service provisions of the Charter. The Zoning Administrator shall be responsible for the determination of all zoning variances. The administrator shall have the power to grant only those variances that are consistent with the general purpose and the intent of the zoning ordinance, and in accordance with the general and specific rules of the zoning ordinance, subject to such conditions and safeguards as the Zoning Administrator may impose. The power to grant variances shall be applied only when the plain and literal interpretation and enforcement of the zoning ordinance would result in practical difficulties, unnecessary hardships or where the results would be inconsistent with the general purpose of the zoning ordinance. Decisions of the Zoning Administrator regarding zoning variances may be appealed to the Board of Appeals.

Before any such variance may be granted, there shall appear, and the Zoning Administrator shall specify in his or her findings, the facts in each case which shall establish:

(a) That there are exceptional or extraordinary circumstances or conditions applying to the property involved or to the intended use of the property that do not apply generally to the property or class of uses in the same district or zone;

(b) That owing to such exceptional or extraordinary circumstances the literal enforcement of the zoning ordinance would result in practical difficulty or unnecessary hardship not created by or attributable to the applicant or the owner of the property;

(c) That such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, possessed by other property in the same zone and vicinity;

(d) That the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or district in which the property is located; and

(e) That the granting of such variance will be in harmony with the general purpose and intent of the zoning ordinance and will not adversely affect the general plan.

The determination of the Zoning Administrator shall be final except that appeals therefrom may be taken, as hereinafter provided, to the Board of Appeals, exclusively and notwithstanding any other provisions of this Charter, by any person aggrieved or by any office, agency, or department of the City and County. An appeal from a determination of the Zoning Administrator shall be filed with the Board of Appeals within ten days from the date of such determination. Upon making a ruling or determination upon any matter under his or her jurisdiction, the Zoning Administrator shall thereupon furnish a copy thereof to the applicant and to the Director of Planning. No variance granted by the Zoning Administrator shall become effective until ten days thereafter. An appeal shall stay all proceedings in furtherance of the action appealed from.

**CONDITIONAL USE.** The Commission shall have the power to hear and decide conditional use applications. An appeal may be taken to the Board of Supervisors from a decision of the Commission to grant or deny a conditional use application. The Board of Supervisors may disapprove the decision of the Commission by a vote of not less than two-thirds of the members of the Board.

**SEC. 4.106. BOARD OF APPEALS.**

(a) The Board of Appeals shall consist of five members nominated and appointed pursuant to this section. Three of the members shall be appointed by the Mayor, and two of the members shall be appointed by the President of the Board of Supervisors. Charter Section 4.101 shall apply to these appointments. Vacancies shall be filled by the appointing officer.

Each nomination of the Mayor and the President of the Board of Supervisors is subject to approval by the Board of Supervisors, and shall be the subject of a

public hearing and vote within 60 days. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk of the Board of Supervisors, the nominee shall be deemed approved. The appointment shall become effective on the date the Board adopts a motion approving the nomination or after 60 days of the date the nomination is transmitted to the Clerk of the Board of Supervisors.

Members may be removed by the appointing officer only pursuant to Section 15.105.

In order to stagger the terms three members shall initially serve two-year terms, and two members shall initially serve four-year terms. The initial two and four-year terms of office shall be instituted as follows:

(1) The respective terms of office of members of the Board of Appeals who hold office on the first day of July, 2002 shall expire at 12 o'clock noon on that date, and the three members appointed by the Mayor and the two members appointed by the President of the Board of Supervisors shall succeed to said offices at that time.

(2) The clerk of the Board of Supervisors shall determine by lot which two of the three Mayoral appointees shall serve an initial two-year term, and which one of the two appointees of the President of the Board of Supervisors shall serve an initial two-year term. The remaining appointees shall serve four-year terms. All subsequent terms shall be four years.

The Board shall appoint and may remove an executive secretary, who shall serve as department head.

(b) The Board shall hear and determine appeals with respect to any person who has been denied a permit or license, or whose permit or license has been suspended, revoked or withdrawn, or who believes that his or her interest or the public interest will be adversely affected by the grant, denial, suspension or revocation of a license or permit, except for a permit or license under the jurisdiction of the Recreation and Park Commission or Department, or the Port Commission, or a building or demolition permit for a project that has received a permit or license pursuant to a conditional use authorization.

(c) The Board of Appeals shall hear and determine appeals:

1. Where it is alleged there is error or abuse of discretion in any order, requirement, decision or determination made by the Zoning Administrator in the enforcement of the provisions of any ordinance adopted by the Board of Supervisors creating zoning districts or regulating the use of property in the city and county; or

2. From the rulings, decisions and determinations of the Zoning Administrator granting or denying applications for variances from any rule, regulation, restriction or requirement of the zoning or set-back ordinances, or any section thereof. Upon the hearing of such appeals, the Board may affirm, change, or modify the ruling, decision or determination appealed from, or, in lieu thereof, make such other additional determinations as it shall deem proper in the premises, subject to the same

limitations as are placed upon the Zoning Administrator by this Charter or by ordinance.

(d) After a hearing and any necessary investigation, the Board may concur in the action of the department involved, or by the affirmative vote of four members (or if a vacancy exists, by a vote of three members) overrule the action of the Department.

Where the Board exercises its authority to modify or overrule the action of a department, the Board shall state in summary its reasons in writing.

#### SEC. 15.105. SUSPENSION AND REMOVAL.

Any elective officer, and any member of the Airport Commission, Asian Art Commission, Civil Service Commission, Commission on the Status of Women, Health Commission, Human Services Commission, Juvenile Probation Commission, Public Utilities Commission, Recreation and Park Commission, Fine Arts Museums Board of Trustees, War Memorial and Performing Art Center Board of Trustees, Board of Education or Community College Board may be suspended by the Mayor and removed by the Board of Supervisors for official misconduct, and the Mayor shall appoint a qualified person to discharge the duties of the office during the period of suspension. On such suspension, the Mayor shall immediately notify the Ethics Commission and Board of Supervisors thereof in writing and the cause thereof, and shall present written charges against such suspended officer to the Ethics Commission and Board of Supervisors at or prior to their next regular meetings following such suspension, and shall immediately furnish a copy of the same to such officer, who shall have the right to appear with counsel before the Ethics Commission in his or her defense. Hearing by the Ethics Commission shall be held not less than five days after the filing of written charges. After the hearing, the Ethics Commission shall transmit the full record of the hearing to the Board of Supervisors with a recommendation as to whether the charges should be sustained. If, after reviewing the complete record, the charges are sustained by not less than a three-fourths vote of all members of the Board of Supervisors, the suspended officer shall be removed from office; if not so sustained, or if not acted on by the Board of Supervisors within 30 days after the receipt of the record from the Ethics Commission, the suspended officer shall thereby be reinstated.

Members of the Building Inspection Commission, the Planning Commission, and the Board of Appeals who were appointed by the Mayor may be suspended and removed pursuant to the provisions set forth above. Members of these Commissions who were appointed by the President of the Board of Supervisors may be suspended and removed pursuant to the same procedures, except that the President of the Board shall act in place of the Mayor. Members of the Elections Commission and Ethics Commission may be suspended and removed pursuant to the provisions set forth above, except that the appointing authority shall act in place of the Mayor.

The Mayor must immediately remove from office any elective official convicted of a crime involving moral turpitude, and failure of the Mayor so to act shall constitute official misconduct on his or her part. Any appointee of the Mayor or the Board of Supervisors guilty of official misconduct or convicted of crime involving moral turpitude must be removed by the Mayor or the Board of Supervisors, as the case may be, and failure of the Mayor or any Supervisor to take such action shall constitute official misconduct on their part. Any member of the Elections Commission or Ethics Commission guilty of official misconduct or convicted of crime involving moral turpitude must be removed by the appointing authority, and failure of the appointing authority to act shall constitute official misconduct on his or her part.

Certified to be a true copy by Tom Ammiano, President of the Board of Supervisors, and Gloria L. Young, Clerk of the Board of Supervisors.

Date of Election: March 5, 2002.

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Charter Chapter 21—City and County of San Francisco

***Amendments to the Charter of the City and  
County of San Francisco***

[Filed with the Secretary of State May 1, 2002.]

**A8.500-2 DOMESTIC PARTNER BENEFITS**

As used in Charter Sections 8.428, 8.509, 8.559, 8.584, 8.585, 8.586 and 8.588, “surviving wife” shall also mean and include a “surviving spouse.” As used in these sections, the phrases “surviving wife” and “surviving spouse” shall also mean and include a domestic partner, provided that:

- (a) there is no surviving spouse, and
- (b) the member has designated his or her domestic partner as beneficiary with the retirement system, and
- (c) the domestic partnership was established according to those provisions of Chapter 62 of the San Francisco Administrative Code which require the filing of a signed Declaration of Domestic Partnership with the County Clerk. In addition, the Certificate showing that the Declaration of Domestic Partnership was filed with the County Clerk must be filed with the Retirement System at least one full year immediately prior to the effective date of the member’s retirement or the member’s death if the member should die before retirement; provided, however, that beginning March 5, 2002, the requirement of filing a Certificate of Domestic Partnership with the Retirement System shall not apply to members who were retired on or before November 8, 1994 and who had filed a signed Declaration of Domestic Partnership with the County Clerk at least one full year prior to the effective date of his or her retirement; and provided further that, as to any such

member who was retired on or before November 8, 1995, no adjustment to a retirement allowance and no payments to a qualified surviving domestic partner shall begin before the effective date of this amendment or before the first day of the month in which an application is made to the Retirement System, whichever occurs later.

A monthly allowance equal to what would otherwise be payable to a surviving spouse shall be paid to the said surviving domestic partner, until he or she dies, marries or establishes a new domestic partnership. The domestic partner benefits under this section will be limited by Section 4.15 of the Internal Revenue Code of 1986, as amended from time to time. No domestic partner benefits will be effective if they have an adverse impact on the tax qualified status of the retirement system under Section 401 of the Internal Revenue Code of 1986, as amended from time to time.

Certified to be a true copy by Tom Ammiano, President of the Board of Supervisors, and Gloria L. Young, Clerk of the Board of Supervisors.

Date of Election: March 5, 2002.

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Charter Chapter 22—City of Seal Beach

***Amendments to the Charter of the City of Seal Beach***

[Filed with the Secretary of State April 15, 2002.]

The Charter of the City of Seal Beach is hereby amended by adding Section 301 to read as follows:

Section 301. Residency Requirements. The Constitution and Laws of the State of California shall govern residency requirements for Councilmembers, the City Clerk and the City Manager.

Section 401 is repealed.

Section 601 is repealed.

Certified to be a true copy by Joanne M. Yeo, City Clerk.

Date of Election: March 5, 2002.

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Charter Chapter 23—City of Seal Beach

***Amendments to the Charter of the City of Seal Beach***

[Filed with the Secretary of State April 15, 2002.]

The Charter of the City of Seal Beach is hereby amended by repealing Section 408 and revising Sections 407 and 804 to read as follows:

Section 407. Meetings. The City Council shall hold regular meetings at least once each month in accordance with the Brown Act (California Government

Code Section 54950 et seq.), as such statute now exists or may hereafter be amended, at such times as it shall fix by ordinance or resolution. The City Council may adjourn or re-adjourn any meeting and may call special meetings in accordance with the Brown Act. If at any time any regular meeting falls on a holiday, such regular meeting may be held thereafter prior to the next regular meeting.

Section 804. Meetings, Chairmen. As soon as practicable, following the first day of July of every year, each of such boards and commissions shall organize by electing one of its members to serve as presiding officer at the pleasure of such board or commission. Each board or commission shall hold regular meetings as required by ordinance of the City Council, and such special meetings as such board or commission shall require. All meetings shall be held in accordance with the Brown Act (California Government Code Section 54950 et seq.) as such statute now exists or may hereafter be amended.

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. Each board or commission may prescribe its own rules and regulations which shall be consistent with this Charter and subject to the approval of the City Council, and copies of which shall be kept in the office of the City Clerk or such other office as the City Council may, by ordinance prescribe where they shall be available for public inspection. Each board or commission shall have 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 408 is repealed.

Certified to be a true copy by Joanne M. Yeo, City Clerk.

Date of Election: March 5, 2002.

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Charter Chapter 24—City of Seal Beach

***Amendments to the Charter of the City of Seal Beach***

[Filed with the Secretary of State April 15, 2002.]

Section 417 is repealed.

Certified to be a true copy by Joanne M. Yeo, City Clerk.

Date of Election: March 5, 2002.

## Charter Chapter 25—City of Seal Beach

***Amendments to the Charter of the City of Seal Beach***

[Filed with the Secretary of State April 15, 2002.]

Section 1302 is amended to read:

Section 1302. Violations. The violation of any provision of this Charter shall be deemed a misdemeanor and be punishable upon conviction by a fine of not exceeding One Thousand Dollars or by imprisonment for a term not to exceed six months or by both such fine and imprisonment.

Certified to be a true copy by Joanne M. Yeo, City Clerk.

Date of Election: March 5, 2002.

## Charter Chapter 26—City of Seal Beach

***Amendments to the Charter of the City of Seal Beach***

[Filed with the Secretary of State April 15, 2002.]

The Charter of the City of Seal Beach is hereby amended by revising Section 708 to read as follows:

Section 708. Illegal Contracts. Financial Interest. In accordance with the provisions of Section 1090 et seq. of the State of California Government Code as such provisions now exist or may hereafter be amended, no City officer or employee shall be financially interested in any contract made by them in their official capacity. Sections 1090 et seq., in their entirety, are hereby incorporated by reference into this Section. One true and correct copy of the current Sections 1090 et seq. shall be deposited in the office of the City Clerk and shall be at all times maintained by said Clerk for use and examination by the public.

Certified to be a true copy by Joanne M. Yeo, City Clerk.

Date of Election: March 5, 2002.

## Charter Chapter 27—City of Seal Beach

***Amendments to the Charter of the City of Seal Beach***

[Filed with the Secretary of State April 15, 2002.]

Paragraph (h) of Section 604 is amended to read:

(h) To prepare and submit to the City Council an annual or bi-annual budget and be responsible for its administration after adoption by the Council.

Section 1001 is amended to read:

Section 1001. Annual/Bi-Annual Budget. Preparation by the City Manager. At such date as he shall determine, the City Manager shall obtain from each department head estimates of revenue and expenditures for his department, detailed in such manner as may be prescribed by the City Manager. In preparing the proposed annual or bi-annual budget, the City Manager shall review the estimates, hold conferences thereon with respective department heads and may revise the estimates as he may deem advisable.

Certified to be a true copy by Joanne M. Yeo, City Clerk.

Date of Election: March 5, 2002.

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Charter Chapter 28—City of Seal Beach

***Amendments to the Charter of the City of Seal Beach***

[Filed with the Secretary of State April 15, 2002.]

Section 1010 is amended to read:

Section 1010. Contracts on Public Works. The City Council shall adopt policies and procedures governing contracting for public works which are defined to include the construction or improvement of public buildings, works, streets, drains, sewers, utilities, parks or playgrounds. The City Council may, in its sole discretion, adopt selected policies and procedures by reference to state law, but no state law shall govern public works contracting unless it is expressly adopted by the City Council or has been finally determined to be applicable to all charter law cities by an appellate court with jurisdiction over the City of Seal Beach. Except as otherwise provided in this Charter or by state law made applicable to the City of Seal Beach, the City Council shall award to the lowest responsible bidder each contract involving an expenditure of more than the bidding threshold amount (as defined in this Section) for the construction or improvement of public works or for the purchase of supplies or materials for any such project. Bids shall be solicited via notice by publication in the official newspaper by one or more insertions, the first of which shall be at least ten days before the time for opening bids and such other forms of notice as the City Council may direct. Public works are excepted from the requirements of this Section where the work will be performed by a City or County of Orange department.

All bids may be accompanied by either a certified or cashier's check, or a bidder's bond executed by a corporate surety authorized to engage in such business in California, made payable to the City. Such security shall be in an amount not less than that specified in the notice inviting bids or in the specifications referred to therein, or if no amount be so specified then in an amount not less than ten percent of the aggregate amount of the bid. If the successful bidder neglects or refuses to enter into the contract within the time specified in the notice inviting

bids or in the specifications referred to therein, the amount of its bidder's security shall be declared forfeited to the City and shall be collected and paid into its general fund, and all bonds so forfeited shall be prosecuted and the amount thereof collected and paid into such fund.

The City Council may reject any and all bids presented and may readvertise in its discretion.

The City Council, without advertising for bids, or after rejecting bids, or if no bids were received, may declare and determine that in its opinion, based on estimates approved by the City Manager, the work in question may be performed better or more economically by the City with its own employees or the supplies or the materials may be purchased more economically on the open market. Contracts likewise may be let without advertising for bids, if such work, supplies or materials shall be deemed by the City Council to be of urgent necessity for the preservation of life, health, or property. In either event, the Council shall adopt a resolution with findings supporting the letting of a contract without advertising for bids by at least three affirmative votes of the Council, after which the City may proceed to have such work done or said supplies and materials purchased in the manner stated, without further observance of the provisions of this Section.

The bidding threshold amount shall be Twenty Thousand Dollars initially, and shall be annually adjusted by the City Traffic Engineer upon confirmation by the City Council. On June 1 of each year, the City Engineer shall compute the percentage difference between the current Engineering News Record Construction Cost Index—20 City Average (ENR) and the ENR for the previous June 1. The City Engineer shall adjust the bidding threshold amount by such percentage, rounding to the nearest dollar. The City Council shall review such adjustment at a public hearing, and upon Council confirmation, the bidding threshold amount shall be the adjusted figure. Should the ENR be revised or discontinued, the City Engineer shall use the revised index or a comparable index approved by the City Council.

Certified to be a true copy by Joanne M. Yeo, City Clerk.

Date of Election: March 5, 2002.

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Charter Chapter 29—City of Seal Beach

***Amendments to the Charter of the City of Seal Beach***

[Filed with the Secretary of State April 15, 2002.]

The Charter of the City of Seal Beach is hereby amended by adding a Section 1010.5 to read as follows:

Section 1010.5. Design-Build Contracts on Public Works. Notwithstanding any other provision of this Charter, the City may enter into a design-build contract for both the design and construction of a project in accordance with this Section.

Prior to the execution of a design-build contract, the City Council shall evaluate at a public meeting the comparative advantages for the particular project of the traditional design, bid, and build process of construction and the design-build process. No design-build contract shall be executed unless the City Council makes written findings that use of the design-build process on the project will accomplish one or more of the following objectives: reduction of project costs; expediting project completion; or provision of design features not achievable through the design-bid-build process.

Certified to be a true copy by Joanne M. Yeo, City Clerk.

Date of Election: March 5, 2002.

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Charter Chapter 30—City of Seal Beach

***Amendments to the Charter of the City of Seal Beach***

[Filed with the Secretary of State April 15, 2002.]

The Charter of the City of Seal Beach is hereby amended by universally revising all references to a specific gender to an appropriate gender-neutral term as determined by the City Clerk.

Certified to be a true copy by Joanne M. Yeo, City Clerk.

Date of Election: March 5, 2002.

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Charter Chapter 31—City of Seal Beach

***Amendments to the Charter of the City of Seal Beach***

[Filed with the Secretary of State April 15, 2002.]

Section 911 is amended to read:

Section 911. Suspension. Any person holding a position or employment in the competitive service shall be subject to disciplinary suspension without pay by the appointing power, but such suspensions shall be in accordance with progressive discipline standards of practice. Progressive discipline can include suspension from duty based upon previous behavior and discipline actions. A department head not having power of an appointment may make disciplinary suspension in accordance with the rules.

Certified to be a true copy by Joanne M. Yeo, City Clerk.

Date of Election: March 5, 2002.

## Charter Chapter 32—City of Los Alamitos

***Amendments to the Charter of the City of Los Alamitos***

[Filed with the Secretary of State May 12, 2002.]

Section 501A of the Charter of the City of Los Alamitos is hereby amended to add the following:

501A. Election of Members; Term Limits.

No person shall serve more than three (3) consecutive terms of office as a member of the City Council. For the purpose of this Section, a “term” shall include service on the Council for any period of seven hundred thirty-one (731) consecutive days or longer.

Any person who has served three (3) consecutive terms as a Member of the City Council shall not be eligible to serve again until the expiration of at least three hundred sixty-five (365) consecutive days after the end of such person’s last term of office.

C. The term limits established by this Section shall apply prospectively only to those terms of office which commence on or after November 3, 1998.

Certified to be a true copy by Ronald Bates, Mayor, and C. Darleen Cordova, City Clerk.

Date of Election: November 3, 1998.

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 Charter Chapter 33—City of San Bernardino
***Amendments to the Charter of the City of San Bernardino***

[Filed with the Secretary of State May 14, 2002.]

Section 14-B. Consolidated General Election. Notwithstanding any other section of this Charter, whenever a County-wide election is scheduled to be held within sixty (60) days after the date which a City general election would otherwise be held pursuant to this Charter, the City shall consolidate the City general election with the County-wide election. In the event said consolidated general election causes the successful candidate to be qualified to take office after the expiration of the term of the incumbent, the term of said incumbent shall be extended until said successor qualifies and takes office, or until the incumbent qualifies and takes office in the event of re-election. Any such successful candidate elected in said consolidated general election shall take office at the first Council meeting of the month following the month in which the consolidated general election is held.

Certified to be a true copy by Judith Valles, Mayor, and Rachel G. Clark, City Clerk.

Date of Election: November 2, 1999.

## Charter Chapter 34—City of San Bernardino

***Amendments to the Charter of the City of San Bernardino***

[Filed with the Secretary of State May 14, 2002.]

Section 90. Veto Power of Mayor in Community Development Commission.

When pursuant to state law the Mayor and Common Council have designated themselves as the Community Development Commission of the City, the Mayor shall have the power of veto of all orders and resolutions of the Commission, in the same manner as he or she has as Mayor of the City, subject to the power of the Commission to override the veto, in the same manner as the Council has in the City.

Certified to be a true copy by Judith Valles, Mayor, and Rachel G. Clark, City Clerk.

Date of Election: November 5, 1996.

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 Charter Chapter 35—City of Mountain View
***Amendments to the Charter of the City of Mountain View***

[Filed with the Secretary of State May 14, 2002.]

Section 501 of Article V is amended to read as follows:

Sec. 501. Eligibility.

No person shall be eligible to be nominated for or to hold office as a member of the council unless that person is and shall have been a resident and a registered voter of the City of Mountain View at the time nomination papers are issued to the candidate and that the person shall remain a resident and a qualified elector of the City of Mountain View or of territory annexed thereto, as defined in the California Elections Code.

Section 505 of Article V is amended to read as follows:

Sec. 505. Election, powers and duties of mayor, designation of vice mayor.

(a) Mayor. The council shall meet and elect one of its members as its presiding officer, who shall have the title of mayor. The mayor shall have a voice and vote in all its proceedings. The mayor shall be the official head of the city for all ceremonial purposes. The mayor shall perform such other duties consistent with the mayoral office as may be prescribed by this Charter or as may be imposed by the council. The mayor shall serve in such capacity at the pleasure of the council.

The selection of mayor shall occur annually. If possible, the selection shall be made at the first meeting in January or, at the council's discretion, at such other meeting to accommodate the needs of the council.

(b) Vice mayor. At the time set for selection of mayor, the council shall also designate one of its members as vice mayor who shall serve in such capacity at the pleasure of the council. The vice mayor shall perform the duties of the mayor during the mayor's absence or disability.

Section 513 of Article V is amended to read as follows:

Sec. 513. Council action.

Legislative action shall be taken by the council only by means of an ordinance, resolution or minute action duly recorded in the official minutes of the city council.

Section 520 of Article V is amended to read as follows:

Sec. 520. Violation of ordinances; penalty.

A violation of any ordinance of the city shall constitute a misdemeanor, unless the violation of such ordinance is designated as an infraction, 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 misdemeanor or infraction shall not exceed the maximum fine or penalty as set forth in the Government Code of the State of California for the violation of a municipal ordinance.

Section 706 of Article VII is amended to read as follows:

Sec. 706. Financial interest in city contracts prohibited.

No officer or employee of the city shall become financially interested except by testate or intestate succession, either directly or indirectly, in any contract, sale, purchase, lease or transfer of real or personal property to which the city is a party, or be employed by any public service corporation regulated by, or holding franchises in the city if such activity or contract would violate the provisions of California Government Code Section 1090, et seq. A willful violation of this provision shall be deemed a misdemeanor. Any contract made in contravention of this section shall be void.

Section 710 of Article VII is amended to read as follows:

Sec. 710. Powers and duties of city auditor.

The city auditor shall be an experienced accountant, preferably with municipal accounting experience. The city auditor shall have power and be required to perform such duties consistent with this Charter as may be required by the city council. This position may be combined with any other officer of the city as designated by the city council. Council, in its discretion, may retain the professional accounting services of an independent audit firm to serve as city auditor from time to time. The city council shall also annually employ an independent auditor as required by Section 1106 of this Charter.

Section 711 of Article VII is amended to read as follows:

Sec. 711. Powers and duties of city attorney; Eligibility, employment of attorneys to assist, etc., in legal matters.

The city attorney shall have the power and be required to:

(a) Represent and advise the 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 and 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 for any action arising out of that person's employment or by reason of that person's official capacity as may be required by law.

(c) Attend all meetings of the council and give the city attorney's advice or opinion in writing whenever requested to do so by the council or by any of the boards or officers of the city.

(d) Approve the form of all bonds given to and all contracts made by the city, endorsing the city attorney's approval thereon in writing.

(e) Prepare any and all proposed ordinances or resolutions for the city, and amendments thereto.

(f) Prosecute on behalf of the people all criminal cases for violation of this Charter and of city ordinances.

(g) Perform such other duties consistent with this Charter as may be required of the city attorney by the council.

(h) On vacating the office, surrender to his or her successor all books, papers, files and documents pertaining to the city's affairs.

To become eligible for appointment as a city attorney, the appointee shall have been admitted to practice as an attorney at law before the Supreme Court of the State of California, and shall have been engaged in the practice of law for at least three years immediately prior to that person's appointment.

The council shall have control of all legal business and proceedings and may employ other attorneys to take charge of any litigation or matter or to assist the city attorney therein. (As amended June 3, 1980.)

Section 903 of Article IX is repealed.

Section 905 of Article IX is amended to read as follows:

Sec. 905. Compensation; Vacancies.

The members of the 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 council. Any vacancies on any board or commission, from whatever cause arising, shall be filled by appointment by the 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 regular meetings of such board or commission, consecutively, or within a calendar quarter, or is convicted of a crime involving moral turpitude, or ceases to be a qualified elector and resident of the city, that office shall become vacant upon the declaration of council. The council may, for good cause, determine that a vacancy has not been created.

Section 1001 of Article X is amended to read as follows:

Sec. 1001. Unclassified and classified service.

The administrative service of the city shall be divided into unclassified and classified service:

(a) The unclassified service shall comprise the following officers and positions:

- (1) All elected officers.
- (2) City manager, city attorney, city auditor, city clerk, the head of each department and subordinate attorneys within the city attorney's office hired after the effective date of this Charter amendment.
- (3) All members of boards and commissions.
- (4) Persons employed as unskilled laborers.
- (5) Positions in any class or grade created for a special or temporary purpose for a period of not longer than 90 days in any one fiscal year.
- (6) Persons employed to render professional, scientific, technical or expert services of any occasional or exceptional character.
- (7) Volunteer members of the fire department.
- (8) Part-time employees paid on an hourly or per diem basis.

(b) The classified service shall comprise all positions not specifically included by this section in the unclassified service.

Section 1107 of Article X is amended to read as follows:

Sec. 1107. Contracts for public works.

(a) Every project involving an expenditure of public monies of more than fifteen thousand dollars (\$15,000) appropriately indexed to 1978 dollars for the construction or improvement of public buildings, works, drains, sewers, utilities, parts, playgrounds, and streets (exclusive of projects for resurfacing, maintenance and repair of streets) shall be let by contract to the lowest responsible bidder after notice by publication in the official newspaper by one or more insertions, the first of which shall be at least seven days before the time for opening bids.

All bids shall be accompanied by either a certified or cashier's check, or a bidder's bond executed by a corporate surety authorized to engage in such business in California, made payable to the city. Such security shall be in an amount not less than that specified in the notice inviting bids or in the specifications referred to therein, or if no amount be so specified then in an amount not less than ten percent of the aggregate amount of the bid. If the successful bidder neglects or refuses to enter into the contract within the time specified in the notice inviting bids or specifications referred to therein, the amount of the bidder's security shall be declared forfeited to the city and shall be collected and paid into its general fund and all bonds so forfeited shall be prosecuted and the amount thereof collected and paid into such fund.

The council may reject any and all bids presented and may readvertise in its discretion. The council, after rejecting bids, or if no bids are received, may declare and determine that, in its opinion, based on estimates approved by the city

manager, the work in question may be performed better or more economically by the city with its own employees and after the adoption of a resolution to this effect by at least five affirmative votes of the council may proceed to have such work done in the manner stated, without further observance of the provisions of this section. Such contracts likewise may be let without advertising for bids, if such work shall be deemed by the council to be of urgent necessity for the preservation of life, health or property and shall be authorized by resolution passed by at least five affirmative votes of the council and containing a declaration of the facts constituting such urgency.

Nothing in this section shall be construed to apply to the acquisition or purchase of electricity, electric power or electric energy by the city for any use or purpose. (As amended April 9, 1974; June 3, 1980.)

(b) As an alternate procedure to subsection (a) above, Council may, by ordinance, establish an alternate bidding procedure for public works contracts where the amount does not exceed the limit for the alternate bidding procedures for general law cities as set forth in the California Public Contract Code at Section 22034 as amended from time to time.

Section 1203 of Article XII is amended to read as follows:

Sec. 1203. Granting of franchise; Term.

(a) The council after calling for bids, may grant a franchise to any bidder it determines to be a responsible and responsive bidder, provided the grant is not in conflict with the provisions of this article.

(b) Every franchise so granted shall be for either a fixed term or for an indefinite period. If for a fixed term, the franchise shall state the term for which it is granted; however, said fixed term shall not exceed 10 years unless the council makes formal findings that the franchisee has made a substantial investment in equipment or improvements to conduct the franchise that justifies the years in excess of the 10-year limitation. If the franchise is granted for an indefinite term, it shall set forth with particularity the terms and conditions pursuant to which it may be terminated. In no event shall the term of any franchise exceed 25 years.

Section 1204 of Article XII is repealed.

Section 1604 of Article XVI is amended to read as follows:

Sec. 1604. Violations.

The violation of any provision of this Charter shall be deemed a misdemeanor and be punishable upon conviction by a fine the maximum of which shall not exceed the amount permitted by Section 520 of this Charter or by imprisonment for a term not exceeding six months or by both such fine and imprisonment.

Certified to be a true copy by Mary Lou Zoglin, Mayor, and Angelita M. Salvador, City Clerk (Acting).

Date of Municipal Election: November 3, 1998.

## Charter Chapter 36—City of Salinas

*Amendments to the Charter of the City of Salinas*

[Filed with the Secretary of State May 14, 2002.]

Section 6 of the Charter of Salinas is amended to read:

Sec. 6. Same-Terms of Office.

Members of the Council shall be elected for terms of four years each from and after twelve o'clock noon of the first Tuesday next succeeding their election, and until their successors are elected and qualified.

The Charter of Salinas is amended to add Section 6.1 to read:

Section 6.1. City Council-Terms of office when candidate for Mayor. The term of office for a Councilmember who files as a candidate for the Office of Mayor shall automatically expire on the Tuesday next succeeding the general municipal election held following that filing. The filing period for candidates to fill such Councilmember's term shall be extended an additional five days.

Section 11 of the Charter of Salinas is amended to read:

Section 11. Election of Mayor.

Commencing with the 1991 general municipal election and every second year thereafter, one of the office of City Councilmember, to be filled at such election, shall be designated as the office of Mayor to be filled at such election. The person elected as Mayor shall hold office for two years from and after twelve o'clock noon of the first meeting of the Council next succeeding the Mayor's election, and until the Mayor's successor is elected and qualified.

In the case of a vacancy in the office of Mayor for any reason, the Council shall fill the vacancy by appointment. If the Council fails to fill it within thirty days, it shall immediately cause an election to be held to fill the vacancy. A person appointed or election to fill a vacancy shall hold office for the unexpired term of the former incumbent.

Section 29 of the Charter of Salinas is amended to read:

Sec. 29. Same-Canvassing the returns.

At the first meeting after any election, and at the usual hour and place of meeting, the Council shall meet and canvass the returns, and declare the result; provided, that if a consolidated election is held pursuant to Section 7, the Council may, by ordinance or resolution, authorize the performance of these duties by the County of Monterey.

Section 33 of the Charter of Salinas is amended to read:

Sec. 33. Ordinances-Enacting clause; passage; signature. The enacting clause of every ordinance passed by the Council shall be in these words: "Be it ordained by the Council of Salinas." The enacting clause of every ordinance passed by the people shall be as follows: "Be it ordained by the people of Salinas." No ordinance shall be so amended as not to be germane to its original purpose. No ordinance except upon the unanimous consent of all members of the Council shall be passed by the Council on the day of its introduction or within five days there-

after, or at any time other than at a regular meeting or an adjourned regular meeting. No ordinance or resolution shall be adopted except upon the affirmative vote of at least a majority of the members of the Council. Every ordinance shall be signed by the officer presiding at the time of its adoption, attested by the City Clerk, and published at least once in a newspaper, as hereafter provided.

Section 36 of the Charter of Salinas is amended to read:

Sec. 36. Same-time of taking effect.

All ordinances take effect thirty days after the date of adoption. An ordinance takes effect immediately, if it is an ordinance:

- a. relating to an election.
- b. relating to an emergency measure as defined in Sec. 37.
- c. relating to street improvement proceedings.
- d. relating to taxes for the usual and current expenses of the City.
- e. relating to bond issues.
- f. relating to initiative measures.
- g. covered by particular provisions of law prescribing the manner of its passage and adoption.

Section 37 of the Charter of Salinas is amended to read:

Sec. 37. Same-Emergency measures-Defined.

An emergency measure is an ordinance for the immediate preservation of the public peace, health or safety, or for appropriating money for some special need, and which contains a declaration of, and the facts constituting, the urgency, and is passed by a four-fifths vote of the City Council.

Section 64 of the Charter of Salinas is amended to read:

Sec. 64. Public Records.

All books and records of all officers and departments of the city shall be open to the inspection of any citizen at any time during business hours, and citizens shall have the right to copy such records in whole or in part, except that this section shall not be construed to require disclosure of records that are exempted by the general laws of the State.

Section 82 of the Charter of Salinas is amended to read:

Sec. 82. Franchises.

In granting franchises the Council shall be governed by the general laws of the State in force at the time; but in each instance it may impose such additional lawful conditions, limitations and restrictions as, in its opinion, subserve the public interest and welfare.

Certified to be a true copy by Alan D. Styles, Mayor, and Dottie F. Doughty, City Clerk.

Date of Election: June 4, 1991.

## Charter Chapter 37—City of Pasadena

***Amendments to the Charter of the City of Pasadena***

[Filed with the Secretary of State June 6, 2002.]

The Charter of the City of Pasadena is amended by adding a new Article XVII, Taxpayer Protection, as ratified by the people on March 6, 2001, as follows:

ARTICLE XVII  
TAXPAYER PROTECTION

Section 1701. TITLE. This Article shall be known as the City of Pasadena Taxpayer Protection Amendment of 2000.

Section 1702. FINDINGS AND DECLARATIONS.

(a) The people of the City of Pasadena (“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 1703. 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 1703(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 1704. 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 1703(a)

may receive a personal or campaign advantage as defined in Section 1703(c) from a person as defined in Section 1703(b) for a period beginning on the date the official approves or votes to approve the public benefit, and ending no later than

(1) one year 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) one year after the official's departure from his or her office whether or not there is a pre-established term of office; or

(3) five years from the date the official approves or votes to approve the public benefit; whichever is first.

(b) Section 1704(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 1705. 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 1703(a) has been conferred, and to monitor personal or campaign advantages enumerated under Section 1703(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 1703 and 1704.

**Section 1706. 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 1703(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 1707. 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 1704. 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 1708. 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 Bill Bogaard, Mayor, and Jane L. Rodriguez, City Clerk.

Date of Municipal Election: March 6, 2001.

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Charter Chapter 38—City of Long Beach

***Amendments to the Charter of the City of Long Beach***

[Filed with the Secretary of State June 10, 2002.]

Sec. 801. QUALIFICATION AND TERM OF OFFICE.

The City Auditor shall be elected by the qualified electors of the City and shall hold office for four (4) years, and until a successor has been elected and qualified. To qualify for the office of City Auditor, a candidate shall be licensed to practice in the State of California as a certified public accountant and have been so certified for at least five (5) years immediately preceding the date of filing of a nominating petition for the office of City Auditor.

Certified to be a true copy by Elaine M. Marsh, Acting City Clerk.

Date of Election: April 9, 2002.

## Charter Chapter 39—City of Long Beach

***Amendments to the Charter of the City of Long Beach***

[Filed with the Secretary of State June 10, 2002.]

## Sec. 1403. POWERS AND DUTIES.

The Commission shall have the complete and exclusive power and duty:

(1) To supervise, control, regulate and manage the Water Department, and to make and enforce all necessary rules and regulations therefore, and for the exercise of such other powers as are conferred upon the Commission by this Charter.

(2) To appoint a General Manager who shall be the chief administrative officer of the Water Department and who shall exercise the management of all activities placed under the jurisdiction of the Commission and to ratify the employment by the General Manager of an Assistant General Manager and of Deputy General Managers. The Assistant General Manager shall perform the duties of the General Manager in the event of the absence or disability of the General Manager and shall perform such other duties as the General Manager shall direct. The General Manager shall hold office during the pleasure of the Commission. No such General Manager or Assistant General Manager shall be, nor have been for at least six (6) months prior to employment at the Water Department, a member of the commission.

(3) To create positions of employment to be filled by the General Manager, and to establish the duties, authority and range of compensation for those positions provided that the positions for classified service shall be subject to the Civil Service provisions of this Charter. The Commission shall establish a plan of succession describing who shall perform the duties and have authority of the General Manager, Assistant General Manager, and other key employees which plan of succession shall take effect in the event of a natural disaster, an emergency, or other catastrophe. All positions of employment in the permanent service of the Commission shall be created by resolution. The compensation fixed by the Commission for all officers and employees in the Water Department shall be subject to the prior approval of the City Council by resolution. All other privileges and benefits to which such officers and employees shall be entitled, except as provided by this Charter or other applicable law, shall be such as shall be prescribed by the City Council by ordinance or resolution.

(4) To construct, operate, maintain, extend, manage and control works and property heretofore or hereafter acquired for the use of, or paid for directly or indirectly out of the funds of, the Water Department, and to acquire and take by purchase, lease, condemnation, or otherwise, and to hold in the name of the City any and all property situated within or without the City, and within or without the State, that may be necessary or convenient for such use; and also to have, exercise and enjoy in the name of and for and on behalf of the City of Long Beach, all powers, rights and privileges, that are granted to the City, or any of its officers or bodies, under an Act of Legislature known as Chapter 429 of the Statutes of 1927

(Stat. 1927, p. 694), approved by the Governor of the State of California on the 10th day of May, 1927, and all acts amendatory thereto.

(5) To regulate and control the use, sale and distribution of water owned or controlled by the City, the collection of water charges and the granting of permits for connections with said water works; and to fix the rates to be charged for such connection including connections installed for other departments of the City; and subject to the approval of the City Council by ordinance, to fix the rates to be charged for water for use within or without the City, including rates for water delivered to other departments of the City, and to fix rates to be charged the Fire Department for standby service to fire hydrants; and to prescribe the time and manner of payment of the same; provided that nothing in this Charter shall prevent payment to the Water Department by other departments of the City for water delivered or service rendered or labor or materials furnished to said other departments. Such rates shall be fair and reasonable, taking into consideration, among other things, the nature of the use, the quantity supplied and the value of the service; provided, however, that the rates inside the City may be less, but not greater, than the rates outside the City for the same or similar uses.

(6) To supervise, regulate, control, construct, operate, maintain, extend and manage the City's sewer system, the collection of sewer charges and the granting of permits for connections with said sewer system; and to fix the rates to be charged for such connection including connections installed for other departments of the City; and, subject to the approval of the City Council by ordinance, to fix the rates and charges for sewer service, and to prescribe the time and manner of payment of the same; provided that nothing in this Charter shall prevent payment to the Water Department by other departments of the City for sewer service rendered or labor or materials furnished to said other departments. Such rates and charges shall be fair and reasonable, taking into consideration, among other things, the nature of the use and the value of the service.

(7) To supply and distribute, at rates fixed as herein before provided, any surplus water owned or controlled by the City and not required for the use of consumers served by the City within its limits, to consumers outside the City for their own use, and to municipal corporations outside the City for municipal uses, for resale, disposal or distribution, to consumers within their limits; provided that the supplying or distribution of such surplus water shall in any case be subject to the paramount right of the City at any time, to discontinue the same, in whole or in part, and to take and hold or to distribute such surplus water for the use of the City and its inhabitants; provided, further, that contracts for supplying surplus water by the City to municipal corporations outside the City, or for any exchange of surplus water with any such outside municipal corporation, may be made by the Commission in the name of the City, for periods not exceeding fifteen years, and upon such terms and conditions, and for such compensation to the City as shall be prescribed by resolution adopted by the Commission and approved by ordinance or resolution of the City; but in every such contract, the right shall be reserved to the

City to terminate the same upon three years' written notice to such municipal corporation, to be given by said Commission whenever it shall determine and declare by resolution adopted by the Commission and approved by an ordinance or resolution of the City Council, that the water to be supplied under such contract, is required for the City and its inhabitants, and every such contract must, before execution thereof, be assented to by a majority of the qualified electors of the City, voting upon the proposition at a general or special election, at which such proposition shall be submitted.

(8) To sue and be sued in the name of the Commission, and to exercise complete control over all litigation wherein it is involved, or which pertains to any matters within the jurisdiction of the Commission; provided, however, that the City Attorney shall represent the Commission in all matters to which it is a party and shall be the sole and exclusive legal adviser of the Commission with reference to any of its functions, powers or duties under this Charter.

(9) To sell or cause to be sold from time to time such personal property belonging to the Water Department as shall be no longer necessary or suitable for the use of the department.

(10) To lease, sell or dispose of any property, or any interest therein, belonging to the Water Department whenever in judgment of the Commission said property, or any interest therein, or part thereof, is no longer required for the purposes of the Water Department; said property may be leased for any purpose which does not interfere with the use of the same for the purpose of the Water Department. Any compensation received from the sale or lease of said property shall be paid into the Water Revenue Fund or such other fund of the Water Department as may be designated by the Commission, and shall be used for the purposes of the Water Department; provided, however, that except as otherwise provided in this Article, nothing herein shall authorize the Commission to sell, lease or dispose of any water rights, reservoir space or storage capacity, or any interest or space therein. Provided, further, the Commission shall not have authority to make any lease, contract or other agreement providing for the drilling for, developing, producing, extracting, processing, taking or removing, storing and disposing of oil, gas or other hydrocarbon substances from, under, across or through any land under the control and jurisdiction of the Commission, and any such lease, contract or other agreement shall be made upon authorization of the City Council.

(11) To purchase supplies and equipment that may be necessary or convenient to the use of the Water Department.

(12) To make contracts in the name of the Commission to carry into effect the powers granted the Commission in this Charter; provided, that all contracts wherein the expenditure of funds of the Water Department exceeds the amount established by ordinance of the City Council for City departments, except contracts for labor, materials or supplies for actual emergency work, shall be made and entered into upon competitive bidding as provided in this Charter, and all powers and duties therein conferred or imposed upon the City Council and/or City

Manager are hereby conferred and imposed upon the Commission. At the time of publication of notice inviting bids, specifications of the supplies or materials required, or the plans and specifications of the work to be done, must be on file in the office of the Commission, subject to public inspection. Except as provided in this Charter, all supplies and/or materials, not required to be obtained upon competitive bidding, or for actual emergency work, shall be procured for the Commission by the City Purchasing Agent or City Procurement Service Officers, in accordance with procedures prescribed therefor by the City Manager as shall not be in conflict with this Charter or other applicable law.

(13) To expend all money received in connection with the operation of the Water Department or management of properties under the control of the commission; provided that all such monies shall be deposited in the City Treasury to the credit of funds to be known as the “Water Revenue Fund”, the “Sewer Revenue Fund” or to the credit of such other funds as the Commission may by resolution establish. Any interest or increment received on the money in such fund or funds shall be paid into such fund or funds and become a part thereof; and the monies deposited in such fund or funds shall be kept separate and apart from other money of the City and, except as may be allowed by other provisions of this Charter, shall be expended only for the purposes for which said fund was established. The Commission shall file with the City Auditor a notice giving the names and signatures of persons, designated by the Commission to sign demands and payroll authentication.

The City Manager and City Council shall have jurisdiction of revenue derived from the development and production of oil and gas on lands under the management and control of the Commission.

(14) To supervise, control, regulate, construct, operate, maintain, extend and manage such other works and property as may be delegated or conferred upon the Commission by the City Council consistent with the provisions of this Charter.

(15) To delegate to the General Manager such powers and duties as the Commission deems appropriate.

Certified to be a true copy by Elaine M. Marsh, Acting City Clerk.

Date of Election: April 9, 2002.

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Charter Chapter 40—City of Long Beach

***Amendments to the Charter of the City of Long Beach***

[Filed with the Secretary of State June 10, 2002.]

Sec. 1101. POWERS AND DUTIES.

The powers and duties of the Civil Service Commission shall be:

(a) Adopt and amend Civil Service Rules and Regulations, subject to the approval of the City Council;

- (b) Make independent investigations concerning the enforcement of this Article and the rules adopted;
- (c) Provide for the examination and certification for employment in the classified service;
- (d) Create classifications of employees in the classified service, subject to the power of the City Council to establish positions of employment;
- (e) Maintain eligible lists for classified positions, as needed;
- (f) Appoint an Executive Director to carry out the purposes of this Article and the policies of the Commission. The Executive Director shall execute this directive through the appointment and management of a professional staff;
- (g) Adjudicate appeals, subpoena and require the attendance of witnesses and the production of any documents pertinent to any Commission investigation or appeal, and to administer oaths to such witnesses;
- (h) Enforce and remedy violation of Commission rules;
- (i) Make final decisions in any matter properly brought before it, in the absence of action to the contrary by the City Council.

Certified to be a true copy by Elaine M. Marsh, Acting City Clerk.

Date of Election: April 9, 2002.

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Charter Chapter 41—City of Long Beach

***Amendments to the Charter of the City of Long Beach***

[Filed with the Secretary of State June 10, 2002.]

Sec. 1105. PREFERENCES.

In all Civil Service examinations except promotional examinations, the Commission shall, in addition to all other credits, give to veterans passing the examination, a credit of ten (10) additional points.

Veterans as used herein shall mean all persons released or discharged from active service under honorable conditions in the Armed Forces of the United States or in the Coast Guard and all members of an active military reserve or members of the National Guard.

Such credit shall likewise be granted to the unremarried spouses of veterans killed in action, who died of wounds or of a service connected illness and to the spouses of disabled veterans who themselves are not qualified for employment, but whose spouses are qualified. A disabled veteran is defined as a veteran possessing at least a thirty percent (30%) service connected disability certified by the Veterans Administration.

Documentary proof of eligibility for Veteran's Preference Credits and exemption from the eligibility limitation must be submitted prior to approval of the Eligible List by the Commission. In the case of a tie grade between a veteran and non-veteran, the veteran shall be ranked highest.

Certified to be a true copy by Elaine M. Marsh, Acting City Clerk.  
Date of Election: April 9, 2002.

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Charter Chapter 42—City of Palm Springs

***Amendments to the Charter of the City of Palm Springs***

[Filed with the Secretary of State June 19, 2002.]

**SECTION 205 Sewer Services and Waste Water Treatment Facilities**

(a) Notwithstanding Section 1000 of this Chapter or any other provision of law, the City shall not sell, lease or otherwise transfer ownership or any other possessory interest in the City's sewage works, including waste collection, treatment and disposal facilities, to any entity other than an existing governmental agency that is itself governed by a body in which the majority of electors are voters of Palm Springs.

(b) The City may not impose a fee or charge for sewer service, hook-up, permitting, transfer or any other service that exceeds the cost of providing that service.

(c) The City may not collect for its own general fund in-lieu taxes, fees or charges from the Department of Transportation, Wastewater Division for administration or any other purposes.

(d) The City may not borrow funds held on reserve by the Department of Transportation, Wastewater Division for its use or the use of any other department or program of the City except in the case of a declared emergency pursuant to Section 3 (c) of Article XIII B of the California Constitution.

Certified to be a true copy by William G. Kleindienst, Mayor, and Patricia A. Sanders, City Clerk.

Date of Municipal Election: November 2, 1999.

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Charter Chapter 43—City of Merced

***Amendments to the Charter of the City of Merced***

[Filed with the Secretary of State July 25, 2002.]

As a result of the election, a majority of the voters voting on Measure A did vote in favor of it, and that Measure A was carried, and Article XII of the Merced City Charter is amended by the deletion of Article XII.

Certified to be a true copy by Hubert Walsh, Mayor, and James G. Marshall, City Clerk.

Date of Election: March 5, 2002.

## Charter Chapter 44—City of Gilroy

***Amendments to the Charter of the City of Gilroy***

[Filed with the Secretary of State July 25, 2002.]

Section 104. (Deleted by vote of the electors on November 7, 1995)

Section 202. Contracts for Municipal Services. The City shall have the power to enter into a contract with any other City or County within the State, with a State department, or with any other public or private agency or firm for the performance of any function of the City.

Section 402. Term of Office. Except as otherwise provided in this Section, the Mayor and the members of the City Council shall hold office for a term of four (4) years from and after the first regular meeting following the certification of the City Council election by the duly authorized election official and continuing until their respective successors qualify. If, at any municipal election for members of the Council, there shall be no choice between candidates by reasons of two (2) or more candidates having received an equal number of votes, then the council shall proceed to determine the election of such candidates by lot.

Section 403. Eligibility. No person shall be eligible to be nominated for or to hold office as a member of the Council unless he or she is a resident and qualified elector of the City of Gilroy. The Council shall be the judge of the election and qualifications of its members as defined in this Section.

Section 908. Library Commission: Established: Powers and Duties. There shall be a Library Commission consisting of five (5) members appointed by the Council which shall have the power and duty to:

(a) Act in an advisory capacity to the Council and the City Administrator in all matters pertaining to public libraries located in or serving Gilroy;

(b) Provide a public forum for community concerns regarding library issues;

(c) Act in an advisory capacity to the Santa Clara County Library System regarding the Gilroy branch, and to any other public library system serving Gilroy, in regard to service levels, library hours, building uses, and long-range planning;

(d) Be a liaison between the City and any public library system serving Gilroy;

(e) Encourage and coordinate a fund-raising committee of Gilroy residents duly appointed by the Council to develop and implement fund-raising activities to subsidize public libraries in and for Gilroy;

(f) Recommend to the City Administrator and Council the uses of any monies, donations of personal property or real estate designated for the Library; and

(g) Perform such other duties pertaining to any City of Gilroy Library or any Gilroy branch of the Santa Clara County Library System or other public library system serving Gilroy as may be prescribed by the Council not inconsistent with the provisions of this Charter.

Section 909. Arts and Culture Commission: Established: Powers and Duties. There shall be an Arts and Culture Commission consisting of seven (7) members which shall have the power and duty to:

(a) Act in an advisory capacity to the Council and the City Administrator in all matters pertaining to art, literature, music, and other cultural activities;

(b) Formulate and recommend to the Council and the City Administrator a program relating to art, literature, music, and other cultural activities for the inhabitants of the City of Gilroy which will contribute to the utilization and enjoyment of their leisure time and which will promote the public appreciation, education, and development of cultural activities in the community;

(c) Encourage and coordinate a fund-raising committee of Gilroy residents duly appointed by the Council of Gilroy to develop and implement fund-raising activities to support the arts and culture in and for the City of Gilroy; and

(d) Perform such other duties relating to the arts and cultural matters as may be prescribed by the Council not inconsistent with the provisions of this Charter.

Section 1005. (Deleted by vote of the electors on November 7, 1995)

Section 1106. Tax Levy. Except as prohibited by state law, the Council shall determine the amount of money required to be raised by ad valorem municipal property taxation and shall fix the ad valorem municipal tax rate each year and certify the same to the County authorities if the County system of ad valorem assessment and tax collection is used by the City.

Section 1403. (Deleted by vote of the electors on November 7, 1995)

Section 1501. (Deleted by vote of the electors on November 7, 1995)

Certified to be a true copy by Thomas W. Springer, Mayor, and Rhonda Pellin, City Clerk.

Date of Election: November 7, 1995.

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#### Charter Chapter 45—City of Gilroy

### *Amendments to the Charter of the City of Gilroy*

[Filed with the Secretary of State July 25, 2002.]

Section 611. Violation and Penalty. The Council may make the violation of its ordinances a misdemeanor which may be prosecuted in the name of the People of the State of California, and may prescribe punishment for such violation by a fine or by imprisonment, or by both such fine and imprisonment. Such violations may also be redressed by civil action.

Section 903. (Deleted by vote of the electors on November 5, 1996)

Section 904. Meetings: Chairmen. As soon as practicable following their original appointment, and following the first day of January of each year thereafter each of such boards and commissions shall organize by election one of its members to serve as presiding officer at the pleasure of such board or commission. Each

board or commission shall hold regular meetings at least once each month and such special meetings as such board or commission may require. Except as is otherwise provided by the laws of this State, all proceedings shall be open to the public. Whenever a special meeting of any board or commission shall be called, written notice of such meeting shall be delivered personally or by mail by the City Clerk or Secretary of the board or commission to each member of the board or commission 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 (24) hours before the time of such meeting as specified in the notice. The order shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meetings.

Unless otherwise required by the laws of this State, recommendations by any board or commission may be made by majority vote. The affirmative vote of a majority of the entire membership of such board or commission shall be necessary for it to take final action.

Unless otherwise provided, the City Administrator shall provide a secretary for the recording of the minutes of each of such boards and commissions who shall keep a record of its proceedings and transactions. Each board or commission may prescribe its own procedural rules and regulations which shall be consistent with this Charter and copies of which shall be kept on file in the office of the City Clerk or with the Secretary of the board or commission, where they shall be available for public inspection. Each board or commission shall have the same power as the 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 in any investigation or proceeding pending before it.

Section 906. Planning Commission: Established: Powers and Duties. There shall be a Planning Commission consisting of seven (7) members. The City Administrator, the City Attorney and such other officers as the Council shall designate, or their representatives, shall meet with the Planning Commission and may participate in the discussions but shall not have a vote. The Planning Commission shall have the power and duty to:

(a) Recommend to the Council after a public hearing thereon the adoption, amendment or repeal of a master plan or any part thereof, or the adoption, amendment or repeal of a precise plan for the physical development of the City, as such terms are defined by Chapter 3, Title 7, of the Government Code of the State of California;

(b) Annually review and recommend to the City Administrator and Council the five year Capital Improvement Budget;

(c) Exercise such functions with respect to land use, including but not limited to planning, zoning, subdivisions, public building, parks, streets and housing, as may be prescribed by ordinance, not inconsistent with the provisions of this Charter;

(d) Recommend to the Council for adoption and implementation plans for the clearance, rehabilitation, redevelopment or renewal of sub-standard areas within the City;

(e) Recommend to the Council for adoption and implementation such plans as are designed to promote the most beneficial and orderly growth and development of the City; and

(f) Perform such other duties as may be prescribed by the Council not inconsistent with the provisions of this Charter.

Section 907. Personnel Commission: Established: Powers and Duties. There shall be a Personnel Commission consisting of five (5) members none of whom, while a member of the Commission, or for a period of one (1) year after he/she has ceased for any reason to be a member, shall be eligible for appointment to any salaried office or employment in the service of the City.

The Personnel Commission shall have the power and duty to:

(a) Act in an advisory capacity to the City Council, City Administrator and/or the Human Resources Director in the preparation, installation, revision and maintenance of a full-time employee position classification plan and the Human Resources Rules and Regulations;

(b) Hear appeals of any officer or employee having regular full-time status in any office, position or employment in the Competitive Service pertaining to suspension, demotion, dismissal or disciplinary action as provided in the Human Resources Rules and Regulations or Memorandums of Understanding.

(c) Perform such other duties relating to personnel matters as may be prescribed by the Council not inconsistent with the provisions of this Charter.

Certified to be a true copy by Thomas W. Springer, Mayor, and Rhonda Pellin, City Clerk.

Date of Election: November 5, 1996.

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Charter Chapter 46—City of Gilroy

***Amendments to the Charter of the City of Gilroy***

[Filed with the Secretary of State July 25, 2002.]

Section 608. Effective Date of Ordinances. No ordinance adopted by the Council shall become effective until thirty (30) days from and after the date of its adoption, except the following, which shall take effect upon adoption:

(a) An ordinance calling or otherwise relating to an election;

(b) An improvement proceeding ordinance adopted under some law or procedural ordinance;

(c) An ordinance declaring the amount of money necessary to be raised by taxation or fixing the rate of taxation if allowed under state law;

(d) An emergency ordinance adopted in the matter provided for in this Article;

(e) An ordinance annexing areas to the City; or

(f) An ordinance providing for a tax levy if allowed under state law or appropriation for the usual current expenses of the City.

Section 703. Powers and Duties. The City Administrator shall be responsible to the Council for the proper administration of all affairs of the City. Without limiting the foregoing general grant of powers, responsibilities and duties, the City Administrator shall have power and be required to:

(a) Take a continuing interest in the effectiveness and economy of all administrative arrangements throughout the City;

(b) Insure that administrative activities with which two (2) or more departments are concerned are effectively coordinated;

(c) Appoint, suspend, discipline and/or remove, subject to the provisions of this Charter, all officers and employees of the City except that department heads shall be appointed and removed with the consent of the Council. This sub-section shall not apply to those department heads and officers whose appointment is vested by this Charter in the Council. The City Administrator may authorize the head of any department or office to appoint or remove subordinates in such office;

(d) Prepare the budget annually, submit it to the Council, and be responsible for its administration after its adoption;

(e) Prepare and submit to the Council as of the end of the fiscal year a comprehensive report on the finances and administrative activities of the City for the preceding year;

(f) Make and execute, on behalf of the City, contracts involving Council-appropriated expenditures, and bids or proposals approved by the Council;

(g) Establish a purchasing system to meet the needs of all City offices, departments and agencies;

(h) Keep the Council advised of the financial condition and future needs of the City and make such recommendations on any matter as may to him seem desirable;

(i) See that the laws of the State pertaining to the City, the provisions of this Charter and the ordinances of the City are enforced;

(j) Submit periodic reports to the Council covering significant activities of City agencies, offices and departments under his supervision and significant changes in administrative rules and procedures promulgated by the City Administrator;

(k) Submit special reports in writing to the Council in answer to any requests for information when requested of him by the Council; and

(l) Perform such other duties consistent with this Charter as may be required of him by the Council.

Section 911. Parks and Recreation Commission: Established: Powers and Duties. There shall be a Parks and Recreation Commission consisting of seven (7) members, which shall have the power and duty to:

(a) Act in an advisory capacity to the Council and the City Administrator in all matters pertaining to recreation and parks;

(b) Review the annual capital improvement budgets for parks and recreation facilities and makes recommendations to the City Administrator and the Council;

(c) Formulate and recommend to the Council and the City Administrator policies for the acquisition, development and improvement of all parks and recreational facilities;

(d) Formulate and recommend to the Council and the City Administrator a recreation program for the City which will enhance the quality of life for all the residents of the City. Promote and stimulate interest in these programs, and solicit to the fullest extent possible the cooperation of school authorities and other public and private agencies;

(e) Administer the street tree program;

(f) Advise the Council and City Administrator with respect to offers of donations of money, personal property, or real estate to be used for parks and recreation purposes; and

(g) Perform such other duties relating to park and recreation matters as may be prescribed by the Council not inconsistent with the provisions of this Charter.

Section 1004. Prohibitions.

(a) No officer or employee of the City and no candidate for any City office shall, directly or indirectly, solicit any assessment, subscription or contribution, whether voluntary or involuntary, for any municipal political purpose whatever from anyone on an eligible list or holding any position in the Competitive Service.

(b) Sec. 1. Declaration of Policy. It is hereby declared to be the policy of the City of Gilroy that strikes by firefighters and police officers pose an imminent threat to public health and safety and should be prohibited, and that a method should be adopted for peacefully and equitably resolving disputes that might otherwise lead to such strikes.

Sec. 2. Prohibition Against Strikes. No City of Gilroy police officer or firefighter employee, employee union, association or organization shall strike or engage in such concerted economic activity against the City of Gilroy. Disputes unresolved by negotiations should be resolved by the arbitration procedure set forth herein. Any such employee who fails to report for work without good and just cause during said negotiations or who aids, abets or encourages strikes, or other such economic activity against the City of Gilroy during such time shall be subject to disciplinary action, including, but not limited to termination from the City of Gilroy employment, subject to the provisions of this Charter, the City's Personnel Rules and Regulations and lawful procedures.

Sec. 3. **Obligation to Negotiate in Good Faith.** The City, through its duly authorized representatives, shall negotiate in good faith with the recognized fire and police department employee organizations on all matters relating to the wages, hours, and other terms and conditions of the City employment including the establishment of procedures for the resolution of grievances submitted by either employee organization over the interpretation or application of any negotiated agreement including a provision for binding arbitration of those grievances. Unless and until agreement is reached through negotiations between the City and the recognized employee organization for the fire or police department or a determination is made through the arbitration procedure hereinafter provided, no existing benefit or condition of employment for the members of the fire department or police department bargaining unit shall be eliminated or changed.

Certified to be a true copy by Thomas W. Springer, Mayor, and Rhonda Pellin, City Clerk.

Date of Election: November 4, 1997.

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Charter Chapter 47—City of Gilroy

***Amendments to the Charter of the City of Gilroy***

[Filed with the Secretary of State July 25, 2002.]

Section 800. **City Administrative Organization.** The Council shall provide by ordinance, not inconsistent with this Charter, for the organization, conduct and operation of the several offices, departments and other agencies of the City. It may further provide by ordinance for the creation of additional departments, divisions, offices and agencies or for their alteration or abolition or for their assignment and reassignment to departments. Each new department so created shall be headed by an officer as department head who shall be appointed and removed by the City Administrator with the consent of the Council. Subject to the provisions of this Charter, the Council shall provide by ordinance or resolution for the number, titles, qualifications, powers, duties and compensation of all officers and employees.

The Council by ordinance may assign additional functions or duties to officers, departments or other agencies established by this Charter, but shall not discontinue or assign to any other office, department, or any other agency any function or duty assigned by this Charter to a particular office, department or agency. When the positions are not incompatible, the Council may combine in one person the powers and duties of two (2) or more offices.

The administrative code of the City shall provide for a complete plan of administrative organization of the City government, and provide for the powers, duties, responsibilities, obligations and procedures of the officers and employees of the

City, including rules and regulations of the City departments adopted by ordinance.

Rules and regulations governing administrative procedures of the City government, such as those covering personnel, budgeting, accounting and purchasing methods, shall be included in the administrative code. The code shall be amended by ordinance as necessary or advisable to keep it up to date. Sufficient copies shall be available for all officers of the City and other interested citizens.

Notwithstanding the foregoing, the Council may transfer or consolidate functions of the City government, to or with appropriate functions of the State or County government, and in case of any such transfer or consolidation, the provisions of this Charter providing for the function of the City government so transferred or consolidated shall be deemed suspended during the continuance of such transfer or consolidation, to the extent that such suspension is made necessary or convenient and is set forth in the ordinance establishing such transfer or consolidation. Any such transfer or consolidation may be repealed by ordinance.

Section 811. Discrimination. Except as otherwise provided by the general laws of this State heretofore or hereafter enacted, no person employed by the City or seeking employment therewith shall be employed, refused employment, promoted, demoted, disciplined or discharged or in any way favored or discriminated against because of political opinion or affiliations or membership in a lawful employees association or because of race, color, religion, gender, national origin, age, sexual orientation, physical or mental disability or veteran status.

Section 1000. Competitive and General Service. The Administrative Service of the City shall be divided into the General Service and the Competitive Service.

(a) The General Service shall comprise the following offices and positions:

- (1) All elective offices;
- (2) All members of boards and commissions;
- (3) The City Administrator and his deputies, if any, the City Clerk, the City Attorney and his deputies, if any, and the head of each department;
- (4) Persons employed for a special or temporary purpose; and positions of any class or grade exempted from the competitive service for a maximum period of six (6) months in any calendar year;
- (5) Persons employed to render professional, scientific, technical or expert services of an occasional or exceptional character;
- (6) Part-time positions or employments, and voluntary personnel.

(b) The Competitive Service shall consist of all positions in the City Administrative Service which are not in the General Service.

Section 1104. 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 offices, agencies and departments for the respective objects and purposes therein specified. All appropriations shall lapse at

the end of the fiscal year to the extent that they shall not have been expended or lawfully encumbered, except as otherwise provided by this Charter.

At any meeting after the adoption of the budget the Council may amend or supplement the budget so as to authorize the transfer of balances appropriated for one purpose to another purpose, or to appropriate available revenue not appropriated in the budget.

No officer, department or agency of the City shall, during any fiscal year, expend or incur any obligation to expend money for any purposes not authorized by or in excess of the amounts appropriated by any budget, as amended, that would affect the total appropriations of any fund or department. The City Administrator is authorized to transfer unused budgetary amounts from one account to another as long as the total appropriations authorized by City Council for any fund or department are not affected by the transfer.

Certified to be a true copy by Thomas W. Springer, Mayor, and Rhonda Pellin, City Clerk.

Date of Election: November 3, 1998.

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Charter Chapter 48—City of Marina

***Charter of the City of Marina***

[Filed with the Secretary of State July 22, 2002.]

PREAMBLE

We the people of the City of Marina declare our intent to restore to our community the historic principles of self governance inherent in the doctrine of home-rule. Sincerely committed to the belief that local government has the closest affinity to the people governed, and firm in the conviction that the economic and fiscal independence of our local government will better serve and promote the health, safety and welfare of all the citizens of this City, we do hereby exercise the express right granted by the Constitution of the State of California to enact and adopt this Charter for the City of Marina.

CHARTER

Article 1. Municipal Affairs—Generally

Section 1.01 Municipal Affairs. The City shall have the full power and authority to adopt, make, exercise and enforce all legislation, laws and regulations and to take all actions relating to municipal affairs, without limitation, which may be lawfully adopted, made, exercised, taken or enforced under the Constitution of the State of California. Without limiting in any manner the foregoing power and authority, each of the powers, rights and responsibilities of governance set forth and described in this Charter, and as established by the Constitutional, statutory and judicially defined law of the State of California, is hereby declared to be a

municipal affair or concern, the performance of which is unique to the benefit of the citizens of the City of Marina.

## Article 2. Revenue Generation and Savings

Section 2.01 Adequate Financial Resources. It shall be the duty, obligation and responsibility of the City and the City Council to develop plans and programs, provide adequate financial resources for, and to implement fully such plans and programs as are necessary to accomplish the duties and obligations as set out in this Article, this Charter, and State and Federal law.

Section 2.02 Basic Level of City Services. The Council shall maintain a revenue structure adequate to meet City financial requirements for execution of the balanced programs and the basic level of city services determined by the City Council necessary to carry out the duties, obligations and mandates of this Charter, which revenue structure shall be balanced equitably between taxes, fees, utility and enterprise charges and assessments, grants and other sources of income and revenue.

Section 2.03 Enterprises. The City shall have the power to engage in any enterprise deemed necessary to produce revenues for the general fund or any other fund established by the City Council to promote a public purpose.

Section 2.04 Utility Franchise. The City shall have the power to adopt any ordinance providing for the acquisition, development or operation by the City of any public utility, or any ordinance providing for the granting of a franchise to any public utility not owned by the City which proposes to use or is using City streets, highways or other rights-of-way.

Section 2.05 Public Works Contracts. The City shall have the power to establish standards, procedures, rules or regulations to regulate all aspects of the bidding, award and performance of any City public works contract, including, but not limited to, the compensation rates to be paid for the performance of such work.

Section 2.06 Public Financing. The City shall have the power to establish standards, procedures, rules or regulations related to any public financing.

Section 2.07 Utility User's Tax. The City Council may, by a four-fifths (4/5ths) vote, following two specifically-noticed public hearings, and upon making a written finding, based upon adequate evidence in the record before the Council, that the funds are needed to provide a basic level of essential city services for public safety, health and the activities and services for city youth and senior citizens, adopt an ordinance providing for a utility user's tax of up to but not to exceed five percent (5%), and effective for a period of not to exceed two (2) years. The ordinance of the Council in this matter shall not be effective for thirty (30) days following the second reading (adoption) of the ordinance and shall be subject to being overturned by a referendum of the City voters. This Section of the City Charter shall expire and be of no force and effect after June 30, 2004.

### Article 3. Revenue Retention

Section 3.01 Reductions Prohibited. 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.

Section 3.02 Mandates Limited. 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.

### Article 4. General Laws

Section 4.01 General Law Powers. In addition to the power and authority granted by the terms of this Charter and the Constitution of the State of California, the City shall have the power and authority to adopt, make, exercise and enforce all legislation, laws and regulations and to take all actions and to exercise any and all rights, powers and privileges heretofore or hereafter established, granted or prescribed by any law of the State of California or by any other lawful authority. In the event of any conflict between the provisions of this Charter and the provisions of the general laws of the State of California, the provisions of this Charter shall control.

### Article 5. Interpretation

Section 5.01 Construction and Interpretation. The language contained in this Charter is intended to be permissive rather than exclusive or limiting and shall be liberally and broadly construed in favor of the exercise by the City of its power to govern with respect to any matter which is a municipal affair.

Section 5.02 Severability. If any provision of this Charter should be held by a court of competent jurisdiction to be invalid, void or otherwise unenforceable, the remaining provisions shall remain enforceable to the fullest extent permitted by law.

Certified to be a true copy by James E. Perrine, Mayor, and Joy P. Junsay, City Clerk.

Date of Election: June 2, 1998.

## Charter Chapter 49—County of Alameda

***Amendments to the Charter of the County of Alameda***

[Filed with the Secretary of State July 11, 2002.]

Section 18 is amended to read as follows:

Section 18. The members of the Juvenile Justice Commission and the Members of the Law Library Trustees shall be appointed in a manner and for the terms now or hereafter provided by general law. Any Probation Officer taking office on or after January 1, 1995, shall be appointed by a majority of the judges of the Superior Court, with the approval of the Board of Supervisors, from a list of no less than three names nominated by the Juvenile Justice Commission from a list of no less than five names nominated by a candidate rating and screening committee comprised of an equal number of members chosen by the Juvenile Justice Commission, the Superior Court, and the Board of Supervisors. Any such appointee shall serve at the pleasure of a majority of the judges of the Superior Court.

Certified to be a true copy by Gail Steele, President of the Board of Supervisors, and Darlene J. Bloom, Acting Clerk of the Board of Supervisors.

Date of Special Election: November 8, 1994.

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 Charter Chapter 50—County of Alameda
***Amendments to the Charter of the County of Alameda***

[Filed with the Secretary of State July 11, 2002.]

Sec. 35: The civil service of the County is hereby divided into the unclassified and the classified service. The unclassified service shall include:

- (a) All officers elected by the people, and their chief deputies.
- (b) All assistants, deputies and other employees in the office of the District Attorney.
- (c) All appointive boards and commissions.
- (d) All persons serving the County without compensation.
- (e) Not to exceed two confidential employees in the office of the Board of Supervisors.
- (f) Not to exceed two persons serving as Assistant Sheriff.

The classified service shall comprise all positions not specifically included by this Charter in the unclassified service, provided that in the case of a vacancy requiring peculiar and exceptional qualifications of a scientific, professional or expert character, upon satisfactory evidence that competition is impracticable, and that the position can best be filled by the selection of a person of recognized attainments, competitive examinations may be suspended, but no such suspension shall be general in its application to such position, and all such cases of sus-

pension shall be reported by the Commission, together with the reasons therefor, to the Board of Supervisors.

Certified to be a true copy by Gail Steele, President of the Board of Supervisors, and Darlene J. Bloom, Acting Clerk.

Date of Election: November 5, 1996.

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Charter Chapter 51—County of Alameda

***Amendments to the Charter of the County of Alameda***

[Filed with the Secretary of State July 11, 2002.]

Sec. 11. The Board of Supervisors shall have all the jurisdiction and powers which are now or which may be hereafter granted by the Constitution and laws of the State of California, or by this Charter, except in cases involving the County's medical and health facilities commonly and officially known as the Alameda County Medical Center (hereinafter APMC), wherein the following additional provisions shall apply:

(a) The APMC shall consist of Highland General Hospital, Fairmont Hospital, John George Psychiatric Pavilion, The Alameda Health Center, The Central Health Center, The Eastern Health Center, The Hayward Health Center, The Newark Health Center, and any additional facilities that are now or may subsequently be operated as part of the APMC.

(b) The purpose of the APMC shall be as set forth in the APMC By-laws dated 4/95. The County of Alameda and the APMC shall comply with all applicable local, state, and federal laws and regulations and shall take all reasonable steps, including securing available federal, state, and local funds to renovate or expand existing APMC facilities and/or build new APMC facilities, to ensure compliance with the purpose of the APMC as set forth above.

The County of Alameda and the APMC shall support and maintain a full spectrum of health care facilities, services and staffing necessary to fulfill the purpose of the APMC. This provision shall not apply to changes in the level of medical services unless such changes amount, solely or in aggregate, to a loss of services, either by elimination or by reduction, which then conflicts with the level of services required to fulfill the purpose of the APMC. Any proposed elimination or reduction of services shall be presumed to conflict with the purpose of the APMC until the Board of Supervisors determines otherwise in open meeting.

(c) In addition to any other provision of law, before closing, leasing, selling, assigning or in any way transferring the assets, or any substantial portion thereof, and before transferring management, and/or in any substantial manner changing the system of governance, including by an Authority and/or corporation at any form, or changing the ownership of the APMC or any of its facilities to any other entity or person, the Board of Supervisors shall, by resolution, submit to the voter

of the County a measure proposing such action. The measure shall be placed on the ballot of a special election held at the request of the Board of Supervisors on the ballot of the next regularly scheduled election occurring at least 88 days after the resolution of the Board of Supervisors. If a majority of the voters voting on the measure vote in its favor, the transfer shall be approved. It is the intent of this provision for voter approval of any transfer that the local ballot measure shall be subject to all campaign disclosure requirements applicable to local measures in the State of California. In conformity with existing law, the term “transferring the management” means transferring the direct responsibility for and/or managerial control or other form of control over the ACMC or any one or more of its facilities from the Board of Supervisors to another entity or person, including an Authority and/or corporation of any form.

(d) The Board of Supervisors shall not submit for voter approval any proposed sale, lease, change of ownership, or other transfer of the ACMC assets or management or the assets or management of any of its facilities under subsection (c) unless the Board of Supervisors has first obtained the written agreement of the proposed transferee(s) to assume, honor, and comply with the obligations of subsection (b) regardless of the level of Federal, State, or County funding available to meet said obligations.

(e) If a sale, lease or transfer of the ACMC is approved by the voters pursuant to subsection (c), the buyer, leaseholder, successor or assignee shall assume and be bound by any existing collective bargaining agreements applicable to the ACMC for the remainder of the term of said agreements. Said assumption shall include employment of existing workers in accordance with the terms of said agreements and shall include continuing recognition of any labor organizations that are a party to said agreements.

(f) To the extent permissible by law, the provisions of this charter amendment shall be effective February 26, 1996.

(g) The sections, paragraphs, sentences, clauses, and phrases of this charter amendment are severable; therefore, if any section, paragraph, sentence, clause, or phrase of this ordinance shall be declared invalid or unconstitutional by the judgement of decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this charter amendment.

Certified to be a true copy by Gail Steele, President of the Board of Supervisors, and Susan Muranishi, Interim Clerk of the Board of Supervisors.

Date of Election: November 5, 1996.

## Charter Chapter 52—County of Alameda

***Amendments to the Charter of the County of Alameda***

[Filed with the Secretary of State July 11, 2002.]

## ALAMEDA COUNTY CHARTER—SECTION 35.2

The unclassified service shall include entry level positions designated by an appointing officer with approval of the civil service commission for persons who meet minimum qualifications and are certified as persons with severe disabilities. Notwithstanding any other provisions of the Charter, persons appointed to such positions under this subsection, and whose job performance is certified as satisfactory by their appointing officer, and who remain in said position for one year, shall acquire civil service status. The civil service commission shall adopt rules and regulations to enforce and implement this subsection which shall include performance evaluation requirements, definitions of and standards for the certification of people with severe disabilities.

Certified to be a true copy by Wilma Chan, President of the Board of Supervisors, and Leslie J. Burns, Clerk of the Board of Supervisors.

Date of Election: March 7, 2000.

## Charter Chapter 53—County of Alameda

***Amendments to the Charter of the County of Alameda***

[Filed with the Secretary of State July 11, 2002.]

SEC. 36: It shall be the duty of the Civil Service Commission:

(b) To provide for the preparation and holding of competitive examinations in order to test the relative fitness of all applicants for appointment to or promotion in the classified Civil Service; provided, however, that noncompetitive qualifying examinations may be given to incumbents with tenure in positions which are reclassified or reallocated, and that the name of each incumbent who qualifies in such qualifying examination shall be placed on an eligible list and the said incumbent shall be appointed subject to probation to the reclassified or reallocated position, anything in this Charter to the contrary notwithstanding.

Certified to be a true copy by Wilma Chan, President of the Board of Supervisors, and Leslie J. Burns, Clerk of the Board of Supervisors.

Date of Election: March 7, 2000.

## Charter Chapter 54—City of Chula Vista

***Amendments to the Charter of the City of Chula Vista***

[Filed with the Secretary of State August 22, 2002.]

**Sec. 300. Members, Eligibility and Terms.**

A. There shall be a City Council of five members, consisting of four Councilmembers and a Mayor, elected from the City at large at the times and in the manner provided in this Charter.

B. No person shall be eligible to hold office as members of the City Council unless they are residents of the City of Chula Vista, and at the time of their election or appointment, qualified electors of the City or of territory annexed thereto.

C. The term of each member of the City Council shall be for a nominal term of four years and shall commence on the first Tuesday of December of the year of the election, and shall continue until a successor qualifies. The term for the Mayoral seat and Council seats numbered one (1) and two (2) shall be deemed to commence on every fourth anniversary of the first Tuesday of December of 1990 and the term for Council seats numbered three (3) and four (4) shall be deemed to commence on every fourth anniversary of the first Tuesday of December of 1988.

D. No person shall be eligible for nomination and election to the office of City Councilmember or Mayor for more than two (2) consecutive terms, and no person who has held a Council office for a period of two (2) consecutive terms or the office of Mayor for two (2) consecutive terms, may again seek nomination and election to said offices of Council or Mayor respectively until a period of one (1) year from the termination of the second term for Councilmember or Mayor has elapsed; provided, however, that any person who is appointed by the Council to fill the office of Council or Mayor or elected in a special election for the balance of a regular term of Mayor and/or Council for a period of two (2) years or less may seek nomination and election for two (2) full terms thereafter.

E. Each Council seat shall be numbered one (1) through four (4) respectively. Persons seeking election to the City Council shall at the time of filing nomination papers, select one of said seats as the Council position for which they seek election.

F. Persons running for a Council office shall designate one of the two numbered Council seats as memorialized by resolution of the Chula Vista City Council on file in the office of the City Clerk. Should a vacancy occur at any time in a Council seat or seats, if said vacancy is to be filled by a special election as provided in Section 303 of the Charter, candidates for said vacancy shall similarly designate the appropriate numbered seat on their nominating paper.

G. Any person to be elected at a general municipal election for any numbered Council seat 1 through 4 or the office of Mayor for which nomination papers have been filed shall be deemed elected upon receipt of a majority of the votes cast for the particular seat or the office of Mayor at the election. If no candidate at such

general municipal election receives a majority of the votes cast, there shall be a special run-off election, to be held on the same date as the statewide election date in November immediately following the general municipal election (if no statewide election is conducted, then on the first Tuesday after the first Monday of November of each even-numbered year), between the two candidates receiving the highest and second highest number of votes in the general municipal election for said seat or the office of Mayor, in order to determine the winner. By way of clarification, ties among the candidates receiving the two highest number of votes at the general municipal election shall be resolved by a special run-off election.

H. Any person to be elected at a special municipal election called to fill a vacancy pursuant to the provision of Section 303 for any numbered Council seats one through four or the office of Mayor, for which nomination papers have been filed, shall be deemed elected upon receipt of a majority of the votes cast for the particular seat or the office of Mayor at the election. If no candidate at such special election receives a majority of the votes cast, there shall be a special run-off election to be held on a date set by Council as soon after such special election as practical between the two candidates receiving the highest and second highest number of votes in such special election for said seat or the office of Mayor in order to determine the winner who shall be seated upon certification of the results of the election. By way of clarification, ties among the candidates receiving the two highest number of votes at such special election shall be resolved by a special run-off election.

I. Any person to be elected at a special run-off election required under the provision of this section, shall be deemed elected upon receipt of the highest number of votes for the particular seat or the office of Mayor and shall be seated upon certification of the results of the election. Ties at such special run-off election shall be resolved by lot.

Certified to be a true copy by Shirley Horton, Mayor, and Susan Bigelow, City Clerk.

Date of Municipal Election: June 2, 1992.

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Charter Chapter 55—City of Chula Vista

***Amendments to the Charter of the City of Chula Vista***

[Filed with the Secretary of State August 22, 2002.]

Sec. 300. Members, Eligibility and Terms.

A. There shall be a City Council of five members, consisting of four Councilmembers and a Mayor, elected from the City at large at the times and in the manner provided in this Charter.

B. No person shall be eligible to hold office as members of the City Council unless they are residents of the City of Chula Vista, and at the time of their election or appointment, qualified electors of the City or of territory annexed thereto.

C. The term of each member of the City Council shall be for a nominal term of four years and shall commence on the first Tuesday of December of the year of the election, and shall continue until a successor qualifies. The term for the Mayoral seat and Council seats numbered one (1) and two (2) shall be deemed to commence on every fourth anniversary of the first Tuesday of December of 1990 and the term for Council seats numbered three (3) and four (4) shall be deemed to commence on every fourth anniversary of the first Tuesday of December of 1988.

D. No person shall be eligible for nomination and election to the office of City Councilmember or Mayor for more than two (2) consecutive terms, and no person who has held a Council office for a period of two (2) consecutive terms or the office of Mayor for two (2) consecutive terms, may again seek nomination and election to said offices of Council or Mayor respectively until a period of one (1) year from the termination of the second term for Councilmember or Mayor has elapsed; provided, however, that any person who is appointed by the Council to fill the office of Council or Mayor or elected in a special election for the balance of a regular term of Mayor and/or Council for a period of two (2) years or less may seek nomination and election for two (2) full terms thereafter.

E. Each Council seat shall be numbered one (1) through four (4) respectively. Persons seeking election to the City Council shall at the time of filing nomination papers, select one of said seats as the Council position for which they seek election.

F. Persons running for a Council office shall designate one of the two numbered Council seats as memorialized by resolution of the Chula Vista City Council on file in the office of the City Clerk. Should a vacancy occur at any time in a Council seat or seats, if said vacancy is to be filled by a special election as provided in Section 303 of the Charter, candidates for said vacancy shall similarly designate the appropriate numbered seat on their nominating paper.

G. Any person to be elected at a general municipal election for any numbered Council seat one through four or the office of Mayor for which nomination papers have been filed shall be deemed elected upon receipt of a majority of the votes cast for the particular seat or the office of Mayor at the election. If no candidate at such general municipal election receives a majority of the votes cast, there shall be a special run-off election, to be held on the same date as the statewide election date in November immediately following the general municipal election (if no statewide election is conducted, then on the first Tuesday after the first Monday of November of each even-numbered year), between the two candidates receiving the highest and second highest number of votes in the general municipal election for said seat or the office of Mayor, in order to determine the winner. By way of clarification, ties among the candidates receiving the two highest number of votes at the general municipal election shall be resolved by a special run-off election.

H. Any person to be elected at a special municipal election called to fill a vacancy pursuant to the provision of Section 303 for any numbered Council seat one through four or the office of Mayor, for which nomination papers have been filed, shall be deemed elected upon receipt of a majority of the votes cast for the particular seat or the office of Mayor at the election. If no candidate at such special election receives a majority of the votes cast, there shall be a special run-off election to be held on a date set by Council as soon after such special election as practical between the two candidates receiving the highest and second highest number of votes in such special election for said seat or the office of Mayor in order to determine the winner who shall be seated upon certification of the results of the election. By way of clarification, ties among the candidates receiving the two highest number of votes at such special election shall be resolved by a special run-off election.

I. If one of the two eligible candidates dies on or before ninetieth day prior to the special run-off election, his or name shall not be placed on the ballot. The candidate receiving the third highest number of votes in the general municipal election for said seat or the office of Mayor shall be offered by the City Clerk, the opportunity to be placed on the ballot in lieu of the deceased. The City Clerk shall make the offer in writing immediately upon notification of the death. The candidate shall accept or reject in writing to the Clerk within five calendar days of receipt of the City Clerk's offer. If accepted, the special run-off election between the remaining candidate and the candidate receiving the third highest number shall be held. If rejected, there shall be no run-off election, and the remaining candidate shall be deemed elected as of the date of such death.

J. Any person to be elected at a special run-off election required under the provision of this section, shall be deemed elected upon receipt of the highest number of votes for the particular seat or the office of Mayor and shall be seated upon certification of the results of the election. Ties at such special run-off election shall be resolved by lot.

Certified to be a true copy by Shirley Horton, Mayor, and Susan Bigelow, City Clerk.

Date of Municipal Election: November 3, 1992.

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Charter Chapter 56—City of Chula Vista

***Amendments to the Charter of the City of Chula Vista***

[Filed with the Secretary of State August 22, 2002.]

Sec. 303. Vacancies.

A vacancy in the office of any member of 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 a successor qualifies. At the next general municipal election following any vacancy, a Councilmember or Mayor shall be elected to serve for the remainder of any unexpired term of said office.

If a member of the City Council is absent from four (4) consecutive regular meetings of the City Council scheduled and held, unless by permission of the City Council expressed in its official minutes contemporaneously with such absences, or is convicted of a felony or crime involving moral turpitude, the office shall become vacant. The permission of the Council shall be granted for any temporary illness of the requesting Councilmember disabling him or her from attendance at such meeting.

The City Council shall declare the existence of any vacancy as soon as practicable. The City Council shall use its best efforts in good faith to fill such vacancy by appointment within thirty days of their declaration of the existence of the vacancy. In the event it shall fail to fill a vacancy by appointment within thirty days after such office shall have been so declared vacant, or sooner, if impasse is reached sooner, it shall forthwith cause an election to be held to fill such vacancy.

Certified to be a true copy by Shirley Horton, Mayor, and Susan Bigelow, City Clerk.

Date of Municipal Election: November 3, 1992.

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Charter Chapter 57—City of Chula Vista

***Amendments to the Charter of the City of Chula Vista***

[Filed with the Secretary of State August 22, 2002.]

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 body 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. 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 3, 1992.

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Charter Chapter 58—City of Chula Vista

***Amendments to the Charter of the City of Chula Vista***

[Filed with the Secretary of State August 22, 2002.]

Sec. 1009. Contracts on Public Works.

In the construction, reconstruction, or repair of public buildings, streets, drains, sewers, parks, playgrounds and other public works, the furnishing of supplies, materials equipment or contractual services for same shall be done by written contract approved as to form and legality by the City Attorney.

Every project involving an expenditure of fifty thousand dollars (\$50,000.00) or more for the construction, reconstruction, improvement or repair of public buildings, streets, drains, sewers, utilities, parks and playgrounds and other public works, and the furnishing of supplies, materials, equipment or contractual services for same shall be done by written contract except as otherwise provided in this chapter, and the Council, upon the recommendation of the City Manager, shall let said contract to the lowest responsible bidder after notice by publication in the official newspaper for sealed bids for the work contemplated by one or more insertions, the first of which shall be at least ten days before the time for opening bids. If the cost of said public works project is more than the sum of twenty-five

thousand dollars (\$25,000.00) but less than fifty thousand dollars (\$50,000.00), the City Council may let said contract without advertising for bids after the City Manager or his designated agent has secured competitive prices from interested contractors; which shall be considered by the Council before said contract is let.

If the project involves the expenditure of twenty-five thousand dollars (\$25,000.00) or less, the City Manager may cause such written contract to be let without advertising for bids. However, except in emergencies, the City Engineer or the Purchasing Agent shall obtain informal bids. The project shall be awarded to the lowest responsible bidder whose bid is determined to be, in all respects, most advantageous to the public interest. The City Engineer may solicit such bids personally, by telephone or by mail, and shall submit to the Purchasing Agent and the City Manager a written account of the procedures used and the bids thus obtained. A copy of said informal bidding procedure shall be filed in the Office of the City Clerk as a public record.

The City Council may, however, declare and determine that, in its opinion, based upon estimates approved by and the recommendations of the City Manager, said projects may be excepted from the requirements of this section because the work in question may be performed better or more economically by the City with its own employees, and by a resolution to this effect, adopted by at least four affirmative votes of the Council, order the performance of any such construction, reconstruction, improvement or repair by appropriate City forces.

All bids of more than fifty thousand dollars (\$50,000.00) shall be accompanied by either a certified or cashier's check, or a bidder's bond executed by a corporate surety authorized to engage in such business in California, made payable to the City. Such security shall be in an amount not less than that specified in the notice inviting bids or in the specifications referred to herein, or if no amount be so specified, then in an amount not less than ten percent (10%) of the aggregate amount of the bid. If the successful bidder neglects or refuses to enter into the contract within the time specified in the notice inviting bids or specifications referred to therein, the amount of his bidder's security shall be declared forfeited to the City and shall be collected and paid into its general fund and all bonds so forfeited shall be prosecuted and the amount thereof collected and paid into such fund.

The City Council shall be competent to award any contract by comparison of bids on the basis of several factors including timely completion. Such award shall be secured by a surety bond as hereinabove provided with adequate sureties and penalties, and provided, further, that for any contract awarded solely or partially on a specified time for completion, the Council shall not extend such time limits unless such extension be recommended by the City Manager and the head of the Department concerned.

The City Council may reject any and all bids presented and may readvertise in its discretion. The City Council may waive any defects in any bid to the extent it finds at a public hearing held for that purpose that it is necessary to do so for the benefit of the public.

Contracts may likewise be let without advertising for such bids if such work shall be deemed by the City Council to be of urgent necessity for the preservation of life, health or property, and shall be authorized by resolution passed by at least four affirmative votes of the Council and containing a declaration of the facts constituting such urgency; provided, however, that nothing in this section shall prevent the City Manager from taking any and all means necessary to make emergency repairs in the event of immediate need arising from any calamity or disaster.

Certified to be a true copy by Shirley Horton, Mayor, and Susan Bigelow, City Clerk.

Date of Municipal Election: November 3, 1992.

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Charter Chapter 59—City of Fresno

*Amendments to the Charter of the City of Fresno*

[Filed with the Secretary of State October 30, 2002.]

Section 1208 of the Charter of the City of Fresno is amended to read:

**SECTION 1208. PROCUREMENT AND COMPETITIVE BIDDING.**

(a) Every contract involving an expenditure of city moneys of more than one hundred thousand dollars (\$100,000), adjusted annually on the first of July to the nearest one thousand dollars (\$1,000) in response to changes in the National Consumer Price Index (United States City Average For All Products), for materials, supplies, equipment or for any public work of improvement, shall be let to the lowest responsive and responsible bidder after notice by publication in a newspaper of general circulation within the city by one or more insertions, the first of which shall be at least seven days before time for opening bids. For purposes of this subsection, Council shall by ordinance define “public work of improvement”.

(1) All bids hereunder shall be accompanied by either a certified, or cashier’s check, an irrevocable letter of credit, or a bidder’s bond executed by a corporate surety admitted by the California Insurance Commissioner to do business in California, payable and acceptable to the city. Such security shall be in an amount not less than that specified in the notice inviting bids or in the specifications referred to therein, or if no amount be so specified, then in an amount not less than ten percent of the aggregate amount of the bid. A certificate of deposit or other instrument approved by Council may be accepted by the city in lieu of a bidder’s bond. If the successful bidder neglects or refuses to enter into the contract within the time specified in the notice inviting bids or specifications referred to therein, the amount of the bidder’s security may be declared forfeited to the city and may be collected and paid into a lawful, available city fund, and all bonds so forfeited shall be prosecuted and the amount thereof collected and paid into such fund.

(2) All bids hereunder shall be submitted in a sealed envelope and shall be filed with the officer in charge of the purchasing function prior to the opening time specified in the notice inviting bids. Such officer shall receive and be custodian of such bids and keep the same confidential until they are opened and declared.

(3) All bids received hereunder shall be publicly opened and declared at the time and at the place fixed in the notice inviting bids. Thereafter, the bids shall be tabulated and analyzed by the officer in charge of the purchasing function, who shall submit them, together with recommendations thereon, to the Chief Administrative Officer. The Chief Administrative Officer shall review the bids and submit them to the Council, along with his/her recommendations, at a duly scheduled meeting of the Council.

(4) The Council shall have the right to waive any informality or minor irregularity in a bid. The Council may reject any and all bids presented and may readvertise in its discretion.

(5) The provisions of this subsection (a) shall not apply to any of the following:

(i) A work of improvement obtained through a design build process if authorized pursuant to subsection (c) herein.

(ii) Work done by the city with its own personnel and/or equipment.

(iii) Materials, supplies, equipment or any public work of improvement obtained from or through any governmental agency.

(iv) When Council determines that the work to be done or the goods to be supplied can only be provided by one source, and the purchase is authorized by resolution of the Council containing a declaration of the facts constituting the sole source.

(v) When the purchase is deemed by Council to be of urgent necessity for the preservation of life, health or property, and such purchase is authorized by resolution passed by at least five affirmative votes of the Council and containing a declaration of the facts constituting the urgency.

(vi) For those instances when alternative bid forms, or additive or deductive items are included in bid specifications, Council may establish by ordinance the method that will be used to determine the lowest bid. The establishment of any such method by the Council will not preclude the city from adding to or deducting from the contract any of the additive or deductive items after the lowest responsive and responsible bidder has been determined. Nothing in this subsection (a) shall preclude the Council from establishing a method reserving to the Council the right to award, after consideration of the amount of the bids and the combination of work to be performed, to the lowest responsive and responsible bidder of any alternative bid form or any combination of bid prices on the base contract and additive and/or deductive items identified in the city specifications, when in Council's discretion it determines such award to be either in the best interests of the city

or obtains for the public the best economic result. Notwithstanding subdivisions (2) and (3) of this subsection (a), Council may establish by ordinance a method whereby the identity of the bidder is kept confidential until following Council's determination of the lowest bid.

(vii) The Council may by resolution or ordinance establish procedures and requirements for hearing appeals by any bidder who has been determined by the Chief Administrative Officer to be nonresponsive or nonresponsible. The Council may also by resolution or ordinance establish procedures and requirements for the debarment of any bidder who has been determined by the Council to be nonresponsible.

(b) Notwithstanding subsection (a) above, the Council may by ordinance authorize the officer in charge of the purchasing function, in the evaluation of any or all sealed bids for the purchase of materials, supplies, equipment and/or any public work of improvement, to extend up to a five percent preference for a local business in award of all contracts except for those contracts funded by the federal or state government when such funding would be jeopardized because of this preference. For purposes of this section, "local business" shall be as defined by Council within such ordinance.

(1) The amount of the preference shall be equal to the amount of the percentage applied to the lowest responsive and responsible bid.

(2) If the bidder submitting the lowest responsive and responsible bid is not a local business, and if a local business has also submitted a responsive and responsible bid, and, with the benefit of the preference, the local business's bid is equal to or less than the original lowest responsive and responsible bid, the city shall award the contract to the local business at its submitted bid price.

(3) The bidder shall certify, under penalty of perjury, that the bidder qualifies as a local business. The preference is waived if the certification does not appear on the bid.

(c) Council may by ordinance establish a "design build process" which may be utilized in lieu of a competitive bid process as required by this section for construction of any public work of improvement.

(d) To be valid hereunder, any contract with the city for property, goods, services, materials, supplies, equipment or work shall be in writing and approved as to form by the City Attorney.

(e) The city shall not be subject to the California Public Contract Code, in whole or in part, unless Council agrees by ordinance.

Certified to be a true copy by Henry Perea, Council President of the City Council, and Rebecca E. Klisch, City Clerk.

Date of Municipal Election: March 5, 2002.

## Charter Chapter 60—City of Long Beach

***Amendments to the Charter of the City of Long Beach***

[Filed with the Secretary of State November 27, 2002.]

Section 1. That Article IX of the Charter of the City of Long Beach be amended to read as follows:

**ARTICLE IX. PARKS AND RECREATION COMMISSION****Section 900. CREATION OF PARKS AND RECREATION COMMISSION.**

There is hereby created a Parks and Recreation Commission.

**Sec. 901. MEMBERSHIP AND TERMS OF PARKS AND RECREATION COMMISSION.**

The Parks and Recreation Commission shall be composed of seven (7) members who reside in the City of Long Beach. Each member shall be appointed by the Mayor, subject to confirmation by the City Council. No member shall hold an elective office in the City of Long Beach, during their term on the Commission.

The term of each member shall be four (4) years. No person shall serve more than two (2) full terms. Serving any portion of an unexpired term shall not count as serving one (1) term.

**Sec. 902. POWERS AND DUTIES OF THE PARKS AND RECREATION COMMISSION.**

The Parks and Recreation Commission shall have such exclusive authority over all leisure activities in public parks and recreational facilities, controlled or operated by the City, as may be prescribed by the City Council by ordinance; and with respect thereto shall have the following powers and duties:

(a) Recommend to City Manager and City Council the acquisition of land for public parks and public recreation, the dedication of public land for public parks, the removal of public land from dedication as park land, and the acquisition of buildings, waterways, or other facilities for public recreation.

(b) Recommend to the City Manager, City Council and Planning Commission the approval or rejection of plans for improvement of parkland for public recreation and for other purposes, including but not limited to buildings and other facilities, other than land and facilities within the tide and submerged lands granted to the City pursuant to Chapter 676, Statutes of 1911; Chapter 102, Statutes of 1925; Chapter 157, Statutes as of 1935; interpreted by Chapter 29, Statutes of 1958, First Extraordinary Session; Chapter 138, Statutes of 1964, First Extraordinary Session; and land and facilities situated in the local coastal zone in the City.

(c) Authorize the issuance of permits and agreements related to leisure activities in public parks and recreational facilities controlled or operated by the City.

(d) Establish fees for public recreational programs and use of public parks and recreation facilities.

(e) Perform such other duties as may be delegated by the City Council by ordinance.

Sec. 903. PUBLIC RECREATION TAX LEVY. (RESTATEMENT AND CONTINUATION BY RENUMBERING PRE-EXISTING CHARTER SEC. 202h, ADOPTED FEBRUARY 26, 1929)

The City Council shall annually levy and collect on all the taxable property in the City of Long Beach for the purposes of creating a special fund to be designated as the “Playground and Public Recreation Fund” at least five cents (5¢) on each One Hundred Dollars (\$100.00) of the value on all real and personal property of the City, as assessed by the City for City purposes, and, in addition thereto, shall have power to appropriate such additional funds as it may deem necessary and proper. Said funds shall be exclusively maintained and used to meet the legal demands and expenditures of the Board made for the purposes of public recreation.

Sec. 904. APPEAL TO CITY COUNCIL.

The City Council shall by ordinance establish a procedure for appeal to the City Council of Commission actions relating to City sponsored programs, services and facilities. By two-thirds (2/3) vote, the City Council shall have the power on any such appeal to affirm, modify or overrule the decision of the Commission.

Section 1. That Section 1803 of the Charter of the City of Long Beach be amended to read as follows:

Sec. 1803. PREFERENCE TO BUSINESSES LOCATED IN THE CITY.

In determining the lowest responsible bidder for furnishing materials, equipment, supplies, or non-professional services, the City may apply a local preference for businesses that hold a business license from the City and maintain a place of business within the City limits. The nature and amount of the local preference shall be established by the City Council by ordinance.

This section shall not be applicable unless payment is made solely from funds and revenues of the City, exclusive of funds and revenues derived from tidelands.

Certified to be a true copy by Elaine M. Marsh, Acting City Clerk.

Date of Election: November 5, 2002.

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Charter Chapter 61—City of San Luis Obispo

***Amendments to the Charter of the City of San Luis Obispo***

[Filed with the Secretary of State December 3, 2002.]

**SECTION 901. PUBLIC WORKS TO BE DONE BY CONTRACT**

(A) Except as provided in subsection (D) of this section, every project involving an expenditure of City monies of more than the amount specified in Section 20162 of the Public Contract Code of the State of California, as the same now exists or may hereafter be amended for the construction or improvement of public buildings, works, drains, sewers, utilities, parks, playgrounds, and streets (exclusive of projects for resurfacing, maintenance, and repair of streets) shall be let by contract

to the lowest responsible bidder after notice by publication in the official newspaper by one or more insertions the first of which shall be at least ten (10) calendar days before the time for opening bids.

(B) All bids shall be accompanied by either a certified or cashier's check, or a bidder's bond executed by a corporate surety authorized to engage in such business in California, made payable to the City. Such security shall be in an amount not less than that specified in the notice inviting bids or in the specifications referred to therein, or if no amount be so specified then in an amount not less than ten percent (10%) of the aggregate amount of the bid. If the successful bidder neglects or refuses to enter into the contract, within the time specified in the notice inviting bids or specifications referred to therein, the amount of the bidder's security shall be declared forfeited to the City and shall be collected and paid into its general fund and all bonds so forfeited shall be prosecuted and the amount thereof collected and paid into such fund. The Council may eject any and all bids presented and may readvertise at its discretion.

(C) The Council, after rejecting bids or if no bids are received, may declare and determine that, in its opinion, based on estimates approved by the City Administrative Officer, the work in question may be performed better or more economically the City with its own employees and after the adoption of a resolution to this effect by at least four (4) affirmative votes of the council and containing a declaration of the facts constituting such urgency.

(D) Nothing in this section shall be construed to apply to any project involving the expenditure of City monies by the City for public works in cooperation with a developer or subdivider for oversized facilities or such cooperative extension or replacement of mains and appurtenances. For those projects the City shall have the authority to make funds available to the cooperating developer or subdivider on a fixed formula basis established at least annually by Council resolution.

(E) Notwithstanding any provisions of this Charter to the contrary, the City may perform maintenance related projects using a unit price contract for all necessary labor, materials, and equipment provided such contracts are secured on a competitive basis as otherwise required by Public Contract Code Section 20128.5. The City Council shall establish by ordinance guidelines for the award and use of such unit price contracts, and may set an amount below which the City Administrative Officer may award such contracts.

(F) Notwithstanding any provision of this Charter to the contrary, public projects, as defined by the Uniform Public Construction Cost Accounting Act, Sections 22000 et seq. of the Public Contract Code, of one hundred thousand dollars (\$100,000) or less may be let to contract by informal procedures as set forth in Sections 22032 et seq. of that code. The City Council shall establish by ordinance guidelines for the use of such contracts.

Certified to be a true copy by Allen K. Settle, Mayor, and Lee Price, City Clerk.

Date of Election: November 5, 2002.

## Charter Chapter 62—City of San Mateo

***Charter of the City of San Mateo***

[Filed with the Secretary of State December 6, 2002.]

## ARTICLE I

NAME, BOUNDARIES, AND POWERS  
OF THE CITY

## Section 1.01. NAME OF THE CITY.

The municipal corporation now existing and known as the City of San Mateo shall remain and continue to be a body politic and corporate as at present, in name, in fact and in law.

## Section 1.02. BOUNDARIES.

The boundaries of said city shall be the same as now established, with power and authority to change the same as provided by law.

## Section 1.03. POWERS.

Said city, by and through its council and other officials, shall have, and may exercise, all powers necessary or appropriate to a municipal corporation and the general welfare of its inhabitants which are not prohibited by the constitution and which it would be competent for this Charter to set forth particularly or specifically, including all powers now or hereafter granted, and the specification herein of any particular powers shall not be held to be exclusive or any limitation of this general grant of powers.

## ARTICLE II

## LEGISLATIVE DEPARTMENT

## Section 2.01. COMPOSITION, ELIGIBILITY, ELECTION AND TERMS.

(a) There shall be a city council of five members elected by the voters of the city at large.

(b) No person shall be eligible to hold office as a member of the city council or for election thereto unless he or she is, and shall have been continuously for at least thirty days immediately preceding the appointment or final filing date for nomination papers for such office a qualified elector and resident of the city, or of territory annexed to or consolidated with the city.

(c) The members of the city council shall be elected by the voters of the city at a general municipal election to be held therein every odd-numbered year as hereinafter provided. Two council members shall be elected at the general municipal election to be held the year immediately preceding Leap Year, and three council members shall be elected at the general municipal election to be held the year immediately after Leap Year. They shall hold office for terms commencing the first regular council meeting in December and until the general municipal election the fourth year thereafter and the election and qualification of their successors. In the event two or more candidates receive the same number of votes and it is necessary for any reason to break the tie, the tie shall be broken by drawing lots under

the supervision of the city attorney at the earliest meeting of the council after such a tie has been determined.

(d) The incumbent city councilmembers holding office at the time this Charter takes effect, and the successors who fill any vacancies then existing, shall constitute the first council under this Charter and shall hold office until expiration of the terms for which they were elected or appointed. A vacancy then existing shall be filled as provided by and with the same effect as a vacancy under this Charter.

(e) Councilmembers shall not be eligible for election to nor serve more than three consecutive terms in office provided that no partial term of office shall be counted as any portion of the consecutive terms.

**Section 2.02. MAYOR.**

The Council shall elect from among its members officers of the city who shall have the titles of mayor and deputy mayor, each of whom shall serve at the pleasure of the council. The mayor shall preside at meetings of the council, shall be recognized as head of the city government for all ceremonial purposes and by the governor for purposes of military law, but shall have no administrative duties. The deputy mayor shall act as mayor during the absence or disability of the mayor.

**Section 2.03. COMPENSATION.**

The mayor and other members of the city council shall each receive \$600.00 per month compensation for their services as council. Compensation may be adjusted in the manner authorized by the general laws of the State for general law cities of the same population as San Mateo.

**Section 2.04. BENEFITS AND EXPENSES.**

Retirement, health and welfare, and social security benefits shall be in addition to, and not be included in, the amount of compensation authorized by this Charter. The mayor and other members of the city council shall receive their actual and necessary expenses incurred in the performance of their duties of office upon presentation of verified claims therefor on uniform forms to be prescribed by resolution of the city council.

**Section 2.05. GENERAL POWERS AND DUTIES.**

All powers of the city shall be vested in the council, except as otherwise provided by law or this Charter, and the council shall provide for the exercise thereof and for the performance of all duties and obligations imposed on the city by law.

**Section 2.06. PROHIBITIONS.**

(a) **Holding Other Office:** Except where authorized by law, no councilmember shall hold any other city office or city employment during the term for which he was elected or appointed by the council, and no former councilmember shall hold any compensated appointed city office or employment until one year after the expiration of the term for which he/she was elected or appointed to the council.

(b) **Appointments and Removals:** Neither the council nor any of its members shall in any manner dictate the appointment or removal of any city administrative or legal officers or employees whom the city manager, city attorney, or any of the city manager's subordinates are empowered to appoint, but the council may

express its views and fully and freely discuss with the city manager or city attorney anything pertaining to appointment and removal of such officers and employees. Where council approval of a proposed appointment is required a refusal to approve shall not be construed as a violation of this provision.

(c) Interference with Administration: Except for the purpose of inquiries and investigations specifically authorized by this Charter or by law, the council or its members shall deal with city officers and employees who are subject to the direction and supervision of the manager or city attorney solely through the city manager or city attorney, respectively, and neither the council nor its members shall give orders to any such officer or employee, either publicly or privately.

Section 2.07. FORFEITURE OF OFFICE.

Any councilmember shall forfeit his/her office who (1) fails to qualify within ten days after appointment or certification of election, or (2) is absent from the city continuously for more than thirty days without permission of a majority of the remaining councilmembers, or (3) fails to attend three consecutive regular meetings of the council without being excused by a majority of the remaining councilmembers, and the excuse entered in the minutes, or (4) fails to attend at least two-thirds of all regular meetings of the council during any twelve-month period, or (5) is convicted of a violation of any express provision of this Charter or of a crime involving moral turpitude, or (6) attempts to influence the city manager or city attorney in the making of any appointment or in the purchase of supplies, or (7) lacks at any time during his/her term of office any qualification for the office prescribed by this Charter or by law.

Section 2.08. VACANCIES IN OFFICE.

A vacancy on the city council from whatever cause arising shall be filled by appointment by the council provided, that if the council fails to agree or for any other reason does not fill such vacancy within thirty days after the same occurs, then such vacancy shall be filled by the mayor. The appointee shall hold office until the next general election, when a successor shall be chosen by the electors for the unexpired term. If for any reason the seats of a majority of the council become vacant, then the city clerk shall call a special election at once to fill the vacancies for the unexpired terms, and the same shall be conducted substantially in the manner provided for general municipal elections. The candidates receiving the most votes shall serve the longer, if any, of the unexpired terms, and in case of ties the terms shall be fixed by lot.

Section 2.09. MEETINGS. GENERALLY.

The council shall meet at the first regular council meeting in December following a general municipal election and canvass the returns thereof. The new members shall then be inducted into office, whereupon the council shall elect the mayor and deputy mayor. The regular meetings of the council shall be held on the first and third Monday of each month not earlier than 6:30 p.m., but any regular meeting may be adjourned to a date and time certain, which adjourned meeting shall be a regular meeting for all purposes. The council may, in its discretion,

change the date of any regularly scheduled Monday council meeting which would fall on a holiday or other inconvenient day to the nearest convenient day subsequent to the regularly scheduled Monday council meeting.

Except as otherwise provided by state law, all meetings shall be open to the public.

Section 2.10. PLACE OF MEETINGS.

All regular and adjourned regular meetings of the council shall be held in the City Hall, unless by reason of fire, flood or other disaster, the City Hall cannot be used for that purpose.

Section 2.11. SPECIAL MEETINGS.

Special meetings may be called and held in the manner and as provided from time to time by the general law of the state.

Section 2.12. RULES AND JOURNAL.

The council shall adopt rules for conducting its proceedings, and shall provide for keeping a journal of its proceedings, which shall be a public record. A reasonable number of copies of such rules shall be made available in the office of the city clerk for inspection by members of the public, and copies shall be furnished by the clerk upon payment of a reasonable charge for same.

Section 2.13. QUORUM.

A majority of the council shall constitute a quorum for the transaction of any business, but a less number may adjourn from time to time and compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance.

Section 2.14. VOTING.

The affirmative vote of at least a majority of the council shall be necessary to adopt any resolutions, and the affirmative vote of a majority of the council shall be sufficient for adoption of ordinances except where a larger vote shall be required by law or other provisions of this Charter. Such votes shall be taken by “ayes” and “noes” and entered upon the record.

Section 2.15. ORDINANCES, GENERALLY.

(a) All proposed ordinances introduced in the council shall be in printed or typewritten form. The enacting clause of all ordinances passed by the council shall read as follows: “The Council of the City of San Mateo ordains as follows:”. The enacting clause of all ordinances initiated by the people shall read as follows: “The People of the City of San Mateo ordain as follows:”.

(b) No ordinance other than an emergency ordinance shall be passed by the council on the day of its introduction, nor within five days thereafter, nor at any time other than a regular or adjourned regular meeting.

(c) A notice of the general nature of the proposed ordinance or a copy thereof, and of the time and place for its consideration by the council shall be given to those news media to whom notice of special meetings of the council would be required under the general law of the state. A reasonable number of copies of the proposed ordinance shall be made available for public inspection at reasonable

times in the clerk's office and at each of the city libraries, and such notice shall be given by the city clerk as soon as practicable following introduction of the ordinance. Failure to comply with this subsection shall not invalidate the ordinance, but a willful violation shall constitute a misdemeanor and malfeasance in office.

(d) A proposed ordinance may be amended or modified between the time of its introduction and the time of its final passage, provided its general scope and original purpose are retained. All ordinances shall be signed by the mayor and attested by the city clerk. Ordinances shall be published at least once in the official city newspaper before becoming effective; in lieu of publishing the full text of an ordinance, the city clerk may publish a summary of the scope and general purpose of the ordinance in the official city newspaper and post the full text of the ordinance in the office of the city clerk as well as publish the full text of an ordinance on the official city website.

#### Section 2.16. EMERGENCY ORDINANCES.

Any ordinance declared by the council to be necessary as an emergency measure for preserving the public peace, health, safety, or welfare and containing the reasons for its urgency, may be introduced and passed at one and the same meeting and, if passed by a majority of the council plus one, shall become effective immediately. As soon as practicable after its passage an emergency ordinance shall be published in the official city newspaper, but the validity of the ordinance shall not depend upon such publication. Every such ordinance, except one for emergency appropriations or calling an election, shall automatically stand repealed as of the ninety-first day following the date on which it was adopted, but this shall not prevent reenactment of the ordinance if the emergency still exists.

#### Section 2.17. INVESTIGATIONS.

The council may make investigations into the affairs of the city and the conduct of any city department, office or agency, and for this purpose may subpoena witnesses, administer oaths and affirmations, take testimony and require the production of evidence. Any person who fails or refuses to obey a lawful order issued in the exercise of these powers by the council shall be guilty of a misdemeanor.

#### Section 2.18. CITY ATTORNEY. POWERS AND DUTIES.

There shall be a city attorney who shall be appointed by and who shall serve at the pleasure of the council. The city attorney shall be an attorney at law licensed as such under the laws of this state, a specialist in municipal law, and must have been engaged in the practice of law for three years or have served in the capacity of municipal attorney or assistant municipal attorney for at least three years prior to appointment. The city attorney shall have the power and be required to:

(a) Serve as chief legal advisor to the council, the manager, and all city departments, offices and agencies.

(b) Prepare proposed ordinances and resolutions and advise the council as to their compliance with law and the provisions of this Charter, and draft contracts

and other legal documents required by the council or other officials except as may be otherwise provided.

(c) Prior to the general municipal election each two years to review all city ordinances and the Charter, and at the first regular meeting of the council after such election make recommendations to the council for amendments to or repeal of ordinances and enactment of new ordinances in the city attorney's opinion required to improve the ordinance code, and for any Charter amendments the city attorney may deem advisable.

(d) Attend all meetings of the council unless excused by the council or the mayor.

(e) Perform any other duties prescribed by law, this Charter, or ordinance, or as the council may from time to time require not inconsistent with law or this Charter.

The city council may authorize the city attorney to hire additional attorneys and personnel for the city attorney's legal staff. Except as may otherwise be provided in this Charter or in ordinances relating to personnel approved by vote of the people, the city attorney's staff shall be appointed by and serve at the pleasure of the city attorney.

The city attorney shall receive such compensation for services as the council shall determine. When the city attorney is an in-house employee of the city, the city council may remove the city attorney at any time by the affirmative vote of a majority of the council plus one.

#### Section 2.19. CONTROL OF LEGAL PROCEEDINGS.

Acting through the city attorney, the city council shall have control of all legal business and may employ additional attorneys to take charge of any litigation or matter or to assist the city attorney therein.

### ARTICLE III CITY MANAGER

#### Section 3.01. APPOINTMENT. QUALIFICATIONS. COMPENSATION.

There shall be a city manager who shall be appointed by and who shall serve at the pleasure of the city council. The city manager shall be appointed solely on the basis of the city manager's executive and administrative qualifications. The city manager shall receive such compensation for services as the council shall determine.

#### Section 3.02. REMOVAL.

The council may remove the city manager from office in accordance with the following procedures:

(a) The council shall adopt by affirmative vote of a majority of the council plus one a preliminary resolution which must state the reasons for removal and may suspend the city manager from duty for a period not to exceed forty-five days. A copy of the resolution shall be delivered promptly to the city manager.

(b) Within five days after a copy of the resolution is delivered to the manager, he may file with the council a written request for a public hearing. This hearing shall be held at a council meeting not earlier than fifteen days nor later than thirty days after the request is filed. The city manager may file with the council a written reply not later than five days before the hearing.

(c) The council may adopt a final resolution of removal, which may be made effective immediately, by affirmative vote of a majority of the council plus one at any time after five days from the date when a copy of the preliminary resolution was delivered to the city manager, if he has not requested a public hearing, or at any time after the public hearing if he has requested one.

(d) The city manager shall continue to receive his salary until the effective date of a final resolution of removal. The action of the council in suspending or removing the manager shall be final.

(e) During the period of suspension and after the effective date of a final resolution of removal the powers of the city manager shall be exercised by an acting city manager until a new city manager is appointed and qualifies.

#### Section 3.03. ACTING CITY MANAGER.

By letter filed with the city clerk the city manager shall designate a qualified city administrative officer to exercise the powers and perform the duties of the city manager during a temporary absence or disability. During such 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.

#### Section 3.04. POWERS AND DUTIES OF THE CITY MANAGER.

The city manager shall be the chief administrative officer of the city. The city manager shall be responsible to the council for the administration of all city affairs placed in his/her charge by or under this Charter. The city manager shall have the following powers and duties:

(a) To direct and supervise the administration of all departments, offices and agencies of the city, except as otherwise provided by this Charter or by law.

(b) To attend all council meetings, unless excused by the council or the mayor, and shall have the right to take part in discussion but may not vote.

(c) To see that all laws, provisions of this Charter and acts of the council, subject to enforcement by him/her or by officers subject to his/her direction and supervision, are faithfully executed.

(d) To prepare and submit the annual budget and capital program to the council.

(e) To submit to the council and make available to the public a report on the finances and administrative activities of the city as of the end of each fiscal year.

(f) To 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.

(g) To 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 desirable.

(h) To appoint such advisory boards as he/she may deem desirable to advise and assist him in his/her work, provided such boards shall not receive any compensation.

(i) At any time in his/her discretion, and with or without notice, examine or cause to be examined the conduct of any administrative officer or employee of the city.

(j) To perform such other duties as are specified in this Charter or may be required by the council.

#### ARTICLE IV GENERAL ADMINISTRATION

##### Section 4.01. OFFICERS AND EMPLOYEES. GENERALLY.

In addition to members of the city council, the mayor, city manager, and city attorney, the officers and employees of the City of San Mateo shall consist of those provided for in this Charter, and such other officers and employees as the council may provide by ordinance or resolution or as may be required by law from time to time.

##### Section 4.02. ADMINISTRATIVE DEPARTMENTS. GENERALLY.

The city council may provide by ordinance for the organization, conduct, creation, and operation of the departments of the city, and for their consolidation, alteration, or abolition. When the positions are not incompatible the city council may combine in one person the powers and duties of two or more officers. There shall be a separate Police Department, Fire Department, and Free Public Library, each of which shall remain as a separate department with its own department head, provided, however, that the city council may enter into agreements with other agencies for the consolidation and/or joint provision of police, library, and/or library services.

The city council may assign additional functions or duties to offices, departments or agencies.

No office provided by this Charter to be filled by appointment by the city manager may be consolidated with an office to be filled by appointment by the city council.

Subject to the provisions of this Charter, the city council shall provide for the number, titles, qualifications, powers, duties, compensation, benefits, and other conditions of employment of all officers and employees. Salaries shall be fixed by resolution.

##### Section 4.03. NEW DEPARTMENT.

Each department created by the city council shall be headed by an officer as department head who shall be appointed by and serve at the pleasure of the city manager.

Section 4.04. CITY MANAGER AS EX OFFICIO DEPARTMENT HEAD.

Except as inconsistent with law or this Charter, with the consent of the city council the city manager may serve as the head of one or more of the administrative departments or may appoint one person as the head of two or more of them.

Section 4.05. GENERAL DUTIES OF OFFICERS.

All officers who serve at the pleasure of the city manager shall have such duties as may be required of them by the city manager in addition to duties prescribed by law, by ordinance, or by this Charter.

Section 4.06. ADMINISTRATIVE EMPLOYEES. APPOINTMENT AND REMOVAL.

Except as may otherwise be provided in this Charter or in ordinances relating to personnel approved by vote of the people, all administrative officers and employees shall be appointed by and serve at the pleasure of the city manager. With the consent of the city council the city manager may authorize any administrative officer to exercise these powers with respect to subordinates in that officer's department.

Section 4.07. ADMINISTERING OATHS.

Each department head and deputies shall have the power to administer oaths and affirmations in connection with any official business pertaining to the department head's department.

Section 4.08. DELIVERY OF PROPERTIES TO SUCCESSORS.

All officers, boards, and commissions and members thereof shall surrender and deliver to their successors all official papers, books, documents, records, archives and other properties pertaining to their respective offices or departments in their possession or under their control.

Section 4.09. CITY CLERK. POWERS AND DUTIES.

There shall be a city clerk, who shall be appointed by and serve at the pleasure of the city manager. He/she shall be clerk of the council and keep an accurate record of all ordinances, resolutions and motions, shall have custody of the official seal and all official records committed to his/her care, make affidavits and administer oaths without charge in matters affecting the business of the city, conduct elections, and shall perform the duties of a city clerk as provided by the general law of the state except as inconsistent with this Charter, and such other duties required by this Charter.

Section 4.10. TREASURER/FISCAL DIRECTOR. POWERS AND DUTIES.

There shall be a city treasurer/fiscal director who shall be appointed by the city manager, subject to approval by the city council, and who shall serve at the pleasure of the city manager as the head of the finance department. The treasurer/fiscal director shall have the power and shall be required to receive and safely keep all money and securities belonging to the city, and pay out the same only on written authority of the city manager or other officer or officers designated by the

city manager or as otherwise authorized by law, this Charter or ordinances adopted pursuant thereto, and not otherwise. He/she shall also serve as ex officio tax and license collector for the city with the duties thereof as provided by ordinance or the general law of the state, unless the council by ordinance provides otherwise. The council may contract for the performance of the functions and duties of the treasurer/fiscal director.

Responsibility for the accounting system, accounts and controls, receipts and expenditures, and deposit and investment may be delegated by the city manager to the fiscal director. The fiscal director shall also have the power and be required to perform such other duties as are consistent with this Charter.

**Section 4.11. LIBRARIAN. POWERS AND DUTIES.**

There shall be a librarian who shall be appointed by the city manager with the approval of the library board of trustees. The librarian shall serve at the pleasure of the manager, subject, however, to the power of the library board of trustees by the affirmative vote of a majority plus one to disapprove the suspension or removal of the librarian. The librarian shall be the department head, and subject to other provisions of this Charter, shall have charge of administration of the city libraries.

**Section 4.12. PERSONNEL DIRECTOR. POWERS AND DUTIES.**

There shall be a personnel director who shall be appointed by and who shall serve at the pleasure of the city manager. The personnel director shall have the responsibility of attending all meetings of any board or commission established to advise or deal with personnel matters, and shall administer laws, rules and ordinances affecting employees in the classified service not specifically reserved to the city manager or other officer or board or commission, by law, ordinance or this Charter, and shall establish and keep records of all officials and employees in the classified service. The personnel director shall have had at least three years progressively responsible experience in personnel administration and such other qualifications as may be required by ordinance.

**Section 4.13. OATH OF OFFICE.**

Every officer, whether appointed or elected, shall take the constitutional oath of office and subscribe thereto before entering upon the performance of his/her official duties.

**ARTICLE V  
FISCAL ADMINISTRATION**

**Section 5.01. FISCAL YEAR.**

Unless changed by ordinance adopted by the affirmative vote of a majority of the council plus one, the fiscal year shall begin on the first day of July and shall end on the last day of June of the following year.

**Section 5.02. BUDGET.**

Each department of the city shall provide, in the form and at the time directed by the city manager, all information required by the city manager to develop a

budget, including capital accounts, conforming to modern budget practices and procedures as well as specific information which may be prescribed by the council. At least thirty days before the commencement of a fiscal year, the city manager shall prepare and present to the council in such form and manner as it may prescribe budget recommendations for the next succeeding fiscal year. Following a public budget hearing, the council shall adopt by resolution a budget of proposed expenditures and appropriations necessary therefor for the ensuing year, failing which the appropriations and budget for the fiscal year shall be deemed effective in the new fiscal year until the new budget and appropriation measures are adopted.

**Section 5.03. BUDGET LIMITATION.**

The total proposed budget expenditures shall not exceed estimated revenues.

**Section 5.04. UNEXPENDED AND UNOBLIGATED FUNDS.**

As a separate item in the proposed budget the city manager shall set forth the estimated total of the unexpended and unobligated funds from the preceding budget and include the same in the new budget as part of the estimated revenue for the ensuing fiscal year.

**Section 5.05. LIMITATION ON RESERVES FOR CONTINGENCIES.**

The council shall establish reserves which in its discretion are proper.

**Section 5.06. BUDGET NOTICES TO PUBLIC.**

On the first Monday and first Thursday in the last month of each fiscal year, the city manager shall cause to be published in the official city newspaper notice of the time for holding a public hearing on the budget. Copies of the proposed budget shall be made available for inspection by the public in the office of the city clerk at least ten days prior to said hearing, and copies of the proposed budget shall be furnished at a reasonable charge to persons requesting same upon payment therefor.

**Section 5.07. CAPITAL PROGRAM.**

(a) The city manager shall annually prepare and submit to the council a five-year capital program at the same time budget recommendations for the next succeeding fiscal year are submitted to the council by the city manager.

(b) The capital program shall include:

1. A clear, general summary of its contents.
2. A list of all capital improvements which are proposed to be undertaken during the five fiscal years next ensuing, with appropriate supporting information as to the necessity for such improvements.
3. Cost estimates, method of financing, and time schedules for each such improvement.
4. The estimated annual cost of operating and maintaining facilities to be constructed or acquired.

(c) The above information may be revised and extended each year with regard to capital improvements still pending or in process of construction or acquisition.

Section 5.08. CAPITAL IMPROVEMENT FUNDS.

The council shall create a capital improvement fund with such capital improvement accounts as may be required to finance the improvements specified in the creation of such accounts, and each such account shall remain inviolate except for the purposes for which it was created, whether general or specific unless the use of any such account for some other capital improvement purpose is authorized by the affirmative vote of at least a majority of the council plus one. When the purpose of any capital improvement account has been accomplished, the council may transfer any unexpended or unencumbered surplus remaining in such account to any other general or specific capital improvement account.

Section 5.09. COUNCIL ACTION ON CAPITAL PROGRAM.

On or before the last day of the first month of a current fiscal year the council, after due notice and public hearing, shall by resolution, adopt the capital program, with or without amendment thereto.

Section 5.10. OTHER FUNDS.

The council shall create such other special funds as are required for proper accounting and fiscal management, or required as a condition of receiving funds from any other government or to fulfill any bonded or other contractual obligation of the city.

Section 5.11. LEVY OF PROPERTY TAX. PROCEDURE FOR ASSESSMENT AND COLLECTION.

To the extent that the Constitution does not limit the setting of the ad valorem property tax rate, the city council shall: Not later than the date set by state law for this purpose, the council shall by resolution fix the rate of property tax to be levied and levy the tax upon all taxable property in the city. Such rate shall be adequate to meet all obligations of the city for the fiscal year, taking into account estimated revenue from all other sources. Should the council fail to fix the rate and levy taxes within the time prescribed, the rate for the next preceding fiscal year shall thereupon be automatically effective, and a tax at such rate shall be levied upon all taxable property in the city for the current fiscal year. The procedure for the assessment and collection of taxes upon property, taxable for municipal purposes, shall be prescribed by ordinance of the city council.

Section 5.12. DOLLAR LIMIT.

The amount of the annual tax levy shall not exceed the rate of One Dollar on each One Hundred Dollars assessed valuation, except for the tax to pay contractual obligations for employees' retirement, for maintenance and improvement of the parks, squares, public grounds, and public libraries of the city and other taxes excluded now or hereafter by the general law of the state. The foregoing limitation shall not apply in the event of any great necessity or emergency as declared by vote of a majority of the council plus one, in which case the rate may be suspended by ordinance for a period of not to exceed one year and a different rate established. Other than in such cases of great necessity or emergency no increase over the dollar limit shall be made in any fiscal year unless authorized by vote of the people.

**Section 5.13. SUPPLEMENTAL, EMERGENCY, AND LAPSED APPROPRIATIONS.**

(a) Supplemental Appropriations: If during the fiscal year the city manager certifies that there are available for appropriation revenues in excess of those estimated in the budget, the council by resolution may make supplemental appropriations for the year up to the amount of such excess. At any time during the fiscal year the city manager may transfer part or all of any unencumbered appropriation balance among programs within a department and, upon written request of the city manager, the council may by resolution transfer part or all of any unencumbered appropriation balance from one department to another; provided that no appropriation for debt service may be reduced or transferred, and no appropriation may be reduced below any amount required by law to be appropriated or by more than the amount of the unencumbered balance thereof.

(b) Lapsed Appropriations: Every appropriation, except an appropriation for a capital expenditure, grant funds, or other funds not within the budgeting authority of the city council, shall lapse at the close of the fiscal year to the extent that it has not been expended or encumbered.

**Section 5.14. ACCOUNTING SYSTEM.**

The city manager shall establish and maintain a system of financial procedures, accounts and controls for the city government and each of its departments, which shall conform to generally accepted principles of 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 the council may prescribe and as will be readily susceptible to audit and review.

**Section 5.15. RECEIPTS AND EXPENDITURES.**

All money received by the city shall be deposited in the city treasury and in institutions and investments authorized for cities by law, and no money shall be disbursed without the approval of the city manager or of another officer duly authorized by him/her. No expenditure of city funds shall be made except for the purposes and in the manner specified by an appropriation of the council; nor shall any disbursement be made unless obligations are properly supported by accounting evidence, sufficient money is available and there is an adequate unencumbered appropriation balance in the proper account classification. The city manager or other officer authorized by him/her to make disbursements shall be represented by the city attorney in all legal matters in connection therewith.

**Section 5.16. DEPOSIT AND INVESTMENT.**

The city manager shall arrange for the deposit in the city treasury and in institutions and investments authorized for cities by law of all funds collected by the city, according to a schedule prescribed by him/her. After taking into account the amounts necessary to meet the current and pending requirements of the city, the city manager may arrange for the term deposit in financial institutions authorized by law and investment in securities authorized by law of any balances available

for such purpose and the yield therefrom shall be credited as revenue to the general fund unless otherwise provided by law or directed by the council.

**Section 5.17. CASH POOL OPERATIONS. CHECK SYSTEM.**

The council may by ordinance provide for financing of municipal obligations by cash pool operations, and for utilization of a check system, or other system equivalent or comparable thereto, including credit and debit cards, rather than the warrant system. Except for those funds restricted by bond indentures, state or federal law, other sections of this Charter or specific conditions of the legislation creating them, temporary transfers between funds are permitted.

The council shall from time to time by ordinance provide for methods for issuance of checks, drafts and/or other orders for payment of money in the name of the city, and for authorized signatures to negotiable instruments drawn in the name of the city, and may authorize facsimile as well as actual signatures to be valid and binding on the city, and shall prescribe such system as it shall deem advisable to protect against unauthorized issuance of checks, drafts or other orders for payment of money in the name of the city.

**Section 5.18. PAYMENT OF SALARIES.**

All demands for salaries which are fixed by law, resolution, or this Charter, shall be allowed and paid regularly without the necessity of any specific approval for each payment.

**Section 5.19. SURPLUS BOND MONEY.**

All money derived from the sale of bonds, including premiums and accrued interest, shall be applied only to the purposes for which the bonds were issued. After such purposes have been fully completed and paid for, any remaining surplus shall be transferred to the fund established for meeting the interest and redemption of such bonds.

**Section 5.20. PURCHASES AND CONTRACTS.**

The city manager or an officer authorized by him/her shall purchase or contract for equipment, materials, supplies and public works required by the city in the manner prescribed by ordinance.

**Section 5.21. BIDS AND AWARDS.**

The council shall establish by ordinance the conditions and procedures for any purchase or contract, and establish advertising and bidding requirements, and may provide that all bids may be rejected. The ordinance may provide that under specified conditions which the awarding authority must find and determine to exist in each applicable instance, advertising and bidding may be dispensed with, except the ordinance may provide that where the expenditure required for a purchase or contract does not exceed a sum fixed by the ordinance advertising and bidding shall be dispensed with unless the council shall for a particular purchase or contract order advertising and bidding.

**Section 5.22. OFFICIAL BONDS.**

The council shall determine which officers and employees shall give bonds for the faithful performance of their official duties, and fix the amount of said bonds

and provide for payment of the premium of such bonds by the city. Such officers and employees, before entering upon their official duties, shall execute a bond to the city in the penal sum required, which bond shall include any other offices of which they may be ex officio incumbent. Said bonds shall be approved by the council and filed with the city clerk.

**Section 5.23. REVENUE BONDS.**

The council may issue revenue bonds for any lawful purpose in such manner and upon such terms and conditions as it may fix and establish by the provisions of a procedural ordinance.

**Section 5.24. PUBLIC IMPROVEMENTS AND STREET WORK.**

All public improvements, including improving, widening or opening of streets or highways, may be done under and in pursuance of the general law of the state or procedural ordinances adopted by the council or the electors, and the whole or any portion of the cost thereof paid by the city or assessed on the property benefited; provided that, except in a case of actual emergency the nature and existence of which is found and determined by resolution adopted by unanimous vote of the council, no public improvements to be financed by a bonded indebtedness of a city-wide district to be created under ordinances heretofore or hereafter enacted shall be made unless the indebtedness is authorized by vote of the people as required under state law for issuance of general obligation municipal bonds.

**Section 5.25. FRANCHISES.**

Every franchise, contract, or privilege for a public utility 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 utility, or for the use of public property or places now or hereafter belonging to the city, shall be granted by the city council pursuant to ordinance or the general laws of the State upon such terms and conditions as the city council deems proper.

No franchise, privilege, or contract shall be construed to impair or affect the right of the city to acquire the property of the grantee either by purchase or through the exercise of the right of eminent domain.

**Section 5.26. AUDITING.**

The council shall employ, by majority vote, a certified public accountant, or a firm of certified public accountants as independent auditor to conduct an annual audit and examination of the fiscal administration of the city. Copies of the annual audit and report shall, within a reasonable time after receipt thereof by the council, be furnished at a reasonable charge to persons requesting same upon payment therefor.

Unless the council shall by ordinance make other provision for the performance of the following functions, the independent auditor shall by contract also be required:

(a) To make such periodic examinations of the systems and procedures of the city for the receipt, disbursement, and accounting for funds of all types as are necessary to satisfy the auditor that such systems and procedures are efficient and give adequate protection for safeguarding city assets, protect against improper disbursements and assure reasonable protection against irregularity or defalcation.

(b) To make such sample tests, observations, inquiries and independent substantiations as are necessary to satisfy the auditor, within reason, that there is proper compliance with prescribed systems and procedures or in the operation thereof.

(c) To report the results thereof periodically to the city manager and the council, and report to the council instances of non-compliance with prescribed or recommended fiscal or accounting procedures where recommendations for compliance have not been implemented after reasonable time and opportunity.

The council may direct the city manager to report on the action taken or to be taken to remedy deficiencies reported by the auditor.

## ARTICLE VI BOARDS AND COMMISSIONS

### Section 6.01. LIBRARY BOARD OF TRUSTEES. POWERS AND DUTIES.

There shall be a library board of trustees consisting of five members which shall have the power and duty to:

(a) Exercise the sole responsibility for establishment from time to time of library department policy in selection of books, reading, visual, auditory and like material to be acquired or purchased and the classification thereof, subject, however, to limitations of the budget for such purposes.

(b) Make and enforce such bylaws, rules and regulations as maybe necessary or appropriate in the maintenance and operation of public libraries free to the permanent inhabitants and non-resident taxpayers of the city, including fines, penalties, and provision for collection of obligations to the library.

(c) Accept in the name of the city, money, personal property, or real property donated to the city for library purposes, subject to approval of the council, except that unless the council by ordinance provides otherwise, the board shall have the power to accept gifts other than real property in an amount or value of Five Hundred Dollars or less for library purposes or use without specific consent of the council where no obligation attaches to the city other than use for benefit of the libraries, and to hold, convert to cash, invest in insured savings, or expend same for the use and benefit of the libraries.

Funds received by way of gift or bequest for the benefit of the city libraries shall not be subject to appropriation for other purposes, nor other than as provided by the donors except as may be authorized by a court of competent jurisdiction.

(d) Hold in trust and provide for the proper application and use to the library of any gift, devise, or bequest in accordance with the terms and conditions thereof where payment into the city treasury is inconsistent with such terms and conditions, provided the council shall first have approved acceptance of such terms and conditions.

(e) Approve or disapprove the appointment of the librarian, and disapprove of the suspension or removal of the librarian by the affirmative vote of a majority plus one of the board.

(f) Sell or otherwise dispose of surplus books and other excess materials peculiar to a public library under such procedures and upon such conditions as the council shall by ordinance prescribe.

(g) Establish conditions under which non-residents may exercise library privileges.

(h) Serve in an advisory capacity to the librarian, city manager and council with respect to the establishment, maintenance, operation and management of the city libraries, and have and exercise such other powers, duties and responsibilities with respect to the libraries as may be prescribed by ordinance not inconsistent with law or this Charter.

The council may by ordinance from time to time prescribe appropriate procedures for the purchase of books and other materials peculiar to the libraries.

#### Section 6.02. LIBRARY FUND.

At such times that the council sets the tax rate, the council shall provide for maintaining the libraries and the operation thereof, and apportion the revenue thus provided to a fund designated in the budget as the library fund. Such tax shall be in addition to other taxes permitted in the municipality, but shall not exceed Thirty Cents per One Hundred Dollars assessed valuation. Payments from the library fund shall be made for all claims properly chargeable against the same.

#### Section 6.03. LIBRARY BOARD OF TRUSTEES. APPOINTMENT, REMOVAL, TERMS.

Members of the library board of trustees shall be appointed in the same manner and for the same terms, and subject to the same limitations, as in this Charter provided for city commissions in general, except that a member of the library board of trustees shall be subject to removal from office by action of the council only after being furnished on demand a written statement of the cause and being afforded an opportunity for a public hearing.

The incumbent members of the library board of trustees at the time this Charter takes effect, and any successor by appointment to fill any vacancy then existing, shall constitute the first library board of trustees under this Charter.

#### Section 6.04. PLANNING COMMISSION. OTHER BOARDS AND COMMISSIONS.

In addition to the library board of trustees there shall be a planning commission which shall have the powers and duties from time to time provided by law or by ordinance.

There shall also be such other boards and commissions as may from time to time be established by ordinance adopted by the council or approved by the people. Except as may otherwise be provided by this Charter, or ordinance of the council or ordinance approved by the people, all such other boards and commissions now or hereafter established shall be for advisory purposes only to the council, the city manager, or to departments within the city. A board or commission shall be considered to be advisory even if it is authorized to take final action subject to appeal to the city council.

**Section 6.05. COMPOSITION. QUALIFICATIONS. TERMS AND LIMITS OF TERMS.**

The members of all boards and commissions created by ordinance or by this Charter shall be appointed by the council, and shall at the time of appointment and while serving possess the same qualifications as required by this Charter for election or appointment to the council.

The number of members of such a board or commission shall not exceed the authorized number of members of the city council unless the ordinance establishing such additional number be approved by vote of the people or by unanimous vote of the council.

The members of such boards and commissions shall be appointed for terms of four years, except that if the ordinance provides, initial terms may be pared by lot as necessary so that each year one or more terms will expire.

The terms of office of existing boards or commissions having regular terms of more or less than four years shall be pared or extended as to incumbents in such manner as the city council shall determine so as to establish four-year terms in conformity with this section within two years after this Charter goes into effect.

No member of a board or commission shall be eligible for reappointment to the same board or commission after serving two consecutive four-year terms provided that no partial term of office shall be counted as any portion of the consecutive terms.

**Section 6.06. PAYMENT OF EXPENSES. PROHIBITION OF COMPENSATION.**

The members of such boards and commissions shall receive no compensation for their services as such, but may receive reimbursement for their actual and necessary expenses authorized by the city council and incurred in performance of their duties of office upon presentation of verified claims therefor on uniform forms to be prescribed by resolution of the city council.

**Section 6.07. APPROPRIATIONS FOR BOARDS AND COMMISSIONS.**

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.

**Section 6.08. REMOVAL FROM OFFICE. VACANCIES.**

Members of such boards and commissions shall serve at the pleasure of the city council, and any member may be removed by the vote of a majority of the council

plus one. If a member of a board or commission absents himself from three consecutive meetings unless by permission of the board or commission expressed in its minutes, or is convicted of a crime involving moral turpitude, or loses the qualifications required for appointment in the first instance, his office shall automatically become vacant and shall be so declared by the city council.

Any vacancies shall be filled by appointment by the city council for the remainder of the unexpired term.

**Section 6.09. SPECIAL COMMITTEES. LIMITATIONS.**

The city council may from time to time establish citizens or taxpayers' committees for specific advisory purposes only, and for periods not exceeding two years. Such a committee may be renewed or extended by action of the council anew for a period not exceeding the original term of the committee. The city council may include in its annual budget, or in interim appropriations, such funds as in its opinion shall be sufficient to accomplish the purpose of such committees.

**Section 6.10. EX OFFICIO MEMBERS.**

The city manager and the city attorney, or their representatives, and a representative from the city council, shall be ex officio members of all boards, commissions, and committees. The council may in the ordinance establishing any advisory board, commission, or committee provide for additional ex officio members who shall be appointed by the council for such terms as may be prescribed but who need not possess the qualifications required of regular members. Ex officio members shall have the same rights as official members including the right to attend meetings and participate in discussions, but shall not be entitled to vote.

**Section 6.11. POWER OF SUBPOENA. LIMITATIONS.**

No board, commission, or committee shall have the power of subpoena to compel attendance of witnesses, to examine them under oath, to compel production of evidence before it and to administer oaths and affirmations, unless such power shall be granted by ordinance approved by a majority of the city council plus one. The power of subpoena being so granted, the same may be exercised by issuance of subpoena by the city clerk upon application in writing by the city attorney, by the chairperson of the board, commission, or committee, or by a majority of the board, commission, or committee. Disobedience of a lawful order issued in exercise of such powers shall be a misdemeanor.

**Section 6.12. DECLARATION OF POLICY. CITIZEN PARTICIPATION.**

It is and shall be the policy of the City of San Mateo to foster a climate of human relations favorable to the full acceptance and participation of all citizens in the community in the economic, educational, political and cultural aspects of the community and opportunity to share in the benefits thereof without regard to race, religion, gender, national origin, or other factors which are prohibited from discrimination in appointments to local government boards, commissions, and committees by federal or state law.

To that end, and to secure for the city the benefit of the talents, skills and counsel of public-spirited and dedicated citizens in all areas of local government, it is the policy of the city that advisory boards, commissions and committees be established from time to time as the council deems appropriate in furtherance of community progress and harmony, and the solution of community problems.

## ARTICLE VII ELECTIONS

### Section 7.01. GENERAL MUNICIPAL ELECTIONS.

General municipal elections shall be held in the city on the first Tuesday after the first Monday in November of each odd-numbered year, in the manner provided by state law governing elections in general law cities; provided, that in the event any other election shall be held in the city in the month of November of the same year, the council may consolidate the general municipal election with such other election whenever practicable, and shall in any event call and schedule the general municipal election for the same date as any such other election.

### Section 7.02. SPECIAL MUNICIPAL ELECTIONS.

Special municipal elections may be called and held in accordance with and in the manner provided by state law governing elections in general law cities.

### Section 7.03. INITIATIVE, REFERENDUM AND RECALL.

The people of the city reserve to themselves the powers of initiative, referendum, and the recall of elected officials, to be exercised in accordance with and in the manner provided by state law governing general law cities.

### Section 7.04. VERIFIED STATEMENT OF CANDIDATES.

(a) No earlier than the first day, and no later than the last day, specified or provided under state law for the filing of nomination papers by any candidate for elective municipal office in general law cities, as such law shall be in effect on the first day of January next preceding the municipal election, each candidate for an elective office shall file with the city clerk a statement containing the following information in the order herein set forth:

1. His/her name;
2. The office for which he/she is a candidate;
3. His/her present residence and occupation;
4. The various kinds of business or employment he/she has been engaged in during the past five years and where, also the positions of importance and trust which he/she may have held in connection therewith;
5. The civic, improvement or other organizations which he/she has been a member of within the past five years and the positions of honor or trust, which he/she may have held therein;
6. The public offices he/she ever held, if any, as principal, deputy or employee;
7. The experience, training or education he/she has received which, in his/her opinion, would qualify him to fill the office for which he/she is a candidate;

8. The length of time he/she has been a resident in the city;
  9. The principal public improvements or betterments which he/she would urge the accomplishment of if elected;
  10. The names of not more than fifteen residents who know something of his/her character and abilities;
  11. Any other information which, in his/her opinion, would enable the electors to determine his qualifications for said office.
- (b) Said statement shall be verified, and be accompanied by a photograph of the candidate taken within the past two years.
- (c) The city clerk shall cause the publication of the statements of each candidate so filed, with the candidate's photo engraving annexed thereto, in the official city newspaper by two insertions therein prior to the day of election. No response to any one of the various requirements above-mentioned shall exceed one hundred words in length.
- (d) The failure to submit the statement or other information shall not disqualify the candidate.

## ARTICLE VIII PARKS

### Section 8.01. DEDICATION FOR PARK PURPOSES.

Lands owned by the City which are more than four acres in size and which are dedicated by ordinance of the City Council for park, playground, recreation, or open space purposes shall not thereafter be sold or otherwise disposed of, nor converted to different purposes, except pursuant to majority vote of the electorate. The City Council may lease such dedicated lands for park, playground, recreation, or open space purposes. "Majority vote of the electorate" shall mean majority of the persons voting on the measure.

### Section 8.02. CONVEYANCE OF MINOR PORTION.

Without an election, the City Council may convey a minor portion of such dedicated lands after (a) notice and public hearing, (b) determination that the conveyance is in the public interest, and (c) adoption of a resolution authorizing the conveyance.

## ARTICLE IX MISCELLANEOUS

### Section 9.01. PERSONAL FINANCIAL INTEREST.

City officers and employees shall comply with the general law regarding disclosure of and disqualification on account of personal financial interests.

### Section 9.02. PROHIBITIONS.

#### (a) Activities Prohibited:

1. No person shall be appointed to or removed from, or in any way favored or discriminated against with respect to any city position or appointive city administrative office on account of any matter that constitutes employment discrimination in state or federal law.

2. No person shall willfully make any false statement, certificate, mark, rating or report in regard to any test, certification, or appointment under the personnel provisions of this Charter, or ordinances relating to personnel, or rules and regulations made thereunder, or in any manner commit or attempt to commit any fraud preventing the impartial execution of such provisions, rules and regulations.

3. No person who seeks appointment or promotion with respect to any city appointive position or appointive city office shall directly or indirectly give, render or pay any money, service or other valuable thing to any person for or in connection with his/her test, appointment, proposed appointment, promotion or proposed promotion.

4. No city officer or employee shall grant special consideration, treatment, advantages, or use of city-owned property to himself/herself or any citizen beyond that which is available to every other citizen, nor shall any city officer or employee charge or collect any fee, commission or percentage by way of compensation to himself/herself.

(b) Penalties: Any person who alone or with others willfully violates any of the foregoing provisions of this section shall be guilty of a misdemeanor. Any person convicted under this section shall be ineligible for a period of five years thereafter to hold any office or position with the city, and, if an officer or employee of the city, shall immediately forfeit his office or position.

(c) The council may by ordinance define, prohibit, and provide penalties for substantial conflicts of personal interest of city officers and employees.

#### Section 9.03. NEPOTISM.

The city council shall not appoint to a salaried position under the city government, or to any board or commission, 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 any department head or other officer having appointive power appoint any relative of his/her or of one or more of the members of such city council within such degree to any such position.

#### Section 9.04. DUAL OFFICES.

Any elective officer of the city who shall accept or retain any other incompatible elective public office shall be deemed thereby to have vacated his/her office under the city government.

#### Section 9.05. VIOLATIONS OF CHARTER AND ORDINANCES.

The violation of any express provision of this Charter shall be deemed to be a misdemeanor as well as any violation specifically declared herein to be a misdemeanor. Such violations shall be punishable by fine not exceeding One Thousand Dollars or by imprisonment for not exceeding six months, or by both such fine and imprisonment. The violation of an ordinance shall be punishable as in the ordinance. The city council by ordinance may establish civil penalty provisions.

#### Section 9.06. MUNICIPAL AFFAIRS.

The city may adopt and enforce all ordinances, resolutions, and regulations in respect to municipal affairs, subject only to restrictions and limitations provided

in this Charter and the Constitution of the State of California. It shall also have the power to exercise any and all rights, powers, and privileges, including proprietary powers, heretofore or hereafter established, granted, or prescribed by any law of the State, by this Charter, or by any other lawful authority, or which a municipal corporation might or could exercise under the Constitution of the State of California, including all powers not in conflict with the provisions of this Charter now or hereafter granted to cities organized under the general law of the State of California. The enumeration in this Charter of any power shall not be held to be exclusive of or a limitation upon this general grant of power. To the extent permissible by law, general laws of the State, even in the absence of council action, shall not be of any force or effect insofar as they attempt to regulate municipal affairs.

**Section 9.07. OFFICIAL CITY NEWSPAPER.**

The council periodically shall advertise for or call for the submission of sealed proposals or bids from all newspapers adjudicated to be newspapers of general circulation within the city, or if none, then from newspapers adjudicated to be newspapers of general circulation within the County of San Mateo, for the publication of all ordinances and other legal notices required to be published. The council may designate the requirements for award of contract. The contract therefor shall be awarded to the lowest responsible bidder, provided the rates for such publication shall not exceed the customary rate charged for publishing legal notices of a private character. The newspaper to whom such contract is awarded shall be known and designated as the official city newspaper.

In the event no such newspaper will contract with the city as herein provided, or if the official city newspaper is not published, then notice of the matters required to be published in the official city newspaper shall be given by posting copies thereof at three or more public places in the city as designated by the council, and such posting shall be equivalent to legal publication.

**Section 9.08. DEFINITIONS.**

Unless the provision or the context requires otherwise, as used in this Charter: “shall” is mandatory and “may” is permissive; “law”, “state law”, “general law”, and similar terms, mean the law as it now exists or may hereafter be enacted applicable to general law cities in this state; “state” means the State of California; “county” means the County of San Mateo; “city” means the City of San Mateo; nouns or pronouns includes the masculine, feminine, and the neuter, and the singular includes the plural.

**Section 9.09. SEVERABILITY.**

If any section or subsection of this Charter, or the application thereof, is held invalid, that invalidity shall not affect the validity and enforceability of any other section or subsection and this Charter shall continue in full force and effect as if the invalid section or subsection were not a part of the Charter.

ARTICLE X  
TRANSITIONAL PROVISIONS

Section 10.01. CONTINUING OFFICERS AND EMPLOYEES.

Until the election or appointment and induction into office of the officers and employees in this Charter provided for, the present officers and employees shall without interruption, continue to perform the duties of their respective offices and employments, and until otherwise provided by ordinance or resolution adopted pursuant to this Charter.

Section 10.02. CONTINUING ORDINANCES IN FORCE.

All lawful ordinances, resolutions, and regulations in force at the time this Charter takes effect, and not inconsistent with its provisions, are hereby continued in force so far as not inconsistent until the same shall have been duly amended, repealed, or superseded. To the extent the same are inconsistent or interfere with the effective operation of this Charter or of ordinances or resolutions adopted pursuant thereto they are repealed as of the effective date of this Charter.

Section 10.03. CONTINUING CONTRACTS IN FORCE.

All vested rights of the city shall continue and shall not in any manner be affected by the adoption of this Charter; nor shall any right, liability, pending suit or prosecution, either in behalf of or against the city, be affected by the adoption of this Charter. All contracts entered into by the city prior to the taking effect of this Charter shall continue in full force and effect. All public work begun prior to the taking effect of this Charter shall be continued and perfected hereunder.

Section 10.04. WHEN CHARTER EFFECTIVE. TEMPORARY ORDINANCES.

This Charter shall go into effect for all purposes at the first regular meeting of the city council following approval of this Charter by the legislature. At that meeting or at any meeting held within sixty days thereafter the council may adopt temporary ordinances, plainly labeled as such, to deal with cases of urgent need for prompt action connection with transition of government in which delay incident to appropriate ordinance procedures would probably cause serious hardship or impair effective city government. Such a temporary ordinance may be adopted with or without amendment at the meeting at which it is introduced and may be made effective immediately, and shall not be subject to the referendum, but it shall stand repealed on the ninety-first day following its adoption and shall not be renewed or otherwise extended as a temporary or emergency ordinance. It shall be published in the same manner as an emergency ordinance.

Certified to be a true copy by Sue Lempert, Mayor, and Norma Gomez, City Clerk.

Date of Election: November 5, 2002.

## Charter Chapter 63—City of Indian Wells

*Charter of the City of Indian Wells*

[Filed with the Secretary of State December 20, 2002.]

## PREAMBLE

We the people of the City of Indian Wells declare our intent to restore to our community the historic principles of self governance inherent in the doctrine of home-rule. Sincerely committed to the belief that local government has the closest affinity to the people governed, and firm in the conviction that the economic and fiscal independence of our local government will promote the health, safety and welfare of all the citizens of this City, we do hereby exercise the express right granted by the Constitution of the State of California to enact and adopt this Charter for the City of Indian Wells.

## Article I—Municipal Affairs: Generally

Section 100. Municipal Affairs. The City shall have full power and authority to adopt, make, exercise and enforce all legislation, laws, and regulations and to take all actions relating to municipal affairs, without limitation, subject only to such limitations and restrictions as may be provided in this charter and the Constitution of the State of California. Without limiting in any manner the foregoing power and authority, each of the powers, rights, and responsibilities described in this Charter is hereby declared to be a municipal affair, the performance of which is unique to the benefit and welfare of the citizens of the City of Indian Wells.

## Article II. CONTRACTS, PUBLIC FINANCING AND REVENUES

Section 200. Public Works. The City shall have the power to establish standards, procedures, rules or regulations to regulate all aspects of the bidding, award and performance of any public works contract, including, but not limited to, the compensation rates to be paid for the performance of such work.

Section 201. Public Financing. The City shall have the power to establish standards, procedures, rules or regulations related to any public financing.

Section 202. Utility Franchises. The City shall have the power to adopt any ordinance providing for the acquisition, development, or operation by the City of any public utility. The City shall have the power to adopt any ordinance providing for the granting of a franchise, license or permit to any public utility not owned by the City which proposes to use or is using City streets, highways or other rights-of-way.

Section 203. Enterprises. The City shall have the power to engage in any enterprise deemed necessary to produce revenues for the general fund or any other fund established by the City Council to promote a public purpose.

Section 204. Economic Development. The City shall have the power to utilize revenues from the general fund to encourage, support and promote economic development.

Section 205. Reductions Prohibited. 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 any other level of government.

Section 206. Mandates Limited. 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.

#### Article III—General Laws

Section 300. General Law Powers. In addition to the power and authority granted by the terms of this Charter and the Constitution of the State of California, the City shall have the power and authority to adopt, make, exercise and enforce all legislation, laws and regulations and to take all actions and to exercise any and all rights, powers, and privileges heretofore or hereafter established, granted or prescribed by any law of the State of California or by any other lawful authority. In the event of any conflict between the provisions of this Charter and the provisions of the general laws of the State of California, the provisions of this Charter shall control.

#### Article IV—Interpretation

Section 400. Construction and Interpretation. The language contained in this Charter is intended to be permissive rather than exclusive or limiting and shall be liberally and broadly construed in favor of the exercise by the City of its power to govern with respect to any matter which is a municipal affair.

Section 401. Severability. If any provision of this Charter should be held by a court of competent jurisdiction to be invalid, void or otherwise unenforceable, the remaining provisions shall remain enforceable to the fullest extent permitted by law.

Certified to be a true copy by Conrad Negron, Sr., Mayor, and Anna Grandys, Management Services Department.

Date of Election: November 5, 2002.

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### Charter Chapter 64—City of Cypress

#### *Amendments to the Charter of the City of Cypress*

[Filed with the Secretary of State December 20, 2002.]

Third: Article VI, Section 600 of the Cypress City Charter is amended to read:

Section 600. City Manager. Selection and Qualifications. There shall be a City Manager who shall be the chief administrative officer of the City. The Council shall appoint the person who it believes to be best qualified on the basis of his executive and administrative qualifications, with special reference to his experience in, and his knowledge of, accepted practice in respect to the duties of the office as set forth in this Charter.

The City Manager shall engage in no other business or occupation, except as may be permitted by the affirmative vote of four members of the Council.

The affirmative vote of a majority of the members of the Council shall be required to remove the City Manager from office, provided the City Manager shall not be removed by the Council within 90 days after a councilmanic election. The Council may by ordinance adopt procedures for the removal of the City Manager from office.

Fourth: Article VIII, Section 802 of the Cypress City Charter is amended to read:

Section 802. Appointments. Terms. The number of members of boards and commissions shall be specified by the Council. Except as otherwise provided by ordinance, each member of each board or commission shall be appointed for a term of four years and shall serve until his successor qualifies. All such appointments shall be made and appointees shall be subject to removal of the Council adopted by at least three affirmative votes. In the event an incumbent is removed or otherwise vacates his office, his successor shall be appointed for the unexpired term of said office.

Fifth: Article VIII, Section 805 of the Cypress City Charter is amended to read:

Section 805. Compensation. Vacancies. The members of boards and commissions shall receive such compensation as may be specified by the Council and shall also receive reimbursement for necessary traveling and other expenses incurred on official duty when such expenditures have received authorization by the Council.

Any vacancy in any board or commission, from whatever cause arising, shall be filled by appointment by the Council. Any appointment to fill such vacancy shall be for the unexpired term of said office.

Sixth: Severability: If any part of this charter amendment is held to be invalid for any reason, such decision shall not affect the validity of the remaining provisions of the amendment, and we hereby declare that we would have voted for the amendment if such invalid portion thereof had been deleted.

Certified to be a true copy by Frank S. McCoy, Mayor, and Jill R. Ingram-Guertin, City Clerk.

Date of Municipal Election: November 5, 2002.

## Charter Chapter 65—City of Berkeley

***Amendments to the Charter of the City of Berkeley***

[Filed with the Secretary of State December 20, 2002.]

Third paragraph of Section 19 of Article V is amended to read as follows:

The School Directors shall receive remuneration for the performance of their official duties at the rate of \$1,500 per month, effective the School Board term beginning in December, 2002. Any School Director absent from one or more regular meetings of the Board of Education during any calendar month unless excused by the Board in order to attend to official business of the Board, shall be paid for each regular meeting of the Board attended during such month an amount equal to the monthly remuneration divided by the number of regular meetings held during each month. Any School Director may, at his or her sole discretion, reduce the remuneration paid himself or herself. In any such case, the difference between the reduced amount actually paid to such Director and the amount of remuneration authorized by this Article may be used by such Director for the expenses of conducting official business. The City Council is authorized and directed to increase the remuneration authorized by this chapter for School Directors by the cost of living in the immediate San Francisco Bay Area.

Certified to be a true copy by Tom Bates, Mayor, and Sherry M. Kelly, City Clerk.

Date of Municipal Election: November 5, 2002.

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 Charter Chapter 66—City of Santa Monica
***Amendments to the Charter of the City of Santa Monica***

[Filed with the Secretary of State December 20, 2002.]

Section 1800. Statement of purpose.

A growing shortage of housing units resulting in a low vacancy rate and rapidly rising rents exploiting this shortage constitute a serious housing problem affecting the lives of a substantial portion of those Santa Monica residents who reside in residential housing. In addition, speculation in the purchase and sale of existing residential housing units results in further rent increases. These conditions endanger the public health and welfare of Santa Monica tenants, especially the poor, minorities, students, young families, and senior citizens. The purpose of this Article, therefore, is to alleviate the hardship caused by this serious housing shortage by establishing a Rent Control Board empowered to regulate rentals in the City of Santa Monica so that rents will not be increased unreasonably and so that landlords will receive no more than a fair return.

In order to accomplish this purpose, this Article provides for an elected Rent Control Board to ensure that rents are at a fair level by requiring landlords to

justify any rents in excess of the rents in effect one year prior to the adoption of this Article. Tenants may seek rent reductions from the rent in effect one year prior to the adoption of this Article by establishing that those rents are excessive. In addition to giving tenants an opportunity to contest any rent increase, this Article attempts to provide reasonable protection to tenants by controlling removal of controlled rental units from the housing market and by requiring just cause for any eviction from a controlled rental unit.

Through this Article, the City exercises its police power in order to address the serious housing problem recognized in the original enactment of this Rent Control Law in 1979 and still existing in 2002. The 1984 and the 2002 Amendments to the Rent Control Law are intended to clarify the law and ensure that the Rent Control Board possesses adequate and independent authority to carry out its duties. They are intended to ensure due process of law for landlords and tenants, effective remedies for violation of the law, and consistency with constitutional requirements. They are also intended to enable the Board to provide relief to persons facing particular hardship and to protect and increase the supply of affordable housing in the City. Termination or erosion of the protections of this Article would have serious disruptive consequences for persons in need of protection and the supply of affordable housing in the City.

Section 1801 of the City Charter of the City of Santa Monica is amended to read as follows:

Section 1801. Definitions.

The following words or phrases as used in this Article shall have the following meanings:

(a) Board. The term “Board” refers to the elected Rent Control Board established by this Article.

(b) Commissioners. The members of the Board and Interim Board are denominated Commissioners.

(c) Controlled Rental Units. All residential rental units in the City of Santa Monica, including mobile homes, and mobile home spaces, and trailers and trailer spaces, except single family homes to the extent provided for in Section 1815 and those units found by the Board to be exempt under one or more of the following provisions:

(1) Rental units in hotels, motels, inns, tourist homes and rooming and boarding houses which are rented primarily to transient guests for a period of less than fourteen (14) days.

(2) Rental units in any hospital, convent, monastery, extended medical care facility, asylum, non-profit home for the aged, or dormitory owned and operated by an institution of higher education.

(3) Rental units which a government unit, agency or authority owns, operates, manages, or in which governmentally subsidized tenants reside only if applicable Federal or State law or administrative regulation specially exempt such units from municipal rent control.

(4) Rental units in owner-occupied dwellings with no more than three (3) units. For purposes of this Section:

(i) The term “owner” means a natural person who owns a fifty (50) percent ownership interest in the building and resides on the property as his or her principal place of residence.

(ii) An exemption under this Section shall expire by operation of law when the owner ceases to reside on the property as his or her principal place of residence; thereafter, all units on the property shall be subject to all provisions of this Article.

(5) Rental units and dwellings constructed after the adoption of this Article; this exemption does not apply to units created as a result of conversion as opposed to new construction.

(6) Where a unit is actually used for purposes of providing, on a nonprofit basis, child care or other residential social services in accordance with applicable laws. This exemption shall expire when the use upon which exemption is based ceases. This exemption shall only apply to units as they become vacant and shall only operate to allow the specified use without the necessity of obtaining a removal permit under this Article. This exemption shall not be construed to authorize the eviction of any tenant nor to authorize the charging of rent in excess of that permitted under this Article. The Board may adopt regulations to determine whether a unit qualifies for an exemption under this Section.

(7) Exemptions are not automatic but shall be granted by the Board upon application by the owner pursuant to Board rules, provided that if the Board does not act upon a completed application for exemption within ninety (90) days of its filing it shall be deemed approved.

(d) Housing Service. Housing services include, but are not limited to repairs, maintenance, painting, providing light, hot and cold water, elevator service, window shades and screens, storage, kitchen, bath and laundry facilities and privileges, janitor services, refuse removal, furnishings, telephone, parking, the right to have a specified number of occupants, and any other benefit, privilege or facility connected with the use or occupancy of any rental unit. Services to a rental unit shall include a proportionate part of services provided to common facilities of the building in which the rental unit is contained.

(e) Landlord. An owner, lessor, sublessor or any other person entitled to receive rent for the use and occupancy of any rental unit, or an agent, representative or successor of any of the foregoing.

(f) Rent. All periodic payments and all nonmonetary consideration including but not limited to, the fair market value of goods or services rendered to or for the benefit of the landlord under an agreement concerning the use or occupancy of a rental unit and premises including all payment and consideration demanded or paid for parking, pets, furniture, subletting and security deposits for damages and cleaning.

(g) Rental Housing Agreement. An agreement, oral, written or implied, between a landlord and tenant for use or occupancy of a rental unit and for housing services.

(h) Rental Units. Any building, structure, or part thereof, or land appurtenant thereto, or any other rental property rented or offered for rent for living or dwelling house units, together with all housing services connected with use or occupancy of such property such as common areas and recreational facilities held out for use by the tenant.

(i) Tenant. A tenant, subtenant, lessee, sublessee or any other person entitled under the terms of a rental housing agreement to the use or occupancy of any rental unit.

(j) Recognized Tenant Organization. Any group of tenants residing in controlled rental units in the same building or in different buildings operated by the same management company, agent or landlord, who requests to be so designated.

(k) Rent Ceiling. Rent ceiling refers to the limit on the maximum allowable rent which a landlord may charge on any controlled rental unit.

(l) Base Rent Ceiling. The maximum allowable rent established in Section 1804(b).

(m) Property. All rental units on a parcel or lot or contiguous parcels or contiguous lots under common ownership.

(n) Single Family Home. A property that has been developed with only one one-family dwelling and any lawful accessory structures, or a lawfully created condominium, stock cooperative or similar unit that is part of a larger residential structure or complex, excepting those condominiums, stock cooperatives, or similar units converted after April 10, 1979 for which no removal permit or vested right determination has been issued by the Board, and those created pursuant to Article XX of this Charter.

Section 1804 of the City Charter of the City of Santa Monica is amended to read as follows:

Section 1804. Maximum allowable rents.

(a) Temporary Freeze. Rents shall not be increased during the one hundred-twenty (120) day period following the date of adoption of this Article.

(b) Establishment of Base Rent Ceiling. Beginning one-hundred-twenty (120) days after the adoption of this Article, no landlord shall charge rent for any controlled rental units in an amount greater than the rent in effect on the date one year prior to the adoption of this Article. The rent in effect on that date is the base rent ceiling and is a reference point from which fair rents shall be adjusted upward or downward in accordance with Section 1805. If there was no rent in effect on the date one year prior to the adoption of this Article, the base rent ceiling shall be the rent that was charged on the first date that rent was charged following the date one year prior to the adoption of this Article. For tenancies commencing on or after January 1, 1999, which qualify for a vacancy rent increase pursuant to state law,

the base rent ceiling is the initial rental rate in effect on the date the tenancy commences. As used in this subsection, the term “initial rental rate” means only the amount of rent actually paid by the tenant for the initial term of the tenancy.

(c) Posting. As soon as the landlord is aware of the maximum allowable rent, the landlord shall post it for each unit in a prominent place in or about the affected controlled rent units. The Board may require that other information it deems relevant also be posted.

Section 1806 of the City Charter of the City of Santa Monica is amended to read as follows:

Section 1806. Eviction.

(a) No landlord shall take action to terminate any tenancy including, but not limited, to making a demand for possession of a rental unit, threatening to terminate a tenancy, serving any notice to quit or other eviction notice or bringing any action to recover possession or be granted recovery of possession of a controlled rental unit unless:

(1) The tenant has failed to pay the rent to which the landlord is entitled under the rental housing agreement and this Article.

(2) The tenant has committed material and substantial breach of an obligation or covenant of his or her tenancy which the landlord has not waived either expressly or impliedly through the landlord’s conduct and which the landlord is not estopped from asserting, other than the obligation to surrender possession upon proper notice, and the tenant has failed to cure such violation after having received written notice thereof from the landlord in the manner required by law.

Notwithstanding any contrary provision in this Section, and notwithstanding any contrary provision in the rental housing agreement, a landlord shall not take any action to terminate a tenancy based on a tenant’s sublease of the unit if the following requirements are met:

(i) The tenant continues to reside in the rental unit.

(ii) The sublease replaces a departed tenant(s) under the rental agreement on a one-for-one basis.

(iii) The landlord has unreasonably withheld the right to sublease following written request by the tenant. If the landlord fails to respond to the tenant in writing within fourteen (14) days of receipt of the tenant’s written request, the tenant’s request shall be deemed approved by the landlord.

(3) The tenant is committing or expressly permitting a nuisance in, or is causing substantial damage to, the controlled rental unit, or is creating a substantial interference with the comfort, safety, or enjoyment of the landlord or other occupants or neighbors of the same.

(4) The tenant is convicted of using or expressly permitting a controlled rental unit to be used for any illegal purpose.

(5) The tenant, who had a rental housing agreement which had terminated, has refused, after written request or demand by the landlord, to execute a written extension or renewal thereof for a further term of like duration and in such terms

as are not inconsistent with or violative of any provisions of this Article and are materially the same as in the previous agreement.

(6) The tenant has refused the landlord reasonable access to the controlled rental unit for the purposes of making necessary repairs or improvements required by the laws of the United States, the State of California or any subdivision thereof or for the purpose of showing the rental housing to any prospective purchaser or mortgagee.

(7) The tenant holding at the end of the term of the rental housing agreement is a subtenant not approved by the landlord.

(8) The landlord seeks to recover possession in good faith for use and occupancy by herself or himself, or her or his children, parents, grandparents, brother, sister, father-in-law, mother-in-law, son-in-law, or daughter-in-law. For purposes of evictions under this Subsection:

(i) A “landlord” shall be defined as a natural person who has at least a fifty (50) percent ownership interest in the property.

(ii) No eviction may take place if any landlord or enumerated relative already occupies one unit on the property, or if a vacancy already exists on the property and the vacant unit is comparable to the unit for which eviction is sought. Where the vacant unit is determined not to be comparable, thereby permitting eviction under this Subsection, the evicted tenant or tenants shall be first given the right to occupy the vacant unit and the rent thereof shall be the lesser of the maximum allowable rent for the vacant unit and the maximum allowable rent of the unit from which the tenant or tenants are evicted. The Rent Control Board shall promulgate regulations defining when a unit is comparable for purposes of this paragraph.

(iii) The notice terminating tenancy shall contain the name, address and relationship to the landlord of the person intended to occupy.

(iv) The landlord or enumerated relative must intend in good faith to move into the unit within thirty (30) days after the tenant vacates and to occupy the unit as a primary residence for at least one year. The Board may adopt regulations governing the determination of good faith.

(v) If the landlord or relative specified on the notice terminating tenancy fails to occupy the unit within thirty (30) days after the tenant vacates, the landlord shall:

A. Offer the unit to the tenant who vacated it.

B. Pay to said tenant all reasonable expenses incurred in moving to and/or from the unit.

(vi) No eviction pursuant to this Subsection shall be allowed in any condominium or stock cooperative unit which has been converted from an apartment or other rental unit after April 10, 1979, unless the Rent Control Board has issued a removal permit or declared a vested right for said unit. As used in this subpart, a unit shall be deemed converted after April 10, 1979, if on April 10, 1979, the

recorded tract map or parcel map for the property showed the unit as included in the property.

(9) The landlord seeks to recover possession to demolish or otherwise remove the controlled rental unit from rental residential housing use after having obtained all proper permits from the City of Santa Monica.

(10) The landlord has filed the requisite documents with the Rent Control Board initiating the procedure for withdrawing units from rent or lease under Government Code Section 7060 et. seq. and the Board's regulations, with the intention of completing the withdrawal process and going out of the residential rental business.

(b) Notwithstanding any contrary provision in this Section or in the rental housing agreement, if the tenant's spouse, child(ren), and/or domestic partner who has filed an Affidavit of Domestic Partnership with the City have lived in the unit for at least one year at the time the tenant vacates the unit due to death or incapacitation, the landlord is prohibited from taking any action to obtain possession of the unit from the tenant's spouse, child(ren), and/or registered domestic partner on the ground that the spouse, child(ren) and/or registered domestic partner are not authorized to occupy the unit.

(c) Notwithstanding the above provisions, possession shall not be granted if it is determined that the eviction is in retaliation for the tenant reporting violations of this Article, for exercising rights granted under this Article, including the right to withhold rent upon authorization of the Board under Section 1803(q) or Section 1809 or for organization other tenants.

(d) In any notice purporting to terminate tenancy the landlord shall state the cause for the termination, and in any action brought to recover possession of a controlled rental unit, the landlord shall allege and prove compliance with this Section. The landlord shall file with the Rent Control Board a copy of any notice terminating tenancy, except a three day notice to pay rent or vacate, within 3 days after serving the notice on the tenant.

(e) Failure to comply with any requirement of this Section may be asserted as an affirmative defense in an action brought by the landlord to recover possession of the unit. Additionally, any attempt to recover possession of a unit in violation of this Article shall render the landlord liable to the tenant for actual and punitive damages, including damages for emotional distress, in a civil action for wrongful eviction. The tenant or the Rent Control Board may seek injunctive relief and money damages for wrongful eviction. The prevailing party in an action for wrongful eviction shall recover costs and reasonable attorneys fees.

Section 1821 is added to the City Charter of the City of Santa Monica to read as follows:

**Section 1821. Tenant Harassment.**

Tenants living in rental housing units have the right to quiet enjoyment, privacy and freedom from harassment by the property owner. In order to effectuate this right, the City Council shall at all times maintain a Tenant Harassment Ordinance

in force which protects tenants from landlords' conduct in derogation of tenants' rights.

Certified to be a true copy by Michael Feinstein, Mayor, and Maria M. Stewart, City Clerk.

Date of Municipal Election: November 5, 2002.

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Charter Chapter 67—City of Santa Monica

***Amendments to the Charter of the City of Santa Monica***

[Filed with the Secretary of State December 20, 2002.]

Section 2009. Use of tax.

All monies derived from the Tenant-Participating Conversion Tax shall be annually appropriated by the City Council for only the following purposes:

(a) To pay for reasonable and necessary costs of development and administration of programs required to meet the purposes of this Section. Such monies shall not be used for costs attributable to the processing of Tenant-Participating Conversion Applications or to the non-project related administrative overhead of nonprofit housing development corporations that are acquiring and rehabilitating, constructing, or providing rental subsidies for affordable housing in the City.

(b) The revenues derived from Section 2008 that remain after deducting the revenues appropriated pursuant to Subsection (a) of this Section shall be used as follows:

(1) To assist Low Income Households and Moderate Income Households in Tenant-Participating Conversions to purchase or improve their units subject to an affordable repayment plan including interest, keyed to future income increases. Upon resale of a unit by a household assisted pursuant to this Subsection, the City shall receive a percentage of the appreciated value of that unit obtained by the assisted household. In the case of a direct loan, the percentage of the appreciated value received by the City shall not be less than the percentage of the loan to the purchase price for the unit. In the case of a loan made by a private lender that is guaranteed by the City, the percentage of the appreciated value received by the City shall not be less than the percentage of that portion of the loan guaranteed by the City to the overall loan provided by the private lender.

(2) To assist the City or a nonprofit housing development corporation to purchase units, for which a Tenant-Participating Conversion Application has been approved, for lease or resale to Low and Moderate Income Households, provided that any unit so acquired shall be subject to limited equity resale provisions.

(3) To assist the City or a nonprofit housing development housing corporation to acquire and rehabilitate, construct, aid in the financing of, or provide rental subsidies for temporary or permanent housing for Low Income Households.

Certified to be a true copy by Michael Feinstein, Mayor, and Maria M. Stewart, City Clerk.

Date of Municipal Election: November 5, 2002.

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Charter Chapter 68—City and County of San Francisco

***Amendments to the Charter of the City and  
County of San Francisco***

[Filed with the Secretary of State December 27, 2002.]

Section 1. The San Francisco Charter is hereby amended by creating a new Article VIII B: Public Utilities, to read as follows:

SEC. 8B.120. PREAMBLE

The Public Utilities Commission operates the Water, Clean Water and Power Utilities of the City and County of San Francisco. Hetch Hetchy Water and Power System is an irreplaceable asset of the people of the City and County of San Francisco. The system is fundamental to the economic vitality of San Francisco and the Bay Area. The voters of the City and County of San Francisco are committed to preserving and protecting the system as well as safeguarding the extraordinary quality of the water from Yosemite and local watersheds. The voters find that the protection, maintenance and repair of the system are among their highest priorities.

San Francisco faces an unprecedented challenge: to restore its aging water system to ensure a reliable Bay Area water supply through the next century. Repairs must be accomplished as quickly as possible to avoid system outages, which could be caused by natural disasters such as earthquake. In planning for its future needs and those of its wholesale customers, the City must promote water conservation and responsible stewardship of its natural resources. The effectiveness of the City's Public Utilities Commission, which has jurisdiction over the system, is essential to achieving these goals.

In addition, San Francisco must upgrade and repair its clean water system to meet changes in state and federal water quality requirements, and to ensure reliability of the system, parts which are outdated, aged or seismically vulnerable. The voters find that the operation of the clean water system should not unnecessarily place a disproportionate environmental burden on any community.

This measure is intended to enhance public confidence in the City's stewardship of public utilities by:

1. Clarifying that the Public Utilities Commission has exclusive control of water, clean water and power assets owned or maintained by the City and County of San Francisco;
2. Establishing rates sufficient to meet operation, maintenance and financial needs of the system based on costs and sound budgeting and auditing procedures

to protect retail ratepayers and reduce interest paid on bonds and other indebtedness while ensuring public review;

3. Establishing the Public Utilities Commission as an independent revenue department not subject to undue financial pressures to contribute to the City's general fund;

4. Requiring the development of long term Capital, Financial and Strategic Plans to ensure that the utilities are operated efficiently in accordance with best public utility practice;

5. Authorizing the Public Utilities Commission to independently enter into certain contracts;

6. Giving the Public Utilities Commission the ability to finance needed capital improvements through revenue bonds or other financing methods consistent with the powers of other major public utilities in California; and

7. Promoting labor stability to ensure that the Capital Improvement Plan is completed expeditiously and efficiently.

#### SEC. 8B.121. PUBLIC UTILITIES COMMISSION

(a) Notwithstanding Charter section 4.112, the Public Utilities Commission shall have exclusive charge of the construction, management, supervision, maintenance, extension, expansion, operation, use and control of all water, clean water and energy supplies and utilities of the City as well as the real, personal and financial assets, that are under the Commission's jurisdiction or assigned to the Commission under Section 4.132.

(b) The Public Utilities Commission may enter into Joint Powers Agreements with other public entities in furtherance of the responsibilities of the Commission.

(c) Except to the extent otherwise provided in this Article, the Public Utilities Commission shall be subject to the provisions of Charter sections 4.100 et seq. generally applicable to boards and commissions of the City and County.

(d) The General Manager shall have the authority to organize and reorganize the department. The General Manager shall adopt rules and regulations governing all matters within the jurisdiction of the department subject to section 4.102 as applicable.

(e) Ownership or control of any public utility or any part thereof under the jurisdiction of the Public Utilities Commission may not be transferred or conveyed absent approval by the Public Utilities Commission and approval by a vote of the electors of the City at the election next ensuing not less than 90 days after the adoption of such ordinance, which shall not go into effect until ratified by a majority of the voters voting thereon. Voter approval shall not be required for sales or transfers of real property declared surplus to the needs of any utility by the Public Utilities Commission or to leases or permits for the use of utility real property approved by the Public Utilities Commission.

**SEC. 8B.122. GOALS AND OBJECTIVES RELATED TO WATER AND CLEAN WATER**

(a) The Commission shall develop, periodically update and implement programs to achieve goals and objectives consistent with the following:

(1) Provide water and clean water services to San Francisco and water service to its wholesale customers while maintaining stewardship of the system by the City;

(2) Establish equitable rates sufficient to meet and maintain operation, maintenance and financial health of the system;

(3) Provide reliable water, and clean water services and optimize the systems' ability to withstand disasters;

(4) Protect and manage lands and natural resources used by the Commission to provide utility services consistent with applicable laws in an environmentally sustainable manner. Operate hydroelectric generation facilities in a manner that causes no reasonably anticipated adverse impacts on water service and habitat;

(5) Develop and implement priority programs to increase and to monitor water conservation and efficiency systemwide;

(6) Utilize state-of-the-art innovative technologies where feasible and beneficial;

(7) Develop and implement a comprehensive set of environmental justice guidelines for use in connection with its operations and projects in the City;

(8) Create opportunities for meaningful community participation in development and implementation of the Commission's policies and programs; and

(9) Improve drinking water quality with a goal of exceeding applicable drinking water standards if feasible.

**SEC. 8B.123 PLANNING AND REPORTING**

**(A) Planning and Reporting**

The Public Utilities Commission shall annually hold public hearings to review, update and adopt:

(1) A Long-Term Capital Improvement Program, covering projects during the next 10-year period; including cost estimates and schedules.

(2) A Long-Range Financial Plan, for a 10-year period, including estimates of operation and maintenance expenses, repair and replacement costs, debt costs and rate increase requirements.

(3) A Long-Term Strategic Plan, setting forth strategic goals and objectives and establishing performance standards as appropriate.

The Capital Improvement Program and Long-Range Financial Plan shall serve as a basis and supporting documentation for the Commission's capital budget, the issuance of revenue bonds, other forms of indebtedness and execution of governmental loans under this Charter.

**(B) Citizens' Advisory Committee**

The Board of Supervisors, in consultation with the General Manager of the Public Utilities Commission, shall establish by ordinance a Citizens' Advisory

Committee to provide recommendations to the General Manager of the Public Utilities Commission, the Public Utilities Commission and the Board of Supervisors.

**SEC. 8B.124. WATER AND CLEAN WATER REVENUE BONDS**

Notwithstanding, and in addition to, the authority granted under Charter Section 9.107, the Public Utilities Commission is hereby authorized to issue revenue bonds, including notes, commercial paper or other forms indebtedness, when authorized by ordinance approved by a two-thirds vote of the Board of Supervisors, for the purpose of reconstructing, replacing, expanding, repairing or improving water facilities or clean water facilities or combinations of water and clean water facilities under the jurisdiction of the Public Utilities Commission.

Any legislation authorizing the issuance of revenue bonds (except for refunding bonds) under this section shall be subject to the referendum requirements of Section 14.102 of this Charter. The ordinance authorizing the issuance of such revenue bonds shall not become effective until 30 days after its adoption.

Notwithstanding any other provision of this Charter or of any ordinance of the City and County, the Board of Supervisors may take any and all actions necessary to authorize, issue and repay such bonds, including, but not limited to, modifying schedules of rates and charges to provide for the payment and retirement of such bonds, subject to the following conditions:

(a) Certification by an independent engineer retained by the Public Utilities Commission that:

(1) the projects to be financed by the bonds, including the prioritization, cost estimates and scheduling, meet utility standards; and

(2) that estimated net revenue after payment of operating and maintenance expenses will be sufficient to meet debt service coverage and other indenture or resolution requirements, including debt service on the bonds to be issued, and estimated repair and replacement costs.

(b) Certification by the San Francisco Planning Department that facilities under the jurisdiction of the Public Utilities Commission funded with such bonds will comply with applicable requirements of the California Environmental Quality Act.

Except as expressly provided in this Charter, all revenue bonds may be issued and sold in accordance with state law or any procedure provided for by ordinance of the Board of Supervisors.

**SEC. 8B.125. RATES**

Notwithstanding Charter sections 2.109, 3.100 and 4.102 or any ordinance (including, without limitation, Administrative Code Appendix 39), the Public Utilities Commission shall set rates, fees and other charges in connection with providing the utility services under its jurisdiction, subject to rejection—within 30 days of submission—by resolution of the Board of Supervisors. If the Board of Supervisors fails to act within 30 days the rates shall become effective without further action.

In setting retail rates, fees and charges the Commission shall:

1. Establish rates, fees and charges at levels sufficient to improve or maintain financial condition and bond ratings at or above levels equivalent to highly rated utilities of each enterprise under its jurisdiction, meet requirements and covenants under all bond resolutions and indentures (including, without limitation, increases necessary to pay for the retail water customers' share of the debt service on bonds and operating expenses of any state financing authority such as the Regional Water System Financing Authority), and provide sufficient resources for the continued financial health (including appropriate reserves), operation, maintenance and repair of each enterprise, consistent with good utility practice;
2. Retain an independent rate consultant to conduct rate and cost of service studies for each utility at least every five years;
3. Set retail rates, fees and charges based on the cost of service;
4. Conduct all studies mandated by applicable state and federal law to consider implementing connection fees for water and clean water facilities servicing new development;
5. Conduct studies of rate-based conservation incentives and/or lifeline rates and similar rate structures to provide assistance to low income users, and take the results of such studies into account when establishing rates, fees and charges, in accordance with applicable state and federal laws;
6. Adopt annually a rolling 5-year forecast of rates, fees and other charges; and
7. Establish a Rate Fairness Board consisting of seven members: the City Administrator or his or her designee; the Controller or his or her designee; the Director of the Mayor's Office of Public Finance or his or her designee; two residential city retail customers, consisting of one appointed by the Mayor and one by the Board of Supervisors; and two city retail business customers, consisting of a large business customer appointed by the Mayor and a small business customer appointed by the Board of Supervisors.

The Rate Fairness Board may:

- i. Review the five-year rate forecast;
- ii. Hold one or more public hearings on annual rate recommendations before the Public Utilities Commission adopts rates;
- iii. Provide a report and recommendations to the Public Utilities Commission on the rate proposal; and
- iv. In connection with periodic rate studies, submit to the Public Utilities Commission rate policy recommendations for the Commission's consideration, including recommendations to reallocate costs among various retail utility customer classifications, subject to any outstanding bond requirements.

These provisions shall be effective January 3, 2003 for the setting of retail rates, fees and charges related to the clean water system. If the voters approve bonds for the Public Utilities Commission's Capital Improvement Program at the November 5, 2002 election then the provisions of this section shall take effect on July 2, 2006

for the setting of retail rates, fees and charges related to the water system. If the voters do not approve such bonds then this section will take effect on January 3, 2003.

**SEC. 8B.126. PERSONNEL AND MERIT SYSTEM**

(a) The General Manager shall be selected under the provisions of Charter sections 3.100 and 4.102. The General Manager may be employed under an individual contract. His or her compensation shall be comparable to the compensation of the chief executive officers of the public water, wastewater and/or power systems in the United States that the Commission, after an independent survey, determines most closely resemble the Public Utilities Commission in size, mission, and complexity. In addition, the Public Utilities Commission may provide an incentive compensation bonus plan for the General Manager based on performance goals established by the Commission.

(b) The General Manager may negotiate an individual contract with the employee appointed to perform the duties of general infrastructure management and oversight of the Capital Improvement Program subject to approval by the Commission and notwithstanding Charter Section A8.409 et seq.

(c) For purposes of approving individual employment contracts the Public Utilities Commission may exercise all powers of the City and County, the Board of Supervisors, the Mayor, and the Director of Human Resources under Article XI of this charter. Individual employment contracts shall utilize and shall not alter or interfere with, the Retirement or Vacation provisions of this Charter or the Health Plans established by the City's Health Service Board; provided however, that the Commission may contribute toward defraying the cost of the employee's health premiums and retirement pick-up.

**SEC. 8B.127. CONTRACTING AND PURCHASING**

Notwithstanding Charter Section 9.118 or any ordinance, the Public Utilities Commission shall have the sole authority to enter into agreements for the purchase of water; the sale of water to wholesale customers; and agreements necessary to implement Joint Powers Agreements with any wholesale water customer.

In order to promote labor stability and to ensure the Capital Improvement Program is completed expeditiously and efficiently, the Public Utilities Commission is authorized, to the extent legally appropriate, to enter into project labor agreements, with appropriate Building Construction and Trades Councils, covering significant capital projects.

Section 2. The San Francisco Charter is hereby amended by deleting Section 9.111-1.

Section 3. The San Francisco Charter is hereby amended by amending Section 16.103 as follows:

**SEC. 16.103. UTILITY REVENUES AND EXPENDITURES**

(a) Receipts from each utility operated by the Public Utilities Commission shall be paid into the City and County treasury and maintained in a separate fund

for each such utility. Appropriations from such funds shall be made for the following purposes for each such utility in the order named:

1. For the payment of operating expenses, pension charges and proportionate payments to such compensation and other insurance and accident reserve funds as the Commission may establish or the Board of Supervisors may require;
2. For repairs and maintenance;
3. For reconstruction and replacements as hereinafter described;
4. For the payment of interest and sinking funds on the bonds issued by the Public Utilities Commission pursuant to this charter;
5. For extensions and improvements; and
6. For a surplus fund.

For any utility with outstanding bonds for which the indenture requires different payment priorities, the bond priorities will control over the priorities set forth in this section.

(b) For the purpose of providing funds for reconstruction and replacements due to physical and functional depreciation of each of the utilities under the jurisdiction of the Commission, the Commission must create and maintain a reconstruction and replacement fund for each such utility, sufficient for the purposes mentioned in this section, and in accordance with an established practice for utilities of similar character, which shall be the basis for the amount necessary to be appropriated annually to provide for said reconstruction and replacements.

(c) If, at the end of any fiscal year, the Controller certifies that excess surplus funds of a utility exist, from hydropower assets or water or clean water assets in excess of 25 percent of the total expenditures of such utility in the previous fiscal year for costs of operation, repair maintenance and debt service coverage and required debt service reserves, the Public Utilities Commission may transfer that surplus revenue, in whole or in part, to any other utility system under the Commission's jurisdiction on the operative date of this section.

(d) Any surplus revenue which the Public Utilities Commission unanimously finds is not required for utility purposes pursuant to subsections (a) and (b) of this section may be transferred to the General Fund by the Public Utilities Commission with the concurrence of three-fourths of the Board of Supervisors upon making all of the following findings of fact and judgment:

(a) That a surplus exists or is projected to exist after meeting the requirements of this section;

(b) That there is no unfunded operating or capital program or required reserve that by its lack of funding could jeopardize bond ratings, health, safety, water supply or power production;

(c) That there is no reasonably foreseeable operating contingency that cannot be funded without General Fund subsidy; and

(d) That such a transfer of funds in all other respects reflects prudent utility practice.

The Commission shall make such findings having received reports and an affirmative recommendation from the General Manager and a public hearing, which shall have received no less than 30 days of public notice.

(e) The provisions of subsection (c) above shall not be applied in a manner that would be inconsistent with the provisions of any outstanding or future indentures, resolutions, contracts or other agreements of the City and County relating to bonded indebtedness issued in connection with the utility, or with any applicable state, or federal laws.

Certified to be a true copy by Tom Ammiano, President of the Board of Supervisors, and Gloria L. Young, Clerk of the Board of Supervisors.

Date of Election: November 5, 2002.

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Charter Chapter 69—City and County of San Francisco

***Amendments to the Charter of the City and  
County of San Francisco***

[Filed with the Secretary of State December 27, 2002.]

Sec. 4.117. ENTERTAINMENT COMMISSION.

The San Francisco Entertainment Commission shall consist of seven members nominated and appointed pursuant to this section. The Mayor shall nominate four members to the commission, and the Board of Supervisors shall appoint, by motion, three other members to the commission. Each nomination of the Mayor shall be subject to approval by the Board of Supervisors, and shall be the subject of a public hearing and vote within 60 days. If the Board of Supervisors fails to act on a mayoral nomination within 60 days of the date the nomination is transmitted to the Clerk of the Board of Supervisors, the nominee shall be deemed approved. Appointments to the commission shall become effective on the date the Board of Supervisors adopts a motion approving the nomination or on the 61st day following the date the mayoral nomination was transmitted to the Clerk of the Board of Supervisors if the Board of Supervisors fails to act upon the nomination prior to such date.

Of the four members nominated by the Mayor, the Mayor shall nominate one member to represent the interests of City neighborhood associations or groups, one member to represent the interests of entertainment associations or groups, one member to represent the interests of the urban planning community, and one member to represent the interests of the law enforcement community. Of the three members of the commission appointed by the Board of Supervisors, one member shall represent the interests of City neighborhood associations or groups, one member shall represent the interests of entertainment associations or groups, and one member shall represent the interests of the public health community.

To stagger the terms of the members, the initial appointments to the commission shall be as follows: the Mayor shall nominate two members to serve terms of four years, one member to serve a term of three years, and one member to serve a term of two years. Of the three remaining members of the commission, the Board of Supervisors shall appoint one member to serve a term of four years, one member to serve a term of three years, and one member to serve a term of two years. Except for appointments to fill a vacancy, all subsequent appointments shall be for a term of four years.

Members of the commission nominated by the Mayor may be suspended by the Mayor and removed by the Board of Supervisors only as set forth in Section 15.105. Members of the commission appointed directly by the Board of Supervisors may be suspended by a motion of the Board of Supervisors approved by six votes and may be removed by the Board of Supervisors only as set forth in Section 15.105.

Certified to be a true copy by Tom Ammiano, President of the Board of Supervisors, and Gloria L. Young, Clerk of the Board of Supervisors.

Date of Election: November 5, 2002.

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Charter Chapter 70—City and County of San Francisco

***Amendments to the Charter of the City and  
County of San Francisco***

[Filed with the Secretary of State December 27, 2002.]

**SEC. 13.103.5. ELECTIONS COMMISSION.**

An Elections Commission shall be established to oversee all public federal, state, district and municipal elections in the City and County. The Commission shall set general policies for the Department of Elections and shall be responsible for the proper administration of the general practices of the Department, subject to the budgetary and fiscal provisions of this Charter. These duties shall include but not be limited to approving written plans prior to each election, submitted by the Director of Elections, detailing the policies, procedures, and personnel that will be used to conduct the election as well as an assessment of how well the plan succeeded in carrying out a free, fair and functional election.

The Commission shall consist of seven members who shall serve five-year terms. No person appointed as a Commission member may serve as such for more than two successive five-year terms. Any person appointed as a Commission member to complete more than two and one half years of a five-year term shall be deemed, for the purpose of this section, to have served one full term. No person having served two successive five-year terms may serve as a Commission member until at least five years after the expiration of the second successive term in office. Any Commission member who resigns with less than two and one half years

remaining until the expiration of the term shall be deemed, for the purposes of this section, to have served a full five-year term.

The Mayor, the Board of Supervisors, the City Attorney, the Public Defender, the District Attorney, the Treasurer, and the Board of Education of the San Francisco Unified School District each shall appoint one member of the Commission. The member appointed by the Mayor shall have a background in the electoral process. The member appointed by the City Attorney shall have a background in elections law. The member appointed by the Treasurer shall have a background in financial management. The members appointed by the District Attorney, Public Defender, the Board of Education of the San Francisco Unified School District, and the Board of Supervisors shall be broadly representative of the general public. In the event a vacancy occurs, the appointing authority who appointed the member vacating the office shall appoint a qualified person to complete the remainder of the term. All members initially appointed to the Election Commission shall take office on the first day of January, 2002.

The initial terms of Commission members shall expire according to the following guidelines: the term of the members appointed by the Mayor and the Board of Education of the San Francisco Unified School District shall expire on January 1, 2003; the term of the members appointed by the Board of Supervisors and the Treasurer shall expire on January 1, 2004; the term of the member appointed by the City Attorney shall expire January 1, 2005; the term of the member appointed by the Public Defender shall expire January 1, 2006; and the term of the member appointed by the District Attorney shall expire January 1, 2007.

Members of the Commission shall serve without compensation. Members of the Commission shall be officers of the City and County, and may be removed by the appointing authority only pursuant to Section 15.105.

During his or her tenure, members and employees of the Elections Commission are subject to the following restrictions:

(a) **Restrictions on Holding Office.** No member or employee of the Elections Commission may hold any other City or County office or be an officer of a political party.

(b) **Restrictions on Employment.** No member or employee of the Elections Commission may be a registered campaign consultant or registered lobbyist, or be employed by or receive gifts or other compensation from a registered campaign consultant or registered lobbyist. No member of the Elections Commission may hold any employment with the City and County and no employee of the Elections Commission may hold any other employment with the City and County.

(c) **Restrictions on Political Activities.** No member or employee of the Elections Commission may participate in any campaign supporting or opposing a candidate or ballot measure that will appear on the San Francisco ballot, other than candidates seeking election to federal or statewide office. For purposes of this section, participation in a campaign includes but is not limited to making contributions or soliciting contributions to any committee, including general purpose

committees; publicly endorsing or urging endorsement of any candidate or ballot measure; or participating in decisions by organizations to participate in a campaign.

If a person appointed to the Elections Commission is, at the time of appointment, an officer or employee as prohibited by this section, that person shall be eligible to serve on the Elections Commission only if he or she resigns from his or her office or employment within thirty days of appointment.

**SEC. 13.104.5. USE OF OTHER CITY EMPLOYEES AND OFFICERS.**

Except as provided below, no City employee or officer, other than the Director of Elections, an appointee of the Director of Elections or a member of the Elections Commission, may in any capacity perform any function relating to the conduct of an election that this Charter places under the Department of Elections. This section prohibits City personnel from providing to the Department of Elections services that are unique to that department. This section does not prohibit City personnel from providing to the Department of Elections ordinary services that are unrelated to the conduct of an election and that are indistinguishable from services performed for other City departments. These general support services include, but are not limited to, services relating to human resources, personnel processing, payroll, workers compensation, budgeting, accounting, procurement, contracting, and the maintenance of telephone and voice mail systems. The Elections Commission may, upon the recommendation of the Director of Elections request from the Board of Supervisors a waiver of this prohibition so as to allow City employees and officers to assist the Department of Elections. The Board of Supervisors shall approve or deny such requests from the Elections Commission by motion.

The City Attorney shall serve as legal counsel to the Elections Commission and the Department of Elections. The Commission may, by a majority vote of its members, hire outside legal counsel to advise the Commission and the Department on matters that directly involve the election or campaign of the City Attorney, if the City Attorney is standing for election. All outside legal counsel hired pursuant to this Section shall be a member in good standing of the California State Bar. In selecting outside legal counsel, the Commission shall give preference to engaging the services of a city attorney's office, a county counsel's office or other public entity law office with an expertise regarding the subject-matter jurisdiction of the Elections Commission. In the event that the Commission concludes that private counsel is necessary, it may, by a majority vote, engage the services of a private attorney who has at least five years' experience in the subject-matter jurisdiction of the Elections Commission. Any private counsel retained pursuant to this Section shall be subject to the conflict of interest provisions of Section 13.103.5. Any contract for outside legal counsel authorized by this section shall be paid for by the Commission and shall be subject to the budgetary and fiscal provisions of this charter.

The Sheriff shall be responsible for transporting all voted ballots and all other documents or devices used to record votes from the polls to the central counting location and approving a security plan for the ballots until the certification of election results. This requirement shall not become operative following its adoption until the Sheriff has completed meeting and conferring required by state law. The Elections Commission shall send a copy of the approved transportation and security plan to the Board of Supervisors.

The Director of Elections shall develop and submit for the approval of the Elections Commission an alternative transportation and security plan if an incumbent sheriff is running for election or if there is a measure on the San Francisco ballot that would have a material, financial effect on the Sheriff or the uniformed personnel of the Sheriff's department as determined by the Ethics Commission. The Director of Elections shall invite the Secretary of State to comment on any alternative transportation and security plan. The Elections Commission shall send a copy of the approved alternative transportation and security plan to the Board of Supervisors. The Board of Supervisors shall have the authority to enter into any contracts or take whatever actions are necessary to meet the alternative security requirements of this section.

**SEC. 15.100. ETHICS COMMISSION.**

The Ethics Commission shall consist of five members who shall serve six-year terms; provided that the first five commissioners to be appointed to take office on the first day of February, 2002 shall by lot classify their terms so that the term of one commissioner shall expire at 12:00 o'clock noon on each of the second, third, fourth, fifth and sixth anniversaries of such date, respectively; and, on the expiration of these and successive terms of office, the appointments shall be made for six-year terms.

The Mayor, the Board of Supervisors, the City Attorney, the District Attorney and the Assessor each shall appoint one member of the Commission. The member appointed by the Mayor shall have a background in public information and public meetings. The member appointed by the City Attorney shall have a background in law as it relates to government ethics. The member appointed by the Assessor shall have a background in campaign finance. The members appointed by the District Attorney and Board of Supervisors shall be broadly representative of the general public.

In the event a vacancy occurs, the officer who appointed the member vacating the office shall appoint a qualified person to complete the remainder of the term. Members of the Commission shall serve without compensation. Members of the Commission shall be officers of the City and County, and may be removed by the appointing authority only pursuant to Section 15.105.

No person may serve more than one six-year term as a member of the Commission, provided that persons appointed to fill a vacancy for an unexpired term with less than three years remaining or appointed to an initial term of three or fewer years shall be eligible to be appointed to one additional six-year term. Any

term served before the effective date of this Section shall not count toward a member's term limit. Any person who completes a term as a Commissioner shall be eligible for reappointment six years after the expiration of his or her term. Notwithstanding any provisions of this Section or any other section of the Charter to the contrary, the respective terms of office of the members of the Commission who shall hold office on the first day of February, 2002, shall expire at 12 o'clock noon on said date, and the five persons appointed as members of the Commission as provided in this Section shall succeed to said offices on said first day of February, 2002, at 12 o'clock noon; provided that if any appointing authority has not made a new appointment by such date, the sitting member shall continue to serve until replaced the new appointee.

During his or her tenure, members and employees of the Ethics Commission are subject to the following restrictions:

(a) **Restrictions on Holding Office.** No member or employee of the Ethics Commission may hold any other City or County office or be an officer of a political party.

(b) **Restrictions on Employment.** No member or employee of the Ethics Commission may be a registered lobbyist or campaign consultant, or be employed by or receive gifts or other compensation from a registered lobbyist or campaign consultant. No member of the Ethics Commission may hold employment with the City and County and no employee of the Commission may hold any other employment with the City and County.

(c) **Restrictions on Political Activities.** No member or employee of the Ethics Commission may participate in any campaign supporting or opposing a candidate for City elective office, a City ballot measure, or a City officer running for any elective office. For the purposes of this section, participation in a campaign includes but is not limited to making contributions or soliciting contributions to any committee within the Ethics Commission's jurisdiction, publicly endorsing or urging endorsement of a candidate or ballot measure, or participating in decisions by organizations to participate in a campaign.

For a period of one year upon completing his or her service with the Commission, no member of the Commission may: be a lobbyist or campaign consultant, be employed by, or receive any gifts or other compensation from a lobbyist or campaign consultant or a person who employs someone required to register as a lobbyist or campaign consultant.

For purposes of this section, the terms lobbyist and campaign consultant mean persons required to register under the City's lobbyist or campaign consultant ordinances.

The Commission may subpoena witnesses, compel their attendance and testimony, administer oaths and affirmations, take evidence and require by subpoena the production of any books, papers, records or other items material to the performance of the Commission's duties or exercise of its powers.

**SEC. 6.102. CITY ATTORNEY.**

The City Attorney shall:

1. Represent the City and County in legal proceedings with respect to which it has an interest; provided that any elected officer, department head, board or commission may engage counsel other than the City Attorney for legal advice regarding a particular matter where the elected officers department head, board or commission has reason to believe that the City Attorney may have a prohibited financial conflict of interest. Under California law or a prohibited ethical conflict of interest under the California Rules of Professional Conduct with regard to the matter, subject to the following limitations and conditions. The elected officer, department head, board or commission shall first present a written request to the City Attorney for outside counsel. The written request shall specify the particular matter for which the elected officer, department head, board or commission seeks the services of outside counsel, a description of the requested scope of services, and the potential conflict of interest that is the basis for the request. Within five working days after receiving the written request for outside counsel, the City Attorney shall respond in writing to the elected officer, department head, board or commission either consenting or not consenting to the provision of outside counsel. If the City Attorney does not consent to the provision of outside counsel, the City Attorney shall state in the written response why he or she believes that there is no conflict of interest regarding the particular matter.

If the elected officer, department head, board or commission continues to believe there are adequate grounds for outside counsel despite the City Attorney's response that there is no conflict of interest, the elected officer, department head, board or commission may, within thirty days after receiving the City Attorney's response, refer the issue of whether the City Attorney has a prohibited conflict of interest regarding a particular matter to a retired judge or justice of the state courts of California for resolution. If the elected officer, department head, board or commission and City Attorney cannot agree on a retired judge to hear the matter, the retired judge shall be selected at random by an alternative dispute resolution provider. If the matter is referred to a retired judge, the elected officer, department head, board or commission, subject to the budgetary and fiscal provisions of the Charter, shall be entitled to retain outside counsel to represent it solely on the issue of whether the City Attorney has a conflict of interest regarding the particular matter.

In deciding whether the City Attorney has a conflict of interest regarding a particular matter, the retired judge shall be bound by and apply the applicable substantive law and Rules of Professional Conduct as if he or she were a court of law. To the extent practicable, the retired judge shall hear the matter within 15 days after its assignment to the retired judge, and within 15 days after the hearing, shall issue a written opinion stating the basis for the decision. The retired judge, but not the City Attorney or elected officer, department head, board or com-

mission, shall have the power to subpoena witnesses and documents in this proceeding.

The retired judge may request that the City Attorney secure written advice from the California Fair Political Practices Commission, the State Bar of California, or the California Attorney General on the question of whether the City Attorney has a conflict of interest regarding the particular matter. Upon such a request by the retired judge, the City Attorney shall secure such written advice. The retired judge may consider, but is not bound by, written advice so secured. The decision of the retired judge shall be final for the limited purpose of determining whether or not the elected officer, department head, board or commission may retain outside counsel for the particular matter.

If the retired judge decides that the City Attorney does not have a conflict of interest regarding the particular matter, the City Attorney shall continue to be the legal adviser to the elected officer, department head, board or commission for such matter. If the retired judge decides that the City Attorney has a conflict of interest regarding a particular matter, the elected officer, department head, board or commission shall be entitled to retain outside counsel for legal advice regarding the particular matter, and the City Attorney shall thereupon cease to advise the elected officer, department head, board or commission on such matter. Any such finding of a conflict of interest shall not affect the City Attorney's role as legal advisor to the elected officer, department head, board or commission on all other matters.

If at any time after the retention of outside counsel, the City Attorney believes that there is no longer a conflict of interest, the City Attorney shall state in writing to the elected officer, department head, board or commission why he or she believes that there is no longer a conflict of interest. Within five working days after receiving the written statement from the City Attorney, the elected officer, department head, board or commission shall respond in writing, either agreeing or disagreeing that there is no longer a conflict of interest. If the elected officer, department head, board or commission agrees that there is no longer a conflict of interest regarding a particular matter, the elected officer, department head, board or commission shall cease employing outside counsel for legal advice regarding the matter, and the City Attorney shall serve as legal adviser to the elected officer, department head, board or commission regarding that matter. If the elected officer, department head, board or commission states in its written response that it believes the conflict of interest still exists, the City Attorney may, within ten working days after receiving the response of the elected officer, department head, board or commission, elect to refer the issue of whether the conflict of interest regarding the particular matter continues to exist to the same retired judge who originally heard the matter, if available. The same procedures as established herein shall apply thereafter.

In selecting outside counsel for any purpose described in this Section, the elected officer, department head, board or commission shall give preference to

engaging the services of a city attorney's office, a county counsel's office or other public entity law office with an expertise regarding the subject-matter jurisdiction of the elected officer, department head, board or commission. If the elected officer, department head, board or commission concludes that private counsel is necessary, that attorney must be a member in good standing with the Bar of California who has at least five year's experience in the subject-matter jurisdiction of the elected officer, department head, board or commission. Any private counsel retained pursuant to this Section shall be subject to the conflict of interest provisions of Section 13.103.5. The cost of any of the services of outside counsel and of the alternative dispute resolution process authorized by this Section shall be paid for by the elected officer, department head, board or commission, subject to the budgetary and fiscal provisions of this Charter.

2. Represent an officer or official of the City and County when directed to do so by the Board of Supervisors, unless the cause of action exists in favor of the City and County against such officer or official;

3. Whenever a cause of action exists in favor of the City and County, commence legal proceedings when such action is within the knowledge of the City Attorney or when directed to do so by the Board of Supervisors, except for the collection of taxes and delinquent revenues, which shall be performed by the attorney for the Tax Collector;

4. Upon request, provide advice or written opinion to any officer, department head or board, commission or other unit of government of the City and County;

5. Make recommendations for or against the settlement or dismissal of legal proceedings to the Board of Supervisors prior to any such settlement or dismissal. Such proceedings shall be settled or dismissed by ordinance and only upon the recommendation of the City Attorney;

6. Approve as to form all surety bonds, contracts and, prior to enactment, all ordinances; and examine and approve title to all real property to be acquired by the City and County;

7. Prepare, review annually and make available to the public a codification of ordinances of the City and County then in effect;

8. Prepare and make available to the public an annual edition of this Charter complete with all of its amendments and legal annotations; and

9. Establish in the Office of the City Attorney a Bureau of Claims Investigation and Administration which shall have the power to investigate, evaluate and settle for the several boards, commissions and departments all claims for money or damages. The Bureau shall also have the power to investigate incidents where the City faces potential civil liability, and to settle demands before they are presented as claims, within dollar limits provided for by ordinance, from a revolving fund to be established for that purpose. The City Attorney shall appoint a chief of the Bureau who shall serve at his or her pleasure. The chief of the Bureau may appoint, subject to confirmation by the City Attorney, investigators who shall serve at the pleasure of the chief.

10. During his or her tenure, not contribute to, solicit contributions to, publicly endorse or urge the endorsement of or otherwise participate in a campaign for a candidate for City elective office, other than himself or herself or of a City ballot measure or be an officer, director or employee of or hold a policymaking position in an organization that makes political endorsements regarding candidates for City elective office or City ballot measures.

Certified to be a true copy by Tom Ammiano, President of the Board of Supervisors, and Gloria L. Young, Clerk of the Board of Supervisors.

Date of Election: November 5, 2002.

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Charter Chapter 71—City and County of San Francisco

***Amendments to the Charter of the City and  
County of San Francisco***

[Filed with the Secretary of State December 27, 2002.]

**A8.595 MEMBERS OF THE POLICE DEPARTMENT ON JANUARY 1, 2003 WHO ARE MEMBERS OF THE RETIREMENT SYSTEM UNDER CHARTER SECTION A8.559.**

Members of the police department on January 1, 2003 who are members of the retirement system under Section A8.559 may elect to be members of the retirement system under Section A8.595 instead of Section A8.559. Any such election must be exercised in writing, on a form furnished by the retirement system, and filed at the office of said system not later than the close of business on December 31, 2002.

Those persons who elect to be members under Section A8.595 as provided in the preceding paragraph, shall be members of the system subject to provisions of Sections A8.595 through Section A8.595-14 (which shall apply only to members under Section A8.595) in addition to the provisions contained in Sections 12.100 to 12.103 and Sections A8.500, A8.510 and A8.520 of this charter, notwithstanding the provisions of any other section of this charter, and shall not be subject to any of the provisions of Section A8.559 of this charter.

The provisions of Section A8.595 shall not apply to any member of the retirement system under Section A8.559 who separated from service, retired or died before January 1, 2003, or to his or her continuant; provided, however, that the provisions of Section A8.595-2 shall apply to the adjustment required in Sections A8.559-3, A8.559-4 and A8.559-5 for a retired member or his or her surviving spouse or continuant when the retired member would not have completed at least twenty-five (25) years of service in the aggregate and attained the age of fifty (50) years until after January 1, 2003.

#### A8.595-1 DEFINITIONS

The following words and phrases as used in this section A8.595 and Sections A8.595-2 through A8.595-14, unless a different meaning is plainly required by the context, shall have the following meanings:

“Retirement allowance,” “death allowance” or “allowance,” shall mean equal monthly payments, beginning to accrue upon the date of retirement, or upon the day following the date of death, as the case may be, 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 Insurance and Safety Act of the State of California, shall mean the remuneration payable in cash, by the City and County, without deduction except for absence from duty, for time during which the individual receiving such remuneration is a member of the police department, but excluding remuneration paid for overtime.

For retirement purposes, any increase in compensation attached to a rank which is based solely upon the possession of a POST certificate, compared to the equivalent rank without a POST certificate, shall be subject to the following limitations:

(a) for possession of the intermediate POST certificate, no more than 4% shall be included in compensation,

(b) for possession of the advanced POST certificate, no more than an additional 2% over the maximum provided in subsection (a), above, shall be included in compensation,

These limits shall apply to any pay increments which are solely attributable to the possession of a POST certificate, including but not limited to premiums or special ranks which may be established in the future and which are solely attributable to the possession of a POST certificate.

“Compensation earnable” shall mean the compensation which would have been earned had the member received compensation without interruption throughout the period under consideration and at the rates of remuneration attached at that time to the ranks or positions held by him or her during such period, it being assumed that during any absence, he or she was in the rank or position held by him or her at the beginning of the absence, and that prior to becoming a member of the police department, he or she was in the rank or position first held by him or her in such department.

“Benefit” shall include “allowance,” “retirement allowance,” “death allowance” and “death benefit.”

“Final compensation” shall mean the monthly compensation earnable by a member at the time of his or her retirement, or death before retirement, as the case may be, at the rate of remuneration attached at that time to the rank or position which said member held, provided that said member has held said rank or position for at least one year immediately prior to said retirement or death; and provided, further, that if said member has not held said rank or position for at least one year

immediately prior to said retirement or death, “final compensation,” as to such member, shall mean the monthly compensation earnable by such member in the rank or position next lower to the rank or position which he or she held at the time of retirement or death at the rate of remuneration attached at the time of said retirement or death to said next lower rank or position; provided, however, that in the case of a member’s death before retirement as the result of a violent traumatic injury received in the performance of his or her duty, “final compensation,” as to such member shall mean the monthly compensation earnable by such member at the rate of remuneration attached on the date he or she receives such injury to the rank or position held by such member on that date.

For purposes of calculation of final compensation, any increase in pay solely attributable to possession of a POST certificate shall be included only if the member possesses the qualifying POST certificate for a period of not less than four (4) years prior to his or her retirement date; provided, however, that should a member possess the qualifying POST certificate for a period of time less than four (4) years prior to retirement, final compensation shall be calculated based upon the monthly compensation in the next lower rank not requiring possession of the qualifying POST certificate.

For the purpose of Sections A8.595 through A8.595-14, the terms “member of the police department,” “member of the department,” or “member” shall mean any officer or employee of the police department, who was a member of the police department on January 1, 2003 and a member of the retirement system under Section A8.559 and who elected to be a member of Section A8.595 as provided in Section A8.595.

Any police service performed by such members of the police department outside the limits of the City and County and under orders of a superior officer of any such member, shall be considered as City and County service, and any disability or death incurred therein shall be covered under the provisions of the 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 gender, words used in the feminine gender shall include the masculine and neuter gender, and singular numbers shall include the plural and the plural the singular.

“Interest” shall mean interest at the rate adopted by the retirement board.

#### A8.595-2 SERVICE RETIREMENT

Any member of the police department who completes at least twenty-five (25) years of service in the aggregate and attains the age of fifty (50) years, said service to be computed under Section A8.595-10, may retire for service at his or her option. A member retired after meeting the service and age requirements in the

preceding sentence, shall receive a retirement allowance equal to the percent of the final compensation of said member, as defined in Section A8.595-1, set forth below opposite his or her age at retirement, taken to the preceding quarter year, for each year of service, as computed under Section A8.595-10:

Retirement Age	Percent for Each Year of Credited Service
50	2.400
50.25	2.430
50.5	2.460
50.75	2.490
51	2.520
51.25	2.550
51.5	2.580
51.75	2.610
52	2.640
52.25	2.670
52.5	2.700
52.75	2.730
53	2.760
53.25	2.790
53.5	2.820
53.75	2.850
54	2.880
54.25	2.910
54.5	2.940
54.75	2.970
55+	3.000

In no event, however, shall such a retirement allowance exceed ninety (90) percent of a member's final compensation.

If, at the date of retirement for service, or retirement for disability resulting from an injury received in the performance of duty, said member has no spouse, children or dependent parents, who would qualify for the continuance of the allowance after the death of said member, or with respect to the portion of the allowance which would not be continued regardless of dependents, or upon retirement for disability resulting from other causes, with respect to all of the allowance and regardless of dependents at retirement, a member retired under this section, or Section A8.595-3, may elect before the first payment of the retirement allowance is made, to receive the actuarial equivalent of his or her allowance or the portion which would not be continued regardless of dependents, as the case may be, partly in a lesser 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 election by other members of the retirement system, including the character and amount of such other benefits.

### A8.595-3 RETIREMENT FOR INCAPACITY

Any member of the police department who becomes incapacitated for the performance of his or her duty by reason of any bodily injury received in, or illness caused by the performance of his or her duty, shall be retired. If he or she is not qualified for service retirement, he or she shall receive a retirement allowance in an amount which shall be equal to the same percentage of the final compensation of said member, as defined in Section A8.595-1, as his or her percentage of disability is determined to be. The percentage of disability shall be as determined by the Workers' Compensation Appeals Board of the State of California upon referral from the retirement board for that purpose; provided that the retirement board may, by five affirmative votes, adjust the percentage of disability as determined by said appeals board; and provided, further, that such retirement allowance shall be in an amount not less than 50 percent nor more than 90 percent of the final compensation of said member, as defined in Section A8.595-1. Said allowance shall be paid to said member until the date upon which said member would have qualified for service retirement had he or she lived and rendered service without interruption in the rank held by the member at retirement, and after said date the allowance payable shall be equal to the retirement allowance said member would have received if retired for service on said date based on the final compensation, as defined in Section A8.595-1, he or she would have received immediately prior to said date, had he or she lived and rendered service as assumed, but such allowance shall not be less than 55 percent of such final compensation.

If, at the time of retirement because of disability, he or she is qualified as to age and service for retirement under Section A8.595-2, he or she shall receive an allowance equal to the retirement allowance which he or she would receive if retired under Section A8.595-2, but not less than 55 percent of said final compensation. Any member of the police department who becomes incapacitated for performance of his or her duty, by reason of a cause not included under the provisions of the immediately preceding sentences, and who shall have completed at least 10 years of service in the aggregate, computed as provided in Section A8.595-10; shall be retired upon an allowance of one and one-half percent of the final compensation of said member as defined in Section A8.595-1 for each year of service, provided that said allowance shall not be less than 33-1/3 percent of said final compensation; provided, however, that if such member has completed at least 25 years of service in the aggregate, computed as provided in Section A8.595-10, but has not yet attained the age of 50 years, he or she shall receive an allowance equal to the retirement allowance he or she would have received if he or she had attained the age of 50 years and retired under Section A8.595-2 as of the date of retirement for such incapacity. The question of retiring a member under this section may be brought before the retirement board on said board's own motion, by recommendation of the police commission, or by said member or 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 the service in the rank he or she occupied at the time of his or her retirement.

#### A8.595-4 DEATH ALLOWANCE

If a member of the police department shall die before or after retirement by reason of an injury received in, or illness caused by the performance of his or her duty, a death allowance, in lieu of any allowance payable under any other section of the charter or by ordinance, on account of death resulting from injury received in or illness caused by the performance of duty, shall be paid, beginning on the date next following the date of death, to his or her surviving spouse throughout his or her life or until his or her remarriage. If the member, at the time of death, was qualified for service retirement, but had not retired, the allowance payable shall be equal to the retirement allowance which the member would have received if he or she had been retired for service on the day of death, but such allowance shall not be less than 55 percent of the final compensation earnable by said member immediately preceding death. If death occurs prior to qualification for service retirement, the allowance payable shall be equal to the final compensation of said member at the date of death, until the date upon which said member would have qualified for service retirement, had he or she lived and rendered service without interruption in the rank held by the member at death, and after said date the allowance payable shall be equal to the retirement allowance said member would have received if retired for service on said date, based on the final compensation he or she would have received immediately prior to said date, had he or she lived and rendered service as assumed, but such allowance shall not be less than 55 percent of such monthly final compensation. If he or she had retired prior to death, for service or for disability resulting from injury received in, or illness caused by the performance of duty, the allowance payable shall be equal to the retirement allowance of the member, except that if he or she was a member under Section 5.595 and retirement was for such disability, and if death occurred prior to qualification for the service retirement allowance, the allowance continued shall be reduced upon the date at which said member would have qualified for service retirement, in the same manner as it would have been reduced had the member not died. If there is no surviving spouse entitled to an allowance hereunder, or if he or she dies or remarries before every child of such deceased member attains the age of 18 years, then the allowance which the surviving spouse would have received had he or she lived and not remarried shall be paid to his or her 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. Should said member leave no surviving spouse and no children under the age of 18 years, but leave a child or children, regardless of age, dependent upon him or her for support because partially or totally disabled and unable to earn a livelihood or a parent or parents dependent upon him or her for support, the child or children and the parents so dependent shall collectively receive a monthly allowance equal to that which a surviving spouse otherwise would have received,

during such dependency. No allowance, however, shall be paid under this section to a surviving spouse following the death of a member unless he or she was married to the member prior to the date of the injury or onset of the illness which results in death.

#### A8.595-5 PAYMENT TO SURVIVING DEPENDENTS

Upon the death a member of the police department resulting from any cause, other than an injury received in, or illness caused by performance of duty:

(a) if his or her death occurred after qualification for service retirement, under Section A8.595-2 or after retirement for service or because of disability which resulted from any cause other than an injury received in, or illness caused by performance of duty, three-fourths of his or her retirement allowance to which the member would have been entitled if he or she had retired for service at the time of death or three-fourths of the retirement allowance as it was at his or her death, as the case may be, shall be continued throughout life or until remarriage to his or her surviving spouse; or

(b) if his or her death occurred after the completion of at least 25 years of service in the aggregate but prior to the attainment of the age of 50 years, three-fourths of the retirement allowance to which he or she would have been entitled under Section A8.595-2 if he or she had attained the age of 50 years on the date of his or her death shall be continued throughout life or until remarriage to his or her surviving spouse; or

(c) if his or her death occurred after retirement for disability by reason of injury received in, or illness caused by performance of duty, his or her retirement allowance as it was at his or her death shall be continued throughout life or until remarriage, to his or her surviving spouse, except that, if death occurred prior to qualification for service retirement allowance, the allowance continued shall be adjusted upon the date of which said member would have qualified for service retirement, in the same manner as it would have been adjusted had the member not died; or

(d) if his or her death occurred after completion of at least 10 years of service in the aggregate, computed as provided in Section A8.595-10, an allowance in an amount equal to the retirement allowance to which the member would have been entitled pursuant to Section A8.595-3 if he or she had retired on the date of death because of incapacity for performance of duty resulting from a cause other than bodily injury received in or illness caused by performance of duty shall be paid throughout life or until remarriage to his or her surviving spouse.

If there is no surviving spouse entitled to an allowance hereunder, or if he or she dies or remarries before every child of such deceased member attains the age of 18 years, then the allowance which the surviving spouse would have received had he or she lived and not remarried shall be paid to his or her 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. Should said member leave no surviving spouse and no children

under age of 18 years, but leave a child or children, regardless of age, dependent upon him or her for support because partially or totally disabled and unable to earn a livelihood or a parent or parents dependent upon him or her for support, the child or children and the parents so dependent shall collectively receive a monthly allowance equal to that which a surviving spouse otherwise would have received, during such dependency. No allowance, however, shall be paid under this section to a surviving spouse unless he or she was married to the member prior to the date of the injury or onset of the illness which results in death if he or she had not retired, or unless he or she was married to the member at least one year prior to his or her death if he or she had retired.

As used in this section and Section A8.595-4, “surviving spouse” shall mean and include a surviving spouse, and shall also mean and include a spouse who has remarried since the death of the member, but whose remarriage has been terminated by death, divorce or annulment within five years after the date of such remarriage and who has not thereafter again remarried.

The surviving spouse, in the event of death of the member after qualification for but before service retirement, may elect before the first payment of the allowance, to receive the benefit provided in Section A8.595-A8, in lieu of the allowance which otherwise would be continued to him or her under this section. If there is no surviving spouse, the guardian of the eligible child or children may make such election, and if there are no such children, the dependent parent or parents may make such election. “Qualified for service retirement,” “Qualification for service retirement” or “Qualified as to age and service for retirement,” as used in this section and other sections to which persons who are members under Section A8.595 are subject, shall mean completion of 25 years of service and attainment of age 50, said service to be computed under Section A8.595-10.

#### A8.595-6 ADJUSTMENT OF ALLOWANCES

Every retirement or death allowance payable to or on account of any member under Section A8.595 shall be increased or decreased as of January 1, 2003, and thereafter on the effective date of any legislation fixing the rates of compensation for police officers under Section A8.590-1 et seq. of this charter by an amount equal to 50 percent of any increase or decrease, respectively, in the rate of remuneration attached to the rank or position upon which such retirement or death allowance was based; provided, however, that no allowance shall be reduced below the amount being received by a member or his or her beneficiary on January 1, 2003, or on the date such member or beneficiary began to receive the allowance, whichever is later.

#### A8.595-7 ADJUSTMENT FOR COMPENSATION PAYMENTS

That portion of any allowance payable because of the death or retirement of any member of the police department which is provided by contributions of the City and County, shall be reduced, by the amount of any benefits other than medical benefits, payable by the City and County to or on account of such person, under any workers’ compensation law or any other general law and because of the injury

or illness resulting in said death or retirement. Such portion which is paid because of death or retirement which resulted from injury received in or illness caused by performance of duty, shall be considered as in lieu of all benefits, other than medical benefits, payable to or on account of such person under such law and shall be in satisfaction and discharge of the obligation of the City and County to pay such benefits.

#### A8.595-8 DEATH BENEFIT

If a member of the police department shall die, before retirement from causes other than an injury received in or illness caused by the performance of duty, or regardless of cause, if no allowance shall be payable under Section 8.595-4 or 8.595-5 preceding, a death benefit shall be paid to his or her estate or designated beneficiary, the amount of which and the conditions for the payment of which shall be determined in the manner prescribed by the board of supervisors for the death benefit of other members of the retirement system. 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 the amount of which and the conditions for the payment of which shall be determined in the manner prescribed by the board of supervisors for the death benefit of other members of the retirement system.

#### A8.595-9 REFUNDS AND REDEPOSITS

Should any member of the police department cease to be employed as such a member, through any cause other than death or retirement or transfer to another office or department, 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 govern similar terminations of employment of other members of the retirement system. If he or she shall again become a member of the department, he or she shall redeposit in the retirement fund, the amount refunded to him or her. Should a member of the police department become an employee of any other office or department, his or her accumulated contribution account shall be adjusted by payments to or from him or her as the case may be to make the accumulated contributions credited to him or her at the time of change, equal to the amount which would have been credited to him or her if he or she had been employed in said other office or department at the rate of compensation received by him or her in the police department and he or she shall receive credit for service for which said contributions were made, according to the charter section under which his or her membership in the retirement system continues.

#### A8.595-10 COMPUTATION OF SERVICE

The following time shall be included in the computation of the service to be credited to a member of the police department for the purposes of determining whether such member qualified for retirement and calculating benefits, excluding, however, any time, the contributions for which were withdrawn by said member upon termination of his or her service while he or she was a member under any other charter section, and not redeposited upon reentry into service:

(a) Time during and for which said member is entitled to receive compensation because of services as a member of the fire or police department.

(b) Time during which said member served and received compensation as a jail matron in the office of the sheriff.

(c) Time during which said member is absent from a status included in Subsections (a) or (b) next preceding, by reason of service in the armed forces of the United States of America, or by reason of any other service included in Sections A8.520 and A8.521 of the charter, during any war in which the United States was or shall be engaged or during other national emergency, and for which said member contributed or contributes to the retirement system or for which the City and County contributed or contributes on his or her account.

#### A8.595-11 SOURCES OF FUNDS

All payments provided for members under Section A8.595 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 A8.595 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, or shall be paid to said member or his or her estate or beneficiary as provided in Section A8.595-8, A8.595-9 and A8.595-10. A member's individual account under Section A8.595 shall include all monies previously credited to the member's account under Section A8.559.

(b) The dependent contributions of each member under this section which shall be required of each member throughout his or her membership in addition to the normal contributions, and in the same manner as normal contributions, shall be such as, on the average for such member, will provide, assuming service without interruption under Section A8.595-2, and upon he or she first qualifying as to age and service for retirement under that section, one-third of the portion of his or her allowance, which is to be continued under Section A8.595-5 after his or her death and throughout the life of a surviving spouse whose age at said death is three years less than the age of said member. If, at the date of retirement for service or retirement for disability resulting from injury received in the performance of duty, said member has no spouse who would qualify for the continuance of the allowance to him or her after the death of said member, or upon retirement for disability resulting from other causes, regardless of his or her marital conditions, the dependent contributions with accumulated interest thereon, shall be paid to him or her forthwith. The dependent rate of contribution, however, shall not exceed the difference between seven percent and the member's normal rate of contribution,

and said dependent rate may be taken as a flat percentage of the member's normal rate, regardless of the age of qualification for service retirement.

(c) 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 A8.595-11, to provide the benefits payable to members under Section A8.595. 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 A8.595 in accordance with the provisions of Section A8.510.

(d) 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 A8.595, shall be a part of the fund in which all other assets of said system are included.

(e) Any year in which, based upon the retirement system's annual actuarial valuation, the employer contribution rate exceeds 0%, the employee organizations representing safety members shall jointly meet and confer with city representatives to implement a cost sharing arrangement between the city and employee organizations. Such arrangement will effect a material reduction of the cost impact of employer contributions on the city's general fund.

The dollar value of the cost sharing arrangement shall not exceed the total annual cost to the retirement system of improving the police and fire safety retirement plans to the 3%@55 benefit level or the total employer contribution required by the retirement system, whichever is lesser. Such cost sharing arrangement shall not require an employee contribution in excess of the limits set elsewhere in this charter.

The meet and confer process, including all impasse procedures under Section A8.590-1 et seq., shall be concluded not later than April 1st except by mutual agreement of the parties. The cost sharing arrangement must be finalized to permit implementation effective July 1.

The retirement board's authority under charter Section 12.100 and in Section A8.510 concerning the annual setting of the rates of contribution are not subject to the meet and confer process, including all impasse procedures under Section A8.590-1 et seq.

#### A8.595-12 RIGHT TO RETIRE

Upon the completion of the years of service set forth in Section A8.595-2 as requisite to retirement, a member of the police department shall be entitled to retire at any time thereafter in accordance with the provisions of said Section A8.595-2, and nothing shall deprive said member of said right.

#### A8.595-13 LIMITATION IN EMPLOYMENT DURING RETIREMENT

Except as otherwise provided in Section A8.511 of this charter, no person retired as a member under Section A8.595 for service or disability and entitled to

receive a retirement allowance under the retirement system shall serve in any elective or appointive position in the City and County service, including membership on boards and commissions, nor shall such person receive any payment for service rendered to the City and County after retirement, provided that service as an election officer or juror, or in the preparation for, or the giving of, testimony as an expert witness for or on behalf of the City and County of San Francisco before any court or legislative body shall not be affected by this section.

#### A8.595-14 VESTING

Notwithstanding any provisions of this charter to the contrary, should any member of the police department who is a member of the Retirement System under Charter Section A8.595 with five years of credited service, cease to be so employed, through any cause other than death or retirement, he or she shall have the right to elect, without right of revocation and within 90 days after termination of said service, to allow his or her accumulated contributions including interest to remain in the retirement fund and to receive a retirement allowance equal to the percent set forth in Section A8.595-2 opposite his or her age at retirement, for each year of service multiplied against the final compensation of said member, calculated at termination, payable beginning no earlier than age 50. The provisions of Section A8.595-14 shall not apply to any members of the retirement system under Section A8.559 who terminated before January 1, 2003 or their continuants. No vesting retirement allowance under this section shall exceed ninety (90%) percent of the member's final compensation.

Any member of the police department convicted of a crime involving moral turpitude committed in connection with his or her duties as a member of the police department shall, upon termination of his or her employment pursuant to the provisions of this charter, forfeit all right to any benefits under this section except refund of his or her accumulated contributions.

Every retirement or death allowance payable to or on account of any member under Section A8.595-14 shall be adjusted in accordance with the provisions of Section A8.595-6 provided that if the member's accrued service credit is less than 25 years the Section A8.595-6 adjustment will be multiplied by a fraction where the denominator is 25 and the numerator is equal to the member's accrued service credit at the date of termination.

#### A8.596 MEMBERS OF THE FIRE DEPARTMENT ON JANUARY 1, 2003 WHO ARE MEMBERS OF THE RETIREMENT SYSTEM UNDER CHARTER SECTION A8.585

Members of the fire department on January 1, 2003 who are members of the retirement system under Section A8.585 may elect to be members of the retirement system under Section A8.596 instead of Section A8.585. Any such election must be exercised in writing, on a form furnished by the retirement system, and filed at the office of said system not later than the close of business on December 31, 2002.

Those persons who elect to be members under Section A8.596 as provided in the preceding paragraph, shall be members of the system subject to provisions of Section A8.596 through Section A8.596-14 (which shall apply only to members under Section A8.596) in addition to the provisions contained in Sections 12.100 to 12.103 and Sections A8.500, A8.510 and A8.520 of this charter, notwithstanding the provisions of any other section of this charter, and shall not be subject to any of the provisions of Section A8.585 of this charter.

The provisions of Section A8.596 shall not apply to any member of the retirement system under Section A8.585 who separated from service, retired or died before January 1, 2003, or to his or her continuant; provided, however, that the provisions of Section A.596-2 shall apply to the adjustment required in Sections A8.585-3, A8.585-4 and A8.585-5 for a retired member or his or her surviving spouse or continuant when the retired member would not have completed at least twenty-five (25) years of service in the aggregate and attained the age of fifty (50) years until after January 1, 2003.

#### A8.596-1 DEFINITIONS

The following words and phrases as used in this section A8.596 and Sections A8.596-2 through A8.596-14, unless a different meaning is plainly required by the context, shall have the following meanings:

“Retirement allowance,” “death allowance” or “allowance,” shall mean equal monthly payments, beginning to accrue upon the date of retirement, or upon the day following the date of death, as the case may be, 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 Insurance and Safety Act of the State of California, shall mean the remuneration payable in cash, by the City and County, without deduction except for absence from duty, for time during which the individual receiving such remuneration is a member of the fire department, but excluding remuneration paid for overtime.

“Compensation earnable” shall mean the compensation which would have been earned had the member received compensation without interruption throughout the period under consideration and at the rates of remuneration attached at that time to the ranks or positions held by him or her during such period, it being assumed that during any absence, he or she was in the rank or position held by him or her at the beginning of the absence, and that prior to becoming a member of the fire department, he or she was in the rank or position first held by him or her in such department.

“Benefit” shall include “allowance,” “retirement allowance,” “death allowance” and “death benefit.”

“Final compensation” shall mean the monthly compensation earnable by a member at the time of his or her retirement, or death before retirement, as the case may be, at the rate of remuneration attached at that time to the rank or position which said member held, provided that said member has held said rank or position

for at least one year immediately prior to said retirement or death; and provided, further, that if said member has not held said rank or position for at least one year immediately prior to said retirement or death, “final compensation,” as to such member, shall mean the monthly compensation earnable by such member in the rank or position next lower to the rank or position which he or she held at the time of retirement or death at the rate of remuneration attached at the time of said retirement or death to said next lower rank or position; provided, however, that in the case of a member’s death before retirement as the result of a violent traumatic injury received in the performance of his or her duty, “final compensation,” as to such member shall mean the monthly compensation earnable by such member at the rate of remuneration attached on the date he or she receives such injury to the rank or position held by such member on that date.

For the purpose of Sections A8.596 through A8.596-14, the terms “member of the fire department,” “member of the department,” or “member” shall mean any officer or employee of the fire department, who was a member of the fire department on January 1, 2003 and a member of the retirement system under Section A8.585 and who elected to be a member of Section A8.596 as provided in Section A8.596.

Any fire service performed by such members of the fire department outside the limits of the City and County and under orders of a superior officer of any such member, shall be considered as City and County service, and any disability or death incurred therein shall be covered under the provisions of the 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 gender, words used in the feminine gender shall include the masculine and neuter gender, and singular numbers shall include the plural and the plural the singular.

“Interest” shall mean interest at the rate adopted by the retirement board.

#### A8.596-2 SERVICE RETIREMENT

Any member of the fire department who completes at least twenty-five (25) years of service in the aggregate and attains the age of fifty (50) years, said service to be computed under Section A8.596-10, may retire for service at his or her option. A member retired after meeting the service and age requirements in the preceding sentence, shall receive a retirement allowance equal to the percent of the final compensation of said member, as defined in Section A8.596-1, set forth below opposite his or her age at retirement, taken to the preceding quarter year, for each year of service, as computed under Section A8.596-10:

Retirement Age	Percent for Each Year of Credited Service
50	2.400
50.25	2.430
50.5	2.460
50.75	2.490
51	2.520
51.25	2.550
51.5	2.580
51.75	2.610
52	2.640
52.25	2.670
52.5	2.700
52.75	2.730
53.	2.760
53.25	2.790
53.5	2.820
53.75	2.850
54	2.880
54.25	2910
54.5	2.940
54.75	2.970
55+	3.000

In no event, however, shall such a retirement allowance exceed ninety (90) percent of a member's final compensation.

If, at the date of retirement for service, or retirement for disability resulting from an injury received in the performance of duty, said member has no spouse, children or dependent parents, who would qualify for the continuance of the allowance after the death of said member, or with respect to the portion of the allowance which would not be continued regardless of dependents, or upon retirement for disability resulting from other causes, with respect to all of the allowance and regardless of dependents at retirement, a member retired under this section, or Section A8.596-3, may elect before the first payment of the retirement allowance is made, to receive the actuarial equivalent of his or her allowance or the portion which would not be continued regardless of dependents, as the case may be, partly in a lesser 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 election by other members of the retirement system, including the character and amount of such other benefits.

### A8.596-3 RETIREMENT FOR INCAPACITY

Any member of the fire department who becomes incapacitated for the performance of his or her duty by reason of any bodily injury received in, or illness caused by the performance of his or her duty, shall be retired. If he or she is not qualified for service retirement, he or she shall receive a retirement allowance in an amount which shall be equal to the same percentage of the final compensation of said member, as defined in Section A8.596-1, as his or her percentage of disability is determined to be. The percentage of disability shall be as determined by the Workers' Compensation Appeals Board of the State of California upon referral from the retirement board for that purpose; provided that the retirement board may, by five affirmative votes, adjust the percentage of disability as determined by said appeals board; and provided, further, that such retirement allowance shall be in an amount not less than 50 percent nor more than 90 percent of the final compensation of said member, as defined in Section A8.596-1. Said allowance shall be paid to said member until the date upon which said member would have qualified for service retirement had he or she lived and rendered service without interruption in the rank held by the member at retirement, and after said date the allowance payable shall be equal to the retirement allowance said member would have received if retired for service on said date based on the final compensation, as defined in Section A8.596-1, he or she would have received immediately prior to said date, had he or she lived and rendered service as assumed, but such allowance shall not be less than 55 percent of such final compensation.

If, at the time of retirement because of disability, he or she is qualified as to age and service for retirement under Section A8.596-2, he or she shall receive an allowance equal to the retirement allowance which he or she would receive if retired under Section A8.596-2, but not less than 55 percent of said final compensation. Any member of the fire department who becomes incapacitated for performance of his or her duty, by reason of a cause not included under the provisions of the immediately preceding sentences, and who shall have completed at least 10 years of service in the aggregate, computed as provided in Section A8.596-10, shall be retired upon an allowance of one and one-half percent of the final compensation of said member as defined in Section A8.596-1 for each year of service, provided that said allowance shall not be less than 33-1/3 percent of said final compensation; provided, however, that if such member has completed at least 25 years of service in the aggregate, computed as provided in Section A8.596-10, but has not yet attained the age of 50 years, he or she shall receive an allowance equal to the retirement allowance he or she would have received if he or she had attained the age of 50 years and retired under Section A8.596-2 as of the date of retirement for such incapacity. The question of retiring a member under this section may be brought before the retirement board on said board's own motion, by recommendation of the fire commission, or by said member or 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 the service in the rank he or she occupied at the time of his or her retirement.

#### A8.596-4 DEATH ALLOWANCE

If a member of the fire department shall die before or after retirement by reason of an injury received in, or illness caused by the performance of his or her duty, a death allowance, in lieu of any allowance payable under any other section of the charter or by ordinance, on account of death resulting from injury received in or illness caused by the performance of duty, shall be paid, beginning on the date next following the date of death, to his or her surviving spouse throughout his or her life or until his or her remarriage. If the member, at the time of death, was qualified for service retirement, but had not retired, the allowance payable shall be equal to the retirement allowance which the member would have received if he or she had been retired for service on the day of death, but such allowance shall not be less than 55 percent of the final compensation earnable by said member immediately preceding death. If death occurs prior to qualification for service retirement, the allowance payable shall be equal to the final compensation of said member at the date of death, until the date upon which said member would have qualified for service retirement, had he or she lived and rendered service without interruption in the rank held by the member at death, and after said date the allowance payable shall be equal to the retirement allowance said member would have received if retired for service on said date, based on the final compensation he or she would have received immediately prior to said date, had he or she lived and rendered service as assumed, but such allowance shall not be less than 55 percent of such monthly final compensation. If he or she had retired prior to death, for service or for disability resulting from injury received in, or illness caused by the performance of duty, the allowance payable shall be equal to the retirement allowance of the member, except that if he or she was a member under Section 5.596 and retirement was for such disability, and if death occurred prior to qualification for the service retirement allowance, the allowance continued shall be reduced upon the date at which said member would have qualified for service retirement, in the same manner as it would have been reduced had the member not died. If there is no surviving spouse entitled to an allowance hereunder, or if he or she dies or remarries before every child of such deceased member attains the age of 18 years, then the allowance which the surviving spouse would have received had he or she lived and not remarried shall be paid to his or her 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. Should said member leave no surviving spouse and no children under the age of 18 years, but leave a child or children, regardless of age, dependent upon him or her for support because partially or totally disabled and unable to earn a livelihood or a parent or parents dependent upon him or her for support, the child or children and the parents so dependent shall collectively receive a monthly allowance equal to that which a surviving spouse otherwise would have received,

during such dependency. No allowance, however, shall be paid under this section to a surviving spouse following the death of a member unless he or she was married to the member prior to the date of the injury or onset of the illness which results in death.

#### A8.596-5 PAYMENT TO SURVIVING DEPENDENTS

Upon the death of a member of the fire department resulting from any cause, other than an injury received in, or illness caused by performance of duty:

(a) if his or her death occurred after qualification for service retirement, under Section A8.596-2 or after retirement for service or because of disability which resulted from any cause other than an injury received in, or illness caused by performance of duty, three-fourths of his or her retirement allowance to which the member would have been entitled if he or she had retired for service at the time of death or three-fourths of the retirement allowance as it was at his or her death, as the case may be, shall be continued throughout life or until remarriage to his or her surviving spouse; or

(b) if his or her death occurred after the completion of at least 25 years of service in the aggregate but prior to the attainment of the age of 50 years, three-fourths of the retirement allowance to which he or she would have been entitled under Section A8.596-2 if he or she had attained the age of 50 years on the date of his or her death shall be continued throughout life or until remarriage to his or her surviving spouse; or

(c) if his or her death occurred after retirement for disability by reason of injury received in, or illness caused by performance of duty, his or her retirement allowance as it was at his or her death shall be continued throughout life or until remarriage, to his or her surviving spouse, except that, if death occurred prior to qualification for service retirement allowance, the allowance continued shall be adjusted upon the date of which said member would have qualified for service retirement, in the same manner as it would have been adjusted had the member not died; or

(d) if his or her death occurred after completion of at least 10 years of service in the aggregate, computed as provided in Section A8.596-10, an allowance in an amount equal to the retirement allowance to which the member would have been entitled pursuant to Section A8.596-3 if he or she had retired on the date of death because of incapacity for performance of duty resulting from a cause other than bodily injury received in, or illness caused by performance of duty shall be paid throughout life or until remarriage to his or her surviving spouse.

If there is no surviving spouse entitled to an allowance hereunder, or if he or she dies or remarries before every child of such deceased member attains the age of 18 years, then the allowance which the surviving spouse would have received had he or she lived and not remarried shall be paid to his or her 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. Should said member leave no surviving spouse and no children

under age of 18 years, but leave a child or children, regardless of age, dependent upon him or her for support because partially or totally disabled and unable to earn a livelihood or a parent or parents dependent upon him or her for support, the child or children and the parents so dependent shall collectively receive a monthly allowance equal to that which a surviving spouse otherwise would have received, during such dependency. No allowance, however, shall be paid under this section to a surviving spouse unless he or she was married to the member prior to the date of the injury or onset of the illness which results in death if he or she had not retired, or unless he or she was married to the member at least one year prior to his or her death if he or she had retired.

As used in this section and Section A8.596-4, “surviving spouse” shall mean and include a surviving spouse, and shall also mean and include a spouse who has remarried since the death of the member, but whose remarriage has been terminated by death, divorce or annulment within five years after the date of such remarriage and who has not thereafter again remarried.

The surviving spouse, in the event of death of the member after qualification for but before service retirement, may elect before the first payment of the allowance, to receive the benefit provided in Section A8.596-8, in lieu of the allowance which otherwise would be continued to him or her under this section. If there is no surviving spouse, the guardian of the eligible child or children may make such election, and if there are no such children, the dependent parent or parents may make such election. “Qualified for service retirement,” “Qualification for service retirement” or “Qualified as to age and service for retirement,” as used in this section and other sections to which persons who are members under Section A8.596 are subject, shall mean completion of 25 years of service and attainment of age 50, said service to be computed under Section A8.596-10.

#### A8.596-6 ADJUSTMENT OF ALLOWANCES

Every retirement or death allowance payable to or on account of any member under Section A8.596 shall be increased or decreased as of January 1, 2003, and thereafter on the effective date of any legislation fixing the rates of compensation for firefighters under Section A8.590-1 et seq. of this charter by an amount equal to 50 percent of any increase or decrease, respectively, in the rate of remuneration attached to the rank or position upon which such retirement or death allowance was based; provided, however, that no allowance shall be reduced below the amount being received by a member or his or her beneficiary on January 1, 2003, or on the date such member or beneficiary began to receive the allowance, whichever is later.

#### A8.596-7 ADJUSTMENT FOR COMPENSATION PAYMENTS

That portion of any allowance payable because of the death or retirement of any member of the fire department which is provided by contributions of the City and County, shall be reduced, by the amount of any benefits other than medical benefits, payable by the City and County to or on account of such person, under any workers' compensation law or any other general law and because of the injury or

illness resulting in said death or retirement. Such portion which is paid because of death or retirement which resulted from injury received in or illness caused by performance of duty, shall be considered as in lieu of all benefits, other than medical benefits, payable to or on account of such person under such law and shall be in satisfaction and discharge of the obligation of the City and County to pay such benefits.

#### A8.596-8 DEATH BENEFIT

If a member of the fire department shall die, before retirement from causes other than an injury received in or illness caused by the performance of duty, or regardless of cause, if no allowance shall be payable under Section A8.596-4 or A8.596-5 preceding, a death benefit shall be paid to his or her estate or designated beneficiary, the amount of which and the conditions for the payment of which shall be determined in the manner prescribed by the board of supervisors for the death benefit of other members of the retirement system. 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 the amount of which and the conditions for the payment of which shall be determined in the manner prescribed by the board of supervisors for the death benefit of other members of the retirement system.

#### A8.596-9 REFUNDS AND REDEPOSITS

Should any member of the fire department cease to be employed as such a member, through any cause other than death or retirement or transfer to another office or department, 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 govern similar terminations of employment of other members of the retirement system. If he or she shall again become a member of the department, he or she shall redeposit in the retirement fund, the amount refunded to him or her. Should a member of the fire department become an employee of any other office or department, his or her accumulated contribution account shall be adjusted by payments to or from him or her as the case may be to make the accumulated contributions credited to him or her at the time of change, equal to the amount which would have been credited to him or her if he or she had been employed in said other office or department at the rate of compensation received by him or her in the fire department and he or she shall receive credit for service for which said contributions were made, according to the charter section under which his or her membership in the retirement system continues.

#### A8.596-10 COMPUTATION OF SERVICE

The following time shall be included in the computation of the service to be credited to a member of the fire department for the purposes of determining whether such member qualified for retirement and calculating benefits, excluding, however, any time, the contributions for which were withdrawn by said member upon termination of his or her service while he or she was a member under any other charter section, and not redeposited upon reentry into service:

(a) Time during and for which said member is entitled to receive compensation because of services as a member of the police or fire department.

(b) Time during which said member is absent from a status included in Subsection (a) next preceding, by reason of service in the armed forces of the United States of America, or by reason of any other service included in Sections A8.520 and A8.521 of the charter, during any war in which the United States was or shall be engaged or during other national emergency, and for which said member contributed or contributes to the retirement system or for which the City and County contributed or contributes on his or her account.

#### A8.596-11 SOURCES OF FUNDS

All payments provided for members under Section A8.596 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 A8.596 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, or shall be paid to said member or his or her estate or beneficiary as provided in Section A8.596-8, A8.596-9 and A8.596-10. A member's individual account under Section A8.596 shall include all monies previously credited to the member's account under Section A8.585.

(b) The dependent contributions of each member under this section which shall be required of each member throughout his or her membership in addition to the normal contributions, and in the same manner as normal contributions, shall be such as, on the average for such member, will provide, assuming service without interruption under Section A8.596-2, and upon he or she first qualifying as to age and service for retirement under that section, one-third of the portion of his or her allowance, which is to be continued under Section A8.596-5 after his or her death and throughout the life of a surviving spouse whose age at said death is three years less than the age of said member. If, at the date of retirement for service or retirement for disability resulting from injury received in the performance of duty, said member has no spouse who would qualify for the continuance of the allowance to him or her after the death of said member, or upon retirement for disability resulting from other causes, regardless of his or her marital conditions, the dependent contributions with accumulated interest thereon, shall be paid to him or her forthwith. The dependent rate of contribution, however, shall not exceed the difference between seven percent and the member's normal rate of contribution, and said dependent rate may be taken as a flat percentage of the member's normal rate, regardless of the age of qualification for service retirement.

(c) 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 A8.596-11, to provide the benefits payable to members under Section A8.596. 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 A8.596 in accordance with the provisions of Section A8.510.

(d) 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 A8.596, shall be a part of the fund in which all other assets of said system are included.

(e) Any year in which, based upon the retirement system's annual actuarial valuation, the employer contribution rate exceeds 0%, the employee organizations representing safety members shall jointly meet and confer with city representatives to implement a cost sharing arrangement between the city and employee organizations. Such arrangement will effect a material reduction of the cost impact of employer contributions on the city's general fund.

The dollar value of the cost sharing arrangement shall not exceed the total annual cost to the retirement system of improving the police and fire safety retirement plans to the 3%@55 benefit level or the total employer contribution required by the retirement system, whichever is lesser. Such cost sharing arrangement shall not require an employee contribution in excess of the limits set elsewhere in this charter.

The meet and confer process, including all impasse procedures under Section A8.590-1 et seq., shall be concluded not later than April 1st except by mutual agreement of the parties. The cost sharing arrangement must be finalized to permit implementation effective July 1.

The retirement board's authority under charter Section 12.100 and in Section A8.510 concerning the annual setting of the rates of contribution are not subject to the meet and confer process, including all impasse procedures under Section A8.590-1 et seq.

#### A8.596-12 RIGHT TO RETIRE

Upon the completion of the years of service set forth in Section A8.596-2 as requisite to retirement, a member of the fire department shall be entitled to retire at any time thereafter in accordance with the provisions of said Section A8.596-2, and nothing shall deprive said member of said right.

#### A8.596-13 LIMITATION IN EMPLOYMENT DURING RETIREMENT

Except as otherwise provided in Section A8.511 of this charter, no person retired as a member under Section A8.596 for service or disability and entitled to receive a retirement allowance under the retirement system shall serve in any elective or appointive position in the City and County service, including mem-

bership on boards and commissions, nor shall such person receive any payment for service rendered to the City and County after retirement, provided that service as an election officer or juror, or in the preparation for, or the giving of, testimony as an expert witness for or on behalf of the City and County of San Francisco before any court or legislative body shall not be affected by this section.

#### A8.596-14 VESTING

Notwithstanding any provisions of this charter to the contrary, should any member of the fire department who is a member of the Retirement System under Charter Section A8.596 with five years of credited service, cease to be so employed, through any cause other than death or retirement, he or she shall have the right to elect, without right of revocation and within 90 days after termination of said service, to allow his or her accumulated contributions including interest to remain in the retirement fund and to receive a retirement allowance equal to the percent set forth in Section A8.596-2 opposite his or her age at retirement, or each year of service multiplied against the final compensation of said member, calculated at termination, payable beginning no earlier than age 50. The provisions of Section A8.596-14 shall not apply to any members of the retirement system under Section A8.585 who terminated before January 1, 2003 or their continuants. No vesting retirement allowance under this section shall exceed ninety (90%) percent of the member's final compensation.

Any member of the fire department convicted of a crime involving moral turpitude committed in connection with his or her duties as a member of the fire department shall, upon termination of his or her employment pursuant to the provisions of this charter, forfeit all right to any benefits under this section except refund of his or her accumulated contributions.

Every retirement or death allowance payable to or on account of any member under Section A8.596-14 shall be adjusted in accordance with the provisions of Section A8.596-6 provided that if the member's accrued service credit is less than 25 years the Section A8.596-6 adjustment will be multiplied by a fraction where the denominator is 25 and the numerator is equal to the member's accrued service credit at the date of termination.

**A8.597 MEMBERS OF THE POLICE DEPARTMENT ON JANUARY 1, 2003 WHO ARE MEMBERS OF THE RETIREMENT SYSTEM UNDER CHARTER SECTION A8.586, AND MEMBERS OF THE POLICE DEPARTMENT AFTER JANUARY 1, 2003.**

Members of the police department on January 1, 2003 who are members of the retirement system under Section A8.586, and persons who become members of the police department, as defined in Section A8.597-1, after January 1, 2003, shall be members of the retirement system subject to the provisions of Sections A8.597 through A8.597-15 (which shall apply only to members under Section A8.597) in addition to the provisions contained in Sections 12.100 to 12.103 and Sections 8.500, 8.510, 8.520 and 8.526 of this charter, notwithstanding the provisions of

any other section of this charter, and shall not be subject to any of the provisions of Section A8.586 of this charter,

The provisions of Section A8.597 shall not apply to any member of the retirement system under Section A8.586 who separated from service, retired or died before January 1, 2003, or to his or her continuant; provided, however, that the provisions of Section A8.597-2 shall apply to the adjustment required in Sections A8.586-3, A8.586-4 and A8.586-5 for a retired member or his or her surviving spouse or continuant when the retired member would not have completed at least twenty-five (25) years of service in the aggregate and attained the age of fifty (50) years until after January 1, 2003.

#### A8.597-1 DEFINITIONS

The following words and phrases as used in this Section, Section A8.597 and Section A8.597-2 through A8.597-14, unless a different meaning is plainly required by the context, shall have the following meanings:

“Retirement allowance,” “death allowance” or “allowance,” shall mean equal monthly payments, beginning to accrue upon the date of retirement, or upon the day following the date of death, as the case may be, 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 Insurance and Safety Act of the State of California, shall mean the remuneration payable in cash, by the City and County, without deduction except for absence from duty, for time during which the individual receiving such remuneration is a member of the police department, but excluding remuneration paid for overtime.

Subject to the requirement that it be payable in cash and that overtime be excluded, “compensation” for pension purposes may be defined in a collective bargaining agreement. Provided, however, that for retirement purposes, any increase in compensation attached to a rank which is based solely upon the possession of a POST certificate, compared to the equivalent rank without a POST certificate, shall be subject to the following limitations:

(a) for possession of the intermediate POST certificate, no more than 4% shall be included in compensation,

(b) for possession of the advanced POST certificate, no more than an additional 2% over the maximum provided in subsection (a), above, shall be included in compensation. These limits shall apply to any pay increments which are solely attributable to the possession of a POST certificate, including but not limited to premiums or special ranks which may be established in the future and which are solely attributable to the possession of a POST certificate.

“Compensation earnable” shall mean the compensation which would have been earned had the member received compensation without interruption throughout the period under consideration and at the rates of remuneration attached at that time to the ranks or positions held by him or her during such period, it being assumed that during any absence, he or she was in the rank or position held by him

or her at the beginning of the absence, and that prior to becoming a member of the police department, he or she was in the rank or position first held by him or her in such department.

“Benefit” shall include “allowance,” “retirement allowance,” “death allowance” and “death benefit.”

“Final compensation” shall mean the average monthly compensation earnable by a member during any one year of credited service in which his or her average compensation is the highest.

For purposes of calculation of final compensation, any increase in pay solely attributable to possession of a POST certificate shall be included only if the member possesses the qualifying POST certificate for a period of not less than four (4) years prior to his or her retirement date; provided, however, that should a member possess the qualifying POST certificate a period of time less than four (4) years prior to retirement, final compensation shall be calculated based upon the monthly compensation in the next lower rank not requiring possession of the qualifying POST certificate.

For the purpose of Section A8.597 through A8.597-14, the terms “member of the police department,” “member of the department,” or “member” shall mean any member of the police department on January 1, 2003 who was an active member of the retirement system under Section A8.586, and any officer or employee of the police department employed after January 1, 2003 who was or shall be subject to the charter provisions governing entrance requirements of members of the uniformed force of said department and said terms shall further mean persons employed after January 1, 2003 at an age not greater than the maximum age then prescribed for entrance into employment in said uniformed force, to perform duties now performed under the titles of criminologist, photographer, police woman or jail matron; provided, however, that said terms shall not include any person who has not satisfactorily completed such course of training as may be required by the police department prior to assignment to active duty with said department.

“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 3.670 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 gender, words used in the feminine gender shall include the masculine and neuter gender, and singular numbers shall include the plural and the plural the singular.

“Interest” shall mean interest at the rate adopted by the retirement board.

#### A8.597-2 SERVICE RETIREMENT

Any member of the police department who completes at least five years of service in the aggregate and attains the age of fifty (50) years, said service to be computed under Section A8.597-10, may retire for service at his or her option. A

member retired after meeting the service and age requirements in the preceding sentence, shall receive a retirement allowance equal to the percent of final compensation (as defined in Section A8.597-1) set forth below opposite his or her age at retirement, taken to the preceding completed quarter year, for each year of service, as computed under Section A8.597-10:

Retirement Age	Percent for Each Year of Credited Service
50	2.400
50.25	2.430
50.5	2.460
50.75	2.490
51	2.520
51.25	2.550
51.5	2.580
51.75	2.610
52	2.640
52.25	2.670
52.5	2.700
52.75	2.730
53	2.760
53.25	2.790
53.5	2.820
53.75	2.850
54	2.880
54.25	2.910
54.5	2.940
54.75	2.970
55+	3.000

In no event, however, shall such a retirement allowance exceed ninety (90) percent of a member's final compensation.

#### A8.597-3 RETIREMENT FOR INCAPACITY

Any member of the police department who becomes incapacitated for the performance of his or her duty by reason of any bodily injury received in, or illness caused by the performance of his or her duty, shall be retired. If he or she is not qualified for service retirement, he or she shall receive a retirement allowance in an amount which shall be equal to the same percentage of the final compensation of said member, as defined in Section A8.597-1, as his or her percentage of disability is determined to be. The percentage of disability shall be as determined by the Workers' Compensation Appeals Board of the State of California upon referral from the retirement board for that purpose; provided that the retirement board may, by five affirmative votes, adjust the percentage of disability as determined by said appeals board; and provided, further, that such retirement allowance shall be in an amount not less than 50 percent nor more than 90 percent of the final compensation of said member, as defined in Section A8.597-1. Said allowance shall be

paid to him or her until the date upon which said member would have completed at least twenty-five (25) years of service in the aggregate and attained the age of fifty (50) years had he or she lived and rendered service without interruption in the rank held by him or her at retirement, and after said date the allowance payable shall be equal to the retirement allowance said member would have received if retired for service on said date based on the final compensation, as defined in Section A8.597-1, he or she would have received immediately prior to said date, had he or she lived and rendered service as assumed, but such allowance shall not be less than 50 percent of such final compensation.

If, at the time of retirement because of disability, he or she is qualified as to age and service for retirement under Section A8.597-2, he or she shall receive an allowance equal to the retirement allowance which he or she would receive if retired under Section A8.597-2, but not less than 50 percent of said final compensation. Any member of the police department who becomes incapacitated for performance of his or her duty by reason of a cause not included under the provisions of the immediately preceding sentences, and who shall have completed at least 10 years of service in the aggregate, computed as provided in Section A8.597-10, shall be retired upon an allowance of 1-1/2 percent of the final compensation of said member as defined in Section A8.597-1 for each year of service, provided that said allowance shall not be less than 33-1/3 percent of said final compensation. The question of retiring a member under this section may be brought before the retirement board on said board's own motion, by recommendation of the police commission or by said member or 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 the service in the rank he or she occupied at the time of his or her retirement.

#### A8.597-4 DEATH ALLOWANCE

If a member of the police department shall die before or after retirement by reason of an injury received in, or illness caused by the performance of his or her duty, a death allowance, in lieu of any allowance, payable under any other section of the charter or by ordinance, on account of death resulting from injury received in or illness caused by the performance of duty, shall be paid, beginning on the date next following the date of death, to his or her surviving spouse throughout his or her life or until his or her remarriage. If the member, at the time of death, was qualified for service retirement, but he or she had not retired, the allowance payable shall be equal to three-fourths of the retirement allowance which the member would have received if he or she had been retired for service on the date of death, but such allowance shall not be less than 50 percent of the final compensation earnable by said member immediately preceding death. If death occurs prior to qualification for service retirement, the allowance payable shall be equal to the compensation of said member at the date of death, until the date upon which said member would have completed at least twenty-five (25) years of service in the aggregate and attained the age of fifty (50) years, had he or she lived and ren-

dered service without interruption in the rank held by him or her at death, and after said date the allowance payable shall be equal to three-fourths of the retirement allowance said member would have received if retired for service on said date, based on the final compensation he or she would have received prior to said date, had he or she lived and rendered service as assumed, but such allowance shall not be less than 50 percent of such final compensation. If he or she had retired prior to death, for service or for disability resulting from injury received in, or illness caused by the performance of duty, the allowance payable shall be equal to three-fourths of the retirement allowance of the member, except that if he or she was a member under Section A8.597 and retirement was for such disability, and if death occurred prior to qualification for the service retirement allowance, the allowance continued shall be adjusted upon the date at which said member would have completed at least twenty-five (25) years of service in the aggregate and attained the age of fifty (50) years, in the same manner as it would have been adjusted had the member not died.

If there is no surviving spouse entitled to an allowance hereunder, or if he or she dies or remarries before every child of such deceased member attains the age of 18 years, then the allowance which the surviving spouse would have received had he or she lived and not remarried shall be paid to his or her child or children under said age, collectively, 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. Should said member leave no surviving spouse and no children under the age of 18 years, but leave a child or children, regardless of age, dependent upon him or her for support because partially or totally disabled and unable to earn a livelihood or a parent or parents dependent upon him or her for support, the child or children and the parents so dependent shall collectively receive a monthly allowance equal to that which a surviving spouse otherwise would have received, during such dependency. No allowance, however, shall be paid under this section to a surviving spouse following the death of a member unless he or she was married to the member prior to the date of the injury or onset of the illness which results in death.

#### A8.597-5 PAYMENT TO SURVIVING DEPENDENTS

Upon the death of a member of the police department resulting from any cause other than an injury received in, or illness caused by performance of duty,

(a) if the death occurred after qualification for service retirement under Section A8.597-2, or after retirement service or because of disability which result from any cause other than an injury received in, or illness caused by performance of duty one-half of the retirement allowance to which the member would have been entitled if he or she had retired for service at the date of death or one-half of the retirement allowance as it was at his or her death, as the case may be, shall be continued throughout his or her life or until remarriage to his or her surviving spouse, or

(b) if his or her death occurred after the completion of at least 25 years of service in the aggregate but prior to the attainment of the age of 50 years, one-half of the retirement allowance to which he or she would have been entitled under Section A8.597-2 if he or she had attained the age of 50 years on the date of his or her death shall be continued throughout life or until remarriage to his or her surviving spouse, or

(c) if his or her death occurred after retirement for disability by reason of injury received in or illness caused by performance of duty, three-fourths of his or her retirement allowance as it was at his or her death shall be continued throughout life or until remarriage to his or her surviving spouse, except that, if death occurred prior to qualification for service retirement allowance, the allowance continued shall be adjusted upon the date on which said member would have completed at least twenty-five (25) years of service in the aggregate and attained the age of fifty (50) years, in the same manner as it would have been adjusted had the member not died, or

(d) if his or her death occurred after completion of at least 10 years of service in the aggregate, computed as provided in Section A8.597-10, an allowance in an amount equal to the retirement allowance to which the member would have been entitled pursuant to Section A8.597-3 if he or she had retired on the date of death because of incapacity for performance of duty shall be paid throughout life or until remarriage to his or her surviving spouse. If there is no surviving spouse entitled to an allowance hereunder, or if he or she dies or remarries before every child of such deceased member attains the age of 18 years, then the allowance which the surviving spouse would have received had he or she lived and not remarried shall be paid to his or her 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. Should said member leave no surviving spouse and no children, under age of 18 years, but leave a child or children, regardless of age, dependent upon him or her for support because partially or totally disabled and unable to earn a livelihood or a parent or parents dependent upon him or her for support, the child or children and the parents so dependent shall collectively receive a monthly allowance equal to that which a surviving spouse otherwise would have received, during such dependency. No allowance, however shall be paid under this section to a surviving spouse unless he or she was married to the member prior to the date of the injury or onset of the illness which results in death if he or she had not retired, or unless he or she was married to the member at least one year prior to his or her retirement if he or she had retired.

As used in this section and Section A8.597-4 “surviving spouse” shall mean and include a surviving spouse, and shall also mean and include a spouse who has remarried since the death of the member, but whose remarriage has been terminated by death, divorce or annulment within five years after the date of such remarriage and who has not thereafter again remarried.

The surviving spouse, in the event of death of the member after qualification for, but before service retirement, may elect before the first payment of the allowance, to receive the benefit provided in Section A8.597-8, in lieu of the allowance which otherwise would be continued to him or her under this section. If there is no surviving spouse, the guardian of the eligible child or children may make such election, and if there are no such children, the dependent parent or parents may make such election. “Qualified for service retirement,” “qualification for service retirement” or “qualified as to age and service for retirement,” as used in this section and other sections to which persons who are members under Section A8.597 are subject, shall mean completion of 25 years of service and attainment of age 50, said service to be computed under Section A8.597-10.

#### A8.597-6 ADJUSTMENT OF ALLOWANCES

Every retirement or death allowance payable to or on account of any member under Section A8.597 shall be adjusted in accordance with the provisions of Subsection (b) of Section A8.526 of this charter.

#### A8.597-7 ADJUSTMENT FOR COMPENSATION PAYMENTS

That portion of any allowance payable because of the death or retirement of any member of the police department which is provided by contributions of the City and County, shall be reduced, by the amount of any benefits other than medical benefits, payable by the City and County to or on account of such person, under any workers’ compensation law or any other general law and because of the injury or illness resulting in said death or retirement. Such portion which is paid because of death or retirement which resulted from injury received in, or illness caused by performance of duty, shall be considered as in lieu of all benefits, other than medical benefits, payable to or on account of such person under such law and shall be in satisfaction and discharge of the obligation of the City and County to pay such benefits.

#### A8.597-8 DEATH BENEFIT

If a member of the police department shall die, before retirement from causes other than an injury received in, or illness caused by the performance of duty, or regardless of cause if no allowance shall be payable under Section A8.597-4 or A8.597-5 preceding, a death benefit shall be paid to his or her estate or designated beneficiary, the amount of which and the conditions for the payment of which shall be determined in the manner prescribed by the board of supervisors for the death benefit of other members of the retirement system. 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 the amount of which and the conditions for the payment of which shall be determined in the manner prescribed by the board of supervisors for the death benefit of other members of the retirement system.

#### A8.597-9 REFUNDS AND REDEPOSITS

Should any member of the police department cease to be employed as such a member, through any cause other than death or retirement or transfer to another

office or department, 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 govern similar terminations of employment of other members of the retirement system. If he or she shall again become a member of the department, he or she shall redeposit in the retirement fund the amount refunded to him or her. Should a member of the police department become an employee of any other office or department, his or her accumulated contribution account shall be adjusted by payments to or from him or her as the case may be to make the accumulated contributions credited to him or her at the time of change equal to the amount which would have been credited to him or her if he or she had been employed in said other office or department at the rate of compensation received by him or her in the police department and he or she shall receive credit for service for which said contributions were made, according to the charter section under which his or her membership in the retirement system continues.

#### A8.597-10 COMPUTATION OF SERVICE

The following time shall be included in the computation of the service to be credited to a member of the police department for the purposes of determining whether such member qualified for retirement and calculating benefits, excluding, however, any time, the contributions for which were withdrawn by said member upon termination of his or her service while he or she was a member under any other charter section, and not redeposited upon re-entry into service:

(a) Time during and for which said member is entitled to receive compensation because of services as a member of the police or fire department.

(b) Time prior to January 1, 2003, during which said member was entitled to receive compensation while a member of the police or fire department 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; and solely for the purpose of determining qualification for retirement under Section A8.597-3 for disability not resulting from injury received in or illness caused by performance of duty, time during which said member serves and receives compensation because of services rendered in other offices and departments.

(c) Time during which said member is absent from a status included in Subsection (a) next preceding, by reason of service in the armed forces of the United States of America, or by reason of any other service included in Sections A8.520 and A8.521 of the charter, during any war in which the United States was or shall be engaged or during other national emergency, and for which said member contributed or contributes to the retirement system or for which the City and County contributed or contributes on his or her account.

#### A8.597-11 SOURCES OF FUNDS

All payments provided for members under Section A8.597 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 A8.597 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, or shall be paid to said member or his or her estate or beneficiary as provided in Section A8.597-8, A8.597-9 and A8.597-10. A member's individual account under Section A8.597 shall include all monies previously credited to the member's account under Section A8.586.

(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 A8.597-11, to provide the benefits payable to members under Section A8.597. 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 A8.597 in accordance with the provisions of Section A8.510.

(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 A8.597, shall be a part of the fund in which all other assets of said system are included.

(d) Any year in which, based upon the retirement system's annual actuarial valuation, the employer contribution rate exceeds 0%, the employee organizations representing safety members shall jointly meet and confer with city representatives to implement a cost sharing arrangement between the city and employee organizations. Such arrangement will effect a material reduction of the cost impact of employer contributions on the city's general fund.

The dollar value of the cost sharing arrangement shall not exceed the total annual cost to the retirement system of improving the police and fire safety retirement plans to the 3%@55 benefit level or the total employer contribution required by the retirement system, whichever is lesser. Such cost sharing arrangement shall not require an employee contribution in excess of the limits set elsewhere in this charter.

The meet and confer process, including all impasse procedures under Section A8.590-1 et seq., shall be concluded not later than April 1st except by mutual agreement of the parties. The cost sharing arrangement must be finalized to permit implementation effective July 1.

The retirement board's authority under charter Section 12.100 and in Section A8.510 concerning the annual setting of the rates of contribution are not subject to the meet and confer process, including all impasse procedures under Section A8.590-1 et seq.

#### A8.597-12 RIGHT TO RETIRE

Upon the completion of the years of service set forth in Section A8.597-2 as requisite to retirement, a member of the police department shall be entitled to retire at any time thereafter in accordance with the provisions of said Section A8.597-2, and, except as provided in the following paragraph, nothing shall deprive said member of said right.

Any member of the police department convicted of a crime involving moral turpitude committed in connection with his or her duties as a member of the police department shall, upon termination of his or her 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 A8.597-2, he or she shall have the right to elect, without right of revocation and within 90 days of the termination of his or her employment, whether to withdraw all of his or her accumulated contributions or 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 termination of employment.

#### A8.597-13 LIMITATION ON EMPLOYMENT DURING RETIREMENT

(a) Except as provided in Section A8.511 of this charter and in Subsection (b) of this section, no person retired as a member under Section A8.597 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 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 compensation does not exceed \$100 per month.

(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 A8.597, he or she shall re-enter membership under Section A8.597 and his or her retirement allowance shall be cancelled immediately upon his or her 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 contributions of such member shall be the same as that for other members under Section A8.597. 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.

(c) Notwithstanding any provision of this charter to the contrary, should any person retired for disability engage in a gainful occupation prior to attaining the age of 55 years, the retirement board shall reduce that part of his or her monthly retirement allowance which is provided by contributions of the City and County to an amount which, when added to the amount of the compensation earnable, at the time he or she engages in the gainful occupation, by such person if he or she held the position which he or she held at the time of his or her retirement, or, if that position has been abolished, the compensation earnable by the member if he or she held the position from which he or she was retired immediately prior to its abolishment.

#### A8.597-14 CONFLICTING CHARTER PROVISIONS

Any section or part of any section in this charter, insofar as it should conflict with the provisions of Section A8.597 through A8.597-15 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 said sections shall be adjudged unconstitutional, the remainder thereof shall remain in full force and effect.

#### A8.597-15 VESTING

Notwithstanding any provisions of this charter to the contrary, should any member of the police department who is a member of the Retirement System under Charter Section A8.597 with five years of credited service, cease to be so employed, through any cause other than death or retirement, he or she shall have the right to elect, without right of revocation and within 90 days after termination of said service, to allow his or her accumulated contributions including interest to remain in the retirement fund and to receive a retirement allowance equal to the percent set forth in Section A8.597-2 opposite his or her age at retirement, for each year of service multiplied against the final compensation of said member, calculated at termination, payable beginning no earlier than age 50. No vesting retirement allowance under this section shall exceed ninety (90%) percent of the member's final compensation. The provisions of Section A8.597-15 shall not apply to any members of the retirement system under Section A8.586 who terminated before January 1, 2003 or their continuants.

#### A8.598 MEMBERS OF THE FIRE DEPARTMENT ON JANUARY 1, 2003 WHO ARE MEMBERS OF THE RETIREMENT SYSTEM UNDER CHARTER SECTION A8.588, AND MEMBERS OF THE FIRE DEPARTMENT AFTER JANUARY 1, 2003.

Members of the fire department on January 1, 2003 who are members of the retirement system under Section A8.588, and persons who become members of the fire department, as defined in Section A8.598-1, after January 1, 2003, shall be

members of the retirement system subject to the provisions of Sections A8.598 through A8.598-15 (which shall apply only to members under Section A8.598) in addition to the provisions contained in Sections 12.100 to 12.103 and Sections 8.500, 8.510, 8.520 and 8.526 of this charter, notwithstanding the provisions of any other section of this charter, and shall not be subject to any of the provisions of Sections A8.588 of this charter.

The provisions of Section A8.598 shall not apply to any member of the retirement system under Section A8.588 who separated from service, retired or died before January 1, 2003, or to his or her continuant; provided, however, that the provisions of Section A8.598-2 shall apply to the adjustment required in Sections A8.588-3, A8.588-4 and A8.588-5 for a retired member or his or her surviving spouse or continuant when the retired member would not have completed at least twenty-five (25) years of service in the aggregate and attained the age of fifty (50) years until after January 1, 2003.

#### A8.598-1 DEFINITIONS

The following words and phrases as used in this Section, Section A8.598 and Section A8.598-2 through A8.598-14, unless a different meaning is plainly required by the context, shall have the following meanings:

“Retirement allowance,” “death allowance” or “allowance,” shall mean equal monthly payments, beginning to accrue upon the date of retirement, or upon the day following the date of death, as the case may be, 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 Insurance and Safety Act of the State of California, shall mean the remuneration payable in cash, by the City and County, without deduction except for absence from duty, for time during which the individual receiving such remuneration is a member of the fire department, but excluding remuneration paid for overtime. Subject to the requirement that it be payable in cash and that overtime be excluded, “compensation” for pension purposes may be defined in a collective bargaining agreement.

“Compensation earnable” shall mean the compensation which would have been earned had the member received compensation without interruption throughout the period under consideration and at the rates of remuneration attached at that time to the ranks or positions held by him or her during such period, it being assumed that during any absence, he or she was in the rank or position held by him or her at the beginning of the absence, and that prior to becoming a member of the fire department, he or she was in the rank or position first held by him or her in such department.

“Benefit” shall include “allowance,” “retirement allowance,” “death allowance” and “death benefit.”

“Final compensation” shall mean the average monthly compensation earnable by a member during any one year of credited service in which his or her average compensation is the highest.

For the purpose of Section A8.598 through A8.598-14, the terms “member of the fire department,” “member of the department,” or “member” shall mean any member of the fire department on January 1, 2003 who was an active member of the retirement system under Section A8.588, and any officer or employee of the fire department employed after January 1, 2003 who was or shall be subject to the charter provisions governing entrance requirements of members of the uniformed force of said department and said terms shall further mean persons employed after January 1, 2003 at an age not greater than the maximum age then prescribed for entrance into employment in said uniformed force, to perform duties now performed under the titles of pilot of fireboats, or marine engineer of fireboats; provided, however, that said terms shall not include any person who has not satisfactorily completed such course of training as may be required by the fire department prior to assignment to active duty with said department.

“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 3.670 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 gender, words used in the feminine gender shall include the masculine and neuter gender, and singular numbers shall include the plural and the plural the singular.

“Interest” shall mean interest at the rate adopted by the retirement board.

#### A8.598-2 SERVICE RETIREMENT

Any member of the fire department who completes at least five years of service in the aggregate and attains the age of fifty (50) years, said service to be computed under Section A8.598-10, may retire for service at his or her option. A member retired after meeting the service and age requirements in the preceding sentence, shall receive a retirement allowance equal to the percent of final compensation (as defined in Section A8.598-1) set forth below opposite his or her age at retirement, taken to the preceding completed quarter year, for each year of service, as computed under Section A8.598-10:

Retirement Age	Percent for Each Year of Credited Service
50	2.400
50.25	2.430
50.5	2.460
50.75	2.490
51	2.520
51.25	2.550
51.5	2.580
51.75	2.610
52	2.640
52.25	2.670

52.5	2.700
52.75	2.730
53	2.760
53.25	2.790
53.5	2.820
53.75	2.850
54	2.880
54.25	2.910
54.5	2.940
54.75	2.970
55+	3.000

In no event, however, shall such a retirement allowance exceed ninety (90) percent of a member's final compensation.

#### A8.598-3 RETIREMENT FOR INCAPACITY

Any member of the fire department who becomes incapacitated for the performance of his or her duty by reason of any bodily injury received in, or illness caused by the performance of his or her duty, shall be retired. If he or she is not qualified for service retirement, he or she shall receive a retirement allowance in an amount which shall be equal to the same percentage of the final compensation of said member, as defined in Section A8.598-1, as his or her percentage of disability is determined to be. The percentage of disability shall be as determined by the Workers' Compensation Appeals Board of the State of California upon referral from the retirement board for that purpose; provided that the retirement board may, by five affirmative votes, adjust the percentage of disability as determined by said appeals board; and provided, further, that such retirement allowance shall be in an amount not less than 50 percent nor more than 90 percent of the final compensation of said member, as defined in Section A8.598-1. Said allowance shall be paid to him or her until the date upon which said member would have completed at least twenty-five (25) years of service in the aggregate and attained the age of fifty (50) years had he or she lived and rendered service without interruption in the rank held by him or her at retirement, and after said date the allowance payable shall be equal to the retirement allowance said member would have received if retired for service on said date based on the final compensation, as defined in Section A8.598-1, he or she would have received immediately prior to said date, had he or she lived and rendered service as assumed, but such allowance shall not be less than 50 percent of such final compensation.

If, at the time of retirement because of disability, he or she is qualified as to age and service for retirement under Section A8.598-2, he or she shall receive an allowance equal to the retirement allowance which he or she would receive if retired under Section A8.598-2, but not less than 50 percent of said final compensation. Any member of the fire department who becomes incapacitated for performance of his or her duty by reason of a cause not included under the provisions of the immediately preceding sentences, and who shall have completed at

least 10 years of service in the aggregate, computed as provided in Section A8.598-10, shall be retired upon an allowance of 1-1/2 percent of the final compensation of said member as defined in Section A8.598-1 for each year of service, provided that said allowance shall not be less than 33-1/3 percent of said final compensation. The question of retiring a member under this section may be brought before the retirement board on said board's own motion, by recommendation of the fire commission or by said member or 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 the service in the rank he or she occupied at the time of his or her retirement.

#### A8.598-4 DEATH ALLOWANCE

If a member of the fire department shall die before or after retirement by reason of an injury received in, or illness caused by the performance of his or her duty, a death allowance, in lieu of any allowance, payable under any other section of the charter or by ordinance, on account of death resulting from injury received in or illness caused by the performance of duty, shall be paid, beginning on the date next following the date of death, to his or her surviving spouse throughout his or her life or until his or her remarriage. If the member, at the time of death, was qualified for service retirement, but he or she had not retired, the allowance payable shall be equal to three-fourths of the retirement allowance which the member would have received if he or she had been retired for service on the date of death, but such allowance shall not be less than 50 percent of the final compensation earnable by said member immediately preceding death. If death occurs prior to qualification for service retirement, the allowance payable shall be equal to the compensation of said member at the date of death, until the date upon which said member would have completed at least twenty-five (25) years of service in the aggregate and attained the age of fifty (50) years, had he or she lived and rendered service without interruption in the rank held by him or her at death, and after said date the allowance payable shall be equal to three-fourths of the retirement allowance said member would have received if retired for service on said date, based on the final compensation he or she would have received prior to said date, had he or she lived and rendered service as assumed, but such allowance shall not be less than 50 percent of such final compensation. If he or she had retired prior to death, for service or for disability resulting from injury received in, or illness caused by the performance of duty, the allowance payable shall be equal to three-fourths of the retirement allowance of the member, except that if he or she was a member under Section A8.598 and retirement was for such disability, and if death occurred prior to qualification for the service retirement allowance, the allowance continued shall be adjusted upon the date at which said member would have completed at least twenty-five (25) years of service in the aggregate and attained the age of fifty (50) years, in the same manner as it would have been adjusted had the member not died.

If there is no surviving spouse entitled to an allowance hereunder, or if he or she dies or remarries before every child of such deceased member attains the age of 18 years, then the allowance which the surviving spouse would have received had he or she lived and not remarried shall be paid to his or her child or children under said age, collectively, 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. Should said member leave no surviving spouse and no children under the age of 18 years, but leave a child or children, regardless of age, dependent upon him or her for support because partially or totally disabled and unable to earn a livelihood or a parent or parents dependent upon him or her for support, the child or children and the parents so dependent shall collectively receive a monthly allowance equal to that which a surviving spouse otherwise would have received, during such dependency. No allowance, however, shall be paid under this section to a surviving spouse following the death of a member unless he or she was married to the member prior to the date of the injury or onset of the illness which results in death.

#### A8.598-5 PAYMENT TO SURVIVING DEPENDENTS

Upon the death of a member of the fire department resulting from any cause other than an injury received in, or illness caused by performance of duty,

(a) if the death occurred after qualification for service retirement under Section A8.598-2, or after retirement service or because of disability which result from any cause other than an injury received in, or illness caused by performance of duty one-half of the retirement allowance to which the member would have been entitled if he or she had retired for service at the date of death or one-half of the retirement allowance as it was at his or her death, as the case may be, shall be continued throughout his or her life or until remarriage to his or her surviving spouse, or

(b) if his or her death occurred after the completion of at least 25 years of service in the aggregate but prior to the attainment of the age of 50 years, one-half of the retirement allowance to which he or she would have been entitled under Section A8.598-2 if he or she had attained the age of 50 years on the date of his or her death shall be continued throughout life or until remarriage to his or her surviving spouse, or

(c) if his or her death occurred after retirement for disability by reason of injury received in or illness caused by performance of duty, three-fourths of his or her retirement allowance as it was at his or her death shall be continued throughout life or until remarriage to his or her surviving spouse, except that, if death occurred prior to qualification for service retirement allowance, the allowance continued shall be adjusted upon the date on which said member would have completed at least twenty-five (25) years of service in the aggregate and attained the age of fifty (50) years, in the same manner as it would have been adjusted had the member not died, or

(d) if his or her death occurred after completion of at least 10 years of service in the aggregate, computed as provided in Section A8.598-10, an allowance in an amount equal to the retirement allowance to which the member would have been entitled pursuant to Section A8.598-3 if he or she had retired on the date of death because of incapacity for performance of duty shall be paid throughout life or until remarriage to his or her surviving spouse. If there is no surviving spouse entitled to an allowance hereunder, or if he or she dies or remarries before every child of such deceased member attains the age of 18 years, then the allowance which the surviving spouse would have received had he or she lived and not remarried shall be paid to his or her 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. Should said member leave no surviving spouse and no children, under the age of 18 years, but leave a child or children, regardless of age, dependent upon him or her for support because partially or totally disabled and unable to earn a livelihood or a parent or parents dependent upon him or her for support, the child or children and the parents so dependent shall collectively receive a monthly allowance equal to that which a surviving spouse otherwise would have received, during such dependency. No allowance, however shall be paid under this section to a surviving spouse unless he or she was married to the member prior to the date of the injury or onset of the illness which results in death if he or she had not retired, or unless he or she was married to the member at least one year prior to his or her retirement if he or she had retired.

As used in this section and Section A8.598-4 “surviving spouse” shall mean and include a surviving spouse, and shall also mean and include a spouse who has remarried since the death of the member, but whose remarriage has been terminated by death, divorce or annulment within five years after the date of such remarriage and who has not thereafter again remarried.

The surviving spouse, in the event of death of the member after qualification for, but before service retirement, may elect before the first payment of the allowance, to receive the benefit provided in Section A8.598-8, in lieu of the allowance which otherwise would be continued to him or her under this section. If there is no surviving spouse, the guardian of the eligible child or children, may make such election, and if there are no such children, the dependent parent or parents may make such election. “Qualified for service retirement,” “qualification for service retirement” or “qualified as to age and service for retirement,” as used in this section and other sections to which persons who are members under Section A8.598 are subject, shall mean completion of 25 years of service and attainment of age 50, said service to be computed under Section A8.598-10.

#### A8.598-6 ADJUSTMENT OF ALLOWANCES

Every retirement or death allowance payable to or on account of any member under Section A8.598 shall be adjusted in accordance with the provisions of Subsection (b) of Section A8.526 of this charter.

**A8.598-7 ADJUSTMENT FOR COMPENSATION PAYMENTS**

That portion of any allowance payable because of the death or retirement of any member of the fire department which is provided by contributions of the City and County, shall be reduced, by the amount of any benefits other than medical benefits, payable by the City and County to or on account of such person, under any workers' compensation law or any other general law and because of the injury or illness resulting in said death or retirement. Such portion which is paid because of death or retirement which resulted from injury received in, or illness caused by performance of duty, shall be considered as in lieu of all benefits, other than medical benefits, payable to or on account of such person under such law and shall be in satisfaction and discharge of the obligation of the City and County to pay such benefits.

**A8.598-8 DEATH BENEFIT**

If a member of the fire department shall die, before retirement from causes other than an injury received in, or illness caused by the performance of duty, or regardless of cause if no allowance shall be payable under Section A8.598-4 or A8.598-5 preceding, a death benefit shall be paid to his or her estate or designated beneficiary, the amount of which and the conditions for the payment of which shall be determined in the manner prescribed by the board of supervisors for the death benefit of other members of the retirement system. 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 the amount of which and the conditions for the payment of which shall be determined in the manner prescribed by the board of supervisors for the death benefit of other members of the retirement system.

**A8.598-9 REFUNDS AND REDEPOSITS**

Should any member of the fire department cease to be employed as such a member, through any cause other than death or retirement or transfer to another office or department, 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 govern similar terminations of employment of other members of the retirement system. If he or she shall again become a member of the department, he or she shall redeposit in the retirement fund the amount refunded to him or her. Should a member of the fire department become an employee of any other office or department, his or her accumulated contribution account shall be adjusted by payments to or from him or her as the case may be to make the accumulated contributions credited to him or her at the time of change equal to the amount which would have been credited to him or her if he or she had been employed in said other office or department at the rate of compensation received by him or her in the fire department and he or she shall receive credit for service for which said contributions were made, according to the charter section under which his or her membership in the retirement system continues.

**A8.598-10 COMPUTATION OF SERVICE**

The following time shall be included in the computation of the service to be credited to a member of the fire department for the purposes of determining whether such member qualified for retirement and calculating benefits, excluding, however, any time, the contributions for which were withdrawn by said member upon termination of his or her service while he or she was a member under any other charter section, and not redeposited upon re-entry into service:

(a) Time during and for which said member is entitled to receive compensation because of services as a member of the police or fire department.

(b) Time prior to January 1, 2003, during which said member was entitled to receive compensation while a member of the police or fire department 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; and solely for the purpose of determining qualification for retirement under Section A8.598-3 for disability not resulting from injury received in or illness caused by performance of duty, time during which said member serves and receives compensation because of services rendered in other offices and departments.

(c) Time during which said member earned compensation as a paramedic with the fire department or department of public health, provided that the accumulated contributions on account of such service are transferred to his or her Section A8.598 account or, if 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. The retirement board shall require that said member execute a waiver so that any paramedic service covered by Section A8.598 is not also covered by other pension provisions in this charter. Members of the fire department on January 1, 2003, who are members of the retirement system under Section A8.598, shall execute and file said waiver on or before June 30, 2003. Persons who become members of the fire department, as defined in Section A8.598-1, after January 1, 2003, shall execute and file said waiver within 90 days after their effective date of membership. Failure to file a timely waiver shall bar any application to have such paramedic service treated as safety service under this subsection.

(d) Time during which said member is absent from a status included in Subsection (a) next preceding, by reason of service in the armed forces of the United States of America, or by reason of any other service included in Sections A8.520 and A8.521 of the charter, during any war in which the United States was or shall be engaged or during other national emergency, and for which said member contributed or contributes to the retirement system or for which the City and County contributed or contributes on his or her account.

#### A8.598-11 SOURCES OF FUNDS

All payments provided for members under Section A8.598 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 A8.598 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, or shall be paid to said member or his or her estate or beneficiary as provided in Section A8.598-8, A8.598-9 and A8.598-10. A member's individual account under Section A8.598 shall include all monies previously credited to the member's account under Section A8.588.

(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 A8.598-11, to provide the benefits payable to members under Section A8.598. 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 A8.598 in accordance with the provisions of Section A8.510.

(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 A8.598, shall be a part of the fund in which all other assets of said system are included.

(d) Any year in which, based upon the retirement system's annual actuarial valuation, the employer contribution rate exceeds 0%, the employee organizations representing safety members shall jointly meet and confer with city representatives to implement a cost sharing arrangement between the city and employee organizations. Such arrangement will effect a material reduction of the cost impact of employer contributions on the city's general fund.

The dollar value of the cost sharing arrangement shall not exceed the total annual cost to the retirement system of improving the police and fire safety retirement plans to the 3%@55 benefit level or the total employer contribution required by the retirement system, whichever is lesser. Such cost sharing arrangement shall not require an employee contribution in excess of the limits set elsewhere in this charter.

The meet and confer process, including all impasse procedures under Section A8.590-1 et seq., shall be concluded not later than April 1st except by mutual

agreement of the parties. The cost sharing arrangement must be finalized to permit implementation effective July 1.

The retirement board's authority under charter Section 12.100 and in Section A8.510 concerning the annual setting of the rates of contribution are not subject to the meet and confer process, including all impasse procedures under Section A8.590-1 et seq.

#### A8.598-12 RIGHT TO RETIRE

Upon the completion of the years of service set forth in Section A8.598-2 as requisite to retirement, a member of the fire department shall be entitled to retire at any time thereafter in accordance with the provisions of said Section A8.598-2, and, except as provided in the following paragraph, nothing shall deprive said member of said right.

Any member of the fire department convicted of a crime involving moral turpitude committed in connection with his or her duties as a member of the fire department shall, upon termination of his or her 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 A8.598-2, he or she shall have the right to elect, without right of revocation and within 90 days of the termination of his or her employment, whether to withdraw all of his or her accumulated contributions or 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 termination of employment.

#### A8.598-13 LIMITATION ON EMPLOYMENT DURING RETIREMENT

(a) Except as provided in Section A8.511 of this charter and in Subsection (b) of this section, no person retired as a member under Section A8.598 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 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 compensation does not exceed \$100 per month.

(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 A8.598, he or she shall re-enter membership under Section A8.598 and his or her retirement allowance shall be cancelled immediately upon his or her 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 contributions of such member shall be the same as that for other members under Section A8.598. 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.

(c) Notwithstanding any provision of this charter to the contrary, should any person retired for disability engage in a gainful occupation prior to attaining the age of 55 years, the retirement board shall reduce that part of his or her monthly retirement allowance which is provided by contributions of the City and County to an amount which, when added to the amount of the compensation earnable, at the time he or she engages in the gainful occupation, by such person if he or she held the position which he or she held at the time of his or her retirement, or, if that position has been abolished, the compensation earnable by the member if he or she held the position from which he or she was retired immediately prior to its abolishment.

#### A8.598-14 CONFLICTING CHARTER PROVISIONS

Any section or part of any section in this charter, insofar as it should conflict with the provisions of Section A8.598 through A8.598-15 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 said sections shall be adjudged unconstitutional, the remainder thereof shall remain in full force and effect.

#### A8.598-15 VESTING

Notwithstanding any provisions of this charter to the contrary, should any member of the fire department who is a member of the Retirement System under Charter Section A8.598 with five years of credited service, cease to be so employed, through any cause other than death or retirement, he or she shall have the right to elect, without right of revocation and within 90 days after termination of said service, to allow his or her accumulated contributions including interest to remain in the retirement fund and to receive a retirement allowance equal to the percent set forth in Section A8.598-2 opposite his or her age at retirement, for each year of service multiplied against the final compensation of said member, calculated at termination, payable beginning no earlier than age 50. No vesting retirement allowance under this section shall exceed ninety (90%) percent of the member's final compensation. The provisions of Section A8.598-15 shall not apply to any members of the retirement system under Section A8.588 who terminated before January 1, 2003 or their continuants.

#### A8.500-1 RECIPROCAL PENSION BENEFITS WITHIN THE RETIREMENT SYSTEM AND WITH OTHER PUBLIC PENSION PLANS

Subject to the provisions of Section 8.500, the board of supervisors shall have the power to enact ordinances to establish reciprocal agreements with the Public

Employees' Retirement System and other public agencies maintaining independent retirement systems for the purpose of extending reciprocal benefits to members of such systems as provided by state law. The board of supervisors and the retirement board shall have the power to perform all acts necessary to carry out the terms and purposes of such agreements.

Subject to the provisions of Section 8.500, the board of supervisors is further empowered to enact ordinances necessary to extend reciprocal rights to members who transfer between retirement plans established by this Charter provided that service under any plan for miscellaneous members shall be used for qualification purposes only and not to calculate benefits under any retirement plan for members of the police or fire departments. With the exception of those members who transferred pursuant to Charter Sections A8.559-14 and A8.585-14, no ordinance enacted under this section shall extend reciprocal rights to any member who transferred from Charter Section A8.559 or A8.585 to Charter Section A8.509, A8.584, A8.586 or A8.588, before April 1, 1993. No ordinance enacted under this section shall extend reciprocal rights to any person who terminated his or her membership in the retirement system or retired before April 1, 1993. Subject to the above, reciprocal benefits under this paragraph shall be consistent with interpretations that have been made relative to the reciprocal benefit provisions of the Public Employees' Retirement System and 1937 County Employees' Retirement Act which this paragraph is intended to implement. The reciprocal benefits under this section will be limited by Section 415 of the Internal Revenue Code of 1986, as amended from time to time, and no reciprocal benefits will be effective if they have an adverse impact on the tax qualified status of the retirement system under Section 401 of the Internal Revenue Code of 1986, as amended from time to time.

#### A8.500-2 DOMESTIC PARTNER BENEFITS

As used in Charter Sections A8.428, A8.509, A8.559, A8.584, A8.585, A8.586, A8.587, A8.588, A8.595, A8.596, A8.597 and A8.598, "surviving wife" shall also mean and include a "surviving spouse." As used in these sections, the phrases "surviving wife" and "surviving spouse" shall also mean and include a domestic partner, provided that:

- (a) there is no surviving spouse, and
- (b) the member has designated his or her domestic partner as beneficiary with the retirement system, and
- (c) the domestic partnership was established according to those provisions of Chapter 62 of the San Francisco Administrative Code which require the filing of a signed Declaration of Domestic Partnership with the County Clerk. In addition, the Certificate showing that the Declaration of Domestic Partnership was filed with the County Clerk must be filed with the Retirement System at least one full year immediately prior to the effective date of the member's retirement or the member's death if the member should die before retirement; provided, however, that beginning March 5, 2002, the requirement of filing a Certificate of Domestic

Partnership with the Retirement System shall not apply to members who were retired on or before November 8, 1995 and who had filed a signed Declaration of Domestic Partnership with the County Clerk at least one full year prior to the effective date of his or her retirement; and provided further that, as to any such member who was retired on or before November 8, 1995, no adjustment to a retirement allowance and no payments to a qualified surviving domestic partner shall begin before the effective date of this amendment or before the first day of the month in which an application is made to the Retirement System, whichever occurs later.

A monthly allowance equal to what would otherwise be payable to a surviving spouse shall be paid to the said surviving domestic partner, until he or she dies, marries or establishes a new domestic partnership. The domestic partner benefits under this section will be limited by Section 415 of the Internal Revenue Code of 1986, as amended from time to time. No domestic partner benefits will be effective if they have an adverse impact on the tax qualified status of the retirement system under Section 401 of the Internal Revenue Code of 1986, as amended from time to time.

Certified to be a true copy by Tom Ammiano, President of the Board of Supervisors, and Gloria L. Young, Clerk of the Board of Supervisors.

Date of Election: November 5, 2002.

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Charter Chapter 72—City and County of San Francisco

***Amendments to the Charter of the City and  
County of San Francisco***

[Filed with the Secretary of State December 27, 2002.]

**A8.365 COMPENSATION DURING PARENTAL LEAVE**

Under federal, state and local law, employees are entitled to take an unpaid leave of absence in the event of pregnancy disability or to care for a child after birth or placement for adoption or foster care. But employees may not have the financial resources to take advantage of this leave. This section provides compensation to supplement state disability insurance payments, paid sick leave, compensatory time, and other forms of paid leave, to ensure that an employee will receive the equivalent of the employee's salary for 12 weeks or, if the employee is temporarily disabled by pregnancy, up to 16 weeks, while on approved leave.

In accordance with this section, eligible employees on approved Parental Leave shall receive supplemental compensation as set forth herein.

Nothing in this section shall be construed to expand, reduce or otherwise affect the total amount of leave time available to employees under federal, state, or local law, Civil Service Commission rules, or applicable memoranda of understanding

between the City and County of San Francisco and employee organizations. This section is intended to supplement other available sources of income during specified periods of leave to which the employee is otherwise eligible. Except for leave mandated by law, requests for leave continue to be subject to the approval of the appointing officer.

#### A8.365-1 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:

“Domestic Partner” shall have the same meaning as set forth in Administrative Code Section 62.1 et seq.

“Employee” shall mean any person who is appointed to a position created by or which is under the jurisdiction of the City and County, whose compensation is paid by the City and County, and who is under the control of the City and County as to employment, direction and discharge and does not include persons who occupy classified or certificated positions with the San Francisco Unified School District or the Community College District or who work for the City as independent contractors.

“Paid Leave” shall mean all paid time-off provided by the Charter, the Administrative Code, the Civil Service Rules or through a collective bargaining agreement and shall include but not be limited to vacation, sick leave, compensatory time, administrative or executive leave and floating holidays. For purposes of this section, “Paid Leave” shall not include statutory holidays.

“Parental Leave” shall mean (a) Family Medical Leave as defined below; (b) Temporary Pregnancy Disability Leave as defined below:

(a) “Family Medical Leave” shall mean leave taken pursuant to the Family and Medical Leave Act, the California Family Rights Act, or Civil Service Commission Rules, where such leave is taken after the birth of a child to the employee, the employee’s spouse or the employee’s domestic partner or for placement of a child with the employee’s family for adoption or foster care, and has been requested and approved in accordance with the procedures set forth in those respective statutes or rules.

(b) “Temporary Pregnancy Disability Leave” shall mean disability leave taken in accordance with State law or the Civil Service Commission Rules because of an employee’s inability to work, as certified by a health care provider, for reasons of pregnancy, childbirth, or related conditions, as defined by the California Fair Employment and Housing Act, Govt. Code Section 12945(b)(2) et seq.

“Supplemental Compensation” shall mean compensation paid by the City to eligible employees on Parental Leave. The amount of Supplemental Compensation shall be the employee’s regular base wage less (1) accrued paid leave from the City and (2) any payments received by the employee from a federal, state or other local government agency in lieu of compensation.

#### A8.365-2 Eligibility

The following employees shall be eligible to receive compensation as set forth herein:

(a) Permanent, provisional, and exempt employees whose normal work week is not less than twenty (20) hours upon completion of six months of continuous service; and

(b) All other employees of the City and County of San Francisco, including “as needed” employees, who have worked one thousand and forty hours (1040) in the twelve (12) months prior to the beginning of the parental leave and whose average work week is not less than twenty hours.

#### A8.365-3 Duration

Employees shall receive supplemental compensation as set forth herein for a period not to exceed twelve weeks while on approved Family Medical Leave. Employees who take approved Temporary Pregnancy Disability Leave shall receive up to an additional four weeks of compensation. Such compensation shall be subject to the conditions set forth in Section A8.365-4.

#### A8.365-4 Supplemental Compensation

(a) Employees shall receive their regular base wage while on approved Parental Leave subject to the following conditions:

(1) Employees on approved Parental Leave shall first exhaust all accrued paid leave before receiving any Supplemental Compensation under this section. If an employee chooses not to exhaust these leaves, the total amount of the benefit for which the employee would otherwise have been eligible will be reduced by the amount of paid leave accrued by the employee as of the start of the leave.

(2) The amount of Supplemental Compensation shall be reduced by any payments received by the employee from a federal, state or other local government agency while on Parental Leave.

(3) Supplemental Compensation shall be provided for no more than twelve weeks, in the case of employees taking Family Medical Leave, or sixteen weeks, in the case of employees who take Temporary Pregnancy Disability Leave. For employees eligible for both Family Medical Leave and Temporary Pregnancy Disability Leave, Supplemental Compensation shall be provided for no more than sixteen weeks total. The twelve or sixteen week period shall be reduced by any paid leave taken after the birth of a child to the employee, the employee’s spouse, or the employee’s domestic partner, placement of a child with the employee’s family for adoption or foster care, or taken for temporary pregnancy disability, within twelve months prior to the commencement of Parental Leave as defined herein.

(4) Under no circumstance shall an employee receive from the City supplemental compensation under this Charter section which would result in an employee receiving total compensation while on Parental Leave which is greater than the employee’s regular base wage.

(b) During parental leave, the City shall continue to pay the contributions required by this Charter for retirement and health benefits, and any employer-paid employee retirement and health contributions required under the memorandum of understanding or unrepresented ordinance covering the employee. Retirement contributions shall be based on the actual amount of City pay received during the period of parental leave.

**A8.365-5 Reimbursement**

Any individual receiving compensation pursuant to this section shall execute an agreement providing that if the individual voluntarily separates from City service prior to returning to work for at least six months, the compensation described in Section A8.365-4 shall be treated as a loan payable with interest at a rate equal to the greater of (i) the rate received for the concurrent period by the Treasurer's Pooled Cash Account or (ii) the minimum amount necessary to avoid imputed income under the Internal Revenue Code of 1986, as amended from time to time, and any successor statute. Unless an alternative repayment schedule is agreed to by the City and the individual, such loan shall be payable in equal monthly installments over a period not to exceed 5 years, commencing 30 days following the individual's separation from City employment.

**A8.365-6 Non-Vested Benefit**

This Charter section creates no vested benefits. The voters expressly reserve the right to review the City's parental leave policy and the benefits provided in this section and may alter or repeal such benefits for any or no reason.

**A8.365-7 Rules for Administration, Interpretation and Regulation of Parental Leave**

Within 120 days of approval by the voters of this Amendment, the Department of Human Resources shall develop any procedures necessary to administer, interpret, and regulate the provisions of this section, provided that all such rules shall be approved, amended, or rejected by ordinance by the Board of Supervisors.

The amendments of this section contained in the proposition therefor submitted to the electorate on November 5, 2002 shall be effective July 1, 2003.

Certified to be a true copy by Tom Ammiano, President of the Board of Supervisors, and Gloria L. Young, Clerk of the Board of Supervisors.

Date of Election: November 5, 2002.

## Charter Chapter 73—City and County of San Francisco

***Amendments to the Charter of the City and  
County of San Francisco***

[Filed with the Secretary of State December 27, 2002.]

**SECTION 2.100. COMPOSITION AND SALARY.**

The Board of Supervisors shall consist of eleven members elected by district.

The office of Board of Supervisors member is a full time position. The Civil Service Commission shall set the Supervisors' salary once every five years. Before the Commission determines the Supervisors' salary, it shall conduct and consider a salary survey of other full time California City Councils and County Boards of Supervisors and it may consider the Consumer Price Index (CPI).

The Civil Service Commission shall timely transmit its determination of the Supervisors' salary to the Controller, so that funds can be set aside for that purpose. The Controller shall include the Civil Service Commission's determination in appropriate budget documents to insure implementation. This determination may not be changed except by the Civil Service Commission.

The Civil Service Commission shall establish dates for an appropriate five-year cycle for making the determinations required by this Section, in order to efficiently coordinate with City budget processes and related procedures. In order to institute this five-year cycle the initial determination may be for less than a five-year period, as determined by the Civil Service Commission.

If the City and employee organizations agree to amend the compensation provisions of existing memoranda of understanding to reduce costs, the Civil Service Commission shall review and amend the Supervisors' salary as necessary to achieve comparable cost savings in the affected fiscal year or years.

The provisions of this Section shall apply, notwithstanding any other provision of this Charter.

Certified to be a true copy by Tom Ammiano, President of the Board of Supervisors, and Gloria L. Young, Clerk of the Board of Supervisors.

Date of Election: November 5, 2002.

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GOVERNOR'S REORGANIZATION  
PLAN NO. 1 of 2002

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GOVERNOR'S REORGANIZATION  
PLAN NO. 1 OF 2002

Received by Assembly May 2, 2002; received by Senate May 2, 2002.

Takes effect on July 2, 2002; by operation of Government Code Section 12080.5.



May 2, 2002

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**STATUTORY PROVISIONS**

An act to amend Sections 12800 and 12803 of, to add Section 12813 to, and to add Part 8.5 (commencing with Section 15550) to Division 3 of Title 2 of, the Government Code, to amend Sections 50 and 1141 of, and to add Sections 18.5 and 19.5 to, the Labor Code, and to amend Section 301 of the Unemployment Insurance Code, relating to governmental reorganization.

LEGISLATIVE COUNSEL'S DIGEST

Governor's Reorganization Plan No. 1 State government reorganization: labor and workforce development.

Existing law establishes in state government the Department of Industrial Relations and the Agricultural Labor Relations Board. Existing law establishes the Employment Development Department in the California Health and Human Services Agency. An executive order of the Governor establishes the California Workforce Investment Board. Existing law does not provide for the establishment of a Labor and Workforce Development Agency in state government.

This bill would create a Labor and Workforce Development Agency in state government consisting of the Department of Industrial Relations, the Employment Development Department, the Agricultural Labor Relations Board, and the California Workforce Investment Board. The agency would be under the supervision of the Secretary of

Labor and Workforce Development who would be appointed by the Governor, subject to confirmation by the Senate.

The bill would make conforming and related changes.

1 SECTION 1. It is in the public interest to create a Labor and  
2 Workforce Development Agency, and to appoint a secretary and  
3 other officers of this agency, because the creation of this agency,  
4 appointment of these officers, and the corresponding  
5 reorganization of other agencies, will do all of the following:

6 (a) Simplify, strengthen, and improve the operation and  
7 management of programs that protect and provide services to  
8 California's workers and employers.

9 (b) Eliminate duplication, achieve cost efficiencies, and  
10 promote accountability and program access.

11 (c) Allow the state to marshal its resources to systematically  
12 match worker training programs with regional labor market needs  
13 to create skilled, middle-class jobs that offer a secure future to  
14 Californians.

15 (d) Create a primary point of accountability for the  
16 administration and the Legislature to measure the success and the  
17 needs of the workforce investment system.

18 (e) Ensure that there is a cabinet-level voice for  
19 workforce-related issues raised for the Governor's consideration  
20 and decision.

21 (f) More closely coordinate enforcement activities so the  
22 Employment Development Department can capture lost revenue  
23 from the underground economy while the Department of  
24 Industrial Relations protects workers exploited in the underground  
25 economy.

26 (g) Coordinate and manage information and data on the  
27 workforce and economy with a partnership between the  
28 Department of Industrial Relations Division of Labor Statistics  
29 and Research and the Employment Development Department  
30 Labor Market Information Division.

31 (h) Build on the successful One-Stop Taxpayer Service Centers  
32 operated by the Employment Development Department, the  
33 Franchise Tax Board, and the Board of Equalization by adding  
34 services for employers and workers, including information on

1 workers' compensation, labor standards, safe working conditions,  
2 and job training opportunities.

3 (i) Consolidate service points throughout California for the  
4 Employment Development Department, Department of Industrial  
5 Relations, and the Agricultural Labor Relations Board.

6 (j) Coordinate the apprenticeship programs in the Department  
7 of Industrial Relations with the employment and training  
8 programs at the Employment Development Department to meet  
9 the growing need and demand for skilled trade and craft workers.

10 (k) Strengthen protection for sick or injured California workers  
11 by closer cooperation between the disability insurance program at  
12 Employment Development Department and the workers'  
13 compensation program at Department of Industrial Relations.

14 SEC. 2. (a) It is the intent of this act that the reorganization  
15 plan provided for herein does not transfer any functions to or from  
16 the Agricultural Labor Relations Board, the California Workforce  
17 Investment Board, California Apprenticeship Council, California  
18 Occupational Safety and Health Appeals Board, Occupational  
19 Safety and Health Standards Board, Commission on Health and  
20 Safety and Workers' Compensation, Industrial Medical Council,  
21 Industrial Welfare Commission, Workers' Compensation Appeals  
22 Board, State Compensation Insurance Fund, Employment  
23 Development Department, California Unemployment Insurance  
24 Appeals Board, and Employment Training Panel.

25 (b) It is the intent of this act that, in order to effectuate the  
26 reorganization plan provided for herein, and pursuant to  
27 subdivisions (c), (d), and (e) of Section 12080.3 of the  
28 Government Code, all of the following related to any  
29 governmental entity that become a part of the Labor and  
30 Workforce Development Agency as a result of this plan shall be  
31 transferred to, and be under the jurisdiction of, the Labor and  
32 Workforce Development Agency:

33 (1) State civil service employees.

34 (2) Personnel records and property.

35 (3) Unexpended balances of appropriations and of other funds  
36 available for use.

37 (c) No confidentiality agreement shall be required for sharing  
38 information among any governmental entity that becomes a part  
39 of the Labor and Workforce Development Agency as a result of the

1 reorganization plan provided for herein when that information is  
2 used for research, enforcement, or training.

3 SEC. 3. Section 12800 of the Government Code is amended  
4 to read:

5 12800. There are in the state government the following  
6 agencies: State and Consumer Services; Business, Transportation  
7 and Housing; California Environmental Protection; California  
8 Health and Human Services; *Labor and Workforce Development*;  
9 Resources; *Technology*, Trade, and Commerce; and Youth and  
10 Adult Correctional.

11 Whenever the term “Agriculture and Services Agency”  
12 appears in any law, it means the “State and Consumer Services  
13 Agency,” and whenever the term “Secretary of Agriculture and  
14 Services Agency” appears in any law, it means the “Secretary of  
15 State and Consumer ~~Services Agency.~~” *Services.*”

16 Whenever the term “Business and Transportation Agency”  
17 appears in any law, it means the “Business, Transportation and  
18 Housing Agency,” and whenever the term “Secretary of the  
19 Business and Transportation Agency” appears in any law, it means  
20 the “Secretary of ~~the~~ Business, Transportation and ~~Housing~~  
21 ~~Agency.~~” *Housing.*”

22 Whenever the term “Health and Welfare Agency” appears in  
23 any law, it means the “California Health and Human Services  
24 Agency,” and whenever the term “Secretary of the Health and  
25 Welfare Agency” appears in any law, it means the “Secretary of  
26 ~~the~~ California Health and Human Services ~~Agency.~~”

27 SEC. 4. Section 12803 of the Government Code is amended  
28 to read:

29 12803. (a) The California Health and Human Services  
30 Agency consists of the following departments: Health Services;  
31 Mental Health; Developmental Services; Social Services; Alcohol  
32 and Drug Abuse; Aging; ~~Employment—Development~~;  
33 Rehabilitation; and Community Services and Development.

34 (b) The agency also includes the Office of Statewide Health  
35 Planning and Development and the State Council on  
36 Developmental Disabilities.

37 (c) The Department of Child Support Services is hereby  
38 created within the agency commencing January 1, 2000, and shall  
39 be the single organizational unit designated as the state’s Title  
40 IV-D agency with the responsibility for administering the state

1 plan and providing services relating to the establishment of  
2 paternity or the establishment, modification, or enforcement of  
3 child support obligations as required by Section 654 of Title 42 of  
4 the United States Code. State plan functions shall be performed by  
5 other agencies as required by law, by delegation of the department,  
6 or by cooperative agreements.

7 SEC. 5. Section 12813 is added to the Government Code, to  
8 read:

9 12813. The Labor and Workforce Development Agency  
10 consists of the following:

11 (a) Office of the Secretary of Labor and Workforce  
12 Development.

13 (b) Agricultural Labor Relations Board.

14 (c) California Workforce Investment Board.

15 (d) Department of Industrial Relations, including the  
16 California Apprenticeship Council, California/OSHA Appeals  
17 Board, California/OSHA Standards Board, Commission on  
18 Health and Safety and Workers' Compensation, Industrial  
19 Medical Council, Industrial Welfare Council, and Workers'  
20 Compensation Appeals Board.

21 (e) Employment Development Department, including the  
22 California Unemployment Insurance Appeals Board, and the  
23 Employment Training Panel.

24 SEC. 6. Part 8.5 (commencing with Section 15550) is added  
25 to Division 3 of Title 2 of the Government Code, to read:

26  
27 PART 8.5. LABOR AND WORKFORCE DEVELOPMENT  
28 AGENCY

29  
30 CHAPTER 1. GENERAL PROVISIONS

31  
32 15550. As used in this part, "agency" and "secretary" refer  
33 to the Labor and Workforce Development Agency and the  
34 Secretary of Labor and Workforce Development, respectively,  
35 unless the context otherwise requires.

36 15551. The Labor and Workforce Development Agency in  
37 state government is under the supervision of an executive officer  
38 known as the Secretary of Labor and Workforce Development.  
39 The secretary shall be appointed by the Governor, subject to

1 confirmation by the Senate, and shall hold office at the pleasure of  
2 the Governor.

3 15552. (a) The Governor shall appoint two other officers to  
4 assist the secretary, as determined by the Governor.

5 (b) The two other officers shall serve at the pleasure of the  
6 secretary.

7

8

## CHAPTER 2. POWERS AND DUTIES

9

10 15554. The secretary has the power of general supervision  
11 over, and is directly responsible to the Governor for, the operations  
12 of each department, office, and unit within the agency. The  
13 secretary may issue those orders as the secretary deems  
14 appropriate to exercise any power or jurisdiction, or to assume or  
15 discharge any responsibility, or to carry out or effect any of the  
16 purposes vested by law in any department in the agency. However,  
17 nothing in this part authorizes the secretary to exercise any power  
18 or jurisdiction, or assume or discharge any responsibility related  
19 to adjudication, rulemaking, or legal representation that is vested  
20 by other provisions of law in any board, commission, council, or  
21 other appointive multimember body that is organizationally  
22 located within the Labor and Workforce Development Agency or  
23 within any of its departments.

24 15555. The secretary shall advise the Governor on, and assist  
25 the Governor in, establishing major policy and program matters  
26 affecting each department, office, or other unit within the agency,  
27 and shall serve as the principal communication link for the  
28 effective transmission of policy problems and decisions between  
29 the Governor and each department, office, or other unit.

30 15556. The secretary shall exercise the authority vested in the  
31 Governor in respect to the functions of each department, office, or  
32 other unit within the agency, including the adjudication of  
33 conflicts between or among the departments, offices, or other  
34 units, and shall represent the Governor in coordinating the  
35 activities of each department, office, or other unit within the  
36 agency with those of other agencies, whether federal, state, or  
37 local.

38 15557. The secretary shall be generally responsible for the  
39 sound fiscal management of each department, office, or other unit  
40 within the agency. The secretary shall review and approve the

1 proposed budget of each department, office, or other unit. The  
2 secretary shall hold the head of each department, office, or other  
3 unit responsible for management control over the administrative,  
4 fiscal, and program performance of his or her department, office,  
5 or other unit. The secretary shall review the operations and  
6 evaluate the performance at appropriate intervals of each  
7 department, office, or other unit, and shall seek continually to  
8 improve the organizational structure, the operating policies, and  
9 the management information systems of each department, office,  
10 or other unit.

11 15558. Other duties of the secretary include, but are not  
12 limited to, reviewing personnel management, acting as public  
13 advisor and providing public information in connection with all  
14 functions of the agency, overseeing the implementation of the  
15 workforce investment system to ensure that it better responds to  
16 the employment, training, and education needs of its customers,  
17 and consolidating service points and One-Stop Taxpayer Service  
18 Centers for employers and workers by adding services that are  
19 within the agency's authority as of the effective date of this  
20 reorganization plan.

21 15559. The secretary shall develop and report to the Governor  
22 on legislative, budgetary, and administrative programs to  
23 accomplish comprehensive, long-range, coordinated planning and  
24 policy formulation in the matters of public interest related to the  
25 agency. To accomplish this end, the secretary may hold public  
26 hearings, consult with and use the services and cooperation of  
27 other state agencies, employ staff and consultants, and appoint  
28 advisory and technical committees to assist in the work.

29 15560. For the purpose of administration, the secretary shall  
30 review the organization of the agency and report to the Governor  
31 on changes necessary to segregate and conduct the work of the  
32 agency.

33 15561. The secretary and any other officer or employee  
34 within the agency designated in writing by the secretary shall have  
35 the power of a head of a department pursuant to Article 2  
36 (commencing with Section 11180) of Chapter 2 of Part 1.

37 15562. Whenever a power is granted to the secretary, the  
38 power may be exercised by an officer or employee within the  
39 agency as designated in writing by the secretary.

40 SEC. 7. Section 18.5 is added to the Labor Code, to read:

1 18.5. “Agency” means the Labor and Workforce  
2 Development Agency.

3 SEC. 8. Section 19.5 is added to the Labor Code, to read:

4 19.5. “Secretary” means the Secretary of Labor and  
5 Workforce Development.

6 SEC. 9. Section 50 of the Labor Code is amended to read:

7 50. There is in the ~~state government~~ *Labor and Workforce*  
8 *Development Agency* the Department of Industrial Relations.

9 SEC. 10. Section 1141 of the Labor Code is amended to read:

10 1141. (a) There is hereby created in ~~state government~~ *the*  
11 *Labor and Workforce Development Agency* the Agricultural Labor  
12 Relations Board, which shall consist of five members.

13 (b) The members of the board shall be appointed by the  
14 Governor with the advice and consent of the Senate. The term of  
15 office of the members shall be five years, and the terms shall be  
16 staggered at one-year intervals. Upon the initial appointment, one  
17 member shall be appointed for a term ending January 1, 1977, one  
18 member shall be appointed for a term ending January 1, 1978, one  
19 member shall be appointed for a term ending January 1, 1979, one  
20 member shall be appointed for a term ending January 1, 1980, and  
21 one member shall be appointed for a term ending January 1, 1981.  
22 Any individual appointed to fill a vacancy of any member shall be  
23 appointed only for the unexpired term of the member to whose  
24 term he *or she* is succeeding. The Governor shall designate one  
25 member to serve as chairperson of the board. Any member of the  
26 board may be removed by the Governor, upon notice and hearing,  
27 for neglect of duty or malfeasance in office, but for no other cause.

28 SEC. 11. Section 301 of the Unemployment Insurance Code  
29 is amended to read:

30 301. There is in the ~~Health Labor and Welfare~~ *Workforce*  
31 *Development Agency* the Employment Development  
32 Department, which is vested with the duties, purposes,  
33 responsibilities, and jurisdiction heretofore exercised by the State  
34 Department of Benefit Payments or the *California* Health and  
35 ~~Welfare~~ *Human Services Agency* with respect to job creation  
36 activities. The Employment Development Department shall be  
37 administered by an executive officer known as the Director of  
38 Employment Development who is vested with the duties,  
39 purposes, responsibilities, and jurisdiction heretofore exercised by

- 1 the Director of Benefit Payments with respect to the following  
2 functions:
- 3 (a) Job creation activities.
  - 4 (b) Making manual computations and making or denying  
5 recomputations of the amount and duration of benefits.
  - 6 (c) Determination of contribution rates and the administration  
7 and collection of contributions, penalties and interest, including  
8 but not limited to filing and releasing liens.
  - 9 (d) Establishment, administration, and transfer of reserve  
10 accounts.
  - 11 (e) Making assessments and the administration of credits and  
12 refunds.
  - 13 (f) Approving elections for coverage or for financing  
14 unemployment and disability insurance coverage.

