PROPOSED CONFERENCE AMENDMENTS NO. 1 JUNE 13, 2005

AMENDED IN ASSEMBLY MAY 19, 2005

# SENATE BILL No. 77

**Introduced by Committee on Budget and Fiscal Review**

January 14, 2005

~~An act relating to the Budget Act of 2005.~~ An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 77, as amended, Committee on Budget and Fiscal Review. *2005–06* Budget ~~Act of 2005~~ .

~~This bill would express the intent of the Legislature to enact the Budget Act of 2005.~~

*This bill would make appropriations for support of state government for the 2005–06 fiscal year.*

*This bill would declare that it is to take effect immediately as an urgency statute.*

Vote: ~~majority.~~ *2/3.* Appropriation: ~~no.~~ *yes.* Fiscal committee: ~~no.~~ *yes.* State-mandated local program: no.

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

~~SECTION 1. It is the intent of the Legislature to enact the Budget Act of 2005.~~

SECTION 1.00. This act shall be known and may be cited as the "Budget Act of 2005."

SEC. 1.50. (a) In accordance with Section 13338 of the Government Code, as added by Chapter 1284, Statutes of 1978, and as amended by Chapter 1286, Statutes of 1984, it is the intent of the Legislature that this act utilize a coding scheme compatible with the Governor's Budget and the records of the Controller, and provide for the appropriation of federal funds received by the state and deposited in the State Treasury.

(b) Essentially, the format and style are as follows:

(1) Appropriation item numbers have a code which is common to all the state's fiscal systems. The meaning of this common coded item number is as follows:

2720—Organization Code (this code represents the California Highway Patrol)

001—Reference Code (first appropriation for a particular fund for support of each department)

0044—Fund Code (Motor Vehicle Account, State Transporation Fund)

(2) Appropriation items are organized in organization code order as reflected in the Governor's Budget.

(3) All the appropriation items, reappropriation items, and reversion items, if any, for each department or entity are adjacent to one another.

(4) Federal funds received by the state and deposited in the State Treasury are appropriated in separate items.

(c) The Department of Finance may authorize revisions to the codes used in this act in order to provide compatibility between the codes used in this act and those used in the Governor's Budget and in the records of the State Controller.

(d) Notwithstanding any other provision of this act, the Department of Finance may revise the schedule of any appropriation made in this act where the revision is of a technical nature and is consistent with legislative intent. These revisions may include, but shall not be limited to, the substitution of category for program or program for category limitations, the proper categorization of allocated administration costs and cost recoveries, the distribution of any unallocated amounts within an appropriation and the adjustment of schedules to facilitate departmental accounting operations, including the elimination of categories providing for amounts payable from other items or other appropriations and the distribution of unscheduled amounts to programs or categories. These revisions shall include a certification that the revisions comply with the intent and limitation of expenditures as appropriated by the Legislature.

(e) Notwithstanding any other provision of this act, when the Department of Finance, pursuant to subdivision (d), approves the schedule or revision of any appropriation relating to the elimination of amounts payable, the language authorizing the transfer shall also be eliminated.

SEC. 2.00. (a) The following sums of money and those appropriated by any other sections of this act, or so much thereof as may be necessary unless otherwise provided herein, are hereby appropriated for the use and support of the State of California for the 2005–06 fiscal year beginning July 1, 2005, and ending June 30, 2006. All of these appropriations, unless otherwise provided herein, shall be paid out of the General Fund in the State Treasury.

(b) Appropriations and reappropriations for capital outlay, unless otherwise provided herein, shall be available for expenditure during the 2005–06, 2006–07, and 2007–08 fiscal years, except that appropria-

tions and reappropriations for studies, preliminary plans, working drawings, or minor capital outlay, except as provided herein, shall be available for expenditure only during the 2005–06 fiscal year. In addition, the balance of every appropriation or reappropriation made in this act that contains funding for construction that has not been allocated, through fund transfer or approval to proceed to bid, by the Department of Finance on or before June 30, 2006, except as provided herein, shall revert as of that date to the fund from which the appropriation was made.

(c) Whenever by constitutional or statutory provision the revenues or receipts of any institution, department, board, bureau, commission, officer, employee, or other agency, or any moneys in any special fund created by law therefor, are to be used for salaries, support or any proper purpose, expenditures shall be made therefrom for any such purpose only to the extent of the amount therein appropriated, unless otherwise stated herein.

(d) Appropriations for purposes not otherwise provided for herein that have been heretofore made by any existing constitutional or statutory provision shall continue to be governed thereby.

## LEGISLATIVE/JUDICIAL/EXECUTIVE

### Legislative

| Item | | Amount |
|---|---|---|
| 0110-001-0001—For support of Senate | | 97,371,000 |
| Schedule: | | |
| (1) 101001-Salaries of Senators | 5,532,000 | |
| (2) 317295-Mileage | 10,000 | |
| (3) 317292-Expenses | 1,320,000 | |
| (4) 500004-Operating Expenses | 89,714,000 | |
| (5) 317296-Automotive Expenses | 795,000 | |

Provisions:

1. The funds appropriated in Schedule (4) are for operating expenses of the Senate, including personal services for officers, clerks, and all other employees, and legislative committees thereof composed in whole or in part of Members of the Senate, and for support of joint expenses of the Legislature, to be transferred by the Controller to the Senate Operating Fund.
2. The funds appropriated in Schedule (5) are for operating expenses of the Senate relating to the purchase, maintenance, repair, insurance, and other costs of operating automobiles for the use of Members of the Senate, to be transferred by the Controller to the Senate Operating Fund.

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3. The funds appropriated in Schedules (1), (2), (3), and (5) may be adjusted for transfers to or from the Senate Operating Fund.

0120-011-0001—For support of Assembly ..... 132,131,000

Schedule:

(1) 101001-Salaries of Assembly Members ..... 9,947,000

(2) 317295-Mileage ..... 8,000

(3) 317292-Expenses ..... 2,594,000

(4) 500004-Operating Expenses.....118,946,000

(5) 317296-Automotive Expenses..... 636,000

Provisions:

1. The funds appropriated in Schedule (4) are for operating expenses of the Assembly, including personal services for officers, clerks, and all other employees, and legislative committees thereof composed in whole or in part of Members of the Assembly, and for support of joint expenses of the Legislature, to be transferred by the Controller to the Assembly Operating Fund.

2. The funds appropriated in Schedule (5) are for operating expenses of the Assembly relating to the lease, maintenance, repair, insurance, and other costs of operating automobiles for the use of Members of the Assembly, to be transferred by the Controller to the Assembly Operating Fund.

3. The funds appropriated by Schedules (1), (2), (3), and (5) may be adjusted for transfers to or from the Assembly Operating Fund.

0130-021-0001—For support of Office of the Legislative Analyst..... 0

Schedule:

(1) Expenses of the Office of the Legislative Analyst ..... 6,664,000

(2) Transferred from Item 0110-001-0001 ..... –3,257,000

(3) Transferred from Item 0120-011-0001 ..... –3,257,000

(4) Reimbursements..... –150,000

Provisions:

1. The funds appropriated in Schedule (1) are for the expenses of the Office of the Legislative Analyst and of the Joint Legislative Budget Committee for any charges, expenses, or claims either may incur, available without regard to fiscal years, to be paid

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on certification of the Chairperson of the Joint Legislative Budget Committee or his or her designee.

2. Funds identified in Schedules (2) and (3) may be transferred from the Senate Operating Fund, by the Senate Committee on Rules, and the Assembly Operating Fund, by the Assembly Committee on Rules.

0160-001-0001—For support of Legislative Counsel Bureau ..... 84,513,000

Schedule:

(1) Support ..... 84,644,000

(2) Reimbursements ..... –131,000

Provisions:

1. Of the appropriation authorized by this item, $1,700,000 is intended as an initial expenditure to support the Enterprise Strategic Initiative project, which is designed to replace information technology applications that are critical to the mission of the Legislative Counsel Bureau. It is the intent of the Legislature to make additional budget augmentations to fund this project in future fiscal years.

Judicial

0250-001-0001—For support of Judicial Branch ..... ~~307,933,000~~ *300,233,000*

Schedule:

(1) 10-Supreme Court ..... 40,743,000

(2) 20-Courts of Appeal .....177,276,000

(3) 30-Judicial Council .....101,049,000

(4) 35-Judicial Branch Facility Program..... 2,087,000

(5) 50-Habeas Corpus Resource Center ..... 11,425,000

*(5.5) 97.20.001-Unallocated Reduction –7,700,000*

(6) Reimbursements .....–17,189,000

(7) Amount payable from the Motor Vehicle Account, State Transportation Fund (Item 0250-001-0044)... –160,000

(8) Amount payable from the Court Interpreters' Fund (Item 0250-001-0327)..... –142,000

(9) Amount payable from the Federal Trust Fund (Item 0250-001-0890). –2,560,000

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(10) Amount payable from the Appellate Court Trust Fund (Item 0250-001-3060) ..... –4,596,000

Provisions:

1. Notwithstanding Section 26.00 of this act, the funds appropriated or scheduled in this item may be allocated or reallocated among categories by order of the Judicial Council.
2. Of the funds appropriated in this item, $200,000 is available for reimbursement to the Attorney General, or for hiring outside counsel, for prelitigation and litigation fees and costs, including any judgment, stipulated judgment, offer of judgment or settlement. This amount is for use in connection with (a) matters arising from the actions of appellate courts, appellate court bench officers, or appellate court employees; (b) matters arising from the actions of the Judicial Council, council members or council employees or agents; (c) matters arising from the actions of the Administrative Office of the Courts or its employees; or (d) employment litigation arising from the actions of trial courts, trial court bench officers, or trial court employees. Either the state or the Judicial Council must be named as a defendant or alleged to be the responsible party. Any funds not used for this purpose shall revert to the General Fund.
3. Notwithstanding any other provision of law, up to $5,000,000 appropriated in this item may be transferred to Item 0250-101-0001 by the Controller at the request of the Administrative Office of the Courts, to cover any short-term cashflow issues that occur. Any funds transferred shall be repaid to this item from Item 0250-101-0001. The Judicial Council shall notify the Department of Finance and the Joint Legislative Budget Committee when any transfer is made pursuant to this provision, and upon repayment of the transfer.
4. The funds appropriated by Schedule (5) shall be available for costs associated directly or indirectly with the California Habeas Corpus Resource Center (CHCRC). The CHCRC shall report to the Legislature and the Department of Finance on September 1, 2005, and April 1, 2006, on expenditures, specifically detailing personal services expenditures, and operating expenses and equipment expenditures.

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5. Notwithstanding any other provision of law, upon approval and order of the Department of Finance, the amount appropriated in this item shall be reduced by the amount transferred in Item 0250-011-0001 to provide adequate resources to the Judicial Branch Workers' Compensation Fund to pay workers' compensation claims for judicial branch employees and administrative costs pursuant to Section 68114.10 of the Government Code.

~~6. In order to ensure that funding for judicial branch services, operations, and programs is not eroded, staff are directed to develop trailer bill language that would, effective with the 2006–07 fiscal year, expand the application of the annual State Appropriations Limit adjustment to include funding for judicial compensation and funding for the Supreme Court, Courts of Appeal, the Judicial Council/Administrative Office of the Courts, and the Habeas Corpus Resource Center. This adjustment will result in an adjustment based upon the annual change in the State Appropriations Limit and would apply to funding for judicial branch operations, programs, administrative services, local assistance grants, and the operation, maintenance, and repair of judicial branch facilities, not to include the cost of programs that are reimbursed through other sources.~~

0250-001-0044—For support of Judicial Branch, for payment to Item 0250-001-0001, payable from the Motor Vehicle Account, State Transportation Fund ..... 160,000

0250-001-0327—For support of Judicial Branch, for payment to Item 0250-001-0001, payable from the Court Interpreters' Fund..... 142,000

0250-001-0890—For support of Judicial Branch, for payment to Item 0250-001-0001, payable from the Federal Trust Fund..... 2,560,000

0250-001-3037—For support of Judicial Branch, ~~for payment to Item 0250-001-0001,~~ payable from the State Court Facilities Construction Fund..... 36,945,000

Schedule:

(1) 30-Judicial Council ..... 6,440,000

(2) 35-Judicial Branch Facility Program..... 30,505,000

Provisions:

1. The Director of Finance may augment this item by an amount not to exceed available funding in

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the State Court Facilities Construction Fund, after review of a request submitted by the Administrative Office of the Courts that demonstrates a need for additional resources associated with and including, but not limited to, the transfer, acquisition, rehabilitation, construction, or financing of court facilities. This request shall be submitted no later than 60 days prior to the effective date of the license. Any augmentation shall be authorized no sooner than 30 days after notification in writing to the chairpersons of the committees in each house of the Legislature that consider appropriations, the chairperson of the committee and appropriate subcommittees that consider the state budget, and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the Chairperson of the Joint Legislative Budget Committee or his or her designee may determine.

0250-001-3060—For support of Judicial Branch, for payment to Item 0250-001-0001, payable from the Appellate Court Trust Fund ..... 4,596,000

0250-001-3066—For support of Judicial Branch, payable from the Court Facilities Trust Fund ..... 1,000

Schedule:

(1) 35-Judicial Branch Facility Program..... 1,000

Provisions:

1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures in excess of this item for the operation, repair, and maintenance of court facilities pursuant to Section 70352 of the Government Code.

0250-003-0001—For support of Judicial Branch for rental payments on lease-revenue bonds ..... 998,000

Schedule:

(1) Base Rental and Fees ..... 1,013,000
(2) Insurance ..... 8,000
(3) Reimbursements..... –23,000

Provisions:

1. The funds appropriated in this item shall be made available for costs associated with rental payments on lease-revenue bonds for the Court of Appeal, Fourth District, Division 2, in Riverside, California.
2. The Controller shall transfer funds appropriated in this item according to a schedule to be provided

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by the State Public Works Board. The schedule shall be provided on a monthly basis or as otherwise might be needed to ensure debt requirements are met.

3. This item may contain adjustments pursuant to Control Section 4.30 that are not currently reflected. Any adjustments to this item shall be reported to the Joint Legislative Budget Committee pursuant to Control Section 4.30.

0250-011-0001—For transfer, upon order of the Director of Finance, to the Judicial Branch Workers' Compensation Fund ..... 1,000

Provisions:

1. Notwithstanding any other provision of law, upon approval and order of the Department of Finance, the Judicial Council shall adjust the amount of this transfer to provide adequate resources to the Judicial Branch Workers' Compensation Fund to pay workers compensation claims for judicial branch employees and administrative costs pursuant to Government Code Section 68114.10.

0250-101-0001—For local assistance, Judicial Branch... 16,762,000

Schedule:

| | |
|---|---|
| (1) 45.10-Support for Operation of Trial Courts | 6,196,000 |
| (2) 45.55.010-Child Support Commissioner Program (AB 1058) | 45,381,000 |
| (3) 45.55.020-California Collaborative and Drug Court Projects | 2,924,000 |
| (4) 45.55.030-Federal Child Access and Visitation Grant Program | 800,000 |
| (5) 45.55.050-Federal Court Improvement Grant Program | 700,000 |
| (6) 45.55.070-Grants—Other | 235,000 |
| (7) 45.55.080-Federal Grants—Other | 775,000 |
| (8) 45.55.090-Equal Access Fund | 9,500,000 |
| (9) Reimbursements | –47,474,000 |
| (10) Amount payable from Federal Trust Fund (Item 0250-101-0890). | –2,275,000 |

Provisions:

1. Notwithstanding any other provision of law, up to $5,000,000 appropriated in Item 0250-001-0001 may be transferred to Item 0250-101-0001 by the Controller at the request of the Administrative Office of the Courts, to cover any short-term cash-flow issues that occur. Any funds transferred shall be repaid from this item to Item 0250-001-0001.

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The Judicial Council shall notify the Department of Finance and the Joint Legislative Budget Committee when any transfer is made pursuant to this provision, and upon repayment of the transfer.

2. In order to improve equal access and the fair administration of justice, the funds appropriated in Schedule (8) are to be distributed by the Judicial Council through the Legal Services Trust Fund Commission to qualified legal services projects and support centers as defined in Sections 6213 through 6215 of the Business and Professions Code, to be used for legal services in civil matters for indigent persons. The Judicial Council shall approve awards made by the commission if the council determines that the awards comply with statutory and other relevant guidelines. Ten percent of the funds in Schedule (8) shall be for joint projects of courts and legal services programs to make legal assistance available to proper litigants and 90 percent of the funds in Schedule (8) shall be distributed consistent with Sections 6216 through 6223 of the Business and Professions Code. The Judicial Council may establish additional reporting or quality control requirements consistent with Sections 6213 through 6223 of the Business and Professions Code.

3. Reimbursements for the following activities: (a) payment of service of process fees billed to the trial courts as a result of Chapter 1009 of the Statutes of 2002, (b) payment of the court costs payable under Sections 4750 to 4755, and 6005 of the Penal Code, and (c) payment of court costs of extraordinary homicide trials shall be provided from this appropriation and disbursed to individual trial courts on a reimbursement basis.

0250-101-0044—For local assistance of Judicial Branch, payable from the Motor Vehicle Account, State Transportation Fund..... 1,648,000

0250-101-0890—For local assistance of Judicial Branch, for payment to Item 0250-101-0001, payable from the Federal Trust Fund..... 2,275,000

0250-101-0932—For local assistance, Judicial Branch, payable from the Trial Court Trust Fund..... ~~2,493,542,000~~ *2,483,966,000*

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Schedule:

(1) 45.10-Support for operation of the Trial Courts ..... ~~2,163,839,000~~ *2,154,263,000*

(2) 45.25-Compensation of Superior Court Judges .....233,530,000

(3) 45.35-Assigned Judges ..... 20,254,000

(4) 45.45-Court Interpreters..... 72,233,000

(5) 45.55.060-Court Appointed Special Advocate (CASA) Program ..... 2,052,000

(6) 45.55.065-Model Self-Help Program..... 887,000

(7) 45.55.095-Family Law Information Centers ..... 321,000

(8) 45.55.100-Civil Case Coordination. 426,000

Provisions:

1. Notwithstanding Section 26.00 of this act, the funds appropriated or scheduled in this item may be allocated or reallocated among categories by the Judicial Council.

2. The funds appropriated in Schedule (2) shall be made available for costs of the workers' compensation program for trial court judges.

3. The amount appropriated in Schedule (3) shall be made available for all judicial assignments. Schedule (3) expenditures for necessary chamber staff may not exceed the staffing level that is necessary to support the equivalent of three judicial officers sitting on assignments at the appellate court level.

4. The funds appropriated in Schedule (4) shall be for payments for services of contractual court interpreters, and certified and registered court interpreters employed by the courts, and the following court interpreter coordinators: one each in counties of the 1st through the 15th classes, 0.5 each in counties of the 16th through the 31st classes, and 0.25 each in counties of the 32nd through the 58th classes. For the purposes of this provision, "court interpreter coordinators" may be full- or part-time court employees, or those contracted by the court to perform these services.

The Judicial Council shall set statewide or regional rates and policies for payment of court interpreters, not to exceed the rate paid to certified interpreters in the federal court system. The Judicial Council shall adopt appropriate rules and pro-

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| cedures for the administration of these funds. The Judicial Council shall report to the Legislature and Director of the Department of Finance annually regarding expenditures from this schedule. | |
| 5. Upon order of the Director of Finance, the amount available for expenditure in this item may be augmented by the amount of any additional resources available in the Trial Court Trust Fund, which is in addition to the amount appropriated in this item. | |
| 6. Notwithstanding any other provision of law, upon approval and order of the Department of Finance, the amount appropriated in this item shall be reduced by the amount transferred in Item 0250-115-0932 to provide adequate resources to the Judicial Branch Workers' Compensation Fund to pay workers' compensation claims for judicial branch employees and administrative costs pursuant to Section 68114.10 of the Government Code. | |
| *7. Of the funds appropriated in Schedule (1), which will be transferred to the Trial Court Improvement Fund in accordance with subdivision (b) of Section 77209 of the Government Code, up to $5,000,000 shall be available for support of services for self-represented litigants.* | |
| 0250-111-0001—For transfer by the Controller to the Trial Court Trust Fund ..... | ~~1,457,966,000~~ *1,453,866,000* |
| 0250-112-0001—For transfer by the Controller to the Judicial Administration Efficiency and Modernization Fund ..... | 34,122,000 |
| 0250-112-0556—For local assistance, Judicial Branch, payable from the Judicial Administration Efficiency and Modernization Fund ..... | 34,122,000 |
| 0250-115-0932—For transfer, upon order of the Director of Finance, to the Judicial Branch Workers Compensation Fund ..... | 1,000 |
| Provisions: | |
| 1. Notwithstanding any other provision of law, upon approval and order of the Department of Finance, the Judicial Council shall adjust the amount of this transfer to provide adequate resources to the Judicial Branch Workers' Compensation Fund to pay workers compensation claims for judicial branch employees and administrative costs pursuant to Government Code Section 68114.10. | |

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~~0250-295-0001—For local assistance, Judicial Branch, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller ..... 0~~

~~Schedule:~~

~~(1) 98.01.117.096—Grand Jury Proceedings (Ch. 1170, Stats. 96) (98-TC-27) ..... 0~~

~~Provisions:~~

~~1. Except as provided in Provision 2 of this item, allocations of funds provided in this item to the appropriate local entities shall be made by the Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.~~

~~2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the State Controller may, upon notifying the Director of Finance in writing, augment those deficient amounts from the unencumbered balance of any other scheduled amounts therein. No order may be issued pursuant to this provision unless written notification of the necessity therefore is provided to the chairperson of the committee in each house, which considers appropriations, and the Chairperson of the Joint Legislative Budget Committee or his or her designee.~~

~~3. Pursuant to Section 17581 of the Government Code, mandates identified in the appropriation schedule of this item with an appropriation of $0 and included in the language of this provision are specifically identified by the Legislature for suspension during the 2005–06 fiscal year:~~

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~~(1) Grand Jury Proceedings (Ch. 1170, Stats. 1996) (98-TC-27).~~

0250-301-0660—For capital outlay, Judicial Branch, payable from the Public Buildings Construction Fund ..... 4,486,000

Schedule:

(1) 90.20.501-Court of Appeal, Fifth Appellate District Fresno: New Courthouse—Construction ..... 4,486,000

Provisions:

1. 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 and construction of the project authorized by this item.
2. The State Public Works Board and the Judicial Branch may obtain interim financing for the project costs authorized in this item from any appropriate source, including, but not limited to, the Pooled Money Investment Account pursuant to Sections 16312 and 16313 of the Government Code.
3. The State Public Works Board may authorize the augmentation of the cost of design and construction of the projects scheduled in this item pursuant to the board's authority under Section 13332.11 of the Government Code. In addition, the State Public Works 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 construction of the project, the costs of financing a debt service fund, and the cost of issuance of permanent financing for the project. This additional amount may include interest payable on any interim financing obtained.
4. The Judicial Branch is authorized and directed to execute and deliver any and all leases, contracts, agreements, or other documents necessary or advisable to consummate the sale of bonds or otherwise effectuate the financing of the scheduled project.
5. The State Public Works Board shall not be deemed a lead or responsible agency for purposes of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of

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the Public Resources Code) for any activities under the State Building Construction Act of 1955 (Part 10b (commencing with Section 15800) of Division 3 of Title 2 of the Government Code). This section does not exempt the district from the requirements of the California Environmental Quality Act. This section is declaratory of existing law.

0250-301-3037—For capital outlay, Judicial Branch, payable from the State Court Facilities Construction Fund ..... 10,277,000

Schedule:

(1) 91.07.001-Contra Costa County, New Antioch Area Courthouse—Acquisition and preliminary plans..... 7,237,000

(2) 91.24.001-Merced County, New Merced Downtown Courthouse—Construction ..... 3,040,000

Provisions:

1. Notwithstanding any other provision of law, the County of Contra Costa shall transfer responsibility, or responsibility and title, for the Pittsburgh-Delta Court facility to the state prior to the release of funds identified in Schedule (1).
2. For the project identified in Schedule (2), if the County of Merced has not executed the transfer of its responsibilities, or responsibilities and title, for the New Downtown Merced Courthouse, New Courts Building (Departments 1 through 3), Jail Court (Department 4), Department 5 Modular, Departments 7 and 8 Trailer, Adobe Building, Criminal Trailer, and Jury Assembly, to the state in accordance with Chapter 1082 of the Statutes of 2002, by January 1, 2007, then the County of Merced shall pay back the construction funds used for this project.
3. The Judicial Branch may enter into a lease-purchase agreement with the County of Fresno for the New Fresno Area Juvenile Delinquency Court Facility project that will provide lease payments to the county equal to the court's proportional share of the project costs, subject to Department of Finance approval. The County of Fresno shall transfer responsibility, or responsibility and title,

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of the existing Fresno Juvenile Court Facility prior to the approval of a lease-purchase agreement.

0250-490—Reappropriation, Judicial Branch. The balances of the appropriations provided for in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided for in the appropriations:

0001—General Fund

(1) Item 0250-301-0001, Budget Act of 2000 (Ch. 52, Stats. 2000), as reappropriated by Item 0250-490, Budget Act of 2003 (Ch. 157, Stats. 2003)

(1) 90.20.401-Court of Appeal, Fourth Appellate District, Orange County: New Courthouse—Acquisition, provided that the funds shall be available for expenditure until June 30, 2006.

0660—Public Buildings Construction Fund

(1) Item 0250-301-0660, Budget Act of 2002 (Ch. 379, Stats. 2002), as reappropriated by Item 0250-490, Budget Act of 2003 (Ch. 379, Stats. 2003)

(2) 90.20.501-Court of Appeal, Fifth Appellate District Fresno: New Courthouse—Construction

Provisions:

1. 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 and construction of the projects authorized by this item.
2. The State Public Works Board may authorize the augmentation of the cost of design and construction of the projects scheduled in this item pursuant to the board's authority under Section 13332.11 of the Government Code. In addition, the State Public Works 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 construction of the project, the costs of financing a debt service fund, and the cost of issuance of permanent financing for the project. This additional amount may include interest payable on any interim financing obtained.

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|---|---|
| 0250-497—Reversion, Judicial Branch. As of June 30, 2005, the specified balances of the appropriations provided for in the following citations shall revert to the fund balance from which the appropriation was made: | |
| 3037—State Court Facilities Construction Fund | |
| (1) Item 0250-301-3037, Budget Act of 2004 (Ch. 208, Stats. 2004) | |
| (1) 90.31.001-Placer/Nevada Shared Use Tahoe Court: Truckee—Acquisition and preliminary plans ..... | 544,000 |
| (2) 90.32.001-Portola/Loyalton New Branch Court: Counties of Sierra and Plumas—Acquisition and preliminary plans..... | 75,000 |
| 0280-001-0001—For support of the Commission on Judicial Performance, Program 10 ..... | 4,110,000 |
| Provisions: | |
| 1. Notwithstanding any other provision of law, upon approval and order of the Department of Finance, the amount appropriated in this item shall be reduced by the amount transferred in Item 0280-011-0001 to provide adequate resources to the Judicial Branch Workers' Compensation Fund to pay workers compensation claims for judicial branch employees and administrative costs pursuant to Government Code Section 68114.10. | |
| 0280-011-0001—For transfer, upon order of the Director of Finance, to the Judicial Branch Workers' Compensation Fund ..... | 1,000 |
| Provisions: | |
| 1. Notwithstanding any other provision of law, upon approval and order of the Department of Finance, the Commission on Judicial Performance shall adjust the amount of this transfer to provide adequate resources to the Judicial Branch Workers' Compensation Fund to pay workers compensation claims for judicial branch employees and administrative costs pursuant to Government Code Section 68114.10. | |
| 0390-001-0001—For transfer by the Controller to the Judges' Retirement Fund, for Supreme Court and Appellate Court Justices ..... | 1,150,000 |

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Provisions:

1. Upon order of the Department of Finance, the Controller shall transfer such funds as are necessary between Item 0390-001-0001 and Item 0390-101-0001.

0390-101-0001—For transfer by the Controller to the Judges' Retirement Fund for Superior Court and Municipal Court Judges ..... 109,167,000

Provisions:

1. Upon order of the Department of Finance, the Controller shall transfer such funds as are necessary between Item 0390-001-0001 and Item 0390-101-0001.

Executive

0500-001-0001—For support of Governor and of Governor's office ..... 18,347,000

Schedule:

(1) Support ..... 18,554,000
(2) Governor's Residence (Support) .... 35,000
(3) Special Contingent Expenses ..... 40,000
(4) Unallocated Reduction ..... –282,000

Provisions:

1. The funds appropriated in Schedules (2) and (3) of this item are exempt from the provisions of Sections 925.6, 12410, and 13320 of the Government Code.

0510-001-0001—For support of Secretary of State and Consumer Services ..... 769,000

Schedule:

(1) Support ..... 1,378,000
(2) Unallocated Reduction ..... –12,000
(3) Reimbursements ..... –597,000

0520-001-0001—For support of Secretary for Business, Transportation and Housing, for payment to Item 0520-001-0044 payable from the General Fund ..... ~~8,528,000~~ *1,528,000*

~~Provisions:~~

~~1. Of the amount appropriated in this item, $7,000,000 shall be available for use by the California Travel and Tourism Commission for use in promoting California tourism to potential visitors.~~

0520-001-0044—For support of Secretary for Business, Transportation and Housing, payable from the Motor Vehicle Account, State Transportation Fund..... 1,133,000

| Item | | Amount |
|---|---|---|
| Schedule: | | |
| (1) 10-Administration of Business, Transportation and Housing Agency | 3,009,000 | |
| (2) 25-Infrastructure Finance and Economic Development Program | ~~13,400,000~~ *8,400,000* | |
| (3) 97.20.001-Unallocated Reduction | –22,000 | |
| (4) Reimbursements | –2,987,000 | |
| (5) Amount payable from the General Fund (Item 0520-001-0001) | ~~–8,528,000~~ *–1,528,000* | |
| (6) Amount payable from the California Infrastructure and Economic Development Bank Fund (Item 0520-001-0649) | –3,248,000 | |
| (7) Amount payable from the Small Business Expansion Fund (Item 0520-001-0918) | –435,000 | |
| (8) Amount payable from the Welcome Center Fund (Item 0520-001-3083) | –56,000 | |
| *(9) Amount payable from the Chrome Plating Pollution Prevention Account (Item 0520-001-9329)* | *–2,000,000* | |
| 0520-001-0649—For support of Secretary for Business, Transportation and Housing, for payment to Item 0520-001-0044 payable from the California Infrastructure and Economic Development Bank Fund | | 3,248,000 |
| 0520-001-0918—For support of Secretary for Business, Transportation and Housing, for payment to Item 0520-001-0044 payable from the Small Business Expansion Fund | | 435,000 |
| 0520-001-3083—For support of Secretary for Business, Transportation and Housing, for payment to Item 0520-001-0044 payable from the Welcome Center Fund | | 56,000 |
| *0520-001-9329—For support of Secretary for Business, Transportation and Housing, for payment to Item 0520-001-0044, payable from the Chrome Plating Pollution Prevention Account* | | *2,000,000* |
| *Provisions:* | | |
| *1. Funds appropriated in this item shall be expended to address the various environmental issues posed by the metal plating industry while preserving its economic vitality.* | | |

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*2. Funds shall not be available until January 1, 2006.*

0520-011-0001—For transfer, upon order of the Director of Finance, to the Small Business Expansion Fund. 3,927,000

0520-101-0001—For local assistance, Secretary for Business, Transportation and Housing ..... ~~2,000,000~~ *0*

Schedule:

(1) 25-Infrastructure Finance and Economic Development Program ..... ~~4,000,000~~ *2,000,000*

(2) Reimbursements ..... –2,000,000

~~Provisions:~~

~~1. Of the amount appropriated in this item $2,000,000 shall be available for use by the Manufacturing Technology Program.~~

0520-401—The Department of Finance is hereby authorized to transfer any savings from the amount transferred pursuant to Item 0520-011-0001 of this act to the General Fund at the end of the 2005–06 fiscal year.

0530-001-0001—For support of Secretary for California Health and Human Services ..... 1,941,000

Schedule:

(1) 10-Secretary of California Health and Human Services Agency ..... 3,507,000

(2) Reimbursements ..... –1,202,000

(3) Amount payable from the Managed Care Fund (Item 0530-001-0933) . –364,000

0530-001-0933—For support of Secretary for California Health and Human Services Agency, for payment to Item 0530-001-0001, payable from the Managed Care Fund ..... 364,000

0530-011-9730—For transfer by the Controller, upon order of the Department of Finance, from the Department of Technology Services Revolving Fund to the Office of Systems Integration Fund. The amount of funds available for transfer shall be determined by the Department of Finance ..... 0

0530-001-9732—For support of Secretary for California Health and Human Services, payable from the Office of Systems Integration Fund ..... 223,458,000

Schedule:

(1) 30-Office of System Integration.....223,458,000

Provisions:

1. Notwithstanding any other provision of law, the Department of Finance may adjust this item of ap-

Item Amount

propriation to correct any technical errors related to the Health and Human Services Data Center reorganization plan not sooner than 30 days after notification in writing of the necessity therefor to the chairperson of the committee in each house of the Legislature that considers appropriations and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine.

2. Notwithstanding any other provision of law, upon the request of the Health and Human Services Agency, the Department of Finance may augment the amount available for expenditure in this item to pay for new contract costs for the In-Home Supportive Services/Case Management Payrolling System. The augmentation may be made not sooner than 30 days after notification in writing of the committee in each house of the Legislature that considers appropriations and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the joint committee may in each instance determine. The amount of funds augmented pursuant to the authority of this provision shall be consistent with the amount approved by the Department of Finance based on its review and approval of the new contract and Special Project Report, or equivalent document to be submitted at the conclusion of procurement activities.

3. Notwithstanding any other provision of law, the Department of Finance may augment this item to provide authority to spend funds encumbered prior to 2005–06 by the Health and Human Services Agency Data Center for the ongoing support of the automation projects transferred to the Health and Human Services Agency Office of System Integration.

0530-017-0001—For support of Secretary for California Health and Human Services Agency..... 2,992,000

Schedule:

(1) 21-Office of HIPAA Implementation..... 3,608,000

(2) Reimbursements..... –616,000

| Item | | Amount |
|---|---|---|
| Provisions: | | |
| 1. The funding appropriated in this item is limited to the amount specified in Control Section 17.00. These funds are to be used in support of compliance activities related to the federal Health Insurance Portability and Accountability Act (HIPAA) of 1996. | | |
| 0540-001-0005—For support of Secretary for Resources, for payment to Item 0540-001-0140, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund | | 214,000 |
| 0540-001-0140—For support of Secretary for Resources, payable from the Environmental License Plate Fund | | 2,968,000 |
| Schedule: | | |
| (1) 10-Administration of Resources Agency | 8,378,000 | |
| (2) Reimbursements | –521,000 | |
| (3) Amount payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Item 0540-001-0005). | –214,000 | |
| (4) Amount payable from the Environmental Enhancement and Mitigation Demonstration Program Fund (Item 0540-001-0183) | –101,000 | |
| (5) Amount payable from the Federal Trust Fund (Item 0540-001-0890). | –184,000 | |
| (5.5) Amount payable from the River Protection Subaccount (Item 0540-001-6015) | –16,000 | |
| (6) Amount payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Item 0540-001-6029) | –1,800,000 | |
| (7) Amount payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Item 0540-001-6031) | –2,574,000 | |
| 0540-001-0183—For support of Secretary for Resources, for payment to Item 0540-001-0140, payable from the Environmental Enhancement and Mitigation Program Fund | | 101,000 |
| 0540-001-0890—For support of Secretary for Resources, for payment to Item 0540-001-0140, payable from the Federal Trust Fund | | 184,000 |

| Item | Amount |
|---|---|
| 0540-001-6015—For support of Secretary for Resources, for payment to Item 0540-001-0140, payable from the River Protection Subaccount ..... | 16,000 |
| 0540-001-6029—For support of Secretary for Resources, for payment to Item 0540-001-0140, payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund..... | 1,800,000 |
| 0540-001-6031—For support of Secretary for Resources, for payment to Item 0540-001-0140, payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 ..... | 2,574,000 |
| Provisions: | |
| 1. The Secretary for Resources, in consultation with the Sierra Nevada Conservancy, shall submit a plan for the coordination of grant programs in the Sierra Nevada region to the Joint Legislative Budget Committee and the fiscal committees of both houses of the Legislature by December 1, 2005. | |
| *0540-101-6029—For local assistance, Secretary for Resources, payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund.....* | *7,850,000* |
| *Provisions:* | |
| *1. The funds appropriated in this item shall be available for encumbrance until June 30, 2008, for purposes of support, local assistance, or capital outlay.* | |
| *2. The funds received by other state agencies from this item in accordance with paragraph (1) of subdivision (c) of Section 5096.650 of the Public Resources Code are exempt from the reporting requirements of Section 28.50.* | |
| 0540-101-6031—For local assistance, Secretary for Resources, payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 ..... | 42,150,000 |
| Provisions: | |
| 1. The funds appropriated in this item for purposes of Water Code Section 79541 shall be available for encumbrance through fiscal year 2007–08 for purposes of support, local assistance or capital outlay. | |
| 2. The funds received by other state agencies from this item in accordance with Water Code Section 79541 are exempt from the reporting requirements of Section 28.5 of the Budget Act. | |

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0540-490—Reappropriation, Secretary for Resources. Notwithstanding any other provision of law, the period to liquidate encumbrances of the following citations are extended to June 30, 2006:

0001—General Fund

(1) Item 0540-101-0001, Budget Act of 1999 (Ch. 50, Stats. 1999)

(2) Item 0540-101-0001, Budget Act of 2000 (Ch. 52, Stats. 2000)

(3) Item 0540-101-0001, Budget Act of 2001 (Ch. 106, Stats. 2001)

0890—Federal Trust Fund

(1) Item 0540-001-0890, Budget Act of 2002 (Ch. 379, Stats. 2002)

6015—River Protection Subaccount

(1) Item 0540-101-6015, Budget Act of 2000 (Ch. 52, Stats. 2000)

(a) Los Angeles River Parkways

0540-491—Reappropriation, Secretary for Resources. The balance of the appropriation provided in the following citation is reappropriated for the purposes provided for in that appropriation and shall be available for encumbrance or expenditure until June 30, 2008:

0383—Natural Resources Infrastructure Fund

(1) Up to $10,000,000 from Item 0540-001-0383, Budget Act of 2004 (Ch. 208, Stats. 2004), for implementation of the California Ocean Protection Act.

0552-001-0001—For support of Office of the Inspector General ..... ~~16,367,000~~ *15,367,000*

Schedule:

(1) 10-Office of the Inspector General. ~~16,504,000~~ *15,504,000*

(2) 97.20.001-Unallocated Reduction... −137,000

Provisions:

1. Of the amount appropriated in this item, ~~$4,103,000~~ *$3,553,000* is to meet the Office of Inspector General's staffing needs based on a workload budget, and ~~$3,421,000~~ *$2,971,000* is for the additional workload resulting from duties imposed by Chapter 10 of the Statutes of 2005. Any funds appropriated to establish new positions for these activities that are not expended shall revert to the General Fund.

| Item | | Amount |
|---|---|---|
| 0555-001-0001—For support of Secretary for Environmental Protection, for payment to Item 0555-001-0044 | | 421,000 |
| 0555-001-0014—For support of Secretary for Environmental Protection, for payment to Item 0555-001-0044, payable from the Hazardous Waste Control Account | | 294,000 |
| 0555-001-0028—For support of Secretary for Environmental Protection, for payment to Item 0555-001-0044, payable from the Unified Program Account | | 994,000 |
| 0555-001-0044—For support of Secretary for Environmental Protection, payable from the Motor Vehicle Account, State Transportation Fund | | 802,000 |
| Schedule: | | |
| (1) 30-Support | 9,703,000 | |
| (2) 97.20.001-Unallocated Reduction | –21,000 | |
| (3) Reimbursements | –1,000,000 | |
| (4) Amount payable from the General Fund (Item 0555-001-0001) | –421,000 | |
| (5) Amount payable from the Hazardous Waste Control Account (Item 0555-001-0014) | –294,000 | |
| (6) Amount payable from the Unified Program Account (Item 0555-001-0028) | –994,000 | |
| (7) Amount payable from the California Used Oil Recycling Fund (Item 0555-001-0100) | –29,000 | |
| (8) Amount payable from the Department of Pesticide Regulation Fund (Item 0555-001-0106) | –428,000 | |
| (8.5) Amount payable from the Air Pollution Control Fund (Item 0555-001-0115) | –500,000 | |
| (9) Amount payable from the Waste Discharge Permit Fund (Item 0555-001-0193) | –83,000 | |
| (10) Amount payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund (Item 0555-001-0235) | –50,000 | |
| (11) Amount payable from the Recycling Market Development Revolving Loan Account (Item 0555-001-0281) | –134,000 | |

| Item | Amount |
|---|---|
| (11.5) Amount payable from the Public Interest Research, Development and Demonstration Fund (Item 0555-001-0381) ..... | –500,000 |
| (12) Amount payable from the Integrated Waste Management Account, Integrated Waste Management Fund (Item 0555-001-0387). | –492,000 |
| (13) Amount payable from the Underground Storage Tank Cleanup Fund (Item 0555-001-0439)..... | –664,000 |
| (14) Amount payable from the State Water Quality Control Fund (Item 0555-001-0679) ..... | –117,000 |
| (15) Amount payable from the Rural CUPA Reimbursement Account (Item 0555-001-1006) ..... | –900,000 |
| (16) Amount payable from the Environmental Enforcement and Training Account (Item 0555-001-8013)..... | –2,124,000 |
| (17) Amount payable from the Environmental Education Account (Item 0555-001-8020) ..... | –150,000 |
| Provisions: | |
| 1. Notwithstanding Section 48653 of the Public Resources Code, funds appropriated in this item from the California Used Oil Recycling Fund shall be available for purposes of administration. | |
| 2. Funds appropriated in this item from the Environmental Education Account are available for appropriation only to the extent that funding is received in the Environmental Education Account established by Section 71305 of the Public Resources Code. | |
| 0555-001-0100—For support of Secretary for Environmental Protection, for payment to Item 0555-001-0044, payable from the California Used Oil Recycling Fund..... | 29,000 |
| 0555-001-0106—For support of Secretary for Environmental Protection, for payment to Item 0555-001-0044, payable from the Department of Pesticide Regulation Fund ..... | 428,000 |
| 0555-001-0115—For support of Secretary for Environmental Protection, for payment to Item 0555-001-0044, payable from the Air Pollution Control Fund. | 500,000 |

| Item | Amount |
|---|---|
| Provisions: | |
| 1. The amount appropriated in this item is to support public interest energy research at the Office of the Secretary for Environmental Protection on the effects of energy generation on climate change. | |
| 0555-001-0193—For support of Secretary for Environmental Protection, for payment to Item 0555-001-0044, payable from the Waste Discharge Permit Fund | 83,000 |
| 0555-001-0235—For support of Secretary for Environmental Protection, for payment to Item 0555-001-0044, payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund | 50,000 |
| 0555-001-0281—For support of Secretary for Environmental Protection, for payment to Item 0555-001-0044, payable from the Recycling Market Development Revolving Loan Account, Integrated Waste Management Fund | 134,000 |
| 0555-001-0381—For support of Secretary for Environmental Protection, for payment to Item 0555-001-0044, payable from the Public Interest Research, Development, and Demonstration Fund | 500,000 |
| Provisions: | |
| 1. Of the amount appropriated in this item, up to $500,000 is for a grant to the California Climate Action Registry to support research-related program activities. | |
| 0555-001-0387—For support of Secretary for Environmental Protection, for payment to Item 0555-001-0044, payable from the Integrated Waste Management Account, Integrated Waste Management Fund | 492,000 |
| 0555-001-0439—For support of Secretary for Environmental Protection, for payment to Item 0555-001-0044, payable from the Underground Storage Tank Cleanup Fund | 664,000 |
| 0555-001-0679—For support of Secretary for Environmental Protection, for payment to Item 0555-001-0044, payable from the State Water Quality Control Fund | 117,000 |
| 0555-001-1006—For support of Secretary for Environmental Protection, for payment to Item 0555-001-0044, payable from the Rural CUPA Reimbursement Account | 900,000 |

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0555-001-8013—For support of Secretary for Environmental Protection, for payment to Item 0555-001-0044, payable from the Environmental Enforcement and Training Account..... 2,124,000

0555-001-8020—For support of Secretary for Environmental Protection, for payment to Item 0555-001-0044, payable from the Environmental Education Account ..... 150,000

Provisions:

1. The funding appropriated and available for expenditure in this item is limited to the amount of funding received in the Environmental Education Account established by Section 71305 of the Public Resources Code.

0555-011-0001—For transfer by the State Controller to the Rural CUPA Reimbursement Account..... 900,000

0558-001-0001—For support of the Office of the Secretary for Education..... 904,000

Schedule:

(1) Secretary for Education ..... 1,135,000
(2) Unallocated Reduction ..... –13,000
(3) Reimbursements..... –218,000

Provisions:

1. The amount appropriated in this item is intended for support of the Education Agency. The appropriation is an estimate of the funding needs from January 1, 2006, to June 30, 2006, inclusive. Legislation establishing the agency will be introduced and, if enacted, would be effective on or before January 1, 2006. In the event that legislation creating the agency is not effective on or before January 1, 2006, or the funds are needed prior to January 1, 2006, the unexpended balance of the funds appropriated by this item shall be available for expenditure pursuant to Item 0650-011-0001, as authorized by the Director of Finance.

0559-001-0001—For support of the California Labor and Workforce Development Agency..... 0

Schedule:

(1) 10-Office of the Secretary for Labor and Workforce Development ..... 2,165,000
(2) Reimbursements..... –2,165,000

0559-490—Reversion, Labor and Workforce Development Agency. As of June 30, 2005, $150,000 of the appropriation provided for in Chapter 221, Statutes of 2004 (Private Attorneys General Act) shall revert to the General Fund.

| Item | | Amount |
|---|---|---|
| 0650-001-0001—For support of Office of Planning and Research | | 3,874,000 |
| Schedule: | | |
| (1) 11-State Planning and Policy Development | 3,951,000 | |
| (2) 21-California Service Corps | 3,164,000 | |
| (3) 97.20.001-Unallocated Reduction | –62,000 | |
| (4) Reimbursements | –400,000 | |
| (5) Amount payable from the Federal Trust Fund (Item 0650-001-0890) | –2,779,000 | |
| 0650-001-0890—For support of Office of Planning and Research, for payment to Item 0650-001-0001, payable from the Federal Trust Fund | | 2,779,000 |
| 0650-011-0001—For support of Office of Planning and Research | | 904,000 |
| Schedule: | | |
| (1) Office of the Secretary for Education | 1,144,000 | |
| (2) 97.20.001-Unallocated Reduction | –13,000 | |
| (3) Reimbursements | –227,000 | |
| Provisions: | | |
| 1. The funds appropriated in this item are intended for support of the Education Agency. The appropriation is an estimate of the funding needs from July 1, 2005, to December 31, 2005, inclusive. Legislation establishing the agency will be introduced and, if enacted, would be effective on or before January 1, 2006. After the effective date of such legislation, and upon the determination that all obligations of the agency in the Office of Planning and Research have been met, the unexpended balance of the funds appropriated by this item shall be available for expenditure pursuant to Item 0558-001-0001, as authorized by the Director of Finance. | | |
| 0650-101-0890—For local assistance, Office of Planning and Research, Program 21-California Service Corps, payable from the Federal Trust Fund | | 40,000,000 |
| Provisions: | | |
| 1. The funds appropriated in this item are for local assistance allocations approved by the California Service Corps. | | |
| 0690-001-0001—For support of Office of Emergency Services | | 36,105,000 |
| Schedule: | | |
| (1) 15-Mutual Aid Response | 21,116,000 | |

| Item | Amount |
|---|---|
| (2) 35-Plans and Preparedness | 17,654,000 |
| (3) 45-Disaster Assistance | 23,620,000 |
| (4) 55.01-Administration and Executive | 7,173,000 |
| (5) 55.02-Distributed Administration and Executive | –6,267,000 |
| (6) 65-Office of Homeland Security | 33,262,000 |
| (7) 97.20.001-Unallocated Reduction | –614,000 |
| (8) Reimbursements | –2,651,000 |
| (9) Amount payable from the Unified Program Account (Item 0690-001-0028) | –654,000 |
| (10) Amount payable from the Nuclear Planning Assessment Special Account (Item 0690-001-0029) | –935,000 |
| (11) Amount payable from the Federal Trust Fund (Item 0690-001-0890) | –22,337,000 |
| (12) Amount payable from the Federal Trust Fund (Item 0690-010-0890). | ~~–3,857,000~~ *–33,262,000* |

Provisions:

1. Funds appropriated in this item may be reduced by the Director of Finance, after giving notice to the Chairperson of the Joint Legislative Budget Committee, by the amount of federal funds made available for the purposes of this item in excess of the federal funds scheduled in Item 0690-001-0890.
2. The Office of Emergency Services shall charge tuition for all training offered through the California Specialized Training Institute.
3. Upon the approval by the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Item 0690-101-0890.
4. The Office of Homeland Security, in collaboration with the State Department of Health Services, shall report to the Chairperson of the Joint Legislative Budget Committee, and the chairperson of the fiscal and policy committees of each house of the Legislature on or before ~~January 10~~ *February 1* , 2006, a statewide strategic plan for the use of federal homeland security and bioterrorism funds by all departments and local jurisdictions. The plan shall include the state's goals and objectives for improving the state's level of preparedness for

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a terrorism event, which (a) is based on an assessment of the state's level of preparedness and (b) reflects a coordination of preparedness activities at the state and local level. It is not the intent of the Legislature to require the Office of Homeland Security or the State Department of Health Services to disclose or include sensitive or classified information in the strategic plan.

5. It is the intent of the Legislature that the funding priorities for federal homeland security funds are: (a) enhancing information sharing between local, state, and federal public safety agencies; (b) identifying and protecting critical infrastructure and key assets to deter terrorists; (c) enhancing coordination of state agencies' homeland security activities; (d) implementing the state's homeland security strategy; and (e) implementing interoperable communications for public safety agencies.

6. It is the intent of the Legislature that the Office of Emergency ~~services~~ *Services* and the California Department of Forestry and Fire Protection, with assistance from the Department of General Services, collaborate to the extent possible in the purchasing of fire trucks.

0690-001-0028—For support of Office of Emergency Services, for payment to Item 0690-001-0001, payable from the Unified Program Account ..... 654,000

0690-001-0029—For support of Office of Emergency Services, for payment to Item 0690-001-0001, payable from the Nuclear Planning Assessment Special Account ..... 935,000

Provisions:

1. Pursuant to Government Code Section 8610.5(f), any unexpended funds from the appropriation in the prior fiscal year for the purposes of conducting a full participation exercise are hereby appropriated in augmentation of this item.

0690-001-0890—For support of Office of Emergency Services, for payment to Item 0690-001-0001, payable from the Federal Trust Fund ..... 22,337,000

Provisions:

1. Any funds that may become available, in addition to the funds appropriated in this item, for disaster response and recovery may be allocated by the Department of Finance subject to the conditions of Section 28.00 of this act, except that, notwith-

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standing subdivision (d) of that section, the allocations may be made 30 days or less after notification of the Legislature.

2. Notwithstanding any other provision of law, the funds appropriated in this item may be expended without regard to the fiscal year in which the application for reimbursement was submitted to the Federal Emergency Management Agency.

0690-002-0001—For support of Office of Emergency Services ..... 9,563,000

Schedule:

(1) 50-Criminal Justice Projects ..... 10,750,000

(2) 51-California Anti-Terrorism Information Center ..... 6,700,000

(3) Reimbursements ..... –20,000

(4) Amount payable from the Local Public Prosecutors and Public Defenders Training Fund (Item 0690-002-0241) ..... –74,000

(5) Amount payable from the Victim-Witness Assistance Fund (Item 0690-002-0425) ..... –1,207,000

(6) Amount payable from the High Technology Theft Apprehension and Prosecution Program Trust Fund (Item 0690-002-0597)..... –701,000

(7) Amount payable from the Federal Trust Fund (Item 0690-002-0890). –5,885,000

Provisions:

1. The funds appropriated in Schedule (2) shall be used to continue and expand funding for the California Anti-Terrorism Information Center Program, which shall provide investigative assistance to local and federal law enforcement agencies, provide intelligence gathering and data analysis, and create and maintain a statewide informational database to analyze and distribute information related to terrorist activities. The Office of Emergency Services shall allocate funds to the Department of Justice for these purposes upon the request of the Department of Justice.

2. It is the intent of the Legislature that the General Fund shall be reimbursed from future allocations of federal security-related funds that may be used for the purposes described in this item.

| Item | Amount |
|---|---|
| 0690-002-0241—For support of Office of Emergency Services, for payment to Item 0690-002-0001, payable from the Local Public Prosecutors and Public Defenders Training Fund ..... | 74,000 |
| Provisions: | |
| 1. Notwithstanding any other provision of law restricting the costs of administering individual programs, the full amount of this appropriation may be used by the Office of Emergency Services for administrative costs. | |
| 0690-002-0425—For support of Office of Emergency Services, for payment to Item 0690-002-0001, payable from the Victim Witness Assistance Fund ..... | 1,207,000 |
| 0690-002-0597—For support of Office of Emergency Services, for payment to Item 0690-002-0001, payable from the High Technology Theft Apprehension and Prosecution Program Trust Fund..... | 701,000 |
| Provisions: | |
| 1. Funds appropriated in this item are for the High Technology Theft Apprehension and Prosecution Program, as established by Chapter 5.7 (commencing with Section 13848) of Title 6 of Part 4 of the Penal Code, as amended by Chapter 555, Statutes of 1998, and shall be deposited in the High Technology Theft Apprehension and Prosecution Program Trust Fund, established pursuant to Section 13848.4 of the Penal Code. | |
| 0690-002-0890—For support of Office of Emergency Services, for payment to Item 0690-002-0001, payable from the Federal Trust Fund..... | 5,885,000 |
| 0690-010-0890—For support of Office of Emergency Services for the Office of Homeland Security, for payment to Item 0690-001-0001, payable from the Federal Trust Fund ..... | 33,262,000 |
| 0690-010-3034—For support of Office of Emergency Services for the Office of Homeland Security..... | 100,000 |
| 0690-013-0001—For transfer by the Controller to the High Technology Theft Apprehension and Prosecution Program Trust Fund..... | 668,000 |
| Provisions: | |
| 1. Funds appropriated in this item are for the High Technology Theft Apprehension and Prosecution Program, as established by Chapter 5.7 (commencing with Section 13848) of Title 6 of Part 4 of the Penal Code, as amended by Chapter 555, Statutes of 1998, and shall be deposited in the High Technology Theft Apprehension and Pros- | |

| Item | Amount |
|---|---|
| ecution Program Trust Fund, established pursuant to Section 13848.4 of the Penal Code. | |
| 0690-013-0890—For transfer by the Controller from the Federal Trust Fund to the High Technology Theft Apprehension and Prosecution Program Trust Fund. | 33,000 |
| Provisions: | |
| 1. Funds appropriated in this item are for the High Technology Theft Apprehension and Prosecution Program established by Chapter 5.7 (commencing with Section 13848) of Title 6 of Part 4 of the Penal Code, and shall be deposited in the High Technology Theft Apprehension and Prosecution Program Trust Fund, established pursuant to Section 13848.4 of the Penal Code. | |
| 0690-101-0029—For local assistance, Office of Emergency Services, Program 35—Plans and Preparedness, payable from the Nuclear Planning Assessment Special Account | 2,291,000 |
| Provisions: | |
| 1. Pursuant to Government Code Section 8610.5(f), any unexpended funds from the appropriation in the prior fiscal year for the purposes of conducting a full participation exercise are hereby appropriated in augmentation of this item. | |
| 0690-101-0890—For local assistance, Office of Emergency Services, payable from the Federal Trust Fund | 901,150,000 |
| Schedule: | |
| (1) 35-Plans and Preparedness.....343,424,000 | |
| (2) 45-Disaster Assistance.....557,726,000 | |
| Provisions: | |
| 1. Any federal funds that may become available in addition to the funds appropriated in this item for Program 45-Disaster Assistance are exempt from Section 28.00 of this act. | |
| 0690-102-0001—For local assistance, Office of Emergency Services | 25,649,000 |
| Schedule: | |
| (1) 50.20.102-Victims' Legal Resource Center ..... 41,000 | |
| (2) 50.20.151-Domestic Violence Program..... 2,730,000 | |
| (3) 50.20.152-Family Violence Prevention..... 50,000 | |
| (4) 50.20.301-Rape Crisis Program ..... 50,000 | |
| (5) 50.20.302-Rape Prevention..... 5,571,000 | |
| (6) 50.20.351-Homeless Youth Project. 396,000 | |

| Item | | Amount |
|---|---|---|
| (7) 50.20.352-Youth Emergency Telephone Referral | 127,000 | |
| (8) 50.20.354-Child Sexual Abuse Prevention and Training | 302,000 | |
| (9) 50.30.502-War on Methamphetamine | 9,500,000 | |
| (10) 50.30.503-Vertical Prosecution Block Grants | 8,176,000 | |
| (11) 50.30.522-Evidentiary Medical Training | 648,000 | |
| (12) 50.30.541-Public Prosecutors and Public Defenders | 8,000 | |
| (13) 50.30.661-California Gang Violence Suppression Program | 2,790,000 | |
| (14) 50.30.662-CALGANG | 300,000 | |
| (15) 50.30.672-Multi-Agency Gang Enforcement Consortium | 93,000 | |
| (16) 50.30.815-Rural Crime Prevention Program | 1,443,000 | |
| (17) Reimbursements | –6,576,000 | |

Provisions:

1. Notwithstanding any other provision of law, the Office of Emergency Services may provide advance payment of up to 25 percent of grant funds awarded to community-based nonprofit organizations, cities, school districts, counties, and other units of local government that have demonstrated cashflow problems according to the criteria set forth by the Office of Emergency Services.
2. To maximize the use of program funds and demonstrate the commitment of the grantees to program objectives, the Office of Emergency Services shall require all grantees of funds from the Gang Violence Suppression-Curfew Enforcement Strategy Program to provide local matching funds of at least 10 percent for the first and each subsequent year of operation. This match requirement applies to each agency that is to receive grant funds. An agency may meet its match requirements with an in-kind match, if approved by the Office of Emergency Services.

0690-102-0241—For local assistance, Office of Emergency Services, payable from the Local Public Prosecutors and Public Defenders Training Fund ..... 792,000

Schedule:

(1) 50.30.541-Public Prosecutors and Public Defenders ..... 792,000

Item Amount

Provisions:

1. Notwithstanding any other provision of law, the Office of Emergency Services may provide advance payment of up to 25 percent of grant funds awarded to community-based, nonprofit organizations, cities, school districts, counties, and other units of local government that have demonstrated cashflow problems according to the criteria set forth by the Office of Emergency Services.

0690-102-0425—For local assistance, Office of Emergency Services, payable from the Victim-Witness Assistance Fund ..... 15,519,000

Schedule:

(1) 50.20.101-Victim-Witness Assistance Program..... 10,871,000

(2) 50.20.301-Rape Crisis Program ..... 3,670,000

(3) 50.20.353-Child Sexual Abuse and Exploitation Program ..... 978,000

Provisions:

1. Notwithstanding any other provision of law, the Office of Emergency Services may provide advance payment of up to 25 percent of grant funds awarded to community-based, nonprofit organizations, cities, school districts, counties, and other units of local government that have demonstrated cashflow problems according to the criteria set forth by the Office of Emergency Services.

0690-102-0597—For local assistance, Office of Emergency Services, payable from the High Technology Theft Apprehension and Prosecution Program Trust Fund ..... 13,518,000

Schedule:

(1) 50.30.562-High Technology Theft Apprehension and Prosecution Program..... 13,518,000

Provisions:

1. Funds appropriated in this item are for the High Technology Theft Apprehension and Prosecution Program, as established by Chapter 5.7 (commencing with Section 13848) of Title 6 of Part 4 of the Penal Code, as amended by Chapter 555, Statutes of 1998, and shall be deposited in the High Technology Theft Apprehension and Prosecution Program Trust Fund, established pursuant to Section 13848.4 of the Penal Code.

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2. All grantees receiving funds appropriated in this item shall be required to provide matching funds equal to 25 percent of the amount of grant funding received by them from the High Technology Theft Apprehension and Prosecution Program Trust Fund.

0690-102-0890—For local assistance, Office of Emergency Services, payable from the Federal Trust Fund ..... 131,323,000

Schedule:

(1) 50.20.151-Domestic Violence Program..... 8,751,000
(2) 50.20.161-Violence Against Women Act..... 12,990,000
(3) 50.20.171-Rural Domestic Violence/Child Victimization ..... 571,000
(4) 50.20.200-Mentoring Children ..... 260,000
(5) 50.20.451-Victims of Crime Act (VOCA) ..... 40,698,000
(6) 50.30.504-Project Safe Neighborhoods ..... 2,510,000
(7) 50.30.523-Forensic Sciences Improvement Act ..... 358,000
(8) 50.30.525-Child Justice Act..... 1,775,000
(9) 50.30.550-Byrne State/Local Law Enforcement Assistance..... 52,118,000
(10) 50.30.555-Residential Substance Abuse Treatment..... 9,135,000
(11) 50.30.556-Local Law Enforcement Block Grants..... 882,000
(12) 50.30.559-Peace Officer Protective Equipment ..... 1,275,000

Provisions:

1. Notwithstanding any other provision of law, the Office of Emergency Services may provide advance payment of up to 25 percent of grant funds awarded to community-based, nonprofit organizations, cities, school districts, counties, and other units of local government that have demonstrated cashflow problems according to the criteria set forth by the Office of Emergency Services.
2. Of the funds appropriated in this item, $224,000 of the amount allocated for the Victims of Crime Act Program (50.20.451) shall be provided for support of the Office of Victims Services within the Department of Justice.

| Item | Amount |
|---|---|
| 0690-112-0001—For local assistance, Office of Emergency Services, for disaster recovery costs ..... | 53,219,000 |
| Provisions: | |
| 1. The funds appropriated in this item are for the state's share of response and recovery costs for disasters. | |
| 0690-113-0001—For transfer by the Controller to the High Technology Theft Apprehension and Prosecution Program Trust Fund ..... | 13,300,000 |
| Provisions: | |
| 1. Funds appropriated in this item are for the High Technology Theft Apprehension and Prosecution Program, as established by Chapter 5.7 (commencing with Section 13848) of Title 6 of Part 4 of the Penal Code, as amended by Chapter 555 of the Statutes of 1998, and shall be deposited in the High Technology Theft Apprehension and Prosecution Program Trust Fund, established pursuant to Section 13848.4 of the Penal Code. | |
| 0690-113-0890—For transfer by the Controller from the Federal Trust Fund to the High Technology Theft Apprehension and Prosecution Program Trust Fund. | 218,000 |
| Provisions: | |
| 1. Funds appropriated in this item are for the High Technology Theft Apprehension and Prosecution Program established by Chapter 5.7 (commencing with Section 13848) of Title 6 of Part 4 of the Penal Code, and shall be deposited in the High Technology Theft Apprehension and Prosecution Program Trust Fund, established pursuant to Section 13848.4 of the Penal Code. | |
| 0690-115-0001—For local assistance, Office of Emergency Services, for volunteer disaster service worker's compensation ..... | 1,125,000 |
| Provisions: | |
| 1. The funds appropriated in this item shall be used to pay approved volunteer disaster service worker's compensation claims and administrative expenditures related to the payment of such claims by the State Compensation Insurance Fund. | |
| 2. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures in this item in excess of the amount appropriated in this item for the purposes of paying unanticipated volunteer disaster service workers' compensation claims and administrative expenditures related to the payment of such claims. The Director | |

| Item | Amount |
|---|---|
| of Finance may not approve any expenditure unless the approval is made in writing and filed with the Chairperson of the Joint Legislative Budget Committee and the chairperson of the committee in each house that considers appropriations no later than 30 days prior to the effective date of approval, or prior to whatever lesser time the chairperson of the joint committee, or his or her designee, may determine. | |
| ~~0690-295-0001—For local assistance, Office of Emergency Services, for reimbursement, in accordance with the provision of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller~~ ..... | ~~0~~ |
| ~~Schedule:~~ | |
| ~~(1) 98.01.103.280-Deaf Teletype Equipment (Ch. 1032, Stats. 1980)~~ ..... | ~~0~~ |
| ~~Provisions:~~ | |
| ~~1. Pursuant to Section 17581 of the Government Code, the mandate identified in the appropriation schedule of this item with an appropriation of $0 and included in the language of this provision is specifically identified by the Legislature for suspension during the 2005–06 fiscal year:~~ | |
| ~~(1) Deaf Teletype Equipment (Ch. 1032, Stats. 1980).~~ | |
| ~~0690-296-0001—For local assistance, Office of Emergency Services, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller~~ ..... | ~~255,000~~ |
| ~~Schedule:~~ | |
| ~~(1) 98.01.124.992-Threats Against Peace Officers (Ch. 1249, Stats. 1992, and Ch. 666, Stats. 1995) (CSM-96-365-02)~~ ..... | ~~1,000~~ |
| ~~(2) 98.01.041.195-Crime Victims' Rights (Ch. 411, Stats. 1995) (CSM-96-358-03)~~ ..... | ~~254,000~~ |

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~~(3) 98.01.003.694-Sex Crime Confidentiality (Ch. 36, Stats. 1994, 1st Ex. Sess.) (98-TC-21) ..... 0~~

~~Provisions:~~

~~1. Except as provided in Provision 2 of this item, allocations of funds provided in this item to the appropriate local entities shall be made by the State Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.~~

~~2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the State Controller may, upon notifying the Director of Finance in writing, augment those deficient amounts from the unencumbered balance of any other scheduled amounts therein. No order may be issued pursuant to this provision unless written notification of the necessity therefor is provided to the chairperson of the committee in each house which considers appropriation and the Chairperson of the Joint Legislative Budget Committee or his or her designee.~~

~~3. Pursuant to Section 17581 of the Government Code, mandates identified in the appropriate schedule of this item with an appropriation of $0 and included in the language of this provision are specifically identified by the Legislature for suspension during the 2005–06 fiscal year:~~

~~(3) Sex Crime Confidentiality (Ch. 36, Stats. 1994, 1st Ex. Sess.) (98-TC-21).~~

0690-301-0001—For capital outlay, Office of Emergency Services ..... 1,493,000

Schedule:

(1) 80.10.008-Sacramento: OES Headquarters Perimeter Fence—Construction..... 1,493,000

0750-001-0001—For support of Office of the Lieutenant Governor ..... 2,787,000

| Item | Amount |
|---|---|
| 0820-001-0001—For support of Department of Justice.. | 327,612,000 |
| Schedule: | |
| (1) 11.01-Directorate-Administration | 27,418,000 |
| (2) 11.02-Distributed Directorate-Administration | –27,418,000 |
| (3) 12.01-Legal Support and Technology Administration | 46,734,000 |
| (4) 12.02-Distributed Legal Support and Technology Administration | –46,734,000 |
| (5) 25-Executive Programs | 15,149,000 |
| (6) 30-Civil Law | ~~112,887,000~~ *119,953,000* |
| (7) 40-Criminal Law | ~~113,650,000~~ *96,113,000* |
| (8) 45-Public Rights | ~~70,653,000~~ *81,124,000* |
| (9) 50-Law Enforcement | 181,688,000 |
| (10) 60-California Justice Information Services | 163,693,000 |
| (11) 65-Gambling Control | 15,577,000 |
| (12) 70-Firearms | 12,265,000 |
| (14) Reimbursements | –47,065,000 |
| (15) Amount payable from the Attorney General Antitrust Account (Item 0820-001-0012) | –1,224,000 |
| (16) Amount payable from Hazardous Waste Control Account (Item 0820-001-0014) | –1,831,000 |
| (17) Amount payable from the Fingerprint Fees Account (Item 0820-001-0017) | –64,898,000 |
| (18) Amount payable from Firearms Safety Account (Item 0820-001-0032) | –322,000 |
| (19) Amount payable from the Motor Vehicle Account, State Transportation Fund (Item 0820-001-0044) | –21,760,000 |
| (20) Amount payable from the Department of Justice Sexual Habitual Offender Fund (Item 0820-001-0142) | –2,729,000 |
| (21) Amount payable from the Travel Seller Fund (Item 0820-001-0158) | –1,242,000 |

| Item | Amount |
|---|---|
| (22) Amount payable from Conservatorship Registry Fund (Item 0820-001-0195) | –50,000 |
| (23) Amount payable from the Restitution Fund (Item 0820-001-0214) | –63,000 |
| (24) Amount payable from the Sexual Predator Public Information Account (Item 0820-001-0256) | –670,000 |
| (25) Amount payable from the Indian Gaming Special Distribution Fund (Item 0820-001-0367) | –9,839,000 |
| (26) Amount payable from the False Claims Act Fund (Item 0820-001-0378) | –11,686,000 |
| (27) Amount payable from the Dealers' Record of Sale Special Account (Item 0820-001-0460) | –8,639,000 |
| (28) Amount payable from the Toxic Substances Control Account (Item 0820-001-0557) | –2,191,000 |
| (29) Amount payable from the Department of Justice Child Abuse Fund (Item 0820-001-0566) | –336,000 |
| (30) Amount payable from the Gambling Control Fund (Item 0820-001-0567) | –6,488,000 |
| (31) Amount payable from the Gambling Control Fines and Penalties Account (Item 0820-001-0569) | –46,000 |
| (32) Amount payable from the Federal Trust Fund (Item 0820-001-0890) | –44,371,000 |
| (33) Amount payable from the Federal Asset Forfeiture Account, Special Deposit Fund (Item 0820-001-0942) | –1,455,000 |
| (34) Amount payable from the State Asset Forfeiture Account, Special Deposit Fund (Item 0820-011-0942) | –558,000 |
| (35) Amount payable from the Firearms Safety and Enforcement Special Fund (Item 0820-001-1008) | –2,957,000 |
| (36) Amount payable from the Missing Persons DNA Database Fund (Item 0820-001-3016) | –3,071,000 |

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(37) Amount payable from the Public Rights Law Enforcement Special Fund (Item 0820-001-3053)..... –5,304,000

(38) Amount payable from the Rate Payer Relief Fund (Item 0820-001-3061).....–12,208,000

(39) Amount payable from the DNA Identification Fund (Item 0820-001-3086).....–15,900,000

(40) Amount payable from the Unfair Competition Law Fund (Item 0820-001-3087) ..... –3,213,000

(40.5) Amount payable from the Registry of Charitable Trusts Fund (Item 0820-001-3088) ..... –2,104,000

(41) Amount payable from the Legal Services Revolving Fund (Item 0820-001-9731) .....–85,730,000

Provisions:

1. The Attorney General shall submit to the Legislature, the Department of Finance, and the Governor the quarterly and annual reports that he or she submits to the federal government on the activities of the Medi-Cal Fraud Unit.
2. Notwithstanding any other provision of law, the Department of Justice may purchase or lease vehicles of any type or class that, in the judgment of the Attorney General or his or her designee, are necessary to the performance of the investigatory and enforcement responsibilities of the Department of Justice, from the funds appropriated for that purpose in this item.
3. Of the amount included in Schedule (6) of this item, $513,000 is available for costs related to litigation for the 1986 and 1997 California floods. Any funds not expended for this specific purpose shall revert to the General Fund.
4. The Department of Finance may submit a request for funding pursuant to Items 9840-001-0001, 9840-001-0494, and 9840-001-0988 if flood litigation expenses exceed the amount appropriated for this purpose.
5. Of the amount included in Schedule (6) of this item, $1,452,000 is available for costs related to the Lloyd's of London (Stringfellow) litigation.

| Item | Amount |
|---|---|
| Any funds not expended for this specific purpose as of June 30, 2006, shall revert immediately to the General Fund. | |
| 6. *Of the amount appropriated in this item, $283,000 shall be transferred to Item 0820-101-0001 in support of the Spousal Abuser Prosecution Program as established in Chapter 2.5 (commencing with Section 273.8) of Title 9 of Part 1 of the Penal Code.* | |
| 0820-001-0012—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Attorney General Antitrust Account ..... | 1,224,000 |
| 0820-001-0014—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Hazardous Waste Control Account..... | 1,831,000 |
| 0820-001-0017—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Fingerprint Fees Account, pursuant to subdivision (e) of Section 11105 of the Penal Code..... | 64,898,000 |
| 0820-001-0032—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Firearms Safety Account ..... | 322,000 |
| 0820-001-0044—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Motor Vehicle Account, State Transportation Fund ..... | 21,760,000 |
| 0820-001-0142—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Department of Justice Sexual Habitual Offender Fund ..... | 2,729,000 |
| Provisions: | |
| 1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code. | |
| 0820-001-0158—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Travel Seller Fund ..... | 1,242,000 |
| 0820-001-0195—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Conservatorship Registry Fund..... | 50,000 |
| 0820-001-0214—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Restitution Fund ..... | 63,000 |
| 0820-001-0256—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Sexual Predator Public Information Account..... | 670,000 |

| Item | Amount |
|---|---|
| Provisions: | |
| 1. Notwithstanding subparagraph (D) of paragraph (5) of subdivision (a) of Section 290.4 of the Penal Code, the Department of Justice may expend the amount appropriated in this item. | |
| 0820-001-0367—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Indian Gaming Special Distribution Fund ..... | 9,839,000 |
| 0820-001-0378—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the False Claims Act Fund ..... | 11,686,000 |
| 0820-001-0460—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Dealers' Record of Sale Special Account ..... | 8,639,000 |
| Provisions: | |
| 1. Dealers' Record of Sale fees collected pursuant to the state law for the registration of assault weapons shall not exceed $20 per registrant. | |
| 0820-001-0557—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Toxics Substances Control Account ..... | 2,191,000 |
| 0820-001-0566—For support of Department of Justice, for payment to Item 0820-001-0001, payable from Department of Justice Child Abuse Fund..... | 336,000 |
| 0820-001-0567—For support of Department of Justice, for payment to Item 0820-001-0001, payable from Gambling Control Fund ..... | 6,488,000 |
| 0820-001-0569—For support of Department of Justice, for payment to Item 0820-001-0001, payable from Gambling Control Fines and Penalties Account ..... | 46,000 |
| 0820-001-0890—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Federal Trust Fund..... | 44,371,000 |
| 0820-001-0942—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Federal Asset Forfeiture Account, Special Deposit Fund ..... | 1,455,000 |
| 0820-001-1008—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Firearms Safety and Enforcement Special Fund. | 2,957,000 |
| 0820-001-3016—For support of Department of Justice, for payment to Item 0820-001-0001 payable from the Missing Persons DNA Database Fund ..... | 3,071,000 |
| 0820-001-3053—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Public Rights Law Enforcement Special Fund .. | 5,304,000 |

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Provisions:

1. Of the funds appropriated in this item $4,681,000 is for the Corporate Responsibility Unit. These funds may not be encumbered or expended until the Corporate Responsibility Unit has recovered sufficient funds to cover its costs.

0820-001-3061—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Rate Payer Relief Fund ..... 12,208,000

0820-001-3086—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the DNA Identification Fund ..... 15,900,000

0820-001-3087—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Unfair Competition Law Fund ..... 3,213,000

0820-001-3088—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Registry of Charitable Trusts Fund ..... 2,104,000

0820-001-9731—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Legal Services Revolving Fund ..... 85,730,000

Provisions:

1. Notwithstanding Section 28.00, the Attorney General may augment the amount appropriated in the Legal Services Revolving Fund up to an aggregate of 10 percent above the amount approved in this act for the Civil Law Division and the Public Rights Division in cases where the legal representation needs of client agencies are secured by an interagency agreement or letter of commitment and the corresponding expenditure authority has not been provided in this item. The Attorney General shall notify the chairpersons of the budget committees, the Joint Legislative Budget Committee and the Department of Finance within 15 days after the augmentation is made as to the amount and justification of the augmentation, and the program that has been augmented.

0820-003-0001—For support of Department of Justice, for rental payments on lease-revenue bonds ..... 2,422,000

Schedule:

(1) Base Rental and Fees ..... 2,411,000

(2) Insurance ..... 11,000

Provisions:

1. The Controller shall transfer funds appropriated in this item according to a schedule to be provided by the State Public Works Board. The schedule

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shall be provided on a monthly basis or as otherwise might be needed to ensure debt requirements are met.

2. This item may contain adjustments pursuant to Control Section 4.30 that are not currently reflected. Any adjustments to this item shall be reported to the Joint Legislative Budget Committee pursuant to Control Section 4.30.

0820-011-0001—For transfer by the Controller, upon order of the Director of Finance, from the General Fund to the Unfair Competition Law Fund ..... (2,300,000)

Provisions:

1. The transfer made by this item is a loan to the Unfair Competition Law Fund. This loan shall be repaid by January 30, 2007, with interest calculated at the rate earned by the Pooled Money Investment Account at the time of the transfer.

0820-011-0942—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the State Asset Forfeiture Account, Special Deposit Fund ..... 558,000

0820-101-0001—For local assistance, Department of Justice ..... ~~3,045,000~~ *2,762,000*

Schedule:

(1) 40-Criminal law ..... ~~3,045,000~~ *2,762,000*

Provisions:

1. The funds appropriated in this item shall be allocated to district attorneys for vertical prosecution activities related to implementation of the Battered Women Protection Act of 1994, pursuant to Chapter 885 of the Statutes of 1997.

0820-101-0214—For local assistance, Department of Justice ..... 2,937,000

Provisions:

1. The funds appropriated in this item shall be allocated to support the California Witness Protection Program, pursuant to Chapter 507, Statutes of 1997. Any funds not expended for this specific purpose shall revert to the Restitution Fund.

2. The Department of Finance may authorize the transfer of up to $150,000 from this item to Item 0820-001-0214 for the administration of the California Witness Protection Program, including the review of appropriate policies and procedures for the submittal and review of claims.

| Item | | Amount |
|---|---|---|
| 0820-101-0460—For local assistance, Department of Justice, payable from the Dealers' Record of Sale Special Account | | 28,000 |
| Schedule: | | |
| (1) 70-Firearms | 28,000 | |
| 0820-101-0641—For local assistance, Department of Justice, payable from the Domestic Violence Restraining Order Reimbursement Fund | | 1,918,000 |
| Provisions: | | |
| 1. The funds appropriated in this item shall be expended to reimburse local law enforcement or other criminal justice agencies pursuant to Chapter 707 of the Statutes of 1998. | | |
| 0820-111-0001—For transfer by the Controller to the Department of Justice DNA Testing Fund | | 225,000 |
| Provisions: | | |
| 1. The amount transferred in this item shall be expended to reimburse counties pursuant to Chapter 696 of the Statutes of 1998. | | |
| 0820-111-0255—For local assistance, Department of Justice, payable from the Department of Justice DNA Testing Fund | | 225,000 |
| Provisions: | | |
| 1. The funds appropriated in this item shall be expended to reimburse counties pursuant to Chapter 696 of the Statutes of 1998. | | |
| ~~0820-295-0001—For local assistance, Department of Justice, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller~~ | | ~~14,420,000~~ |
| ~~Schedule:~~ | | |
| ~~(1) 98.01.139.976-Custody of Minors (Ch. 1399, Stats. 1976, Ch. 162, Stats. 1992, and Ch. 988, Stats. 1996) (CSM-4237)~~ | ~~13,600,000~~ | |
| ~~(2) 98.01.033.790-Stolen Vehicle Notification (Ch. 337, Stats. 1990) (CSM-4403)~~ | ~~420,000~~ | |
| ~~(3) 98.01.048.598-Sex Offenders: Disclosure by Law Enforcement Officers (Ch. 908, Stats. 1996 and Ch. 909, Stats. 1996) (97 TC-15)~~ | ~~0~~ | |

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~~(4) 98.01.110.592-Misdemeanors: Booking and Fingerprinting (Ch. 1105, Stats. 1992) (CSM-4436)~~ ..... ~~0~~

~~(5) 98.01.148.588-Missing Persons Report (Ch. 1456, Stats. 1988) (CSM-4368)~~ ..... ~~0~~

~~Provisions:~~

~~1. Except as provided in Provision 2, allocations of funds provided in this item to the appropriate local entities shall be made by the State Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.~~

~~2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the State Controller may, upon notifying the Director of Finance in writing, augment those deficient amounts from the unencumbered balance of any other scheduled amounts therein. No order may be issued pursuant to this provision unless written notification of the necessity therefor is provided to the chairperson of the committee in each house, which considers appropriations, and the Chairperson of the Joint Legislative Budget Committee or his or her designee.~~

~~3. Pursuant to Section 17581 of the Government Code, mandates identified in the appropriation schedule of this item with an appropriation of $0 and included in the language of this provision are specifically identified by the Legislature for suspension during the 2005–06 fiscal year:~~

~~(3) Sex Offenders: Disclosure by Law Enforcement Officers (Ch. 908, Stats. 1996 and Ch. 909, Stats. 1996) (97 TC-15)~~

~~(4) Misdemeanors: Booking and Fingerprinting (Ch. 1105, Stats. 1992) (CSM-4436)~~

~~(5) Missing Persons Report (Ch. 1456, Stats. 1988) (CSM-4368)~~

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0820-301-0660—For capital outlay, Department of Justice, payable from the Public Buildings Construction Fund ..... 9,793,000

Schedule:

(1) 85.60.020-Santa Rosa Replacement Laboratory—Construction ..... 9,793,000

Provisions:

1. 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 construction of the project authorized by this item.
2. The State Public Works Board and the Department of Justice may obtain interim financing for the project costs authorized in this item from any appropriate source, including, but not limited to, Section 15849.1 of the Government Code and the Pooled Money Investment Account pursuant to Sections 16312 and 16313 of the Government Code.
3. The State Public Works Board may authorize the augmentation of the cost of construction of the projects scheduled in this item pursuant to the board's authority under Section 13332.11 of the Government Code. In addition, the State Public Works 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 construction of the projects, the costs of financing a debt service fund, and the cost of issuance of permanent financing for the project. This additional amount may include interest payable on any interim financing obtained.
4. The Department of Justice is authorized and directed to execute and deliver any and all leases, contracts, agreements, or other documents necessary or advisable to consummate the sale of bonds or otherwise effectuate the financing of the scheduled projects.
5. The State Public Works Board shall not be 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

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|---|---|---|
| (Part l0b (commencing with Section 15800) of Division 3 of Title 2 of the Government Code). This section does not exempt the Department of Justice from the requirements of the California Environmental Quality Act. This section is declarative of existing law. | | |
| 0840-001-0001—For support of State Controller | | 76,244,000 |
| Schedule: | | |
| (1) 100000-Personal Services | 80,568,836 | |
| (2) 300000-Operating Expenses and Equipment | 48,266,164 | |
| (2.5) Amount payable from various special and nongovernmental cost funds (Section 25.25) | –7,887,000 | |
| (3) Reimbursements | –34,014,000 | |
| (4) Amount payable from the Motor Vehicle Fuel Account, Transportation Tax Fund (Item 0840-001-0061) | –3,655,000 | |
| (5) Amount payable from the Highway Users Tax Account, Transportation Tax Fund (Item 0840-001-0062) | –1,052,000 | |
| (6) Amount payable from the Local Revenue Fund (Item 0840-001-0330) | –507,000 | |
| (7) Amount payable from the State School Building Lease-Purchase Fund (Item 0840-001-0344) | –426,000 | |
| (8) Amount payable from the Federal Trust Fund (Item 0840-001-0890) | –1,258,000 | |
| (9) Amount payable from the State Penalty Fund (Item 0840-001-0903) | –1,184,000 | |
| (10) Amount payable from various other unallocated nongovernmental cost funds (Retail Sales Tax Fund) (Item 0840-001-0988) | –220,000 | |
| (11) Amount payable from the 2002 State School Facilities Fund (Item 0840-001-6036) | –426,000 | |
| (12) Amount payable from other unallocated special funds (Item 0840-011-0494) | –48,000 | |
| (13) Amount payable from unallocated bond funds (Item 0840-011-0797) | –185,000 | |

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|---|---|
| (14) Amount payable from various other unallocated nongovernmental cost funds (Item 0840-011-0988) | –44,000 |
| (15) Amount payable from the Public Transportation Account, State Transportation Fund (Section 25.50) | –17,000 |
| (16) Amount payable from the Highway Users Tax Account, Transportation Tax Fund (Section 25.50) | –525,000 |
| (17) Amount payable from the Motor Vehicle License Fee Account, Transportation Tax Fund (Section 25.50) | –34,000 |
| (18) Amount payable from the DMV Local Agency Collection Fund (Section 25.50) | –6,000 |
| (19) Amount payable from the Trial Court Trust Fund (Section 25.50) | –288,000 |
| (20) Amount payable from the Timber Tax Fund (Section 25.50) | –2,000 |
| (21) Amount payable from the Public Safety Account, Local Public Safety Fund (Section 25.50) | –396,000 |
| (22) Amount payable from the Local Revenue Fund (Section 25.50) | –417,000 |

Provisions:

1. The appropriation made in this item shall be in lieu of the appropriation in Section 1564 of the Code of Civil Procedure for all costs, expenses, or obligations connected with the administration of the Unclaimed Property Law, with the exception of payment of owners' or holders' claims pursuant to Section 1540, 1542, 1560, or 1561 of the Code of Civil Procedure, or of payment of the costs of compensating contractors for locating and recovering unclaimed property due the state.
2. Of the claims received for reimbursement of court-ordered or voluntary desegregation programs pursuant to Sections 42243.6, 42247, and 42249 of the Education Code, the Controller shall pay only those claims that have been subjected to audit by school districts in accordance with the Controller's procedures manual for conducting audits of education desegregation claims. Furthermore, the Controller shall pay only those past-

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year actual claims for desegregation program costs that are accompanied by all reports issued by the auditing entity, unless the auditing entity was the Controller.

3. No less than 0.9 personnel-year in the Audits Division shall be used to audit education desegregation claims.

4. The Controller may, with the concurrence of the Director of Finance and the Chairperson of the Joint Legislative Budget Committee, bill affected state departments for activities required by Section 20050 of the State Administrative Manual, relating to the administration of federal pass-through funds.

No billing may be sent to affected departments sooner than 30 days after the Chairperson of the Joint Legislative Budget Committee has been notified by the Director of Finance that he or she concurs with the amounts specified in the billings.

5. (a) Notwithstanding subdivision (b) of Section 1531 of the Code of Civil Procedure, the Controller may publish notice in any manner that the Controller determines reasonable, provided that (1) none of the moneys used for this purpose is redirected from funding for the Controller's audit activities, (2) no photograph is used in the publication of notice, and (3) no elected official's name is used in the publication of notice.

(b) No funds appropriated in this act may be expended by the Controller to provide general information to the public, other than holders (as defined in subdivision (e) of Section 1501 of the Code of Civil Procedure) of unclaimed property, concerning the unclaimed property program or possible existence of unclaimed property held by the Controller's office, except for informational announcements to the news media, through the exchange of information on electronic bulletin boards, or no more than $15,000 per year to inform the public about this program in activities already organized by the Controller for other purposes. This restriction does not apply to sending individual notices to property owners (as required in subdivision (d) of Section 1531 of the Code of Civil Procedure).

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6. Of the moneys appropriated to the Controller in this act, the Controller shall not expend more than $500,000 to conduct posteligibility fraud audits of the Supplemental Security Income/State Supplementary Payment Program.
7. The Commission on State Mandates shall provide, in applicable parameters and guidelines, as follows:
   (a) If a local agency or school district contracts with an independent contractor for the preparation and submission of reimbursement claims, the costs reimbursable by the state for that purpose shall not exceed the lesser of (1) 10 percent of the amount of the claims prepared and submitted by the independent contractor, or (2) the actual costs that would necessarily have been incurred for that purpose if performed by employees of the local agency or school district.
   (b) The maximum amount of reimbursement provided in subdivision (a) may be exceeded only if the local agency or school district establishes, by appropriate documentation, that the preparation and submission of these claims could not have been accomplished without incurring the additional costs claimed by the local agency or school district.
8. The funds appropriated to the Controller in this item may not be expended for any performance review or performance audit except pursuant to specific statutory authority. It is the intent of the Legislature that audits conducted by the Controller, or under the direction of the Controller, shall be fiscal audits that focus on claims and disbursements, as provided for in Section 12410 of the Government Code. Any report, audit, analysis, or evaluation issued by the Controller for the 2005–06 fiscal year shall cite the specific statutory or constitutional provision authorizing the preparation and release of the report, audit, analysis, or evaluation.
9. The Controller shall deliver his or her monthly report on General Fund cash receipts and disbursements within 10 days after the close of each month to the Joint Legislative Budget Committee,

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the fiscal committees of the Legislature, the Department of Finance, the Treasurer's office, and the Office of the Legislative Analyst.

10. For purposes of the review and payment of any claim for reimbursement by local government submitted pursuant to Section 54954.4 of the Government Code, the Controller shall use the procedures that were in effect at the time the claim was submitted.

11. Pursuant to subdivision (c) of Section 1564 of the Code of Civil Procedure, the Controller shall transfer all moneys in the Abandoned Property Account in excess of $50,000 to the General Fund no less frequently than at the end of each month. This transfer shall include unclaimed Proposition 103 insurance rebate moneys pursuant to Section 1861.01 of the Insurance Code and Section 1523 of the Code of Civil Procedure.

*12. The Controller shall provide to the Department of Finance, the Chairperson of the Joint Legislative Budget Committee, and the chairpersons of the fiscal committees of each house of the Legislature a report that provides the following details by mandate: the level of claims requested; the amount reduced by the initial desk audit; the amount paid; and the results of a final audit and subsequent funding adjustments. The report is due on April 15, 2006, and will cover the first three quarters of the 2005–06 fiscal year.*

0840-001-0061—For support of State Controller, for payment to Item 0840-001-0001, payable from the Motor Vehicle Fuel Account, Transportation Tax Fund ..... 3,655,000

0840-001-0062—For support of State Controller, for payment to Item 0840-001-0001, payable from the Highway Users Tax Account, Transportation Tax Fund ..... 1,052,000

0840-001-0330—For support of State Controller, for payment to Item 0840-001-0001, payable from the Local Revenue Fund..... 507,000

0840-001-0344—For support of State Controller, for payment to Item 0840-001-0001, payable from the State School Building Lease-Purchase Fund ..... 426,000

0840-001-0890—For support of State Controller, for payment to Item 0840-001-0001, payable from the Federal Trust Fund ..... 1,258,000

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|---|---|
| 0840-001-0903—For support of State Controller, for payment to Item 0840-001-0001, payable from the State Penalty Fund | 1,184,000 |
| 0840-001-0988—For support of State Controller, for payment to Item 0840-001-0001, payable from various other unallocated nongovernmental cost funds (Retail Sales Tax Fund) | 220,000 |
| 0840-001-6036—For support of State Controller for payment to Item 0840-001-0001, payable from the 2002 State School Facilities Fund | 426,000 |
| 0840-011-0494—For support of State Controller, for payment to Item 0840-001-0001, payable from other unallocated special funds | 48,000 |
| Provisions: | |
| 1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures in excess of the amount appropriated in this item not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine. | |
| 0840-011-0797—For support of State Controller, for payment to Item 0840-001-0001, payable from unallocated bond funds | 185,000 |
| Provisions: | |
| 1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures in excess of the amount appropriated in this item not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine. | |
| 0840-011-0988—For support of State Controller, for payment to Item 0840-001-0001, payable from various other unallocated nongovernmental cost funds | 44,000 |
| Provisions: | |
| 1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures in excess of the amount appropriated in this item not sooner than 30 days after notification in writing of the necessity therefor is provided to the | |

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chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine.

0840-101-0979—For allocation by the Controller from the California Firefighters' Memorial Fund..... 500,000

Provisions:

1. The funds appropriated in this item are to be allocated as follows:
   (a) To the Franchise Tax Board and Controller for reimbursement of costs incurred in connection with duties under Article 9 (commencing with Section 18801) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code.
   (b) To the California Fire Foundation the balance in the fund for the construction of a memorial as authorized in that article.

0840-490—Reappropriation, State Controller's Office. The balance of the appropriation in Section 25.50 of the Budget Act of 2004 (Ch. 208, Stats. 2004), is reappropriated for purposes provided for in that appropriation and shall be available for encumbrance or expenditure until June 30, 2006.

0845-001-0217—For support of Department of Insurance, payable from the Insurance Fund ..... 156,145,000

Schedule:

| | |
|---|---|
| (1) 10-Regulation of Insurance Companies and Insurance Producers ..... | 66,370,000 |
| (2) 12-Consumer Protection ..... | 47,919,000 |
| (3) 20-Fraud Control..... | 40,054,000 |
| (4) 30-Tax Collection and Audit..... | 2,061,000 |
| (5) 50.01-Administration..... | 27,640,000 |
| (6) 50.02-Distributed Administration ... | –27,649,000 |
| (7) Reimbursements..... | –250,000 |

Provisions:

1. Of the funds appropriated in this item, the Controller shall transfer one-half of $4,767,000 upon passage of the Budget Act and the remaining half on January 1, 2006, to the Department of Aging for support of the Health Insurance Counseling and Advocacy Program.
2. Of the funds appropriated in this item, the Controller shall transfer one-half of $597,000 upon passage of the Budget Act and the remaining half on January 1, 2006, to the State and Consumer

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Services Agency for support of the Office of Insurance Advisor, to provide assistance to the Governor on insurance-related matters. The unencumbered balance, as determined by the State and Consumer Services Agency for the 2005–06 fiscal year, shall revert to the Insurance Fund.

3. Of the funds appropriated in this item, an amount not to exceed $600,000 shall be used solely to cover intervenor compensation costs allowable under subdivision (b) of Section 1861.10 of the Insurance Code.

0845-101-0217—For local assistance, Department of Insurance, payable from the Insurance Fund ..... 44,757,000

Schedule:

(1) 12-Consumer Protection ..... 750,000

(2) 20-Fraud Control..... 44,007,000

0850-001-0562—For support of the California State Lottery Commission, for payment of expenses of the lottery, including all costs incurred in the operation and administration of the lottery, payable from the State Lottery Fund..... (365,745,000)

Provisions:

1. Notwithstanding any other provision of law, the California State Lottery Commission shall submit to the Department of Finance, the Joint Legislative Budget Committee, and the budget committees of the Legislature, all of the following:

(a) In conjunction with submission of the commission's quarterly financial statements, a report comparing estimated administrative costs to budgeted administrative costs for the 2006–07 fiscal year. The report shall be in sufficient detail that they may be used for legislative review purposes and for sustaining a thorough ongoing review of the expenditures of the California State Lottery Commission. These reports shall include a reporting of the lottery sales revenues and shall detail any administrative funding that is used to supplement the prize pool of any lottery game.

(b) No later than January 10, 2006, a copy of the proposed administrative budget for the California State Lottery Commission for the 2006–07 fiscal year that is included in the Governor's Budget.

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(c) No later than June 1, 2006, a copy of the proposed administrative budget and expected sales revenue for the California State Lottery Commission for the 2006–07 fiscal year that is submitted to the California State Lottery Commission's Budget Committee. This report shall detail any administrative funding that is proposed to be used to supplement the prize pool of any lottery game.

(d) No later than June 30, 2006, the final 2006–07 budget and revenue projections approved by the California State Lottery Commission. The report shall include any approved revision, and supporting documentation, to the June 1, 2006, proposed budget. The report shall detail any administrative funding that is proposed to be used to supplement the prize pool of any lottery game.

0855-001-0367—For support of California Gambling Control Commission, payable from the Indian Gaming Special Distribution Fund..... ~~7,767,000~~ *6,203,000*

Schedule:

(1) 10-California Gambling Control Commission..... ~~7,767,000~~ *6,203,000*

0855-001-0567—For support of California Gambling Control Commission, payable from the Gambling Control Fund..... ~~2,305,000~~ *2,187,000*

Schedule:

(1) 10-California Gambling Control Commission..... ~~2,305,000~~ *2,187,000*

0855-101-0366—For local assistance, California Gambling Control Commission, payable from the Indian Gaming Revenue Sharing Trust Fund..... 96,500,000

Provisions:

1. The funds appropriated in this item are for distribution to noncompact tribes pursuant to Section 12012.90 of the Government Code.
2. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for purposes of this item in excess of the amount appropriated in this item. The Director of Finance

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may not approve any expenditure unless the approval is made in writing and filed with the Chairperson of the Joint Legislative Budget Committee and the chairperson of the committee in each house that considers appropriations not later than 30 days prior to the effective date of approval, or prior to whatever lesser time the chairperson of the joint committee, or his or her designee, may determine.

3. As part of any request to augment this item, the California Gambling Control Commission shall provide the Chairperson of the Joint Legislative Budget Committee and the chairperson of the committee in each house that considers appropriations a report identifying (a) the methodology for determining a noncompact tribe, (b) a list of the noncompact tribes identified based on the commission's methodology, (c) a trust fund condition report including the amount of revenue received from each compact tribe, and (d) the amount of funds to be distributed to each noncompact tribe. Upon receiving additional expenditure authority for distributing funds under the trust fund, the commission shall submit that information to the chairpersons of the committees on a quarterly basis concurrent with the distribution of the funds to the noncompact tribes.

0855-101-0367—For local assistance, California Gambling Control Commission, payable from the Indian Gaming Special Distribution Fund ..... 50,000,000

Provisions:

1. Funds appropriated in this item shall be used to provide grants to local government agencies pursuant to Section 12715 of the Government Code.
2. Notwithstanding any other provision of law, the Department of Finance may augment the amount available for expenditure in this item, if sufficient funds are available in the Indian Gaming Special Distribution Fund after fulfillment of the provisions of subdivision (g) of Section 12012.85 of the Government Code.

0855-111-0367—For transfer by the Controller, upon order of the Director of Finance, from the Indian Gaming Special Distribution Fund, to the Indian Gaming Revenue Sharing Trust Fund ..... (50,500,000)

| Item | Amount |
|---|---|
| 0860-001-0001—For support of State Board of Equalization | ~~210,843,000~~ *211,158,000* |
| Schedule: | |
| (1) 100000-Personal Services | ~~275,506,880~~ *275,822,880* |
| (2) 300000-Operating Expenses and Equipment | ~~89,030,120~~ *89,199,120* |
| (3) Reimbursements | ~~–104,334,000~~ *–104,504,000* |
| (4) Amount payable from the Breast Cancer Fund (Item 0860-001-0004) | –261,000 |
| (5) Amount payable from the State Emergency Telephone Number Account (Item 0860-001-0022) | –583,000 |
| (6) Amount payable from the Motor Vehicle Fuel Account, Transportation Tax Fund (Item 0860-001-0061) | –19,455,000 |
| (7) Amount payable from the Occupational Lead Poisoning Prevention Account (Item 0860-001-0070) | –637,000 |
| (8) Amount payable from the Childhood Lead Poisoning Prevention Fund (Item 0860-001-0080) | –458,000 |
| (9) Amount payable from the Cigarette and Tobacco Products Surtax Fund (Item 0860-001-0230) | –3,455,000 |
| (10) Amount payable from the Oil Spill Prevention and Administration Fund (Item 0860-001-0320) | –235,000 |
| (11) Amount payable from the Integrated Waste Management Account, Integrated Waste Management Fund (Item 0860-001-0387) | –410,000 |
| (12) Amount payable from the Underground Storage Tank Cleanup Fund (Item 0860-001-0439) | –2,118,000 |
| (13) Amount payable from the Energy Resources Programs Account (Item 0860-001-0465) | –235,000 |
| (14) Amount payable from the California Children and Families First Trust Fund (Item 0860-001-0623) | –4,698,000 |

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|---|---|
| (15) Amount payable from the Timber Tax Fund (Item 0860-001-0965)... | –2,069,000 |
| (16) Amount payable from the Gas Consumption Surcharge Fund (Item 0860-001-3015) ..... | –419,000 |
| (17) Amount payable from the Water Rights Fund (Item 0860-001-3058)..... | –362,000 |
| (18) Amount payable from the Electronic Waste Recovery and Recycling Account (Item 0860-001-3065)..... | –4,999,000 |
| (19) Amount payable from the Cigarette and Tobacco Products Compliance Fund (Item 0860-001-3067)..... | –8,966,000 |

Provisions:

1. It is the intent of the Legislature that all funds appropriated to the Board of Equalization for processing tax returns, auditing, and collecting owed tax amounts, shall be used in a manner consistent with both its authorized budget and with the documents that were presented to the Legislature for its review in support of that budget. The Board of Equalization shall not reduce expenditures or redirect either funding or personnel resources away from direct auditing or collection activities without prior approval of the Director of Finance. The director shall not approve any such reduction or redirection sooner than 30 days after providing notification to the Joint Legislative Budget Committee. No such position may be transferred from the organizational unit to which it was assigned in the 2005–06 Governor's Budget and the Salaries and Wages Supplement as revised by legislative actions without the approval of the Department of Finance. Furthermore, the board shall expeditiously fill budgeted positions consistent with the funding provided in this act.
2. The Board of Equalization shall provide to the Chair of the Joint Legislative Budget Committee and the chairs of the fiscal committees of each house of the Legislature by April 1, 2006, a report containing the following information: (a) actual closure or consolidation information for the Torrance, Stockton, Eureka and New York offices, including: relocation costs, lease buy-out costs, the

| Item | Amount |
|---|---|
| number of staff affected, current disposition of those staff, and the revenues generated annually by each office prior to closure, (b) a comprehensive description of the decision criteria used to close or consolidate those field offices, (c) the estimated impact on all board-collected tax revenues from field office consolidations identified in (a) above, (d) the procedures for ongoing evaluation of field office performance and potential for consolidation and closures, and (e) the board's strategic plan for district office facilities as it relates to growth in electronic filing and processing. The board shall also report on the number of single-entity electronic filers, subdivided by the closest field office. Data provided shall include one-time and ongoing budgetary and revenue impacts. The information shall also be provided to the Department of Finance. | |
| 0860-001-0004—For support of State Board of Equalization, for payment to Item 0860-001-0001, payable from the Breast Cancer Fund ..... | 261,000 |
| Provisions: | |
| 1. Notwithstanding Section 30461.6 of the Revenue and Taxation Code, or any other provision of law, sufficient funds to cover the costs of the State Board of Equalization for the collection and enforcement of fees to be deposited in the Breast Cancer Fund shall be retained in the fund, and be available to be appropriated to the board. | |
| 0860-001-0022—For support of State Board of Equalization, for payment to Item 0860-001-0001, payable from the State Emergency Telephone Number Account..... | 583,000 |
| 0860-001-0061—For support of State Board of Equalization, for payment to Item 0860-001-0001, payable from the Motor Vehicle Fuel Account, Transportation Tax Fund..... | 19,455,000 |
| 0860-001-0070—For support of State Board of Equalization, for payment to Item 0860-001-0001, payable from the Occupational Lead Poisoning Prevention Account ..... | 637,000 |
| Provisions: | |
| 1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified by Section 13332.18 of the Government Code. | |

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|---|---|
| 0860-001-0080—For support of State Board of Equalization, for payment to Item 0860-001-0001, payable from the Childhood Lead Poisoning Prevention Fund | 458,000 |
| Provisions: | |
| 1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified by Section 13332.18 of the Government Code. | |
| 0860-001-0230—For support of State Board of Equalization, for payment to Item 0860-001-0001, payable from the Cigarette and Tobacco Products Surtax Fund | 3,455,000 |
| 0860-001-0320—For support of State Board of Equalization, for payment to Item 0860-001-0001, payable from the Oil Spill Prevention and Administration Fund | 235,000 |
| 0860-001-0387—For support of State Board of Equalization, for payment to Item 0860-001-0001, payable from the Integrated Waste Management Account, Integrated Waste Management Fund | 410,000 |
| Provisions: | |
| 1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified by Section 13332.18 of the Government Code. | |
| 0860-001-0439—For support of State Board of Equalization, for payment to Item 0860-001-0001, payable from the Underground Storage Tank Cleanup Fund | 2,118,000 |
| Provisions: | |
| 1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code. | |
| 0860-001-0465—For support of State Board of Equalization, for payment to Item 0860-001-0001, payable from the Energy Resources Programs Account | 235,000 |
| 0860-001-0623—For support of State Board of Equalization, for payment to Item 0860-001-0001, payable from the California Children and Families First Trust Fund | 4,698,000 |
| 0860-001-0965—For support of State Board of Equalization, for payment to Item 0860-001-0001, payable from the Timber Tax Fund | 2,069,000 |

| Item | Amount |
|---|---|
| 0860-001-3015—For support of State Board of Equalization, for payment to Item 0860-001-0001, payable from the Gas Consumption Surcharge Fund | 419,000 |
| 0860-001-3058—For support of State Board of Equalization, for payment to Item 0860-001-0001, payable from the Water Rights Fund | 362,000 |
| 0860-001-3065—For support of State Board of Equalization, for payment to Item 0860-001-0001, payable from the Electronic Waste Recovery and Recycling Account | 4,999,000 |
| 0860-001-3067—For support of State Board of Equalization, for payment to Item 0860-001-0001, payable from the Cigarette and Tobacco Products Compliance Fund | 8,966,000 |
| 0890-001-0001—For support of Secretary of State | 21,874,000 |
| Schedule: | |
| (1) 100000-Personal Services ..... 30,870,000 | |
| (2) 300000-Operating Expenses and Equipment ..... 21,006,000 | |
| (3) Special Item of Expense-Election Related Costs ..... 11,460,000 | |
| (4) Reimbursements ..... –7,339,000 | |
| (5) Amount payable from the Secretary of State's Business Fees Fund (Item 0890-001-0228) ..... –30,823,000 | |
| (6) Amount payable from the Federal Trust Fund (Item 0890-001-0890) ..... –1,700,000 | |
| (7) Amount payable from the Victims of Corporate Fraud Compensation Fund (Item 0890-001-3042) ..... –1,600,000 | |
| Provisions: | |
| 1. The Secretary of State may not expend any special handling fees authorized by Chapter 999 of the Statutes of 1999 that are collected in excess of the cost of administering those special handling fees unless specifically authorized by the Legislature. | |
| 2. Of the amounts appropriated in this item, $1,700,000 shall be used for operational costs associated with implementation of the Help America Vote Act. | |
| 0890-001-0228—For support of Secretary of State, for payment to Item 0890-001-0001, payable from the Secretary of State's Business Fees Fund | 30,823,000 |

| Item | | Amount |
|---|---|---|
| 0890-001-0890—For support of Secretary of State, for payment to Item 0890-001-0001, payable from the Federal Trust Fund | | 1,700,000 |
| 0890-001-3042—For support of Secretary of State, for payment to Item 0890-001-0001, payable from the Victims of Corporate Fraud Compensation Fund | | 1,600,000 |
| 0890-003-0001—For support of Secretary of State, for rental payments on lease-revenue bonds | | 9,432,000 |
| Schedule: | | |
| (1) Base Rental and Fees | 9,408,000 | |
| (2) Structural Insurance | 74,000 | |
| (3) Reimbursements | –50,000 | |
| Provisions: | | |
| 1. The Controller shall transfer funds appropriated in this item according to a schedule to be provided by the State Public Works Board. The schedule shall be provided on a monthly basis or as otherwise might be needed to ensure debt requirements are met. | | |
| 2. This item may contain adjustments pursuant to Control Section 4.30 that are not currently reflected. Any adjustments to this item shall be reported to the Joint Legislative Budget Committee pursuant to Control Section 4.30. | | |
| 0890-003-0228—For support of Secretary of State, for rental payments on lease-revenue bonds, payable from the Secretary of State's Business Fees Fund | | 2,978,000 |
| Schedule: | | |
| (1) Base Rental and Fees | 2,971,000 | |
| (2) Structural Insurance | 23,000 | |
| (3) Reimbursements | –16,000 | |
| Provisions: | | |
| 1. The Controller shall transfer funds appropriated in this item according to a schedule to be provided by the State Public Works Board. The schedule shall be provided on a monthly basis or as otherwise might be needed to ensure debt requirements are met. | | |
| 2. This item may contain adjustments pursuant to Control Section 4.30 that are not currently reflected. Any adjustments to this item shall be reported to the Joint Legislative Budget Committee pursuant to Control Section 4.30. | | |

| Item | Amount |
|---|---|
| ~~0890-295-0001—For local assistance, Secretary of State, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller~~ | ~~8,000~~ |
| ~~Schedule:~~ | |
| ~~(1) 98.01.007.778-Absentee Ballots (Ch. 77, Stats. 1978) (CSM-3713).~~ | ~~0~~ |
| ~~(2) 98.01.039.188-Brendon Maguire Act (Ch. 391, Stats. 1988) (CSM-4357)~~ | ~~1,000~~ |
| ~~(3) 98.01.070.475-Voter Registration Procedures (Ch. 704, Stats. 1975).~~ | ~~0~~ |
| ~~(4) 98.01.142.282-Permanent Absent Voters (Ch. 1422, Stats. 1982) (CSM-4358)~~ | ~~0~~ |
| ~~(5) 98.01.049.479-Handicapped Voter Access Information (Ch. 494, Stats. 1979) (CSM 4363)~~ | ~~0~~ |
| ~~(6) 98.01.001.899-Presidential Primaries 2000 (Ch. 18, Stats. 1999) (99-TC-04)~~ | ~~0~~ |
| ~~(7) 98.01.069.799-Absentee Ballots: Tabulation by Precinct (Ch. 697, Stats. 1999)~~ | ~~7,000~~ |

~~Provisions:~~

~~1. Except as provided in Provision .7, allocations of funds provided in this item to the appropriate local entities shall be made by the State Controller in accordance with each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.~~

~~2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the State Controller may, upon notifying the Director of Finance in writing, augment those deficient~~

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~~amounts from the unencumbered balance of any other scheduled amounts therein. No order may be issued pursuant to this provision unless written notification of the necessity therefor is provided to the chairperson of the committee in each house of the Legislature which considers appropriations and the Chairperson of the Joint Legislative Budget Committee or his or her designee.~~

~~1. Pursuant to Section 17581 of the Government Code, mandates identified in the appropriation schedule of this item with an appropriation of $0 and included in the language of this provision are specifically identified by the Legislature for suspension during the 2005–06 fiscal year:~~

~~(1) Absentee Ballots (Ch. 77, Stats. 1978) (CSM-3713).~~

~~(2) Voter Registration Procedures (Ch. 704, Stats. 1975).~~

~~(3) Permanent Absent Voters (Ch. 1422, Stats. 1982) (CSM-4358).~~

~~(4) Handicapped Voter Access Information (Ch. 494, Stats. 1979) (CSM 4363).~~

~~(5) Presidential Primaries 2000 (Ch. 18, Stats. 1999) (99-TC-04).~~

0890-490—Reappropriation, Secretary of State. The balances of the appropriations provided in the following citations are reappropriated for the purposes provided for in the appropriations and shall be available for encumbrance or expenditure until June 30, 2006:

0890—Federal Trust Fund

(1) Item 0890-001-0890, Budget Act of 2004 (Ch. 208, Stats. 2004)

(2) Item 0890-101-0890, Budget Act of 2004 (Ch. 208, Stats. 2004)

Provisions:

1. Funds shall be used consistent with the March 11, 2005 Help America Vote Act spending plan as approved by the Department of Finance. The amounts spent on each activity shall not exceed the following maximums:

(a) County voting equipment grants. 195,000,000

(b) Voter registration cards ..... ~~590,000~~ *1,111,000*

(c) Voting system review ..... 25,000

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(d) Punch card replacement ..... 3,205,657
(e) Disabilities grants ..... 2,357,711

2. Notwithstanding any other provision of law, any funds not needed for an activitity authorized in Provision 1 shall not be redirected to other activities and are not authorized for expenditure.
3. The Secretary of State shall forward to the Chairperson of the Joint Legislative Budget Committee copies of quarterly reports sent to the Department of Finance.
4. At the time of authorizing any reappropriation under this item, the Department of Finance shall report to the Chairperson of the Joint Legislative Budget Committee the amount and the purposes for which the funds are being reappropriated.
5. Funds designated for the statewide database shall be authorized for expenditure by the Department of Finance not sooner than 30 days after notification in writing by the Department of Finance to the Chairperson of the Joint Legislative Budget Committee of its approval of a feasibility study report. The notification shall include a copy of the approved report, any conditions of the approval, and detailed information regarding how the funds shall be used.
6. Notwithstanding any other provision of law, the Secretary of State shall not enter into a contract for the development of a new statewide voter registration database prior to May 1, 2006. Any such contract shall be subject to the notification and other requirements under Section 11.00. The validity of any such contract shall be contingent upon the appropriation of funding in future budget acts. During the 2005–06 fiscal year, the Secretary of State may also contract for assistance in the development of any necessary procurement documents.

0950-001-0001—For support of State Treasurer ..... 6,068,000

Schedule:
(1) 100000-Personal Services ..... 17,297,000
(2) 300000-Operating Expenses and Equipment ..... 5,418,000
(3) Reimbursements .....–16,647,000

Provisions:
1. The Director of Finance may authorize a loan from the General Fund, in an amount not to exceed the level of reimbursements appropriated in

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Schedule (3) of this item to the State Treasurer's office, provided that:

(a) The loan is to meet cash needs resulting from a delay in receipt of reimbursements.

(b) The loan is short term, and shall be repaid within two months.

(c) Interest charges may be waived pursuant to subdivision (e) of Section 16314 of the Government Code.

(d) The Director of Finance may not approve the loan unless the approval is made in writing and filed with the Chairperson of the Joint Legislative Budget Committee and the chairperson of the committees in each house that considers appropriations not later than 30 days prior to the effective date of the approval, or not ~~later~~ *sooner* than whatever lesser time the chairperson of the joint committee or his or her designee may determine.

(e) At the end of the two-month term of the loan, the State Treasurer's office shall notify the Chairperson of the Joint Legislative Budget Committee whether the State Treasurer's office has repaid the loan pursuant to subdivision (b).

0954-001-0001—For support of the Scholarshare Investment Board ..... 1,100,000

Schedule:

(1) 20-Governor's Scholars Programs.. 1,117,000

(2) 97.20.001-Unallocated Reduction... –17,000

Provisions:

1. Funds appropriated in this item are for the purpose of administering the Governor's Scholars Program and the Governor's Math and Science Scholars Program, established pursuant to Article 20 (commencing with Section 69995) of Chapter 2 of Part 42 of the Education Code.

0954-001-0564—For support of the Scholarshare Investment Board, payable from the Scholarshare Administrative Fund ..... 1,006,000

Schedule:

(1) 10-Golden State Scholarshare Trust Program..... 1,006,000

Provisions:

1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for the Scholarshare Investment Board in excess

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of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine.

2. Notwithstanding Provision 1 of Item 7980-011-0001 of Section 2 of Chapter 50 of the Statutes of 1999, the $829,000 General Fund loan made to the Scholarshare Administrative Fund shall be repaid over a period of seven years, with payments beginning no later than the 2002–03 fiscal year and ending no later than June 30, 2007. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account.

0956-001-0171—For support of California Debt and Investment Advisory Commission, payable from the California Debt and Investment Advisory Commission Fund ..... 2,035,000

Schedule:

(1) 10-California Debt and Investment Advisory Commission ..... 2,135,000

(2) Reimbursements ..... −100,000

Provisions:

1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for the California Debt and Investment Advisory Commission in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine.

0959-001-0169—For support of California Debt Limit Allocation Committee, payable from the California Debt Limit Allocation Committee Fund..... 1,128,000

Schedule:

(1) 10-Debt Limit Allocation Committee ..... 1,128,000

Provisions:

1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for the California Debt Limit Allocation Commit-

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tee in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine.

0965-001-0215—For support of California Industrial Development Financing Advisory Commission, payable from the Industrial Development Fund..... 484,000

Schedule:

(1) 10-Industrial Development Financing Advisory Commission ..... 559,000

(2) Reimbursements..... –75,000

Provisions:

1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for the California Industrial Development Financing Advisory Commission in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine.

0968-001-0448—For support of California Tax Credit Allocation Committee, payable from the Occupancy Compliance Monitoring Account, Tax Credit Allocation Fee Account..... 1,347,000

Schedule:

(1) 10-California Tax Credit Allocation Committee..... 1,377,000

(2) Reimbursements..... –30,000

Provisions:

1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for the California Tax Credit Allocation Committee in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine.

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0968-001-0457—For support of California Tax Credit Allocation Committee, payable from the Tax Credit Allocation Fee Account ..... 1,655,000

Schedule:

(1) 10-California Tax Credit Allocation Committee ..... 1,685,000

(2) Reimbursements ..... –30,000

Provisions:

1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for the California Tax Credit Allocation Committee in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine.

0968-001-3038—For support of California Tax Credit Allocation Committee, payable from the Community Revitalization Fee Fund ..... 92,000

Schedule:

(1) 20-Community Revitalization Program ..... 92,000

Provisions:

1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for the California Tax Credit Allocation Committee in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine.

0971-001-0528—For support of California Alternative Energy and Advanced Transportation Financing Authority, payable from the California Alternative Energy Authority Fund ..... 203,000

Schedule:

(1) 10-California Alternative Energy and Advanced Transportation Financing Authority ..... 203,000

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Provisions:

1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for the California Alternative Energy and Advanced Transportation Financing Authority in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the joint committee, or his or her designee, may in each instance determine.

0977-001-6046—For the support of California Health Facilities Financing Authority, payable from the Children's Hospital Fund ..... 289,000

Schedule:

(1) 30-Children's Hospital Program..... 289,000

0985-001-0890—For support of California School Finance Authority, payable from the Federal Trust Fund ..... 225,000

Schedule:

(1) 20-Charter School Facilities Program..... 225,000

0985-001-6040—For support of California School Finance Authority, payable from the Charter School Facilities Account, 2002 State School Facilities Fund ..... 543,000

Schedule:

(1) 20-Charter School Facilities Program..... 543,000

0985-101-0890—For local assistance, California School Finance Authority, State Charter School Facilities Incentive Grant Program, payable from the Federal Trust Fund..... 19,475,000

Provisions:

1. Of the amount appropriated in this item, ~~$9,725,000 shall~~ *up to $9,725,000 may* be used to reimburse charter schools for facility costs incurred in the 2004–05 fiscal year. The remainder shall be used to reimburse charter schools for facility costs anticipated in the 2005–06 fiscal year. ~~These funds shall only be available for reimbursing 2004–05 fiscal year costs and 2005–06 fiscal year costs if $9.0 million is made available as matching funds for charter facility lease costs through Item 6110-485 and legislation is enacted~~

Item Amount

~~to codify regulations consistent with this provision. No charter school re~~ *No charter school re-* ceiving funds under the program authorized under this provision shall receive funding in excess of 75 percent of annual lease costs through this program or in combination with any other source of funding provided in this or any other act.

STATE AND CONSUMER SERVICES

1100-001-0001—For support of California Science Center ..... 11,787,000

Schedule:

| | |
|---|---|
| (1) 10-Education | 11,148,000 |
| (2) 20-Exposition Park Management | 4,261,000 |
| (3) 30-California African-American Museum | 2,110,000 |
| (4) 40.01-Administration | 1,176,000 |
| (5) 40.02-Distributed Administration | −1,176,000 |
| (6) 97.20.001-Unallocated Reduction | −183,000 |
| (7) Reimbursements-Education | −1,213,000 |
| (8) Reimbursements-Exposition Park Management | −350,000 |
| (9) Reimbursements-California African-American Museum | −75,000 |
| (10) Amount payable from the Exposition Park Improvement Fund (Item 1100-001-0267) | −3,911,000 |

1100-001-0267—For support of California Science Center, for payment to Item 1100-001-0001, payable from the Exposition Park Improvement Fund ..... 3,911,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Government Code Section 13332.18.

1100-003-0001—For support of the California Science Center, for rental payments on lease-revenue bonds ..... 2,738,000

Schedule:

| | |
|---|---|
| (1) Base Rental and Fees | 2,702,000 |
| (2) Insurance | 37,000 |
| (3) Reimbursements | −1,000 |

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Provisions:

1. The Controller shall transfer funds appropriated in this item according to a schedule to be provided by the State Public Works Board. The schedule shall be provided on a monthly basis or as otherwise might be needed to ensure debt requirements are met.
2. This item may contain adjustments pursuant to Control Section 4.30 that are not currently reflected. Any adjustments to this item shall be reported to the Joint Legislative Budget Committee pursuant to Control Section 4.30.

1100-497—Reversion, California Science Center. As of June 30, 2005, the unencumbered balance of the appropriation provided for in the following citation shall revert to the balance of the fund from which the appropriation was made:

0660—Public Buildings Construction Fund

(1) Item 1100-301-0660, Budget Act of 2002 (Ch. 379, Stats. 2002)

(1) 11.01-Science Center Phase II—Construction

1110-001-0024—For support of State Board of Guide Dogs for the Blind, Program 54, payable from the State Board of Guide Dogs for the Blind Fund..... 153,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

1110-001-0069—For support of the State Board of Barbering and Cosmetology, payable from the Barbering and Cosmetology Fund ..... 14,326,000

Schedule:

(1) 22-Board of Barbering and Cosmetology ..... 14,383,000

(2) Reimbursements ..... –57,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

1110-001-0093—For support of Contractors' State License Board, for payment to Item 1110-001-0735, payable from the Construction Management Education Account..... 15,000

Item Amount

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

1110-001-0108—For support of Acupuncture Board, payable from the Acupuncture Fund ..... 2,274,000

Schedule:

(1) 56-Acupuncture Board ..... 2,297,000

(2) Reimbursements ..... –23,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

1110-001-0175—For support of Medical Board of California, Registered Dispensing Opticians, for payment to Item 1110-001-0758, payable from the Dispensing Opticians Fund ..... 265,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

1110-001-0205—For support of Board for Geologists and Geophysicists, Program 51, payable from the Geology and Geophysics Fund..... 969,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

1110-001-0210—For support of Medical Board of California, Outpatient Setting, for payment to Item 1110-001-0758, payable from the Outpatient Setting Fund of the Medical Board of California ..... 24,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

1110-001-0264—For support of Osteopathic Medical Board of California, payable from the Osteopathic Medical Board of California Contingent Fund ..... 1,082,000

Schedule:

(1) 70-Osteopathic Medical Board of California ..... 1,132,000

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(2) Reimbursements ..... –50,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Government Code Section 13332.18.

1110-001-0280—For support of Physician Assistant Committee, payable from the Physician Assistant Fund ..... 943,000

Schedule:

(1) 59-Physician Assistant Committee . 968,000

(2) Reimbursements ..... –25,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

1110-001-0295—For support of California Board of Podiatric Medicine, payable from the Board of Podiatric Medicine Fund ..... 1,150,000

Schedule:

(1) 61-California Board of Podiatric Medicine ..... 1,154,000

(2) Reimbursements ..... –4,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

1110-001-0310—For support of Board of Psychology, payable from the Psychology Fund ..... 3,016,000

Schedule:

(1) 62-Board of Psychology ..... 3,067,000

(2) Reimbursements ..... –51,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

1110-001-0319—For support of Respiratory Care Board of California, payable from the Respiratory Care Fund ..... 2,571,000

Schedule:

(1) 64-Respiratory Care Board of California ..... 2,637,000

(2) Reimbursements ..... –66,000

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Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

1110-001-0326—For support of State Athletic Commission, payable from the State Athletic Commission Fund ..... 815,000

Schedule:

(1) 9-State Athletic Commission..... 1,015,000

(2) Amount payable from the Boxer's Pension Fund (Item 1110-002-9250)..... –93,000

(3) Amount payable from the Boxer's Neurological Examination Account (Item 1110-001-0492) ..... –107,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

1110-001-0376—For support of the Speech-Language Pathology and Audiology Board, payable from the Speech-Language Pathology and Audiology Fund... 609,000

Schedule:

(1) 65-Speech-Language Pathology and Audiology Board ..... 633,000

(2) Reimbursements..... –24,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

1110-001-0380—For support of the Committee on Dental Auxiliaries, Board of Dentistry, payable from the State Dental Auxiliary Fund..... 1,653,000

Schedule:

(1) 36.20-Committee on Dental Auxiliaries ..... 1,675,000

(2) Reimbursements..... –22,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

| Item | Amount |
|---|---|
| 1110-001-0399—For support of Structural Pest Control Board, for payment to Item 1110-001-0775, payable from the Structural Pest Control Education and Enforcement Fund | 286,000 |
| Provisions: | |
| 1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code. | |
| 1110-001-0492—For support of State Athletic Commission, for payment to Item 1110-001-0326, payable from the Boxer's Neurological Examination Account | 107,000 |
| Provisions: | |
| 1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code. | |
| 1110-001-0704—For support of California Board of Accountancy, payable from the Accountancy Fund, Professions and Vocations Fund | 9,836,000 |
| Schedule: | |
| (1) 3-California Board of Accountancy. | 10,040,000 |
| (2) Reimbursements | –204,000 |
| Provisions: | |
| 1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code. | |
| 1110-001-0706—For support of California Architects Board, payable from the California Architects Board Fund | 2,864,000 |
| Schedule: | |
| (1) 06.10.010-California Architects Board | 2,895,000 |
| (2) 06.10.020-Distributed Cost-Architects/Landscape Architects | –26,000 |
| (3) Reimbursements | –5,000 |
| Provisions: | |
| 1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code. | |
| 1110-001-0735—For support of Contractors' State License Board, payable from the Contractors' License Fund | 51,075,000 |

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Schedule:

(1) 30-Contractors' State License Board ..... 51,443,000

(2) Reimbursements ..... –353,000

(3) Amount payable from the Construction Management Education Account (Item 1110-001-0093) ..... –15,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

2. The Secretary for State and Consumer Services shall report to the Director of Finance, and the Joint Legislative Budget Committee on the progress of the Underground Economy Enforcement and shall provide justification for its continuance by September 13, 2007.

1110-001-0741—For support of Dental Board of California, Board of Dentistry, payable from the State Dentistry Fund..... 8,380,000

Schedule:

(1) 36.10-Dental Board of California... 8,550,000

(2) Reimbursements ..... –170,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

1110-001-0757—For support of California Architects Board, Landscape Architect Technical Committee, Program 06.20, payable from California Architects Board Fund-Landscape Architects Fund ..... 1,068,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

1110-001-0758—For support of Medical Board of California, payable from the Contingent Fund of the Medical Board of California ..... 42,568,000

Schedule:

(1) 55.10.010-Medical Board of California ..... 43,665,000

(2) 55.15-Registered Dispensing Opticians..... 265,000

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(3) 55.17-Outpatient Setting ..... 24,000
(4) 55.10.020-Distributed Medical Board of California ..... –713,000
(5) Reimbursements ..... –384,000
(6) Amount payable from the Dispensing Opticians Fund (Item 1110-001-0175) ..... –265,000
(7) Amount payable from the Outpatient Setting Fund of the Medical Board of California (Item 1110-001-0210) ..... –24,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

1110-001-0759—For support of Physical Therapy Board of California, payable from the Physical Therapy Fund ..... 2,524,000

Schedule:

(1) 58-Physical Therapy Board of California ..... 2,623,000
(2) Reimbursements ..... –99,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

1110-001-0761—For support of Board of Registered Nursing, payable from the Board of Registered Nursing Fund, Professions and Vocations Fund ..... 19,504,000

Schedule:

(1) 78-Board of Registered Nursing .... 20,518,000
(2) Reimbursements ..... –1,014,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

1110-001-0763—For support of State Board of Optometry, payable from the State Optometry Fund, Professions and Vocations Fund ..... 1,465,000

Schedule:

(1) 69-State Board of Optometry ..... 1,471,000
(2) Reimbursements ..... –6,000

| Item | | Amount |
|---|---|---|
| Provisions: | | |
| 1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code. | | |
| 1110-001-0767—For support of California State Board of Pharmacy, payable from the Pharmacy Board Contingent Fund, Professions and Vocations Fund | | 7,982,000 |
| Schedule: | | |
| (1) 72-California State Board of Pharmacy | 8,233,000 | |
| (2) Reimbursements | −251,000 | |
| Provisions: | | |
| 1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code. | | |
| 1110-001-0770—For support of Board for Professional Engineers and Land Surveyors, payable from the Professional Engineers' and Land Surveyors' Fund | | 7,765,000 |
| Schedule: | | |
| (1) 75-Board for Professional Engineers and Land Surveyors | 7,781,000 | |
| (2) Reimbursements | −16,000 | |
| Provisions: | | |
| 1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code. | | |
| 1110-001-0771—For support of Court Reporters Board of California, payable from the Court Reporters Fund | | 727,000 |
| Schedule: | | |
| (1) 81-Court Reporters Board of California | 745,000 | |
| (2) Reimbursements | −18,000 | |
| Provisions: | | |
| 1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code. | | |
| 1110-001-0773—For support of Board of Behavioral Science, payable from the Behavioral Science Examiners Fund, Professions and Vocations Fund | | 4,809,000 |
| Schedule: | | |
| (1) 18-Board of Behavioral Science | 4,985,000 | |
| (2) Reimbursements | −176,000 | |

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Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

1110-001-0775—For support of Structural Pest Control Board, payable from the Structural Pest Control Fund, Professions and Vocations Fund..... 3,596,000

Schedule:

(1) 84-Structural Pest Control Board ... 3,884,000

(2) Reimbursements..... –2,000

(3) Amount payable from the Structural Pest Control Education and Enforcement Fund (Item 1110-001-0399)..... –286,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

1110-001-0777—For support of Veterinary Medical Board, payable from the Veterinary Medical Board Contingent Fund..... 1,962,000

Schedule:

(1) 90-Veterinary Medical Board..... 1,988,000

(2) Reimbursements..... –26,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

1110-001-0779—For support of Board of Vocational Nurse and Psychiatric Technician Examiners, payable from the Vocational Nurse Examiners Fund .... 5,357,000

Schedule:

(1) 91.10.010-Vocational Nurses Program..... 5,746,000

(2) 91.10.020-Distributed Vocational Nurses ..... –37,000

(3) Reimbursements..... –352,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

| Item | | Amount |
|---|---|---|
| 1110-001-0780—For support of Board of Vocational Nurse and Psychiatric Technician Examiners, payable from the Psychiatric Technicians Account, Vocational Nurse and Psychiatric Technician Examiners Fund | | 1,251,000 |
| Schedule: | | |
| (1) 91.20-Psychiatric Technician Program | 1,273,000 | |
| (2) Reimbursements | –22,000 | |
| Provisions: | | |
| 1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code. | | |
| 1110-001-3017—For support of California Board of Occupational Therapy, payable from the Occupational Therapy Fund | | 741,000 |
| Schedule: | | |
| (1) 67-California Board of Occupational Therapy | 763,000 | |
| (2) Reimbursements | –22,000 | |
| Provisions: | | |
| 1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code. | | |
| 1110-002-9250—For support of State Athletic Commission, for payment to Item 1110-001-0326, payable from the Boxer's Pension Fund | | 93,000 |
| Provisions: | | |
| 1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code. | | |
| 1110-101-0093—For local assistance, Contractors' State License Board, Department of Consumer Affairs, payable from the Construction Management Education Account | | 239,000 |
| 1111-002-0166—For support of the Arbitration Certification Program, Department of Consumer Affairs, payable from the Consumer Affairs-Certification Account | | 875,000 |
| Schedule: | | |
| (1) 23-Arbitration Certification Program | 875,000 | |

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Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

1111-002-0208—For support of the Hearing Aid Dispensers Bureau, Department of Consumer Affairs, payable from the Hearing Aid Dispensers Fund..... 686,000

Schedule:

(1) 24-Hearing Aid Dispensers Bureau. 695,000

(2) Reimbursements..... –9,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

1111-002-0239—For support of the Bureau of Security and Investigative Services, Department of Consumer Affairs, payable from the Private Security Services Fund ..... 7,241,000

Schedule:

(1) 25.10.010-Bureau of Security and Investigative Services, Private Security Services Program ..... 9,695,000

(2) 25.10.020-Distributed Private Security Services..... –104,000

(3) Reimbursements..... –2,350,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

1111-002-0305—For support of the Bureau for Private Postsecondary and Vocational Education, Department of Consumer Affairs, payable from the Private Postsecondary Education Administration Fund..... 5,952,000

Schedule:

(1) 27.10.010-Bureau for Private Postsecondary and Vocational Education..... 6,142,000

(2) 27.10.020-Distributed Private Postsecondary and Vocational Education..... –110,000

(3) Reimbursements..... –80,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and

Item Amount

penalties imposed as specified in Section 13332.18 of the Government Code.

1111-002-0325—For support of the Bureau of Electronic and Appliance Repair, Department of Consumer Affairs, payable from the Electronic and Appliance Repair Fund ..... 2,014,000

Schedule:

(1) 28-Bureau of Electronic and Appliance Repair..... 2,027,000

(2) Reimbursements..... –13,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

1111-002-0421—For support of the Bureau of Automotive Repair, Department of Consumer Affairs, payable from the Vehicle Inspection and Repair Fund.. 100,720,000

Schedule:

(1) 31.10.016-Automotive Repair and Smog Check Programs.....100,909,000

(2) 31.10.090-Distributed Automotive Repair and Smog Check Programs ..... –71,000

(3) Reimbursements..... –118,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

1111-002-0459—For support of the Telephone Medical Advice Services Program, Department of Consumer Affairs, payable from the Telephone Medical Advice Services Fund..... 145,000

Schedule:

(1) 37-Telephone Medical Advice Services Program..... 145,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

1111-002-0582—For support of the Bureau of Automotive Repair, Department of Consumer Affairs, payable from the High Polluter Repair or Removal Account..... 39,832,000

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Schedule:

(1) 31.20.016-Vehicle Repair Assistance..... 15,789,000

(2) 31.20.030-Vehicle Retirement ..... 16,300,000

(3) 31.20.040-Program Administration. 7,743,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

2. Notwithstanding Section 26.00 of this act, the Department of Finance may authorize transfers among and between Schedules (1) and (2) of this item. Any transfer made pursuant to this provision shall be reported in writing to the chairpersons of the fiscal committees of each house of the Legislature, and the Chairperson of the Joint Legislative Budget Committee within 30 days of the date of the transfer.

1111-002-0702—For support of Department of Consumer Affairs, payable from the Consumer Affairs Fund, Professions and Vocations Fund..... 0

Schedule:

(1) 35.10.010-Administrative and Information Services Division ..... 38,087,000

(2) 35.10.015-Communications and Education Division..... 1,398,000

(3) 35.10.020-Consumer Relations and Outreach Division ..... 10,133,000

(4) 35.10.025-Division of Investigation ..... 7,328,000

(4.5) 35.10.030-DCA Workers' Compensation ..... 6,350,000

(5) 35.20.010-Distributed Administrative and Information Services Division .....–37,512,000

(6) 35.20.015-Distributed Communications and Education Division..... –1,342,000

(7) 35.20.020-Distributed Consumer Relations and Outreach Division ..–10,133,000

(8) 35.20.025-Distributed Division of Investigation ..... –7,328,000

(8.5) 35.20.030-Distributed DCA Workers' Compensation..... –6,350,000

(9) Reimbursements..... –631,000

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Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

1111-002-0717—For support of the Cemetery and Funeral Bureau, Department of Consumer Affairs, payable from the Cemetery Fund, Professions and Vocations Fund ..... 2,085,000

Schedule:

(1) 38.10.005-Cemetery Program ..... 2,319,000

(2) 38.10.010-Distributed Cemetery Program..... –115,000

(3) Reimbursements..... –119,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

1111-002-0750—For support of the Cemetery and Funeral Bureau, Department of Consumer Affairs, payable from the State Funeral Directors and Embalmers Fund, Professions and Vocations Fund ..... 1,516,000

Schedule:

(1) 38.20-Funeral Directors and Embalmers Program..... 1,528,000

(2) Reimbursements..... –12,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

1111-002-0752—For support of the Bureau of Home Furnishings and Thermal Insulation, Department of Consumer Affairs, payable from the Bureau of Home Furnishings and Thermal Insulation Fund ..... 3,745,000

Schedule:

(1) 34-Bureau of Home Furnishings and Thermal Insulation ..... 3,750,000

(2) Reimbursements..... –5,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

| Item | Amount |
|---|---|
| 1111-002-0769—For support of the Bureau of Security and Investigative Services, Department of Consumer Affairs, payable from the Private Investigator Fund | 626,000 |
| Schedule: | |
| (1) 25.20-Private Investigators Program ..... 736,000 | |
| (2) Reimbursements ..... −110,000 | |
| Provisions: | |
| 1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code. | |
| 1111-002-0890—For support of the Bureau for Private Postsecondary and Vocational Education, Department of Consumer Affairs, payable from the Federal Trust Fund | 1,209,000 |
| Schedule: | |
| (1) 27.20-Federal Trust Program ..... 1,209,000 | |
| Provisions: | |
| 1. Notwithstanding any other provision of law, the Federal Trust Fund Account of the Bureau for Private Postsecondary and Vocational Education may borrow from the Private Postsecondary and Vocational Education Administration Fund an amount not to exceed a cumulative total of $500,000 for the purpose of meeting cashflow needs for the purposes funded in this item due to delays in collecting federal funds. Any loan made pursuant to this provision shall be made only upon approval of the Department of Finance, and only if the bureau demonstrates and certifies that a sufficient surplus exists in the Private Postsecondary and Vocational Education Administration Fund to support the amount of the loan, and that funds will be available from the federal government to repay the loan. All moneys transferred shall be repaid to the fund as soon as possible, but not later than one year from the date of the loan. | |
| 1111-002-0960—For support of the Bureau for Private Postsecondary and Vocational Education, Department of Consumer Affairs, payable from the Student Tuition Recovery Fund | 125,000 |
| Schedule: | |
| (1) 27.30-Student Tuition Recovery Program ..... 125,000 | |

| Item | | Amount |
|---|---|---|
| Provisions: | | |
| 1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code. | | |
| 1111-002-3069—For support of the Bureau of Naturopathic Medicine, Department of Consumer Affairs, payable from the Naturopathic Doctor's Fund ..... | | 118,000 |
| Schedule: | | |
| (1) 39-Bureau of Naturopathic Medicine ..... | 121,000 | |
| (2) Reimbursements ..... | –3,000 | |
| 1111-003-0001—For support of the Office of Privacy Protection, Department of Consumer Affairs ..... | | 822,000 |
| Schedule: | | |
| (1) 40-Office of Privacy Protection ..... | 863,000 | |
| (2) 97.20.001-Unallocated Reduction... | –6,000 | |
| (3) Reimbursements ..... | –35,000 | |
| 1700-001-0001—For support of Department of Fair Employment and Housing ..... | | 13,668,000 |
| Schedule: | | |
| (1) 50-Administration of Civil Rights Law ..... | 19,363,000 | |
| (2) 97.20.001-Unallocated Reduction... | –211,000 | |
| (3) Amount payable from the Federal Trust Fund (Item 1700-001-0890). | –5,484,000 | |
| 1700-001-0890—For support of Department of Fair Employment and Housing, for payment to Item 1700-001-0001, payable from the Federal Trust Fund..... | | 5,484,000 |
| 1705-001-0001—For support of the Fair Employment and Housing Commission ..... | | 1,087,000 |
| Schedule: | | |
| (1) 10-Fair Employment and Housing Commission..... | 1,259,000 | |
| (2) 97.20.001-Unallocated Reduction... | –17,000 | |
| (3) Reimbursements ..... | –155,000 | |
| 1730-001-0001—For support of Franchise Tax Board ... | | ~~508,799,000~~ *508,091,000* |
| Schedule: | | |
| (1) 10-Tax Programs ..... | ~~432,991,000~~ *432,283,000* | |
| (2) 20-Homeowners and Renters Assistance..... | 5,774,000 | |
| (3) 30-Political Reform Audit (1,522,000) ..... | 0 | |
| (4) 40-Child Support Collections..... | 4,400,000 | |
| (5) 45-Child Support Automation ..... | 237,661,000 | |

| Item | Amount |
|---|---|
| (6) 50-DMV Collections | 5,647,000 |
| (7) 60-Court Collections | 5,966,000 |
| (8) 70-Contract Work | 7,408,000 |
| (9) 80.01-Administration | 23,051,000 |
| (10) 80.02-Distributed Administration | –23,051,000 |
| (11) 97.20.001-Unallocated Reduction | –7,840,000 |
| (12) Reimbursements | –8,702,000 |
| (13) Reimbursements-Child Support Existing/Expanded Collections | –4,400,000 |
| (14) Reimbursements-Child Support Automation | –157,807,000 |
| (15) Amount payable from the Motor Vehicle Account, State Transportation Fund (Item 1730-001-0044) | –1,988,000 |
| (16) Amount payable from the Motor Vehicle License Fee Account, Transportation Tax Fund (Item 1730-001-0064) | –3,751,000 |
| (17) Amount payable from the Emergency Food Assistance Program Fund (Item 1730-001-0122) | –6,000 |
| (18) Amount payable from the Delinquent Tax Collection Fund (Section 19378 of the Revenue and Taxation Code) | –404,000 |
| (19) Amount payable from the Fish and Game Preservation Fund (Rare Fish, Wildlife, and Plant Species Conservation and Enhancement Account) (Item 1730-001-0200) | –13,000 |
| (20) Amount payable from the Court Collection Account (Item 1730-001-0242) | –6,062,000 |
| (21) Amount payable from the State Children's Trust Fund (Item 1730-001-0803) | –11,000 |
| (22) Amount payable from the California Alzheimer's Disease and Related Disorders Research Fund (Item 1730-001-0823) | –11,000 |
| (23) Amount payable from the California Seniors Special Fund (Item 1730-001-0886) | –4,000 |
| (24) Amount payable from the California Breast Cancer Research Fund (Item 1730-001-0945) | –7,000 |

| Item | Amount |
|---|---|
| (25) Amount payable from the California Peace Officer Memorial Foundation Fund (Item 1730-001-0974) | –5,000 |
| (26) Amount payable from the California Firefighters' Memorial Fund (Item 1730-001-0979) | –7,000 |
| (27) Amount payable from the California Fund for Senior Citizens (Item 1730-001-0983) | –7,000 |
| (29) Amount payable from the Asthma and Lung Disease Research Fund (Item 1730-001-8003) | –5,000 |
| (30) Amount payable from the California Missions Foundation Fund (Item 1730-001-8017) | –6,000 |
| (31) Amount payable from the California Military Family Relief Fund (Item 1730-001-8022) | –6,000 |
| (32) Amount payable from the California Prostate Cancer Research Fund (Item 1730-001-8025) | –6,000 |

Provisions:

1. It is the intent of the Legislature that all funds appropriated to the Franchise Tax Board for processing tax returns, auditing and collecting owed tax amounts, shall be used in a manner consistent with both its authorized budget and with the documents that were presented to the Legislature for its review in support of that budget. The Franchise Tax Board shall not reduce expenditures or redirect either funding or personnel resources away from direct auditing or collection activities without prior approval of the Director of Finance. The director shall not approve any such reduction or redirection sooner than 30 days after providing notification to the Joint Legislative Budget Committee. No such position may be transferred from the organizational unit to which it was assigned in the 2005–06 Governor's Budget and the Salaries and Wages Supplement as revised by legislative actions without the approval of the Department of Finance. Furthermore, the board shall expeditiously fill budgeted positions consistent with the funding provided in this act.

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2. It is the intent of the Legislature that the Franchise Tax Board resolve tax controversies, without litigation, on a basis that is fair to both the state and the taxpayer and in a manner that will enhance voluntary compliance and public confidence in the integrity and efficiency of the board.
3. During the 2005–06 fiscal year, the collection cost recovery fee for purposes of subparagraph (A) of paragraph (1) of subdivision (a) of Section 19254 of the Revenue and Taxation Code shall be $101, and the filing enforcement cost recovery fee for purposes of subparagraph (A) of paragraph (2) of that subdivision shall be $120.
4. During the 2005–06 fiscal year, the collection cost recovery fee for purposes of subparagraph (B) of paragraph (1) of subdivision (a) of Section 19254 of the Revenue and Taxation Code shall be $150, and the filing enforcement cost recovery fee for purposes of subparagraph (B) of paragraph (2) of that subdivision shall be $204.
5. Of the amounts appropriated in this item, the amounts provided in Schedule (5) and Schedule (14), Reimbursements—Child Support Automation, are, pursuant to Section 5 of Chapter 479 of the Statutes of 1999, available for the 2005–06 and 2006–07 fiscal years.
6. It is the intent of the Legislature that the California Child Support Automation System project shall receive the highest commitment and priority of all of the state's child support automation activities.
7. The Legislature intends that the California Child Support Automation System project shall support all child support collections activities in compliance with federal certification requirements.
8. *Of the amount available for the Franchise Tax Board to conduct tax gap and discovery activities, the board may redirect up to $200,000 for the purpose of engaging experts and consultants to do the following: (a) identify and evaluate independent contractor withholding alternatives, (b) determine the impact of those alternatives on state revenues, (c) determine technical and administrative capabilities to implement a withholding program and its impacts to business and industry, and (d) evaluate potential methods to implement a withholding program.*

| Item | Amount |
|---|---|
| *9. Of the amount appropriated in this item, no more than $215,000 may be used for the Ready Return Pilot tax return filing project. It is the intent of the Legislature that if the Franchise Tax Board decides to continue this project during the 2005–06 fiscal year, then that continuation shall be on a pilot basis and any further continuation of the project after the 2005–06 fiscal year should be subject to legislation that will be enacted.* | |
| 1730-001-0044—For support of Franchise Tax Board, for payment to Item 1730-001-0001, payable from the Motor Vehicle Account, State Transportation Fund | 1,988,000 |
| 1730-001-0064—For support of Franchise Tax Board, for payment to Item 1730-001-0001, payable from the Motor Vehicle License Fee Account, Transportation Tax Fund | 3,751,000 |
| 1730-001-0122—For support of Franchise Tax Board, for payment to Item 1730-001-0001, payable from the Emergency Food Assistance Program Fund | 6,000 |
| 1730-001-0200—For support of Franchise Tax Board, for payment to Item 1730-001-0001, payable from the Fish and Game Preservation Fund (Rare Fish, Wildlife, and Plant Species Conservation and Enhancement Account) | 13,000 |
| 1730-001-0242—For support of Franchise Tax Board, for payment to Item 1730-001-0001, payable from the Court Collection Account | 6,062,000 |
| 1730-001-0803—For support of Franchise Tax Board, for payment to Item 1730-001-0001, payable from the State Children's Trust Fund | 11,000 |
| 1730-001-0823—For support of Franchise Tax Board, for payment to Item 1730-001-0001, payable from the California Alzheimer's Disease and Related Disorders Research Fund | 11,000 |
| 1730-001-0886—For support of Franchise Tax Board, for payment to Item 1730-001-0001, payable from the California Seniors Special Fund | 4,000 |
| 1730-001-0945—For support of Franchise Tax Board, for payment to Item 1730-001-0001, payable from the California Breast Cancer Research Fund | 7,000 |
| 1730-001-0974—For support of Franchise Tax Board, for payment to Item 1730-001-0001, payable from the California Peace Officer Memorial Foundation Fund | 5,000 |

| Item | Amount |
|---|---|
| 1730-001-0979—For support of Franchise Tax Board, for payment to Item 1730-001-0001, payable from the California Firefighters' Memorial Fund ..... | 7,000 |
| 1730-001-0983—For support of Franchise Tax Board, for payment to Item 1730-001-0001, payable from the California Fund for Senior Citizens..... | 7,000 |
| 1730-001-8003—For support of Franchise Tax Board, for payment to Item 1730-001-0001, payable from the Asthma and Lung Disease Research Fund ..... | 5,000 |
| 1730-001-8017—For support of Franchise Tax Board, for payment to Item 1730-001-0001, payable from the California Missions Foundation Fund..... | 6,000 |
| 1730-001-8022—For support of Franchise Tax Board, for payment to Item 1730-001-0001, payable from the California Military Family Relief Fund ..... | 6,000 |
| 1730-001-8025—For support of Franchise Tax Board, for payment to Item 1730-001-0001, payable from the California Prostate Cancer Research Fund ..... | 6,000 |
| 1730-002-0001—For support of Franchise Tax Board, for rental payments on lease-revenue bonds ..... | 7,258,000 |
| Schedule: | |
| (1) Central Office—Buildings 1 and 2. 7,192,000 | |
| (2) Insurance ..... 119,000 | |
| (3) Reimbursements..... –53,000 | |
| Provisions: | |
| 1. The Controller shall transfer funds appropriated in this item according to a schedule to be provided by the State Public Works Board. The schedule shall be provided on a monthly basis or as otherwise might be needed to ensure debt requirements are met. | |
| 2. This item may contain adjustments pursuant to Control Section 4.30 that are not currently reflected. Any adjustments to this item shall be reported to the Joint Legislative Budget Committee pursuant to Control Section 4.30. | |
| ~~1730-295-0001—For local assistance, Franchise Tax Board, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller~~ ..... | ~~0~~ |

Item Amount

~~Schedule:~~

~~(1) 98.01.023.874-Substandard Housing (Ch. 238, Stats. 1974) (CSM-4303)..... 0~~

~~Provisions:~~

~~1. Pursuant to Section 17581 of the Government Code, mandates identified in the appropriation schedule of this item with an appropriation of $0 and included in the language of this provision are specifically identified by the Legislature for suspension during the 2005–06 fiscal year:~~

~~(1) Substandard Housing (Ch. 238, Stats. 1974) (CSM-4303).~~

1760-001-0001—For support of Department of General Services, for payment to Item 1760-001-0666 ..... 750,000

Provisions:

1. Any unencumbered funds remaining in this item as of June 30, 2006, shall revert to the General Fund.

1760-001-0002—For support of Department of General Services, for payment to Item 1760-001-0666, payable from the Property Acquisition Law Money Account..... 2,941,000

Provisions:

1. Of the amount appropriated in this item, $1,633,000 is a loan from the General Fund, provided for the purposes of supporting the management of the state's real property assets.
2. Repayment of loans provided for the purposes of supporting the management of the state's real property assets shall be repaid within 60 days of the close of escrow from the sale of surplus property, pursuant to Government Code Section 11011.
3. To the extent that the annual surplus property listing enacted in separate legislation changes the workload related to the management of the state's real property assets, the Director of Finance may adjust the amount of the General Fund loan and the total amount appropriated in this item not sooner than 30 days after notifying the Joint Legislative Budget Committee.

1760-001-0003—For support of Department of General Services, for payment to Item 1760-001-0666, payable from the Motor Vehicle Parking Facilities Moneys Account..... 3,327,000

| Item | Amount |
|---|---|
| 1760-001-0022—For support of Department of General Services, for payment to Item 1760-001-0666, payable from the State Emergency Telephone Number Account | 5,293,000 |
| 1760-001-0026—For support of Department of General Services, for payment to Item 1760-001-0666, payable from the State Motor Vehicle Insurance Account | 4,748,000 |
| Provisions: | |
| 1. Notwithstanding any other provision of law, Section 16379 of the Government Code shall govern the payment of claims for the purposes of this item. | |
| 1760-001-0450—For support of Department of General Services, for payment to Item 1760-001-0666, payable from the Seismic Gas Valve Certification Fee Account | 75,000 |
| 1760-001-0465—For support of Department of General Services, for payment to Item 1760-001-0666, payable from the Energy Resources Programs Account. | 1,439,000 |
| 1760-001-0602—For support of Department of General Services, for payment to Item 1760-001-0666, payable from the Architecture Revolving Fund | 38,085,000 |
| 1760-001-0666—For support of Department of General Services, payable from the Service Revolving Fund | ~~580,622,000~~ *590,238,000* |
| Schedule: | |
| (1) Program support | ~~792,956,000~~ *802,572,000* |
| (2) Distributed services | –12,994,000 |
| (3) Reimbursements—Lease revenue | –73,000 |
| (3.5) Amount payable from the General Fund (Item 1760-001-0001) | –750,000 |
| (4) Amount payable from the General Fund (Item 1760-002-0001) | –329,000 |
| (5) Amount payable from the Property Acquisition Law Money Account (Item 1760-001-0002) | –2,941,000 |
| (6) Amount payable from the Motor Vehicle Parking Facilities Moneys Account (Item 1760-001-0003) | –3,327,000 |
| (7) Amount payable from the State Emergency Telephone Number Account (Item 1760-001-0022) | –5,293,000 |

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(8) Amount payable from the State Motor Vehicle Insurance Account (Item 1760-001-0026) ..... –4,748,000

(9) Amount payable from the Seismic Gas Valve Certification Fee Account (Item 1760-001-0450)..... –75,000

(10) Amount payable from the Energy Resources Programs Account (Item 1760-001-0465) ..... –1,439,000

(11) Amount payable from the Architecture Revolving Fund (Item 1760-001-0602) .....–38,085,000

(12) Amount payable from the Earthquake Safety and Public Buildings Rehabilitation Fund of 1990 (Item 1760-001-0768) ..... –636,000

(13) Amount payable from the State School Deferred Maintenance Fund (Item 1760-001-0961)..... –150,000

(14) Amount payable from the 2002 State School Facilities Fund (Item 1760-001-6036) .....–12,191,000

(15) Amount payable from the Motor Vehicle Parking Facilities Money Account (Item 1760-002-0003)..... –1,097,000

(16) Amount payable from the Service Revolving Fund (Item 1760-002-0666) ..... –113,638,000

(17) Amount payable from the Service Revolving Fund (Item 1760-003-0666).....–14,568,000

Provisions:

1. Notwithstanding any other provision of law, revenues from the sale of legislative bills and publications received by the Bill Room shall be deposited in the Service Revolving Fund.

2. Notwithstanding any other provision of law, if the Director of the Department of General Services determines in writing that there is insufficient cash in a special fund under his or her authority to make one or more payments currently due and payable, he or she may order the transfer of moneys to that special fund in the amount necessary to make payment or payments, as a loan from the

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Service Revolving Fund. That loan shall be subject to all of the following conditions:

(a) No loan shall be made that would interfere with the carrying out of the object for which the Service Revolving Fund was created.

(b) The loan shall be repaid as soon as there is sufficient moneys in the recipient fund to repay the amount loaned, but no later than 18 months after the date of the loan. The amount loaned shall not exceed the amount that the fund or program is authorized at the time of the loan to expend during the 2005–06 fiscal year from the recipient fund except as otherwise provided in Provisions 4, 5, and 6 of this item.

(c) The terms and conditions of the loan are approved, prior to the transfer of funds, by the Department of Finance pursuant to appropriate fiscal standards.

3. The Director of General Services may augment this item or any of Items 1760-001-0002, 1760-001-0003, 1760-001-0026, and 1760-001-0602, by up to an aggregate of 10 percent in cases where (a) the Legislature has approved funds for a customer for the purchase of services or equipment through the Department of General Services (DGS) and the corresponding expenditure authority has not been provided in this item or (b) a local government entity or the federal government has requested services from the DGS. Any augmentation that is deemed to be necessary on a permanent basis shall be submitted for review as part of the normal budget development process. If the Director of the Department of General Services augments this item or Item 1760-001-0002, 1760-001-0003, 1760-001-0026, or 1760-001-0602, the DGS shall notify the Department of Finance within 30 days after that augmentation is made as to the amount, justification, and the program augmented. Any augmentation made in accordance with this provision shall not result in an increase in any rate charged to other departments for services or the purchase of goods without the prior written consent of the Department of Finance. The Director of General Services shall not

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use this provision to augment this item or Item 1760-001-0002, 1760-001-0003, 1760-001-0026, or 1760-001-0602 for costs that the Department of General Services had knowledge of in time to include in the May Revision.

4. If this item or Item 1760-001-0002, 1760-001-0003, 1760-001-0026, or 1760-001-0602, is augmented pursuant to Provision 3 by the maximum allowed under that provision, the Director of Finance may further augment the item or items in cases where (a) the Legislature has approved funds for a customer for the purchase of services or equipment through the DGS and the corresponding expenditure authority has not been provided in these items, or (b) a local government entity or the federal government has requested services from the DGS. Any augmentation that is deemed to be necessary on a permanent basis shall be submitted for review as part of the normal budget development process. The Director of Finance shall not use this provision to augment this item or Item 1760-001-0002, 1760-001-0003, 1760-001-0026, or 1760-001-0602 for costs that the Departments of Finance or General Services had knowledge of in time to include in the May Revision.

5. The Director of General Services may augment this item and Items 1760-001-0026 and 1760-001-0003 to increase authorized expenditures by the Office of State Publishing, the Office of Risk and Insurance Management, the Office of Fleet Administration, the Office of Energy Management, and the Office of Public Safety Radio Services. The augmentation shall be for the specific purpose of enabling the Office of State Publishing, the Office of Risk and Insurance Management, the Office of Fleet Administration, the Office of Energy Management, and the Office of Public Safety Radio Services to provide competitive services to their customers (including local government entities or the federal government) and may be made only if the office has sufficient operating reserves available to fund the augmentation. If the Director of General Services proposes to augment either of the items in this provision, the director shall notify the Department of Finance, the chairpersons of the fiscal committees

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of each house, and the Chairperson of the Joint Legislative Budget Committee 30 days prior to making the augmentation, including the amount, justification, and the office augmented. Any augmentation that is deemed to be necessary on a permanent basis shall be submitted for review as part of the normal budget development process.

6. Any augmentation made pursuant to Provisions 3 and 4 of this item shall be reported in writing to the chairpersons of the fiscal committees of each house and the Chairperson of the Joint Legislative Budget Committee within 30 days of the date the augmentation is approved. This notification shall be provided in a format consistent with normal budget change requests, including identification of the amount of, and justification for, the augmentation, and the program that has been augmented. Copies of the notification shall be provided to the Department of Finance.

7. Notwithstanding any other provision of law, the Director of General Services or his or her designee, in lieu of the Director of Finance, is authorized to approve Budget Revision, Standard Form 26 subject to a copy being provided to the Department of Finance.

8. It is the intent of the Legislature that the state provide parolee medications in the most cost-effective manner. In deciding how to purchase parolee medications, the Department of Corrections, in coordination with the Department of General Services, shall consider, but not be limited to, contracting with a pharmacy benefits manager and purchasing medications under pharmacy contracts used for prison inmates. The department shall compare the cost of those options and choose the lowest cost options.

9. Notwithstanding any other provision of law, due to the inability to issue energy efficiency revenue bonds pursuant to Chapter 2.7 (commencing with Section 15814.10) of Part 10b of Division 3 of Title 2 of the Government Code, in order to repay the General Fund for the cost of completing energy efficiency projects on specified buildings, the Department of General Services shall, within 10 fiscal years, recover an amount sufficient to repay the costs associated with completed energy efficiency projects plus 5 percent interest, through

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utility rates charged to tenants. On August 1 of each fiscal year beginning with the 2005–06 fiscal year, the Department of General Services shall transfer that amount to the General Fund. Once the General Fund has been fully repaid, the Department of General Services shall adjust utility rates for all tenants to accurately reflect the current rates.

10. The Director of Finance is authorized to increase this item by up to $10,673,000 and to increase the number of associated positions for the Office of Network Services within the Telecommunications Division, for any period prior to the effective date of the Governor's Reorganization plan, or to the date of the enactment of similar legislation, intended to create the Department of Technology Services.

11. The Director of General Services shall, by June 30, 2006, establish a California State Travel Portal for travel bookings. Up to $250,000 and 1.0 position from the amount appropriated in this item may be used for this purpose, which may include staff support, travel, and training costs associated with the establishment of the portal. The Director of General Services may charge a fee to clients using the state travel contracts sufficient to recover the costs of its establishment, operations, and maintenance, as well as any associated costs, such as training.

    (a) All departments shall use the California State Travel Portal for their travel bookings and shall revise their booking policies to provide for the purchase of non-emergency tickets at least two weeks before the flight date.

    (b) The Director of General Services shall study the feasibility of expanding the California State Travel Portal to other airlines and other alternative approaches to reduce travel costs and report his or her findings to the Legislature no later than June 30, 2006. This study shall be completed with existing resources as provided in this appropriation.

12. On or before February 1, 2006, the Department of General Services shall report to the appropriate policy and fiscal committees of the Legislature the activities that it has undertaken or will

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undertake pursuant to Chapter 12 (commencing with Section 14977) of Part 5.5 of Division 3 of Title 2 of the Government Code. The report shall include, but not be limited to, the following:

(a) The number and a description of contracts entered into with manufacturers and suppliers of drugs pursuant to Section 14977.1 of the Government Code, including any discounts, rebates, or refunds obtained.

(b) The number and a description of entities that elect to participate in the coordinated purchase program pursuant to Section 14977.5 of the Government Code.

(c) Other options and strategies that have been or will be implemented pursuant to Sections 14978 and 14980 of the Government Code.

(d) Estimated costs and savings attributable to activities that have been or will be undertaken pursuant to Chapter 12 (commencing with Section 14977) of Part 5.5 of Division 3 of Title 2 of the Government Code.

*13. Upon the transfer of the Special Education Dispute Resolution Program, up to $9,254,000 is available for the Office of Administrative Hearings to administer and operate the program.*

*14. Of the amount appropriated in this item, $64,000 shall be provided as a one-time cash payment to the Employment Development Department to purchase video production equipment.*

*15. This item includes funding of $163,000 related to the transfer of the Employment Development Department video production facility and related equipment to the Department of General Services. No later than April 1, 2006, the Department of General Services shall provide to the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the fiscal committees of each house of the Legislature a report containing cost and descriptive information for every video production service provided, and to be provided in the 2005–06 fiscal year.*

1760-001-0768—For support of Department of General Services, for payment to Item 1760-001-0666, payable from the Earthquake Safety and Public Buildings Rehabilitation Fund of 1990 ..... 636,000

| Item | Amount |
|---|---|
| 1760-001-0961—For support of Department of General Services, for payment to Item 1760-001-0666, payable from the State School Deferred Maintenance Fund | 150,000 |
| 1760-001-6036—For support of Department of General Services, for payment to Item 1760-001-0666, payable from the 2002 State School Facilities Fund | 12,191,000 |
| 1760-002-0001—For support of Department of General Services, for payment to Item 1760-001-0666 | 329,000 |
| 1760-002-0003—For support of Department of General Services, for rental payments on lease-revenue bonds, for payment to Item 1760-001-0666, payable from the Motor Vehicle Parking Facilities Moneys Account | 1,097,000 |

Provisions:

1. The funds appropriated in this item are for the following:
   (a) Base Rental and Fees ..... 1,090,000
   (b) Insurance ..... 7,000
2. The Controller shall transfer funds appropriated in this item according to a schedule to be provided by the State Public Works Board. The schedule shall be provided on a monthly basis or as otherwise might be needed to ensure debt requirements are met.
3. This item may contain adjustments pursuant to Control Section 4.30 that are not currently reflected. Any adjustments to this item shall be reported to the Joint Legislative Budget Committee pursuant to Control Section 4.30.

| | |
|---|---|
| 1760-002-0666—For support of Department of General Services, for rental payments on lease-revenue bonds, for payment to Item 1760-001-0666, payable from the Service Revolving Fund | 113,638,000 |

Provisions:

1. The funds appropriated in this item are for the following:
   (a) Base rental and fees ..... 112,733,000
      (1) Capitol Area Development Authority, Sacramento ..... 692,000
      (2) State Office Building, Riverside ..... 2,050,000

| Item | | Amount |
|---|---|---|
| (3) Department of Justice Building, Sacramento | 4,931,000 | |
| (4) San Francisco Civic Center Building | 25,642,000 | |
| (5) Ronald Reagan Building, Los Angeles | 18,017,000 | |
| (6) Elihu M. Harris Building, Oakland | 11,518,000 | |
| (7) LA Junipero Serra II | 4,803,000 | |
| (8) State Office Building, San Diego (Suburban) | 2,882,000 | |
| (9) Capitol East End Garage | 980,000 | |
| (10) Stephen P. Teale Data Center | 3,495,000 | |
| (11) Capitol Area East End Complex | 32,673,000 | |
| (12) Butterfield Warehouse Plant | 2,505,000 | |
| (13) Food and Agriculture | 696,000 | |
| (14) Butterfield Office Building | 1,849,000 | |
| (b) Insurance | | 978,000 |
| (c) Reimbursements | | –73,000 |

2. The Controller shall transfer funds appropriated in this item according to a schedule to be provided by the State Public Works Board. The schedule shall be provided on a monthly basis or as otherwise might be needed to ensure debt requirements are met.

3. This item may contain adjustments pursuant to Control Section 4.30 that are not currently reflected. Any adjustments to this item shall be reported to the Joint Legislative Budget Committee pursuant to Control Section 4.30.

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1760-003-0666—For support of Department of General Services, for rental payments on California Environmental Protection Agency building, for payment to Item 1760-001-0666, payable from the Service Revolving Fund ..... 14,568,000

Provisions:

1. The Controller shall transfer funds appropriated in this item according to a schedule to be provided by the State Public Works Board. The schedule shall be provided on a monthly basis or as otherwise might be needed to ensure debt requirements are met.
2. This item may contain adjustments pursuant to Section 4.30 that are not currently reflected. Any adjustments to this item shall be reported to the Joint Legislative Budget Committee pursuant to Section 4.30.

*1760-011-0001—For transfer by the Controller, upon order of the Director of Finance, to the Service Revolving Fund ..... (227,000)*

*Provisions:*

*1. The amount appropriated in this item is a loan from the General Fund. The Department of General Services shall, within three years, recover the costs associated with the transfer and operation of video production facilities plus 5 percent interest through rates or fees charged to client departments.*

1760-101-0022—For local assistance, Department of General Services, for reimbursement of local agencies and service suppliers or communications equipment companies for costs incurred pursuant to Sections 41137, 41137.1, 41138, and 41140 of the Revenue and Taxation Code, payable from the State Emergency Telephone Number Account ..... 139,601,000

1760-301-0001—For capital outlay, Department of General Services ..... 11,937,000

Schedule:

(1) 50.99.079-California State Prison San Quentin, Building 22: Structural Retrofit—Construction ..... 11,937,000

1760-301-0660—For capital outlay, Department of General Services, payable from the Public Buildings Construction Fund ..... 84,508,000

| Item | Amount |
|---|---|
| Schedule: | |
| (1) 50.10.151-Library and Courts Building Renovation—Preliminary plans, working drawings, and construction ..... | 49,082,000 |
| (2) 50.10.160-Office Building 8 and 9 Renovation, 714 P Street, Sacramento—Construction ..... | 26,844,000 |
| (3) 50.20.515-Marysville Office Building: Replacement—Construction... | 8,582,000 |

Provisions:

1. 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 and construction of the projects authorized by this item.
2. The State Public Works Board and the Department of General Services may obtain interim financing for the project costs authorized in this item from any appropriate source, including, but not limited to, the Pooled Money Investment Account pursuant to Sections 16312 and 16313 of the Government Code.
3. The State Public Works Board may authorize the augmentation of the costs of design and construction of the project scheduled in this item pursuant to the board's authority under Section 13332.11 of the Government Code. In addition, the State Public Works 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 construction of the project, the costs of financing a debt service fund, and the cost of issuance of permanent financing for the project. This additional amount may include interest payable on any interim financing obtained.
4. The Department of General Services is authorized and directed to execute and deliver any and all leases, contracts, agreements, or other documents necessary or advisable to consummate the sale of bonds or otherwise effectuate the financing of the scheduled projects.

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5. The State Public Works Board shall not itself be 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 Division 3 of Title 2 of the Government Code). This section does not exempt this department from the requirements of the California Environmental Quality Act. This section is intended to be declarative of existing law.

6. Notwithstanding any other provision of law, the funds appropriated by Schedule (1) of this item shall be available for expenditure until June 30, 2010. In addition, the balance of funds appropriated for construction by Schedule (1) that have not been allocated, through fund transfer or approval to proceed to bid, by the Department of Finance on or before June 30, 2008, shall revert as of the date to the fund from which the appropriation was made.

7. Notwithstanding any other provision of law, the funds appropriated in Schedules (2) and (3) shall be available for expenditure until June 30, 2009. In addition, the balance of funds appropriated for construction in Schedules (2) and (3) that have not been allocated, through fund transfer or approval to proceed to bid, by the Department of Finance on or before June 30, 2007, shall revert as of that date to the fund from which the appropriation was made.

1760-301-0768—For capital outlay, Department of General Services, payable from the Earthquake Safety and Public Buildings Rehabilitation Fund of 1990.. ~~750,000~~ *5,750,000*

Schedule:

(1) 50.99.029-Program Management.... ~~5,750,000~~ *750,000*

(2) 50.99.079-California State Prison San Quentin, Building 22: Structural Retrofit—Construction ..... 5,000,000

Provisions:

1. Pursuant to funds appropriated in Schedule (1) and notwithstanding any other provision of law, the Director of the Department of General Services or his or her designee may contract for pro-

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gram management services provided by a licensed architect, registered engineer, or licensed general contractor where a firm is selected to assist DGS in project management activities, planning, designing, estimating, reviewing, and completing, a multiproject construction program.

1760-490—Reappropriation, Department of General Services. The balances of the appropriations provided for in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided for in the appropriation:

0660—Public Buildings Construction Fund

(1) Item 1760-301-0660, Budget Act of 2002 (Ch. 379, Stats. 2002), as reappropriated by Item 1760-490, Budget Act of 2003 (Ch. 157, Stats. 2003)

(3) 50.10.161-Office Building 10 Renovation, 721 Capitol Mall, Sacramento—Construction

(2) Item 1760-301-0660, Budget Act of 2003 (Ch. 157, Stats. 2003)

(1) 50.10.200-Central Plant Renovation—Working drawings and construction

(3) Item 1760-301-0660, Budget Act of 2003 (Ch. 157, Stats. 2003), as reappropriated by Item 1760-490, Budget Act of 2004 (Ch. 208, Stats. 2004)

(2) 50.20.515-Marysville Office Building Replacement—Construction

0768—Earthquake Safety and Public Buildings Rehabilitation Fund of 1990

(1) Item 1760-301-0768, Budget Act of 2002 (Ch. 379, Stats. 2002)

(3) 50.99.091-California Department of Corrections, DVI, Tracy, Hospital Building: Structural Retrofit—Construction

(2) Item 1760-301-0768, Budget Act of 2002 (Ch. 379, Stats. 2002), as reappropriated by Item 1760-490, Budget Act of 2004 (Ch. 208, Stats. 2004)

(4) 50.99.092-California Department of Corrections, California Correctional Institution, Tehachapi, Dorm E1, E2, E3, E4: Structural Retrofit—Construction

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(3) Item 1760-301-0768, Budget Act of 2004 (Ch. 208, Stats. 2004)

(2) 50.99.408-California Correctional Institution, Tehachapi, Dormitory F5, F6, F7, F8: Structural Retrofit—Construction

Provisions:

1. Notwithstanding any other provision of law, the funds appropriated by Item (2), Schedule (1) and Item (3), Schedule (2) of the Public Buildings Construction Fund in this item shall be available for expenditure until June 30, 2009. In addition, the balance of funds reappropriated for construction by Item (2), Schedule (1) and Item (3), Schedule (2) of the Public Buildings Construction Fund that have not been allocated, through fund transfer or approval to proceed to bid, by the Department of Finance on or before June 30, 2007, shall revert as of that date to the fund from which the appropriation was made.
2. Notwithstanding any other provision of law, the funds appropriated by Item (1), Schedule (3), of the Public Buildings Construction Fund in this item shall be available for expenditure until June 30, 2008. In addition, the balance of funds reappropriated for construction by Item (1), Schedule (3) of the Public Buildings Construction Fund that have not been allocated, through fund transfer or approval to proceed to bid, by the Department of Finance on or before June 30, 2006, shall revert as of that date to the fund from which the appropriation was made.
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 and construction of the projects authorized in Item (1), Schedule (3) and Item (3), Schedule (2) of the Public Buildings Construction Fund, and to finance the acquisition, design, and construction of the project authorized in Item (2), Schedule (1) of the Public Buildings Construction Fund of this item.
4. The State Public Works Board may authorize the augmentation of the costs of design and construction of the projects in Item (1), Schedule (3) and Item (3), Schedule (2) of the Public Buildings

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Construction Fund, and the acquisition, design, and construction of the project authorized in Item (2), Schedule (1) of the Public Buildings Construction Fund in this item pursuant to the board's authority under Section 13332.11 of the Government Code. In addition, the State Public Works 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 construction of the project, the costs of financing a debt service fund, and the cost of issuance of permanent financing for the project. This additional amount may include interest payable on any interim financing obtained.

1760-491—Reappropriation, Department of General Services. Notwithstanding any other provision of law, the period to liquidate encumbrances of the following citations is extended to June 30, 2006:

0768—Earthquake Safety and Public Buildings Rehabilitation Fund of 1990

(1) Item 1760-301-0768, Budget Act of 2002 (Ch. 379, Stats. 2002)

(10) 50.99.079-Department of Corrections, San Quentin, Building 22: Structural Retrofit—Working drawings

1760-492—Reappropriation, Department of General Services. As of June 30, 2005, the balance of the funds appropriated pursuant to Item 1760-101-0768, Budget Act of 1994 (Ch. 139, Stats. 1994), as reappropriated by Item 1760-492, Budget Act of 2003 and 2004 (Ch. 157, Stats. 2003 and Ch. 208, Stats. 2004), is reappropriated and shall be available for expenditure until June 30, 2007:

Schedule:

(1) 3116-Richmond, Contra Costa—City Hall ..... 1,149,975

(2) 3117-Richmond, Contra Costa—Hall of Justice ..... 683,613

(3) 4029-Alameda, Oakland Police Administration Retrofit—Oakland..... 500,000

Provisions:

1. After June 30, 2007, these funds will no longer be available for expenditure and shall not be reappropriated.

| Item | | Amount |
|---|---|---|
| 1870-001-0001—For support of California Victim Compensation and Government Claims Board | | 0 |
| Schedule: | | |
| (1) 11-Citizens Indemnification | 65,498,000 | |
| (2) 12-Quality Assurance and Revenue Recovery Division | 8,251,000 | |
| (3) 21-Disaster Relief Claim Program | 19,000 | |
| (4) 31-Civil Claims Against the State | 876,000 | |
| (5) 41-Citizens Benefiting the Public | 20,000 | |
| (6) 51.01-Administration | 7,872,000 | |
| (7) 51.03-Executive Office Administration | 297,000 | |
| (8) 51.02-Distributed Administration Executive Office | –8,169,000 | |
| (9) Reimbursements | –895,000 | |
| (10) Amount payable from the Restitution Fund (Item 1870-001-0214) | –42,733,000 | |
| (11) Amount payable from the Federal Trust Fund (Item 1870-001-0890) | –31,016,000 | |
| (12) Amount payable from the Restitution Fund (Item 1870-002-0214) | –20,000 | |
| Provisions: | | |
| 1. The California Victim Compensation and Government Claims Board shall not routinely notify all local agencies and school districts regarding its proceedings. However, for each of its meetings, the board shall notify all parties whose claims or proposals are scheduled for consideration and any party requesting notice of the proceedings. | | |
| 1870-001-0214—For support of California Victim Compensation and Government Claims Board, for support services pursuant to Chapter 5 (commencing with Section 13959) of Part 4 of Division 3 of Title 2 of the Government Code, for payment to Item 1870-001-0001, payable from the Restitution Fund. | | 42,733,000 |
| Provisions: | | |
| 1. It is the intent of the Legislature that local agencies which contract with the California Victim Compensation and Government Claims Board as part of joint powers agreements or criminal restitution compacts are reimbursed for their costs. Notwithstanding any other provision of law, the Department of Finance may authorize expenditure from the Restitution Fund in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity is provided to the chairperson of the committee in each house | | |

| Item | Amount |
|---|---|
| of the Legislature that considers appropriations, the chairpersons of the committees and the appropriate subcommittees in each house of the Legislature that consider the State Budget, and the Chairperson of the Joint Legislative Budget Committee. | |
| 1870-001-0890—For support of California Victim Compensation and Government Claims Board, for payment to Item 1870-001-0001, payable from the Federal Trust Fund | 31,016,000 |
| 1870-002-0214—For support of California Victim Compensation and Government Claims Board, for support services pursuant to subdivision (e) of Section 13973 of the Government Code, for payment to Item 1870-001-0001, payable from the Restitution Fund | 20,000 |
| ~~1870-295-0001—For local assistance, California Victim Compensation and Government Claims Board, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller~~ | ~~0~~ |
| ~~Schedule:~~ | |
| ~~(1) 98.01.112.377-Adult Felony Restitution (Ch. 1123, Stats. 1977)~~ | ~~0~~ |
| ~~Provisions:~~ | |
| ~~1. Pursuant to Section 17581 of the Government Code, mandates identified in the appropriation schedule of this item with an appropriation of $0 and included in the language of this provision are specifically identified by the Legislature for suspension during the 2005–06 fiscal year:~~ | |
| ~~(1) Adult Felony Restitution (Ch. 1123, Stats. 1977)~~ | |
| 1880-001-0001—For support of State Personnel Board | 3,878,000 |
| Schedule: | |
| (1) 10-Merit System Administration | 14,991,000 |
| (2) 40-Local Government Services | 2,759,000 |
| (3) 50.01-Administration Services | 2,770,000 |
| (4) 50.02-Distributed Administration Services | –1,938,000 |
| (5) 97.20.001-Unallocated Reduction | –60,000 |
| (6) Reimbursements | –14,644,000 |

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Provisions:

1. Notwithstanding any other provision of law, the Director of Finance may authorize a loan from the General Fund, in an amount not to exceed 35 percent of reimbursements appropriated in this item to the State Personnel Board, provided that:
   (a) The loan is to meet cash needs resulting from the delay in receipt of reimbursements for services provided.
   (b) The loan is for a short term and shall be repaid by September 30, 2006.
   (c) Interest charges may be waived pursuant to subdivision (e) of Section 16314 of the Government Code.
   (d) The Director of Finance may not approve the loan unless the approval is made in writing and filed with the Chairperson of the Joint Legislative Budget Committee and the chairperson of the committee in each house that considers appropriations not later than 30 days prior to the effective date of the approval, or not sooner than whatever lesser time that the chairperson of the joint committee or his or her designee may determine.

~~1880-295-0001—For local assistance, State Personnel Board, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller..... 18,138,000~~

~~Schedule:~~

~~(1) 98.01.067.590-Peace Officers Procedural Bill of Rights (Ch. 675, Stats. 1990) ..... 18,138,000~~

~~Provisions:~~

~~1. Except as provided in Provision 2 of this item, allocations of funds provided in this item to the appropriate local entities shall be made by the State Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior year claims may be paid from this~~

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~~item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.~~

~~2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the State Controller may, upon notifying the Director of Finance in writing, augment those deficient amounts from the unencumbered balance of any other scheduled amounts therein. No order may be issued pursuant to this provision unless written notification of the necessity therefor is provided to the chairperson of the committee in each house, which considers appropriations, and the Chairperson of the Joint Legislative Budget Committee or his or her designee.~~

1900-001-0950—For support of Board of Administration of the Public Employees' Retirement System, payable from the Public Employees' Contingency Reserve Fund ..... 18,276,000

Provisions:

1. The appropriation made in this item is for support of the board of administration pursuant to Section 22910 of the Government Code.

1900-003-0830—For support of Board of Administration of the Public Employees' Retirement System, payable from the Public Employees' Retirement Fund..... (372,377,000)

Provisions:

1. The amount displayed in this item is based on the estimate by the Public Employees' Retirement System of expenditures for external investment advisers and other investment-related expenses to be made during the 2005–06 fiscal year pursuant to Sections 20172, 20208, and 20210 of the Government Code. The Board of Administration of the Public Employees' Retirement System shall report to the fiscal committees of the Legislature and the Joint Legislative Budget Committee on or before January 10, 2006, regarding any revision of this estimate, including an accounting and explanation of changes, and the amount of, and basis for, investment adviser expenditures proposed for the 2006–07 fiscal year. The Board of Administration of the Public Employees' Retirement System shall report on or before January 10, 2007, on

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the final expenditures under this item, including an accounting and explanation of changes from estimates previously reported to the Legislature.

2. Each of the two reports described in Provision 1 also shall include all of the following:

(a) A summary and comparison of the externally managed portfolios, the internally managed portfolios, and the total fund. This information shall include the value of the assets, the gross and net returns, the benchmark returns, and the costs, by dollars and basis points, for these portfolios.

(b) A description of the actions the Public Employees' Retirement System will take to ensure that any future expenditures for outside advisers will result in a greater return on investments, including costs for these advisers, than if in-house advisers were used.

(c) Separate listings of adviser contracts in effect, and approved, during the 2004–05 and 2005–06 fiscal years, with (1) amounts (total contract and annual basis) for each contract for base fees and performance-based fees, and (2) summary statements of the purposes of each contract.

1900-015-0815—For support of Board of Administration of the Public Employees' Retirement System, payable from the Judges' Retirement Fund ..... (807,000)

Provisions:

1. Notwithstanding any other provision of law, the Board of Administration of the Public Employees' Retirement System (PERS), in accordance with all applicable provisions of the California Constitution, shall submit to the Controller, the Department of Finance, the Joint Legislative Budget Committee, and the fiscal committees of the Legislature, all of the following:

(a) No later than January 10, 2006, a copy of the proposed budget for PERS for the 2006–07 fiscal year as included with the Governor's Budget.

(b) No later than May 15, 2006, a copy of the proposed budget for PERS for the 2006–07 fiscal year as approved by the board of administration.

(c) The revisions to the proposed budget for PERS for the 2005–06 fiscal year, as recom-

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mended by the PERS Finance Committee, at least 30 days prior to the consideration of those revisions by the board of administration.

(d) Commencing October 1, 2005, all expenditure and performance workload data provided to the board of administration, as updated on a quarterly basis. This quarterly update information is to be submitted to the Joint Legislative Budget Committee and the fiscal committees of the Legislature, and shall be in sufficient detail to be useful for legislative oversight purposes and to sustain a thorough ongoing review of Public Employees' Retirement System expenditures.

1900-015-0820—For support of Board of Administration of the Public Employees' Retirement System, payable from the Legislators' Retirement Fund ..... (344,000)

Provisions:

1. Notwithstanding any other provisions of law, the Board of Administration of the Public Employees' Retirement System, in accordance with all applicable provisions of the California Constitution, shall submit to the Controller, the Department of Finance, the Joint Legislative Budget Committee, and the fiscal committees of the Legislature all of the following:

(a) A copy of the proposed budget for the Public Employees' Retirement System for the 2006–07 fiscal year by January 10, 2006, as included with the Governor's Budget.

(b) A copy of the proposed budget for the Public Employees' Retirement System for the 2006–07 fiscal year as approved by the board of administration by May 15, 2006.

(c) The revisions to the proposed budget for the Public Employees' Retirement System for the 2005–06 fiscal year as recommended by the Public Employees' Retirement System Finance Committee at least 30 days prior to consideration of those revisions by the board of administration.

(d) Commencing October 1, 2005, all expenditure and performance workload data provided to the board of administration, updated on a quarterly basis, shall be submitted to the Joint Legislative Budget Committee and the fiscal

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committees of the Legislature. The quarterly update information submitted to the Legislature shall be in sufficient detail to be useful for legislative oversight purposes and to sustain a thorough ongoing review of the expenditures of the Public Employees' Retirement System.

1900-015-0830—For support of Board of Administration of the Public Employees' Retirement System, payable from the Public Employees' Retirement Fund..... (239,649,000)

Provisions:

1. Notwithstanding any other provision of law, the Board of Administration of the Public Employees' Retirement System, in accordance with all applicable provisions of the California Constitution, shall submit to the Controller, the Department of Finance, the Joint Legislative Budget Committee, and the fiscal committees of the Legislature, all of the following:
   (a) A copy of the proposed budget for the Public Employees' Retirement System for the 2006–07 fiscal year by January 10, 2006, as included with the Governor's Budget.
   (b) A copy of the proposed budget for the Public Employees' Retirement System for the 2006–07 fiscal year as approved by the board of administration by May 15, 2006.
   (c) The revisions to the proposed budget for the Public Employees' Retirement System for the 2005–06 fiscal year as recommended by the Public Employees' Retirement System Finance Committee at least 30 days prior to consideration of those revisions by the board of administration.
2. Commencing October 1, 2005, all expenditure and performance workload data provided to the board of administration, updated on a quarterly basis, shall be submitted to the Joint Legislative Budget Committee and the fiscal committees of the Legislature. The quarterly update information submitted to the Legislature shall be in sufficient detail to be useful for legislative oversight purposes and to sustain a thorough ongoing review of the expenditures of the Public Employees' Retirement System.

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3. Commencing July 1, 2005, reports on information technology projects that are submitted to the board of administration shall be submitted to the Joint Legislative Budget Committee, the fiscal committees of the Legislature, and the Department of Finance on an informational basis. The quarterly update information submitted to the Department of Finance shall be in sufficient detail to be useful for Department of Finance informational project status reporting purposes.

1900-015-0884—For support of Board of Administration of the Public Employees' Retirement System, payable from the Judges' Retirement System II Fund... (508,000)

Provisions:

1. Notwithstanding any other provision of law, the Board of Administration of the Public Employees' Retirement System (PERS), in accordance with all applicable provisions of the California Constitution, shall submit to the Controller, the Department of Finance, the Joint Legislative Budget Committee, and the fiscal committees of the Legislature, all of the following:
   (a) No later than January 10, 2006, a copy of the proposed budget for PERS for the 2006–07 fiscal year as included with the Governor's Budget.
   (b) No later than May 15, 2006, a copy of the proposed budget for PERS for the 2006–07 fiscal year as approved by the board of administration.
   (c) The revisions to the proposed budget for PERS for the 2005–06 fiscal year, as recommended by the PERS Finance Committee, at least 30 days prior to the consideration of those revisions by the board of administration.
   (d) Commencing October 1, 2005, all expenditure and performance workload data provided to the board of administration, as updated on a quarterly basis. This quarterly update information is to be submitted to the Joint Legislative Budget Committee and the fiscal committees of the Legislature, and shall be in sufficient detail to be useful for legislative oversight purposes and to sustain a thorough ongoing review of Public Employees' Retirement System expenditures.

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1900-015-0962—For support of Board of Administration of the Public Employees' Retirement System, payable from the Volunteer Firefighter Length of Service Award Fund ..... (129,000)

Provisions:

1. Notwithstanding any other provision of law, the Board of Administration of the Public Employees' Retirement System, in accordance with all applicable provisions of the California Constitution, shall submit to the Controller, the Department of Finance, the Joint Legislative Budget Committee, and the fiscal committees of the Legislature, all of the following:
   (a) A copy of the proposed budget for the Public Employees' Retirement System for the 2006–07 fiscal year by January 10, 2006, as included with the Governor's Budget.
   (b) A copy of the proposed budget for the Public Employees' Retirement System for the 2006–07 fiscal year as approved by the board of administration by May 15, 2006.
   (c) The revisions to the proposed budget for the Public Employees' Retirement System for the 2005–06 fiscal year recommended by the Public Employees' Retirement System Finance Committee, at least 30 days prior to consideration of those revisions by the board of administration.
   (d) Commencing October 1, 2005, all expenditure and performance workload data provided to the board of administration, updated on a quarterly basis, shall be submitted to the Joint Legislative Budget Committee and the fiscal committees of the Legislature. The quarterly update information submitted to the Legislature shall be in sufficient detail to be useful for legislative oversight purposes and to sustain a thorough ongoing review of the expenditures of the Public Employees' Retirement System.

1900-017-0950—For support of Public Employees' Retirement System payable from the Public Employees' Contingency Reserve Fund..... 223,000

Provisions:

1. The funding appropriated in this item is limited to the amount specified in Control Section 17.00.

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These funds are to be used in support of compliance activities related to the federal Health Insurance Portability and Accountability Act (HIPAA) of 1996.

1920-001-0835—For support of State Teachers' Retirement System, payable from the State Teachers' Retirement Fund ..... 118,205,000

Schedule:

(1) 10-Services to Members and Employers .....118,607,000

(2) Reimbursements..... –339,000

(3) Amount payable from the Supplemental Benefit Maintenance Account in the Teachers' Retirement Fund pursuant to Section 22954 of the Education Code..... –63,000

Provisions:

1. This item shall not be subject to the requirements of subdivision (b), (c), (d), or (e) of Section 31.00 of this act. Nothing in this provision shall be construed as exempting this item from requirements of the State Civil Service Act or from requirements of laws, rules, and regulations administered by the Department of Personnel Administration.

2. Commencing July 1, 2005, reports on information technology projects that are submitted to the Teachers' Retirement Board shall be submitted to the Joint Legislative Budget Committee, the fiscal committees of the Legislature, and the Department of Finance on an informational basis. The information submitted to the Department of Finance shall be in sufficient detail to be useful for Department of Finance informational project status reporting purposes.

1920-002-0835—For support of State Teachers' Retirement System (external investment advisers), payable from the State Teachers' Retirement Fund..... (106,000,000)

Provisions:

1. The amount displayed in this item is for informational purposes only, and is based on the current estimate by the State Teachers' Retirement System (STRS) of expenditures for external investment advisers to be made during the 2005–06 fiscal year pursuant to Section 22353 of the Education Code. The STRS shall report to the fiscal

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committees of the Legislature and the Joint Legislative Budget Committee no later than January 10, 2006, regarding any revision of this estimate, including an accounting and explanation of the changes, and regarding the amount of, and basis for, investment adviser expenditures proposed for the 2006–07 fiscal year. The STRS shall report on or before January 10, 2007, on the final expenditures under this item, including an accounting and explanation of changes from estimates previously reported to the Legislature.

2. Each of the two reports described in Provision 1 also shall include all of the following:

(a) A summary and comparison of the externally managed portfolios, the internally managed portfolios, and the total fund. This information shall include the value of the assets, the gross and net returns, the benchmark returns, and the costs by dollars and basis points for these portfolios.

(b) A description of the actions the State Teachers' Retirement System will take to ensure that any future expenditures for outside advisers will result in a greater return on investments, including costs for these advisers, than if in-house advisers were used.

(c) Separate listings of adviser contracts in effect, and approved, during the 2004–05 and 2005–06 fiscal years, with (1) amounts (total contract and annual basis) for each contract for base fees and performance-based fees, (2) summary statements of the purposes of each contract.

1920-011-0001—For transfer by the Controller to the State Teachers' Retirement Fund.....(1,050,414,000)

Schedule:

(1) Supplemental Benefit Maintenance Account (SBMA)..... (581,367,000)

(2) Benefits Funding ..... (469,047,000)

Provisions:

1. The estimated amount referenced in Schedule (1) is the state's contribution required by Section 22954 of the Education Code.

2. The estimated amount referenced in Schedule (2) is the state's contribution required by subdivision (a) of Section 22955 of the Education Code.

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1920-490—Reappropriation, State Teachers' Retirement System (STRS). Notwithstanding any other provision of law, up to $3,217,000 of the balance as of June 30, 2005, of the appropriation identified in the following citation is reappropriated, subject to the limitations set forth in Provision 1, and shall be available for encumbrance and expenditure until June 30, 2006. Any amount of this reappropriation that is not expended in 2005–06 shall be carried over to 2006–07 and is hereby reappropriated. In no event shall the total amounts reappropriated for the 2006–07 Budget exceed 3 percent of STRS' 2005–06 appropriation.

0835—State Teachers' Retirement Fund

(1) Item 1920-001-0835, Budget Act of 2004 (Ch. 208, Stats. 2004)

Provisions:

1. The funds reappropriated in this item shall be available for expenditure by the State Teachers' Retirement System for the purposes of meeting unanticipated system costs and promoting better service to the system's membership. The funds may not be encumbered without advance approval of the State Teachers' Retirement Board. The board shall report to the Legislature on a quarterly basis throughout the 2005–06 fiscal year on expenditures made pursuant to this item.

1955-001-9730—For support of Department of Technology Services, payable from the Department of Technology Services Revolving Fund..... 225,545,000

Schedule:

(1) 10-Administration of Technology Services..... 225,545,000

Provisions:

1. The language in this item shall become applicable once the Governor's Reorganization Plan, or similar legislation creating the Department of Technology Services, becomes law.
2. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for the Department of Technology Services in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees in each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser

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time the chairperson of the committee, or his or her designee, may in each instance determine.

3. Funds appropriated in this item are in lieu of the amounts that otherwise would have been appropriated pursuant to Section 11544 of the Government Code.

4. Expenditure authority provided in this item to support data center infrastructure projects may not be utilized for items outside the approved project scope. In addition, the Department of Technology Services shall report to the Department of Finance actual expenditures associated with the projects when purchase agreements have been executed. Changes in project scope must receive approval using the established administrative and legislative reporting requirements.

5. Notwithstanding any other provision of law, upon request by the Department of Technology Services, the Director of Finance may adjust the amount available for expenditure in this item to pay costs associated with the Child Welfare Services/Case Management System (CWS/CMS) Application Re-Hosting Project. The adjustment may be effected not sooner than 30 days after notification in writing of the necessity therefor to the chairperson of the committee in each house of the Legislature that considers appropriations and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine. The revised expenditure authority granted pursuant to this provision shall be consistent with the current approved project or an amount approved by the Director of Finance based on his or her review of a subsequent special project report or equivalent document.

BUSINESS, TRANSPORTATION AND HOUSING

2100-001-3036—For support of Department of Alcoholic Beverage Control, payable from the Alcohol Beverage Control Fund ..... 42,973,000

Schedule:

(1) 10.10-Licensing..... 23,763,000

(2) 10.20-Compliance ..... 20,257,000

(3) 10.30.010-Administration ..... 3,852,000

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(4) 10.30.020-Distributed Administration..... −3,852,000

(5) Reimbursements..... −1,047,000

2100-011-0081—For transfer by the Controller, from the Alcohol Beverage Control Fund to the Alcohol Beverage Control Fund ..... (93,000)

2100-101-3036—For local assistance, Department of Alcoholic Beverage Control, Program 10.20-Compliance, for grants to local law enforcement agencies payable from the Alcohol Beverage Control Fund .. 1,500,000

Provisions:

1. Notwithstanding any other provisions of law, the Department of Alcoholic Beverage Control is authorized to grant funds to local law enforcement agencies for the purpose of enhancing enforcement of alcoholic beverage control laws in the local jurisdiction.
2. Notwithstanding any other provisions of law, at the discretion of the Director of Alcoholic Beverage Control, the department may advance grant funds to local law enforcement agencies.
3. Notwithstanding any other provisions of law, at the discretion of the Director of Alcoholic Beverage Control, title to any authorized equipment purchased by the local law enforcement agency pursuant to the grant may be vested in the local law enforcement agency at the conclusion of the grant period.

2100-495—Reversion, Department of Alcoholic Beverage Control. As of June 30, 2005, the amounts specified below of the appropriation provided for in the following citation shall revert to the balance of the fund from which the appropriation was made:

3036—Alcohol Beverage Control Fund

(1) Item 2100-001-3036, Budget Act of 2004 (Ch. 208, Stats. 2004), $500,000 appropriated in Program 10.10-Licensing, and $461,000 appropriated in Program 10.20-Compliance

2120-001-0117—For support of Alcoholic Beverage Control Appeals Board, Program 10, payable from the Alcoholic Beverage Control Appeals Fund..... 968,000

2150-001-0240—For support of Department of Financial Institutions, for payment to Item 2150-001-0298, payable from the Local Agency Deposit Security Fund ..... 365,000

| Item | | Amount |
|---|---|---|
| 2150-001-0298—For support of Department of Financial Institutions, payable from the Financial Institutions Fund | | ~~18,880,000~~ *18,882,000* |
| Schedule: | | |
| (1) 10-Licensing and Supervision of Banks and Trust Companies | 17,147,000 | |
| (2) 20-Special Licensees | 1,155,000 | |
| (3) 40-Administration of Local Agency Security | 365,000 | |
| (4) 50-Supervision of California Business and Industrial Development Corporations | 30,000 | |
| (5) 60-Credit Unions | ~~3,825,000~~ *3,827,000* | |
| (6) 70-Savings and Loan | 95,000 | |
| (7) 80-Industrial Banks | 1,055,000 | |
| (8) 90.01-Administration | 4,903,000 | |
| (9) 90.02-Distributed Administration | –4,903,000 | |
| (10) Reimbursements | –600,000 | |
| (11) Amount payable from the Local Agency Deposit Security Fund (Item 2150-001-0240) | –365,000 | |
| (12) Amount payable from the Credit Union Fund (Item 2150-001-0299) | –3,827,000 | |
| Provisions: | | |
| 1. The Department of Financial Institutions shall report to the budget committees of each house of the Legislature and to the Legislative Analyst by January 10, 2006, on the level of noncompliance found with the California Financial Privacy Act (Division 1.2 (commencing with Section 4050) of the Financial Code), any changes to state or federal law, or court decisions, that affect the workload of the Department of Financial Institutions as it relates to the California Financial Information Privacy Act, and any staffing changes requested based on the level of compliance or changes in the law. | | |
| 2150-001-0299—For support of Department of Financial Institutions, for payment to Item 2150-001-0298, payable from the Credit Union Fund | | 3,827,000 |
| 2180-001-0067—For support of Department of Corporations, payable from the State Corporations Fund | | 30,672,000 |

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Schedule:

(1) 10-Investment Program ..... 17,392,000

(2) 20-Lender-Fiduciary Program ..... 13,430,000

(3) 50.01-Administration..... 5,812,000

(4) 50.02-Distributed Administration ... –5,812,000

(5) Reimbursements..... –150,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

2. The Department of Corporations shall report to the committee of each house of the Legislature that considers the Budget Bill and the Legislative Analyst's Office by January 10, 2006, (a) the level of noncompliance with the California Financial Privacy Act (Division 1.2 (commencing with Section 4050) of the Financial Code), (b) any changes to state or federal law, including court decisions, that affect workload under that act, and (c) any staffing changes requested based on (a) or (b).

3. The Department of Corporations shall report to the committee of each house of the Legislature that considers the Budget Bill and the Legislative Analyst's Office by January 10, 2007, on the level of noncompliance with Chapter 940 of the Statutes of 2004, and any staffing changes requested based on the level of noncompliance.

2240-001-0001—For support of Department of Housing and Community Development..... 5,014,000

Schedule:

(1) 10-Codes and Standards Program .. 25,008,000

(2) 20-Community Affairs Program..... 15,503,000

(3) 30-Housing Policy Development Program..... 2,500,000

(4) 50.01-Administration..... 10,198,000

(5) 50.02-Distributed Administration ...–10,039,000

(6) 50.03-Distributed Administration of the Housing Policy Development Program..... –122,000

(7) 97.20.001-Unallocated Reduction... –76,000

(8) Reimbursements..... –1,187,000

(9) Amount payable from the Mobilehome Park Revolving Fund (Item 2240-001-0245) ..... –5,104,000

| Item | Amount |
|---|---|
| (10) Amount payable from the Mobilehome Park Purchase Fund (Item 2240-001-0530) | –545,000 |
| (11) Amount payable from the Mobilehome-Manufactured Home Revolving Fund (Item 2240-001-0648) | –17,904,000 |
| (12) Amount payable from the Self-Help Housing Fund (Item 2240-001-0813) | –106,000 |
| (13) Amount payable from the Federal Trust Fund (Item 2240-001-0890) | –8,266,000 |
| (14) Amount payable from the Housing Rehabilitation Loan Fund (Item 2240-001-0929) | –2,243,000 |
| (15) Amount payable from the Rental Housing Construction Fund (Item 2240-001-0938) | –739,000 |
| (16) Amount payable from the Predevelopment Loan Fund (Item 2240-001-0980) | –297,000 |
| (17) Amount payable from the Emergency Housing and Assistance Fund (Item 2240-001-0985) | –450,000 |
| (18) Amount payable from the Jobs-Housing Balance Improvement Account (Item 2240-001-3006) | –787,000 |
| (19) Amount payable from the Building Equity and Growth in Neighborhoods Fund (Item 2240-001-6038) | –330,000 |
| Provisions: | |
| 1. Of the amount appropriated in this item, $158,000 shall be used to continue oversight by the Department of Housing and Community Development of redevelopment agencies and to provide technical assistance, in accordance with the department's Housing Preservation Plan. | |
| 2240-001-0245—For support of Department of Housing and Community Development, for payment to Item 2240-001-0001, payable from the Mobilehome Park Revolving Fund | 5,104,000 |
| 2240-001-0530—For support of Department of Housing and Community Development, for payment to Item 2240-001-0001, payable from the Mobilehome Park Purchase Fund | 545,000 |

| Item | Amount |
|---|---|
| 2240-001-0648—For support of Department of Housing and Community Development, for payment to Item 2240-001-0001, payable from the Mobilehome-Manufactured Home Revolving Fund | 17,904,000 |
| Provisions: | |
| 1. Notwithstanding Section 18077 of the Health and Safety Code, or any other provision of law, the first $2,388,000 in revenues collected by the Department of Housing and Community Development from manufactured home license fees shall be deposited in the Mobilehome-Manufactured Home Revolving Fund, and shall be available to the department for the support, collection, administration, and enforcement of manufactured home license fees. | |
| 2. Notwithstanding Section 18077.5 of the Health and Safety Code, or any other provision of law, the Department of Housing and Community Development is not required to comply with the reporting requirement of Section 18077.5 of the Health and Safety Code. | |
| 2240-001-0813—For support of Department of Housing and Community Development, for payment to Item 2240-001-0001, payable from the Self-Help Housing Fund | 106,000 |
| 2240-001-0890—For support of Department of Housing and Community Development, for payment to Item 2240-001-0001, payable from the Federal Trust Fund | 8,266,000 |
| 2240-001-0929—For support of Department of Housing and Community Development, for payment to Item 2240-001-0001, payable from the Housing Rehabilitation Loan Fund | 2,243,000 |
| 2240-001-0938—For support of Department of Housing and Community Development, for payment to Item 2240-001-0001, payable from the Rental Housing Construction Fund | 739,000 |
| 2240-001-0980—For support of Department of Housing and Community Development, for payment to Item 2240-001-0001, payable from the Predevelopment Loan Fund | 297,000 |
| 2240-001-0985—For support of Department of Housing and Community Development, for payment to Item 2240-001-0001, payable from the Emergency Housing and Assistance Fund | 450,000 |

| Item | Amount |
|---|---|
| 2240-001-3006—For support of Department of Housing and Community Development, for payment to Item 2240-001-0001, payable from the Jobs-Housing Balance Improvement Account | 787,000 |
| 2240-001-6038—For support of Department of Housing and Community Development, for payment to Item 2240-001-0001, payable from the Building Equity and Growth in Neighborhoods Fund | 330,000 |
| 2240-101-0001—For local assistance, Department of Housing and Community Development | 5,291,000 |
| Schedule: | |
| (1) 20-Community Affairs Program.....174,228,000 | |
| (2) Amount payable from the Federal Trust Fund (Item 2240-101-0890) −168,937,000 | |
| 2240-101-0890—For local assistance, Department of Housing and Community Development, for payment to Item 2240-101-0001, payable from the Federal Trust Fund | 168,937,000 |
| Provisions: | |
| 1. Notwithstanding any other provision of law, federal funds appropriated by this item but not encumbered or expended by June 30, 2006, may be expended in the subsequent fiscal year. | |
| 2240-101-3006—For local assistance, Department of Housing and Community Development, payable from the Jobs-Housing Balance Improvement Account | 25,000,000 |
| 2240-101-6038—For local assistance, Department of Housing and Community Development, Program 20-Community Affairs Program, payable from the Building Equity and Growth in Neighborhoods Fund | 24,000,000 |
| 2240-105-0001—For transfer, upon order of the Director of Finance, to the Emergency Housing and Assistance Fund | 4,000,000 |
| Provisions: | |
| 1. The amount transferred by this item shall be distributed pursuant to Chapter 11.5 (commencing with Section 50800) of Part 2 of Division 31 of the Health and Safety Code for operating facilities and capital development grants. | |
| 2. Grants shall not be used to supplant existing emergency shelter or transitional housing funding. Notwithstanding any regulatory provision to the contrary, operating facilities grants shall not exceed $100,000 nor be less than $30,000. For | |

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counties with an allocation of greater than $30,000, one grant of less than $30,000 may be awarded if necessary to fully utilize the county's allocation. For counties with an allocation of up to or equal to $30,000, up to two grants of less than $30,000 may be awarded.

~~2240-109-0001—For local assistance, Department of Housing and Community Development ..... 1,000,000~~

~~Provisions:~~

~~1. The amount included within this item shall be used for providing grants to Councils of Government to assist with costs associated with preparation of the Regional Housing Needs Assessment.~~

2240-113-0813—For transfer upon order of the Director of Finance, from the Self-Help Housing Fund to the General Fund..... (1,670,000)

Provisions:

1. The amount displayed in this item is for informational purposes only and is based upon the current estimate of the remaining unused portion of the California Homebuyers Downpayment Assistance Program (CHDAP) funds provided to the California Housing Finance Agency (CalHFA) through Provision 4 of Item 2240-103-0001 of the Budget Act of 2000 (Ch. 52, Stats. 2000). The actual amount to be transferred through this item shall include all remaining unused portions of CHDAP funds by the CalHFA from Provision 4 of Item 2240-103-0001 of the Budget Act of 2000 (Ch. 52, Stats. 2000).

2240-115-0843—For transfer, upon order of the Director of Finance, from the California Housing Trust Fund to the General Fund..... (2,000,000)

2310-001-0400—For support of Office of Real Estate Appraisers payable from the Real Estate Appraisers Regulation Fund ..... 4,069,000

Schedule:

(1) 10-Administration of Real Estate Appraisers Program..... 4,149,000

(2) Reimbursements..... –80,000

2320-001-0317—For support of Department of Real Estate, payable from the Real Estate Fund ..... 34,319,000

Schedule:

(1) 10-Licensing and Education..... 8,061,000

(2) 20-Enforcement and Recovery..... 20,832,000

(3) 30-Subdivisions..... 5,726,000

(4) 40.10-Administration..... 5,349,000

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(5) 40.20-Distributed Administration ... –5,349,000
(6) Reimbursements ..... –300,000
Provisions:
1. Of the amount appropriated in this item, $500,000 shall be used only for the purposes of the Real Estate Recovery Account.

2400-001-0933—For support of Department of Managed Health Care, payable from the Managed Care Fund ..... 33,614,000
Schedule:
(1) 30-Health Plan Program ..... 33,614,000
(2) 50.01-Administration ..... 9,082,000
(3) 50.02-Distributed Administration ... –9,082,000
Provisions:
1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

2400-002-0933—For support of Department of Managed Health Care, for the Office of Patient Advocate, payable from the Managed Care Fund ..... 2,269,000

2600-001-0042—For support of California Transportation Commission, for payment to Item 2600-001-0046, payable from the State Highway Account, State Transportation Fund ..... 782,000

2600-001-0046—For support of California Transportation Commission, payable from the Public Transportation Account, State Transportation Fund ..... 1,269,000
Schedule:
(1) 10-Administration of California Transportation Commission ..... 2,051,000
(2) Amount payable from the State Highway Account, State Transportation Fund (Item 2600-001-0042) ..... –782,000

2600-402—Before allocating projects in the 2005–06 fiscal year that would result in the issuance of notes pursuant to Section 14553 of the Government Code exceeding $800,000,000, the California Transportation Commission shall consult with the Business, Transportation and Housing Agency, the Department of Transportation, and the Department of Finance pursuant to Section 14553.8 of the Government Code to consider and determine the appropriateness of the mechanism authorized by Section 14553 of the Government Code in comparison to other funding mechanisms, and to determine and report to the

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Governor and the Legislature the effect of issuance of the notes on future federal funding commitments. Allocations exceeding $800,000,000 shall not be made prior to providing 60 days' notice to the chairpersons of the transportation committees of each house and the Chairperson of the Joint Legislative Budget Committee.

2640-101-0046—For local assistance, Special Transportation Programs, for allocation by the Controller pursuant to Section 99312 of the Public Utilities Code, payable from the Public Transportation Account, State Transportation Fund ..... 200,757,000

Provisions:

1. Notwithstanding Sections 99313 and 99314 of the Public Utilities Code, not more than $67,387 of the amount appropriated in this item shall reimburse the Controller for expenditures for administration of state transportation assistance funds.
2. Notwithstanding Sections 99313 and 99314 of the Public Utilities Code, $33,956 of the amount appropriated in this item shall reimburse the General Fund for statewide general administrative expenditures, known as pro rata, pursuant to Sections 11270 to 11275, inclusive, and Section 22828.5 of the Government Code.

2660-001-0041—For support of Department of Transportation, for payment to Item 2660-001-0042, payable from the Aeronautics Account, State Transportation Fund ..... 3,051,000

2660-001-0042—For support of Department of Transportation, payable from the State Highway Account, State Transportation Fund..... ~~2,092,398,000~~ *2,094,561,000*

Schedule:

(1) 10-Aeronautics ..... 3,355,000

(2) 20.10-Highway Transportation—Capital Outlay Support ..... ~~1,249,540,000~~ *1,242,703,000*

(3) 20.30-Highway Transportation—Local Assistance ..... ~~30,045,000~~ *30,045,000*

(4) 20.40-Highway Transportation—Program Development..... 75,942,000

(5) 20.65-Highway Transportation—Legal ..... 63,161,000

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|---|---|
| (6) 20.70-Highway Transportation—Operations | 161,882,000 |
| (7) 20.80-Highway Transportation—Maintenance | ~~825,302,000~~ *834,302,000* |
| (8) 30-Mass Transportation | 112,923,000 |
| (9) 40-Transportation Planning | 91,943,000 |
| (10) 50.00-Administration | 295,624,000 |
| (10.5) 97.20.001-Unallocated reduction | –50,000,000 |
| (11) Reimbursements | –124,916,000 |
| (12) Amount payable from the Aeronautics Account, State Transportation Fund (Item 2660-001-0041) | –3,051,000 |
| (13) Amount payable from the Bicycle Transportation Account, State Transportation Fund (Item 2660-001-0045) | –22,000 |
| (14) Amount payable from the Public Transportation Account, State Transportation Fund (Item 2660-001-0046) | –132,409,000 |
| (15) Amount payable from the Historic Property Maintenance Fund (Item 2660-001-0365) | –1,500,000 |
| (16) Amount payable from the Federal Trust Fund (Item 2660-001-0890) | –492,906,000 |
| (17) Amount payable from the Transportation Financing Subaccount, State Highway Account, State Transportation Fund (Item 2660-001-6801) | –12,515,000 |

Provisions:

1. For purposes of the funds appropriated in Schedules (2) to (7), inclusive, Program 20—Highway Transportation, upon approval of the Department of Finance, the Department of Transportation shall notify the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee at least 20 days prior to spending funds to expand activities above budgeted levels or to implement a new activity not identified in this act, including any of those expenditures to be funded through a transfer of moneys from other

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expenditure categories or programs, except in the case of emergency work increases caused by fire, snow, storm, or earth movement damage.

2. From funds appropriated in this item, the Department of Transportation may enter into interagency agreements with the Department of the California Highway Patrol to compensate that department for the cost of work performed by patrol officers at or near state highway construction projects so as to reduce the risk of occurrence of serious motor vehicle accidents.

3. (a) Notwithstanding any other provision of law, funds appropriated in this item from the State Highway Account may be reduced and replaced by an equivalent amount of federal funds determined by the department to be available and necessary to comply with Section 8.50 of this act and the most effective management of state transportation resources. Not more than 30 days after replacing the state funds with federal funds, the Director of Finance shall notify in writing the chairperson of the committee in each house that considers appropriations and the Chairperson of the Joint Legislative Budget Committee of this action.

(b) To the extent that moneys in the State Highway Account are reduced pursuant to this provision, the Department of Transportation may transfer, with the approval of the Business, Transportation and Housing Agency, and upon authorization by the Director of Finance, all or part of the savings to Item 2660-101-0042, 2660-301-0042, or 2660-302-0042 for local assistance or capital outlay projects approved by the California Transportation Commission. The Director of Finance shall authorize the transfer not sooner than 30 days after notification in writing to the chairperson of the committee in each house that considers appropriations and the Chairperson of the Joint Legislative Budget Committee.

4. Notwithstanding any other provision of law, funding appropriated in this item may be transferred to Item 2660-005-0042 to pay for any necessary insurance, debt service, and other financing-related

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expenditures for department-owned office buildings. Any transfer will require the prior approval of the Department of Finance.

5. Notwithstanding any other provision of law, funds appropriated in Schedules (1) to (10), inclusive, in this item may be transferred to Item 2660-002-0608 for increases in equipment services costs, provided that the increase does not increase the overall appropriation authority for the Department of Transportation and no funding appropriated in Schedules (1) to (10), inclusive, is augmented. Any transfer will require the prior approval of the Department of Finance.
6. The funds appropriated in Schedule (2) for external consultant and professional services related to project delivery (also known as 232 contracts) that are unencumbered or encumbered but unexpended related to work that will not be performed during the fiscal year shall revert to the fund from which they were appropriated.
7. Notwithstanding any other provision of law, funds appropriated in this item may be supplemented with federal funding appropriation authority and with prior fiscal year State Highway Account appropriation balances at a level determined by the department as required to process claims utilizing federal advance construction through the plan of financial adjustment process pursuant to Sections 11251 and 16365 of the Government Code.
8. Of the funds appropirated in Schedule (2) of this item, $6,891,000 is for the cost of non-project-specific capital outlay support contracts. Any of these funds to be used on information technology projects may not be encumbered or expended until the Director of Finance approves the Feasibility Study Report. The funds shall be made available consistent with the amount approved by the Director of Finance, based upon the approved Feasibility Study Report.
9. Of the funds appropriated in Schedule (7) of this item, ~~$43,300,000~~ *$52,300,000* is for major maintenance contracts for the preservation of highway pavement and shall not be used to supplant any other funding that would have been used for major pavement maintenance.

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10. Of the funds appropriated in this item, $3,450,000 shall be used to implement the statewide culvert inspection and repair program. Using redirected or grant funds, the Department of Transportation shall assess coastal streams outside of Mendocino, Humboldt, and Del Norte Counties, for barriers to migratory fish passage. The Department shall coordinate its culvert inspection program activities to facilitate these fish passage assessments. Priority shall be given to coastal watersheds for culvert inspections and passage assessments.

11. Of the funds appropriated in Schedule (6), $577,000 is for the deployment and maintenance of the Performance Measurement System.

12. Notwithstanding any other provision of law, the unallocated reduction referenced in Schedule 10.5 may be distributed among the other schedules in this item or any other state operations item in the Department of Transportation, upon approval by the Department of Finance. The Director of Finance shall notify in writing the chairperson of the committee in each house of the Legislature that considers appropriations, and the Chairperson of the Joint Legislative Budget Committee, of any reallocation pursuant to this provision.

*13. Of the funds appropriated in Schedule (2) of this item, $55,418,000 is for capital outlay support costs funded by tribal gaming bond revenues. This full amount shall not be available for expenditure unless the state issues tribal gaming bonds that generate at least $755,000,000 on or before July 1, 2005. If these bonds are issued later than July 1, 2005, or generate less than $755,000,000, the amount available for expenditure shall be $55,418,000 multiplied by (a) the percentage of the 2005–06 fiscal year remaining when the bonds are sold and (b) the quotient of the amount received from tribal gaming bonds divided by $755,000,000. Notwithstanding any other provision of law, this amount may be increased and the amount described in Provision 2 of Item 2660-002-3007 may be decreased by equal amounts, so that the proportion of capital*

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*outlay support expenditure authority provided by this provision and Provision 2 of Item 2660-002-3007 are equal to the proportion of tribal gaming bond revenues provided to the State Highway Account and the Traffic Congestion Relief Fund.*

2660-001-0045—For support of Department of Transportation, for payment to Item 2660-001-0042, payable from the Bicycle Transportation Account, State Transportation Fund ..... 22,000

Provisions:

1. Of the amount appropriated in this item, $30,000 shall reimburse the General Fund for statewide general administrative expenditures, known as pro rata, pursuant to Sections 11270 to 11275, inclusive, and Section 22828.5 of the Government Code.

2660-001-0046—For support of Department of Transportation, for payment to Item 2660-001-0042, payable from the Public Transportation Account, State Transportation Fund ..... 132,409,000

Provisions:

1. For Program 30—Mass Transportation. $73,138,000 appropriated in this item is available for intercity rail.
2. Notwithstanding any other provision of law, funds appropriated in this item from the Public Transportation Account may be reduced and replaced by an equivalent amount of federal funds determined by the department to be available and necessary to comply with Section 8.50 of this act and the most effective management of state transportation resources. Not more than 30 days after replacing the state funds with federal funds, the Director of Finance shall notify in writing the chairperson of the committee in each house that considers appropriations and the Chairperson of the Joint Legislative Budget Committee of this action.

2660-001-0365—For support of Department of Transportation, for payment to Item 2660-001-0042, payable from the Historic Property Maintenance Fund ..... 1,500,000

Provisions:

1. The funds appropriated in this item shall be made available for the rehabilitation of properties in an area along a proposed State Route 710 in Pasadena. The availability of these funds shall be con-

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tingent upon the submission of a plan for the maintenance and rehabilitation of historic properties, and for the increasing of rental revenues to align revenues and expenditures from this fund. These funds shall be made available only upon approval of the plan by the Department of Finance.

2660-001-0650—For support of Department of Transportation, payable from the Toll Bridge Seismic Retrofit Account, State Transportation Fund..... 152,204,000

Schedule:

(1) 20.10-Highway Transportation.....150,000,000

(2) 50-Administration ..... 2,204,000

Provisions:

1. For the 2005–06 fiscal year, the Director of Finance may increase expenditure authority in this item from funds identified in the Toll Bridge Seismic Retrofit Account pursuant to Chapter 907 of the Statutes of 2001, after notifying the Chairperson of the Joint Legislative Budget Committee and the chairperson of the committee in each house that considers appropriations no later than 30 days prior to the effective date of the approval, or not sooner than whatever lesser time the Chairperson of the Joint Legislative Budget Committee or his or her designee may in each instance determine.

2660-001-0890—For support of Department of Transportation, for payment to Item 2660-001-0042, payable from the Federal Trust Fund ..... 492,906,000

Provisions:

1. For Program 20—Highway Transportation. For purposes of Section 163 of the Streets and Highways Code, all expenditures from this item shall be deemed to be expenditures from the State Highway Account, State Transportation Fund.
2. For Program 20—Highway Transportation. Federal funds may be received from any federal source, and shall be deposited in the Federal Trust Fund. Any federal reimbursements shall be credited to the account from which the expenditures were originally made.
3. Notwithstanding any other provision of law, the Director of Finance may augment this item with additional federal funds in conjunction with an equivalent offsetting reduction in State Highway Account funds in Item 2660-001-0042, pursuant

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|---|---|
| to Provision 3 of that item or Public Transportation Account funds in Item 2660-001-0046, pursuant to Provision 2 of that item. | |
| 2660-001-6801—For support of Department of Transportation, for payment to Item 2660-001-0042, payable from the Transportation Financing Subaccount, State Highway Account, State Transportation Fund ..... | 12,515,000 |
| 2660-002-0042—For support of Department of Transportation, payable from State Highway Account to fund Garvee increase for ongoing administrative costs.... | 600,000 |
| 2660-002-0608—For support of Department of Transportation, payable from the Equipment Service Fund... | 69,445,000 |
| Provisions: | |
| 1. Notwithstanding any other provision of law, funds appropriated in this item may be increased in accordance with Provision 5 of Item 2660-001-0042. | |
| 2. Of the funds appropriated in this item, $97,000 shall be used for the reimbursement of the Office of State Audits and Evaluations within the Department of Finance by the Department of Transportation for consulting services related to the accounting and administration of the Equipment Service Program within the Department of Transportation. The consulting services shall include an evaluation of the appropriateness of operating the Equipment Service Program as an internal service fund. On or before January 10, 2006, the Department of Finance shall report to the appropriate fiscal and policy committees in the Legislature and the Legislative Analyst concerning their findings on whether the internal service fund should be (a) retained as is; (b) retained, but modified; (c) discontinued, but with certain features retained; or (d) discontinued completely. | |
| 2660-002-3007—For support of Department of Transportation, payable from the Traffic Congestion Relief Fund ..... | ~~82,033,000~~ *78,284,000* |
| Schedule: | |
| (1) 20.10-Highway Transportation Capital Outlay Support..... ~~80,629,000~~ *76,880,000* | |
| (2) 30-Mass Transportation ..... 265,000 | |
| (3) 50-Administration ..... 1,139,000 | |

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Provisions:

1. Notwithstanding any other provision of law, if the California Transportation Commission allocates funds to Traffic Congestion Relief Program projects in the 2005–06 fiscal year, the Director of Finance may increase expenditure authority in this item for additional capital outlay staffing directly related to new Traffic Congestion Relief Program allocations after notifying the Chairperson of the Joint Legislative Budget Committee and the chairperson of the committee in each house that considers appropriations no later than 30 days prior to the effective date of the approval.

2. *Of the funds appropriated in Schedule (1), $33,966,000 is for capital outlay support costs funded by tribal gaming bond revenues. This full amount shall not be available for expenditure unless the state issues tribal gaming bonds that generate at least $755,000,000 on or before July 1, 2005. If these bonds are issued later than July 1, 2005, or generate less than $755,000,000, the amount available for expenditure shall be $33,966,000 multiplied by (a) the percentage of the 2005–06 fiscal year remaining when the bonds are sold and (b) the quotient of the amount received from tribal gaming bonds divided by $755,000,000. Notwithstanding any other provision of law, this amount may be decreased and the amount described in Provision 13 of Item 2660-001-0042 may be increased by equal amounts, so that the proportion of capital outlay support expenditure authority provided by this provision and Provision 13 of Item 2660-001-0042 are equal to the proportion of tribal gaming bond revenues provided to the Traffic Congestion Relief Fund and the State Highway Account.*

2660-005-0042—For support of Department of Transportation, for building insurance, debt service, and other financing-related costs for department-owned office buildings, payable from the State Highway Account, State Transportation Fund ..... 15,134,000

Provisions:

1. Notwithstanding any other provision of law, funds provided in Item 2660-001-0042 may be transferred to this item to pay for any necessary insurance, debt service, and other financing-related costs for department-owned office buildings. Any

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transfer shall require the prior approval of the Department of Finance.

2. The Controller shall transfer funds appropriated in this item according to a schedule to be provided by the State Public Works Board. The schedule shall be provided on a monthly basis or as otherwise might be needed to ensure debt requirements are met.

3. This item may contain adjustments pursuant to Control Section 4.30 that are not currently reflected. Any adjustments to this item shall be reported to the Joint Legislative Budget Committee pursuant to Control Section 4.30.

2660-007-0042—For support of Department of Transportation, payable from the State Highway Account, State Transportation Fund ..... ~~101,554,000~~ *100,206,000*

Schedule:

(1) 20.10-Highway Transportation—Capital Outlay Support..... 54,224,000

(2) 20.65-Highway Transportation—Legal..... 698,000

(3) 20.70-Highway Transportation—Operations ..... 986,000

(4) 20.80-Highway Transportation—Maintenance ..... ~~45,628,000~~ *44,280,000*

(5) 50-Administration ..... 18,000

Provisions:

1. The funds appropriated in this item may be expended only to attain compliance with (a) the stormwater discharge provisions of the National Pollutant Discharge Elimination System permits as promulgated by the State Water Resources Control Board or regional water quality control boards, (b) the Statewide Storm Water Management Plan, or (c) as required by court order.

2. The funds appropriated in this item may be transferred between schedules. Any transfer will require the prior approval of the Department of Finance.

2660-011-0041—For transfer by the Controller from the Aeronautics Account, State Transportation Fund, to the Public Transportation Account, State Transportation Fund, as prescribed by Section 21682.5 of the Public Utilities Code..... (30,000)

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2660-012-0042—For augmentation for emergencies relating to a state of emergency declared by the Governor, payable from the State Highway Account ..... (40,000,000)

Provisions:

1. Required notification to the Legislature of appropriations pursuant to this item shall include, in addition to all other required information, (a) an estimate of federal funds or other funds that the department may receive for the same purposes as the proposed appropriation, and (b) explanation of the necessity of the proposed appropriation given anticipated federal funds or other funds.
2. Funds appropriated in this item may be used for support, local assistance, or capital outlay expenditures.

2660-021-0042—For transfer by the Controller from the State Highway Account, State Transportation Fund, to the Public Transportation Account, State Transportation Fund, as prescribed by Section 194 of the Streets and Highways Code ..... (21,659,000)

2660-022-0042—For transfer by the Controller from the State Highway Account, State Transportation Fund, to the Environmental Enhancement and Mitigation Program Fund, as prescribed by Section 164.56 of the Streets and Highways Code..... (10,000,000)

2660-101-0042—For local assistance, Department of Transportation, State Transportation Improvement Program (STIP), payable from the State Highway Account, State Transportation Fund..... 10,000,000

Schedule:

(1) 20.30-Highway Transportation—Local Assistance ..... 7,500,000
  (a) Regional Improvements ..... (7,125,000)
  (b) Interregional Improvements ..... (375,000)
(2) 30-Mass Transportation ..... 2,500,000

Provisions:

1. Funds appropriated in this item shall be available for allocation by the California Transportation Commission through fiscal year 2007–08 and available for encumbrance and liquidation through June 30, 2011.
2. Notwithstanding any other provision of law, funds appropriated in this item may be transferred intraschedule or to Items 2660-301-0042, 2660-102-0042, or 2660-302-0042. These transfers shall re-

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quire the prior approval of the Department of Finance.

3. Notwithstanding any other provision of law, funds appropriated in this item may be supplemented with federal funding appropriation authority and with prior year State Highway Account appropriation balances at a level determined by the department as required to process claims utilizing federal advance construction through the plan of financial adjustment process under Sections 11251 and 16365 of the Government Code.

2660-101-0045—For local assistance, Department of Transportation, Program 20—Highway Transportation, payable from the Bicycle Transportation Account, State Transportation Fund ..... 7,190,000

2660-101-0183—For local assistance, Department of Transportation, Program 20—Highway Transportation, payable from the Environmental Enhancement and Mitigation Program Fund ..... 10,000,000

2660-101-0890—For local assistance, Department of Transportation, State Transportation Improvement Program (STIP), payable from the Federal Trust Fund ..... 10,000,000

Schedule:

(1) 20-Highway Transportation..... 10,000,000

(a) Regional Improvements ..... (9,500,000)

(b) Interregional Improvements ..... (500,000)

Provisions:

1. For purposes of the Streets and Highways Code, all expenditures from this item shall be deemed to be expenditures from the State Highway Account, State Transportation Fund.

2. Federal funds may be received from any federal source and shall be deposited in the Federal Trust Fund. Any federal reimbursements shall be credited to the account from which the expenditures were originally made.

3. Notwithstanding other provisions of law, funds appropriated in this item may be transferred intra-schedule or to Items 2660-301-0890, 2660-302-0890, or 2660-102-0890. These transfers shall require the prior approval of the Department of Finance. These funds shall be available for allocation by the California Transportation Commission through fiscal year 2007–08.

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2660-102-0042—For local assistance, Department of Transportation, Non-State Transportation Improvement Program (STIP), payable from the State Highway Account, State Transportation Fund..... ~~121,064,000~~ *123,064,000*

Schedule:

(1) 20-Highway Transportation.....~~114,064,000~~ *116,064,000*

(a) Regional Surface Transportation Program Exchange..... (48,000,000)

(b) Local Assistance..... (66,064,000)

(2) 40-Transportation Planning..... 7,000,000

Provisions:

1. Funds appropriated in Schedule (1) shall be available for allocation by the California Transportation Commission ~~through fiscal year 2007–08~~ *until June 30, 2008,* and available for encumbrance and liquidation ~~through~~ *until* June 30, 2011.

2. Notwithstanding ~~other provisions~~ *any other provision* of law, funds appropriated in this item may be transferred intraschedule or to Item ~~2660-301-0042,~~ 2660-101-0042, *2660-301-0042,* or 2660-302-0042. These transfers shall require the prior approval of the Department of Finance.

2660-102-0890—For local assistance, Department of Transportation, Non-State Transportation Improvement Program (STIP), payable from the Federal Trust Fund..... 962,500,000

Schedule:

(1) 20-Highway Transportation..... 879,600,000

(2) 30-Mass Transportation ..... 31,900,000

(3) 40-Transportation Planning..... 51,000,000

Provisions:

1. Notwithstanding any other provision of law, funds appropriated in this item may be transferred intraschedule or to Item 2660-101-0890, 2660-301-0890, or 2660-302-0890. These transfers shall require the prior approval of the Department of Finance. Funds appropriated in Schedules (1) and (2) shall be available for allocation by the California Transportation Commission until June 30, 2008.

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2. For Program 20—Highway Transportation. For purposes of the Streets and Highways Code, all expenditures from this item shall be deemed to be expenditures from the State Highway Account, State Transportation Fund.

3. For Program 20—Highway Transportation. Federal funds may be received from any federal source and shall be deposited in the Federal Trust Fund. Any federal reimbursements shall be credited to the account from which the expenditures were originally made.

*4. Of the amount appropriated in this item, $5,000,000 is for regional blueprint planning grants. Of the $5,000,000, at least 20 percent of the funds shall be allocated by the Department of Transportation, in consultation with the Department of Housing and Community Development, for grants to those regional councils of governments that have Regional Housing Needs Assessment tasks scheduled for the 2005–06 fiscal year to assist with preparation of their Regional Housing Needs Assessment in order to coordinate and integrate housing and transportation planning to the extent allowable under federal law. If the Regional Housing Needs Assessment is determined to be a reimbursable state mandate pursuant to Section 6 of Article XIII B of the California Constitution, then any grants received by councils of governments to prepare the assessment under this item shall be considered an offsetting revenue for the purposes of claiming state reimbursement.*

2660-105-0046—For local assistance, Department of Transportation, Program 30-Mass Transportation, payable from the Public Transportation Account, State Transportation Fund, for water transit operations managed through the Metropolitan Transportation Commission ..... 2,908,000

~~2660-295-0042—For local assistance, Department of Transportation, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the Controller.....~~ ~~0~~

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~~Schedule:~~

~~(1) 98.01.064—Airport Land Use Commissions/Plans (Ch. 644, Stats. 1994) (03-TC-12) ..... 0~~

~~Provisions:~~

~~1. Except as provided in Provision 2 of this item, allocations of funds provided in this item to the appropriate local entities shall be made by the Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.~~

~~2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the State Controller may, upon notifying the Director of Finance in writing, augment those deficient amounts from the unencumbered balance of any other scheduled amounts therein. No order may be issued pursuant to this provision unless written notification of the necessity therefor is provided to the chairperson of the committee in each house, which considers appropriations, and the Chairperson of the Joint Legislative Budget Committee or his or her designee.~~

~~3. Pursuant to Section 17581 of the Government Code, mandates identified in the appropriation schedule of this item with an appropriation of $0 and included in the language of this provision are specifically identified by the Legislature for suspension during the 2005–06 fiscal year:~~

~~(1) Airport Land Use Commissions/Plans (Ch. 644, Stats. 1994) (03-TC-12)~~

2660-301-0042—For capital outlay, Department of Transportation, State Transportation Improvement Program (STIP), payable from the State Highway Account, State Transportation Fund..... 25,000,000

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Schedule:

(1) 20-Highway Transportation..... 25,000,000

(a) Regional Improvements ..... (15,250,000)

(b) Interregional Improvements ..... (9,750,000)

Provisions:

1. These funds shall be available for allocation by the California Transportation Commission through fiscal year 2007–08 and available for encumbrance and liquidation through June 30, 2011.

2. Notwithstanding any other provision of law, funds appropriated in this item may be transferred intraschedule or to Items 2660-101-0042, 2660-102-0042, 2660-302-0042, or 2660-311-0042. These transfers shall require the prior approval of the Department of Finance.

3. Notwithstanding any other provision of law, funds appropriated in this item may be supplemented with federal funding appropriation authority and with prior year State Highway Account appropriation balances at a level determined by the department as required to process claims utilizing federal advance construction through the plan of financial adjustment process under Sections 11251 and 16365 of the Government Code.

2660-301-0890—For capital outlay, Department of Transportation, State Transportation Improvement Program (STIP), payable from the Federal Trust Fund ..... 70,000,000

Schedule:

(1) 20-Highway Transportation..... 70,000,000

(a) Regional Improvements ..... (42,700,000)

(b) Interregional Improvements ..... (27,300,000)

Provisions:

1. Notwithstanding any other provision of law, amounts scheduled in this item may be transferred intraschedule or to Items 2660-101-0890, 2660-102-0890, or 2660-302-0890. These transfers shall require the prior approval of the Department of Finance. These funds shall be available for allocation by the California Transportation Commission through fiscal year 2007–08.

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2. For purposes of the Streets and Highways Code, all expenditures from this item shall be deemed to be expenditures from the State Highway Account, State Transportation Fund.
3. Federal funds may be received from any federal source and shall be deposited in the Federal Trust Fund. Any federal reimbursements shall be credited to the account from which the expenditures were originally made.

2660-302-0042—For capital outlay, Department of Transportation, Non-State Transportation Improvement Program (STIP), payable from the State Highway Account, State Transportation Fund..... 1,384,600,000

Schedule:

(1) 20-Highway Transportation..... 2,084,600,000

(a) State Highway Operation and Protection Program ..... ~~(1,997,000,000)~~ *(2,084,600,000)*

(2) Reimbursements ..... –700,000,000

Provisions:

1. These funds shall be available for allocation by the California Transportation Commission through fiscal year 2007–08 and available for encumbrance and liquidation through June 30, 2011.
2. Notwithstanding any other provision of law, funds appropriated in this item may be transferred to Item 2660-101-0042, 2660-102-0042, 2660-301-0042, or 2660-311-0042. These transfers shall require the prior approval of the Department of Finance.
3. The Director of Finance may increase this item pursuant to allocations made from tribal gaming bond revenues no sooner than 30 days after written notification of the allocation is provided to the chairpersons of the fiscal committees in each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the Chairperson of the Joint Legislative Budget Committee, or his or her designee, may determine.
4. No funds appropriated in this item are available for expenditure on specialty building facilities. For the purpose of this item, specialty building facilities are equipment facilities, maintenance facilities, and traffic management centers.

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2660-302-0046—For capital outlay, Department of Transportation, payable from the Public Transportation Account, State Transportation Fund ..... 150,000,000

Schedule:

(1) 30-Mass Transportation .....175,000,000

(2) Reimbursements.....–25,000,000

Provisions:

1. The Director of Finance may increase this item pursuant to allocations made from tribal gaming bond revenues no sooner than 30 days after written notification of the allocation is provided to the chairpersons of the fiscal committees in each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the Chairperson of the Joint Legislative Budget Committee, or his or her designee, may determine.

2660-302-0890—For capital outlay, Department of Transportation, Non-State Transportation Improvement Program (STIP), payable from the Federal Trust Fund..... 738,000,000

Schedule:

(1) 20-Highway Transportation.....738,000,000

(a) State Highway Operation and Protection Program.....(738,000,000)

Provisions:

1. Notwithstanding any other provision of law, amounts scheduled in this item may be transferred to Item 2660-101-0890, 2660-102-0890, or 2660-301-0890. These transfers shall require the prior approval of the Department of Finance. These funds shall be available for allocation by the California Transportation Commission until June 30, 2008.
2. For purposes of the Streets and Highways Code, all expenditures from this item shall be deemed to be expenditures from the State Highway Account, State Transportation Fund.
3. Federal funds may be received from any federal source and shall be deposited in the Federal Trust Fund. Any federal reimbursements shall be credited to the account from which the expenditures were originally made.
4. No funds appropriated in this item are available for expenditure on specialty building facilities.

Item Amount

For the purpose of this item, speciality building facilities are equipment facilities, maintenance facilities, material labs, and traffic management centers.

2660-303-0042—For capital outlay, Department of Transportation, specialty building facilities, payable from the State Highway Account, State Transportation Fund ..... 14,000,000

Provisions:

1. For the purpose of this item, specialty building facilities are equipment facilities, maintenance facilities, material labs, and traffic management centers.
2. Notwithstanding any other provision of law, funds appropriated in this item may be transferred to Item 2660-101-0042, 2660-102-0042, 2660-301-0042, or 2660-302-0042. These transfers shall require the prior approval of the Department of Finance and the California Transportation Commission.

2660-311-0042—For capital outlay, Department of Transportation, payable from the State Highway Account, State Transportation Fund..... 2,310,000

Schedule:

(1) 20-Highway Transportation..... 2,310,000
  (a) 20.20.500-Statewide: Studies, preplanning and budget packages..... (100,000)
  (c) 20.20.516-Oakland Seismic Retrofit Project: Working drawings..... (2,210,000)

Provisions:

1. For Program 20—Highway Transportation. Up to 20 percent of the funds appropriated in this item may be transferred from Item 2660-301-0042 or Item 2660-302-0042 of this act to enable the California Transportation Commission to allocate supplemental funds to projects within this item. The transfer may be made only with the approval of the commission and the Department of Finance. The Department of Finance shall be notified of the transfer prior to the commission's approval of any transfer or allocation of those funds to any project.

Item Amount

2. Notwithstanding any other provision of law, the project identified in Schedule ~~(1)(b)~~ *(1)(c)* of this item shall be subject to administrative oversight by the State Public Works Board.
3. Funds appropriated in this item are available to the Department of Transportation to purchase one modular office unit totaling 5,700 square feet in the City of Stockton, and one modular office unit totaling 5,040 square feet in the City of Bishop. The Department of Transportation is directed to redirect two dollars ($2) from its support appropriation for this purpose.

2660-399-0042—For the Department of Transportation, for final cost accounting of projects for which appropriations have expired, for state operations, local assistance, or capital outlay, payable from the State Highway Account, State Transportation Fund. Funds appropriated in this item shall be available for expenditure until June 30, 2006 ..... 5,000,000

2660-399-0890—For the Department of Transportation, for state operations, local assistance, or capital outlay, payable from the Federal Trust Fund ..... 31,000,000

Provisions:

1. $31,000,000 is available for Corridor Improvement and Formula Section 163 grants.
2. Notwithstanding any other provision of law, funds appropriated in this item may be transferred to Item 2660-001-0890, 2660-101-0890, 2660-102-0890, 2660-301-0890, or 2660-302-0890. These transfers shall require the prior approval of the Department of Finance.

2660-401—Notwithstanding any other provision of law, various items of appropriation in this act may be reduced, upon approval of the Director of Finance, if the equipment rental rates for 2005–06 charged by the Department of Transportation, Division of Equipment, to the department's programs, would result in costs below the budgeted level. The following items of appropriation include funding for rental payments and may be reduced by an amount not to exceed the savings in each item attributable to reduced equipment rental rates: Item 2660-001-0041, Item 2660-001-0042, Item 2660-001-0046, Item 2660-001-0650, Item 2660-001-0890.

Item Amount

2660-402—Before allocating projects in the 2005–06 fiscal year that would result in the issuance of notes pursuant to Section 14553 of the Government Code exceeding $800,000,000, the California Transportation Commission shall consult with the Business, Transportation and Housing Agency, the Department of Transportation, and the Department of Finance pursuant to Section 14553.8 of the Government Code to consider and determine the appropriateness of the mechanism authorized by Section 14553 of the Government Code in comparison to other funding mechanisms, and to determine and report to the Governor and the Legislature the effect of issuance of the notes on future federal funding commitments. Allocations above $800,000,000 shall not be made prior to providing 60 days notice to the chairpersons of the transportation committees of each house and the Chairperson of the Joint Legislative Budget Committee.

2660-490—Reappropriation, Department of Transportation. The balance of the appropriation provided in the following citation is reappropriated for the purposes provided for in that appropriation and shall be available for encumbrance and expenditure until June 30, 2006.

0890—Federal Trust Fund

(1) Item 2660-301-0890, Budget Act of 2002 (Ch. 379, Stats. 2002)

(2) Item 2660-302-0890, Budget Act of 2002 (Ch. 379, Stats. 2002)

2660-491—Reappropriation, Department of Transportation. Notwithstanding any other provision of law, the unliquidated encumbrances for the appropriations provided in the following citations are reappropriated until June 30, 2006. The unencumbered balance shall not be available for encumbrance.

0042—State Highway Account

(1) Item 2660-301-0042, Budget Act of 1997 (Ch. 282, Stats. 1997)

(2) Item 2660-301-0042, Budget Act of 1998 (Ch. 324, Stats. 1998)

(3) Item 2660-301-0042, Budget Act of 1999 (Ch. 50, Stats. 1999)

(4) Item 2660-301-0042, Budget Act of 2000 (Ch. 52, Stats. 2000)

Item Amount

0853—Petroleum Violation Escrow Account

(1) Chapter 1434, Statutes of 1988

(2) Chapter 1648, Statutes of 1990

(3) Item 2660-101-853, Budget Act of 1992 (Ch. 587, Stats. 1992)

(4) Chapter 1159, Statutes of 1993

(5) Chapter 980, Statutes of 1995

0890—Federal Trust Fund

(1) Item 2660-301-0890, Budget Act of 1996 (Ch. 162, Stats. 1996)

(2) Item 2660-301-0890, Budget Act of 1997 (Ch. 282, Stats. 1997)

(3) Item 2660-301-0890, Budget Act of 1998 (Ch. 324, Stats. 1998)

2660-492—Reappropriation, Department of Transportation. The balance of the funds for the appropriation provided in the following citation is reappropriated for the purposes provided for in the appropriation and is available for encumbrance and expenditure until June 30, 2006.

0042—State Highway Account, State Transportation Fund

(1) Item 2660-001-0042, Budget Act of 2001 (Ch. 106, Stats. 2001), as reappropriated by 2660-492, Budget Act of 2002 (Ch. 379, Stats. 2002), and Budget Act of 2003 (Ch. 157, Stats. 2003), 20.10—Highway Transportation—Capital Outlay Support, up to $7,057,000 shall be available for the Project Resourcing and Schedule Maintenance System. Beginning July 1, 2005, the Department of Transportation shall provide to the Chairperson of the Joint Legislative Budget Committee copies of the monthly status and oversight reports submitted to the Department of Finance for the Project Resource and Scheduling Management Project on a quarterly basis.

0890—Federal Trust Fund

(1) Item 2660-399-0890, Budget Act of 2004 (Ch. 208, Stats. 2004)

2660-493—Reappropriation, Department of Transportation. Notwithstanding any other provision of law, the appropriations in the following citations are reappropriated to enable the collection of outstanding federal reimbursements as of the end of June 30, 2005.

Item Amount

These appropriations are not available for encumbrance or liquidation and shall revert on June 30, 2006:

0890—Federal Trust Fund

(1) Item 2660-001-890, Budget Act of 1987 (Ch. 135, Stats. 1987)

(2) Item 2660-001-890, Budget Act of 1988 (Ch. 313, Stats. 1988)

(3) Item 2660-001-890, Budget Act of 1989 (Ch. 93, Stats. 1989)

(4) Item 2660-001-890, Budget Act of 1990 (Ch. 467, Stats. 1990)

(5) Item 2660-001-890, Budget Act of 1991 (Ch. 118, Stats. 1991)

(6) Item 2660-001-890, Budget Act of 1992 (Ch. 587, Stats. 1992)

(7) Item 2660-001-890, Budget Act of 1993 (Ch. 55, Stats. 1993)

(8) Item 2660-001-890, Budget Act of 1994 (Ch. 139, Stats. 1994)

(9) Item 2660-001-890, Budget Act of 1995 (Ch. 303, Stats. 1995)

(10) Item 2660-301-890, Budget Act of 1992 (Ch. 587, Stats. 1992)

(11) Item 2660-001-0890, Budget Act of 1996 (Ch. 162, Stats. 1996)

(12) Item 2660-001-0890, Budget Act of 1997 (Ch. 282, Stats. 1997)

(13) Item 2660-001-0890, Budget Act of 1998 (Ch. 324, Stats. 1998)

(14) Item 2660-001-0890, Budget Act of 1999 (Ch. 50, Stats. 1999)

(15) Item 2660-001-0890, Budget Act of 2000 (Ch. 52, Stats. 2000)

2660-494—Extension of liquidation period, Department of Transportation. Notwithstanding any other provision of law, the period to liquidate encumbrances of the following citations is extended until June 30, 2006:

0042—State Highway Account, State Transportation Fund

(1) Item 2660-001-0042, Budget Act of 2000 (Ch. 52, Stats. 2000), as reappropriated by Item 2660-492, Budget Act of 2001 (Ch. 106, Stats. 2001), and extension of liquidation by Item

Item Amount

2660-492, Budget Act of 2004 (Ch. 208, Stats. 2004), 50.00—Administration, up to $5,253,000 shall be available for the Transportation Permits Management Systems Information Technology Project.

2660-495—Reversion, Department of Transportation. As of June 30, 2005, the balance specified below of the appropriations provided in the following citations shall revert to the fund from which the appropriation was made.

0041—Aeronautics Account

(1) $4,000 from Item 2660-001-0041, Budget Act of 2004 (Ch. 208, Stats. 2004)

0042—State Highway Account

(2) $37,451,000 from Item 2660-001-0042, Budget Act of 2004 (Ch. 208, Stats. 2004)

0046—Public Transportation Account

(3) $145,000 from Item 2660-001-0046, Budget Act of 2004 (Ch. 208, Stats. 2004)

0890—Federal Trust Fund

(4) $14,000,000 from Item 2660-001-0980, Budget Act of 2004 (Ch. 208, Stats. 2004)

2665-001-0046—For support of High-Speed Rail Authority, Program 10-High-Speed Rail Authority, payable from the Public Transportation Account, State Transportation Fund..... 4,251,000

Schedule:

(1) 10-High Speed Rail Authority ..... 4,576,000

(2) Reimbursements..... –325,000

Provisions:

1. Of the funds appropriated in this item, $500,000 is allocated for the preparation of a financing plan. This amount shall not be available for expenditure and shall revert to the Public Transportation Account if legislation is enacted in the first year of the 2005–06 Regular Session that removes the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century from the November 7, 2006, statewide general election ballot.

2. Of the funds appropriated in this item, $325,000 is allocated for a study of route alternatives and potential station locations along the Fresno-to-Bakersfield corridor. This amount shall be available for expenditure only if a local match of $325,000 is provided.

| Item | Amount |
|---|---|
| 2665-490—Reappropriation, High Speed Rail Authority. The balance of the appropriation provided in the following citation is reappropriated for the purposes provided for in that appropriation and shall be available for encumbrance or expenditure until June 30, 2006: | |
| 0890—Federal Trust Fund | |
| (1) Item 2665-001-0890, Budget Act of 2003 (Ch. 157, Stats. 2003) | |
| 2700-001-0044—For support of Office of Traffic Safety, payable from the Motor Vehicle Account, State Transportation Fund | 409,000 |
| Schedule: | |
| (1) 10-California Traffic Safety ..... 58,543,000 | |
| (2) Amount payable from the Federal Trust Fund (Item 2700-001-0890).–58,134,000 | |
| 2700-001-0890—For support of Office of Traffic Safety, for payment to Item 2700-001-0044, payable from the Federal Trust Fund, not subject to the provisions of Section 28.00 | 58,134,000 |
| 2700-101-0890—For local assistance, Office of Traffic Safety, payable from the Federal Trust Fund, not subject to the provisions of Section 28.00 | 26,384,000 |
| 2720-001-0042—For support of Department of the California Highway Patrol, for payment to Item 2720-001-0044, payable from the State Highway Account, State Transportation Fund | 52,484,000 |
| 2720-001-0044—For support of Department of the California Highway Patrol, payable from the Motor Vehicle Account, State Transportation Fund | 1,282,149,000 |
| Schedule: | |
| (1) 10-Traffic Management..... 1,231,684,000 | |
| (2) 20-Regulation and Inspection .....153,929,000 | |
| (3) 30-Vehicle Ownership Security..... 34,452,000 | |
| (4) 40.01-Administration.....163,949,000 | |
| (5) 40.02-Distributed Administration ..... –163,949,000 | |
| (6) Reimbursements.....–66,373,000 | |
| (7) Amount payable from the State Highway Account (Item 2720-001-0042).....–52,484,000 | |
| (8) Amount payable from the Motor Carrier Safety Improvement Fund (Item 2720-001-0293) ..... –1,456,000 | |
| (9) Amount payable from the California Motorcyclist Safety Fund (Item 2720-001-0840) ..... –1,451,000 | |

| Item | | Amount |
|---|---|---|
| (10) Amount payable from the Federal Trust Fund (Item 2720-001-0890) | –13,859,000 | |
| (11) Amount payable from the Hazardous Substance Account, Special Deposit Fund (Item 2720-001-0942) | –210,000 | |
| (12) Amount payable from the Asset Forfeiture Account, Special Deposit Fund (Item 2720-011-0942) | –2,083,000 | |
| 2720-001-0293—For support of Department of the California Highway Patrol, for payment to Item 2720-001-0044, payable from the Motor Carrier Safety Improvement Fund | | 1,456,000 |
| 2720-001-0840—For support of Department of the California Highway Patrol, for payment to Item 2720-001-0044, payable from the California Motorcyclist Safety Fund | | 1,451,000 |
| 2720-001-0890—For support of Department of the California Highway Patrol, for payment to Item 2720-001-0044, payable from the Federal Trust Fund | | 13,859,000 |
| 2720-001-0942—For support of Department of the California Highway Patrol, for payment to Item 2720-001-0044, payable from the Hazardous Substance Account, Special Deposit Fund | | 210,000 |
| 2720-003-0044—For support of Department of the California Highway Patrol for rental payments on lease-revenue bonds, payable from Motor Vehicle Account, State Transportation Fund | | ~~919,000~~ *950,000* |
| Schedule: | | |
| (1) Base Rental and Fees | 949,000 | |
| (2) Insurance | 4,000 | |
| (3) Reimbursements | –3,000 | |

Provisions:

1. The Controller shall transfer funds appropriated in this item according to a schedule to be provided by the State Public Works Board. The schedule shall be provided on a monthly basis or as otherwise might be needed to ensure debt requirements are met.
2. This item may contain adjustments pursuant to Control Section 4.30 that are not currently reflected. Any adjustments to this item shall be reported to the Joint Legislative Budget Committee pursuant to Control Section 4.30.

| Item | | Amount |
|---|---|---|
| 2720-011-0942—For support of Department of the California Highway Patrol, for payment to Item 2720-001-0044, payable from the Asset Forfeiture Account, Special Deposit Fund | | 2,083,000 |
| 2720-012-0903—For transfer by the Controller from the State Penalty Fund to the California Motorcyclist Safety Fund | | (250,000) |
| 2720-021-0044—For Department of the California Highway Patrol, for advance authority for the department to incur automotive equipment purchase obligations in an amount not to exceed $5,000,000 during the 2005–06 fiscal year, for delivery beginning in the 2006–07 fiscal year, payable from the Motor Vehicle Account, State Transportation Fund | | (5,000,000) |
| 2720-101-0974—For local assistance, Department of California Highway Patrol, payable from the Peace Officer Memorial Foundation Fund | | 400,000 |
| 2720-301-0044—For capital outlay, Department of the California Highway Patrol, payable from the Motor Vehicle Account, State Transportation Fund | | 10,237,000 |
| Schedule: | | |
| (1) 50.16.106-Williams: Replacement Facility—Working drawings and construction | 4,289,000 | |
| (2) 50.57.507-Santa Fe Springs: Replacement Facility—Acquisition and preliminary plans | 3,290,000 | |
| (3) 50.58.500-Central Los Angeles: Purchase option | 2,393,000 | |
| (4) 50.62.602-San Diego: Building Alterations—Preliminary plans and working drawings | 215,000 | |
| (5) 50.90.901-Statewide: Studies, preplanning and budget packages | 50,000 | |
| 2720-490—Reappropriation, Department of the California Highway Patrol. The balances of the appropriations provided for in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, in the appropriation: | | |
| 0042—State Highway Account | | |
| (1) Item 2720-301-0042, Budget Act of 1999 (Ch. 50, Stats. 1999), as reappropriated by Item 2720-490, Budget Act of 2002 (Ch. 379, Stats. 2002) | | |
| (1) 50.56.506-Los Angeles Regional Transportation Management Center—Equipment | | |

| Item | Amount |
|---|---|
| 2740-001-0042—For support of Department of Motor Vehicles, for payment to Item 2740-001-0044, payable from the State Highway Account, State Transportation Fund | 40,202,000 |
| 2740-001-0044—For support of Department of Motor Vehicles, payable from the Motor Vehicle Account, State Transportation Fund | 413,413,000 |
| Schedule: | |
| (1) 11-Vehicle/Vessel Identification and Compliance....437,104,000 | |
| (2) 22-Driver Licensing and Personal Identification....193,867,000 | |
| (3) 25-Driver Safety.... 98,250,000 | |
| (4) 32-Occupational Licensing and Investigative Services.... 41,472,000 | |
| (5) 35-New Motor Vehicle Board.... 1,934,000 | |
| (6) 41.01-Administration.... 91,529,000 | |
| (7) 41.02-Distributed Administration...–91,529,000 | |
| (8) Reimbursements....–13,485,000 | |
| (9) Amount payable from the State Highway Account, State Transportation Fund (Item 2740-001-0042)....–40,202,000 | |
| (10) Amount payable from the New Motor Vehicle Board Account (Item 2740-001-0054).... –1,934,000 | |
| (11) Amount payable from the Motor Vehicle License Fee Account, Transportation Tax Fund (Item 2740-001-0064).... –298,580,000 | |
| (12) Amount payable from the Harbors and Watercraft Revolving Fund (Item 2740-001-0516).... –5,013,000 | |
| 2740-001-0054—For support of Department of Motor Vehicles, for payment to Item 2740-001-0044, payable from the New Motor Vehicle Board Account | 1,934,000 |
| 2740-001-0064—For support of Department of Motor Vehicles, for payment to Item 2740-001-0044, payable from the Motor Vehicle License Fee Account, Transportation Tax Fund | 298,580,000 |
| 2740-001-0516—For support of Department of Motor Vehicles, for payment to Item 2740-001-0044, payable from the Harbors and Watercraft Revolving Fund | 5,013,000 |

Item Amount

Provisions:

1. The funds appropriated in this item are for undocumented vessel registration and fee collection.

2740-002-0064—For support of Department of Motor Vehicles, payable from the Motor Vehicle License Fee Account, Transportation Tax Fund, for payment of costs associated with the Woosley litigation ..... 1,500,000

~~2740-295-0044—For local assistance, Department of Motor Vehicles, payable from the Motor Vehicle Account, State Transportation Fund, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller.~~ ~~1,506,000~~

~~Schedule:~~

~~(1) 98.00.146.089-Administrative License Suspension, Per Se (Ch. 1460, Stats. 89) (98-TC-16)..... 1,506,000~~

~~Provisions:~~

~~1. Allocations of funds provided in this item to the appropriate local entities shall be made by the Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbusement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.~~

2740-301-0042—For capital outlay, Department of Motor Vehicles, for payment to Item 2740-301-0044, payable from the State Highway Account, State Transportation Fund..... 635,000

2740-301-0044—For capital outlay, Department of Motor Vehicles, payable from the Motor Vehicle Account, State Transportation Fund..... 6,264,000

Schedule:

(1) 71.03.019-Sacramento Headquarters: 3rd Floor Asbestos Removal and Seismic Retrofit—Working drawings and construction..... 11,186,000

| Item | | Amount |
|---|---|---|
| (2) 71.22.010-Statewide: Studies, preplanning and budget packages..... | 100,000 | |
| (3) Amount payable from the State Highway Account, State Transportation Fund (Item 2740-301-0042)..... | –635,000 | |
| (4) Amount payable from the Motor Vehicle License Fee Account, Transportation Tax Fund (Item 2740-301-0064) ..... | –4,387,000 | |
| 2740-301-0064—For capital outlay, Department of Motor Vehicles, for payment to Item 2740-301-0044, payable from the Motor Vehicle License Fee Account, Transportation Tax Fund..... | | 4,387,000 |

2740-495—Reversion, Department of Motor Vehicles. As of June 30, 2005, the unencumbered balances of the appropriations provided in the following citations shall revert to the balances of the funds from which the appropriations were made:

0042—State Highway Account, State Transportation Fund

(1) Item 2740-301-0042, Budget Act of 2004 (Ch. 208, Stats. 2004)

(1) 71.03.020-Sacramento Headquarters: 5th Floor Asbestos Removal and Seismic Retrofit—Construction

(2) Item 2740-301-0042, Budget Act of 2003 (Ch. 157, Stats. 2003)

(1) 71.03.019-Sacramento Headquarters: 3rd Floor Asbestos Removal and Seismic Retrofit—Construction

0044—Motor Vehicle Account, State Transportation Fund

(1) Item 2740-301-0044, Budget Act of 2004 (Ch. 208, Stats. 2004)

(1) 71.03.020-Sacramento Headquarters: 5th Floor Asbestos Removal and Seismic Retrofit—Construction

(2) Item 2740-301-0044, Budget Act of 2003 (Ch. 157, Stats. 2003)

(1) 71.03.019-Sacramento Headquarters: 3rd Floor Asbestos Removal and Seismic Retrofit—Construction

0064—Motor Vehicle License Fee Account, State Transportation Fund

(1) Item 2740-301-0064, Budget Act of 2004 (Ch. 208, Stats. 2004)

Item Amount

(1) 71.03.020-Sacramento Headquarters: 5th Floor Asbestos Removal and Seismic Retrofit—Construction

(2) Item 2740-301-0064, Budget Act of 2003 (Ch. 157, Stats. 2003)

(1) 71.03.019-Sacramento Headquarters: 3rd Floor Asbestos Removal and Seismic Retrofit—Construction

2780-001-0683—For support of Stephen P. Teale Data Center, payable from the Stephen P. Teale Data Center Revolving Fund..... 99,600,000

Provisions:

1. The funds appropriated in this item are available for expenditure or encumbrance and the language included in this item is applicable only until the Governor's Reorganization Plan, or similar legislation creating the Department of Technology Services, becomes law. At the time the Department of Technology Services is created, the unencumbered balance of funds appropriated in this item shall immediately revert to the Teale Data Center Revolving Fund.
2. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for the Stephen P. Teale Data Center in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees in each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine.
3. Expenditure authority provided in this item to support data center infrastructure projects may not be utilized for items outside the approved project scope. In addition, the data center shall report to the Department of Finance actual expenditures associated with the projects when purchase agreements have been executed.

RESOURCES

3110-001-0140—For support of Special Resources Program, Program 30—Sea Grant Program, payable from the California Environmental License Plate Fund, for grants to public and private higher educa-

| Item | Amount |
|---|---|
| tion for use as a maximum of two-thirds of the local matching share for projects under the National Sea Grant College Program Act, as amended ..... | 205,000 |
| 3110-101-0071—For local assistance, Special Resources Program, Program 20—Yosemite Foundation, payable from the Yosemite Foundation Account, California Environmental License Plate Fund ..... | 840,000 |
| Provisions: | |
| 1. There is hereby appropriated to the Special Resources Program for allocation by the State Controller to the Yosemite Foundation all moneys deposited in the account for activities authorized pursuant to Section 5064 of the Vehicle Code (Chapter 1273, Statutes of 1992). | |
| 3110-101-0140—For local assistance, Special Resources Program, Program 10—Tahoe Regional Planning Agency, payable from the California Environmental License Plate Fund ..... | 3,514,000 |
| 3110-101-0516—For local assistance, Special Resources Program, Program 10—Tahoe Regional Planning Agency, payable from the Harbors and Watercraft Revolving Fund ..... | 124,000 |
| Provisions: | |
| 1. Notwithstanding any other provision of law, funds in this item shall be expended to implement motorized watercraft regulations adopted by the Tahoe Regional Planning Agency. | |
| 3125-001-0001—For support of California Tahoe Conservancy ..... | 0 |
| Schedule: | |
| (1) 10-Tahoe Conservancy ..... 4,805,000 | |
| (2) Reimbursements ..... –60,000 | |
| (3) Amount payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Item 3125-001-0005). –150,000 | |
| (4) Amount payable from the California Environmental License Plate Fund (Item 3125-001-0140)..... –2,912,000 | |
| (5) Amount payable from the Habitat Conservation Fund (Item 3125-001-0262) ..... –100,000 | |
| (6) Amount payable from the Lake Tahoe Conservancy Account (Item 3125-001-0286) ..... –376,000 | |

| Item | | Amount |
|---|---|---|
| (7) Amount payable from the Tahoe Conservancy Fund (Item 3125-001-0568) | –202,000 | |
| (8) Amount payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Item 3125-001-6029) | –631,000 | |
| (9) Amount payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Item 3125-001-6031) | –374,000 | |
| 3125-001-0005—For support of California Tahoe Conservancy, for payment to Item 3125-001-0001, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund | | 150,000 |
| 3125-001-0140—For support of California Tahoe Conservancy, for payment to Item 3125-001-0001, payable from the California Environmental License Plate Fund | | 2,912,000 |
| 3125-001-0262—For support of California Tahoe Conservancy, for payment to Item 3125-001-0001, payable from the Habitat Conservation Fund | | 100,000 |
| 3125-001-0286—For support of California Tahoe Conservancy, for payment to Item 3125-001-0001, payable from the Lake Tahoe Conservancy Account | | 376,000 |
| 3125-001-0568—For support of California Tahoe Conservancy, for payment to Item 3125-001-0001, payable from the Tahoe Conservancy Fund | | 202,000 |
| Provisions: | | |
| 1. Of this amount, pursuant to Section 66908.3 of the Government Code, the conservancy shall pay $48,480 to the County of Placer, and $2,020 to the County of El Dorado. | | |
| 2. Fifty percent of the amounts pursuant to Provision 1 above shall be used by the Counties of Placer and El Dorado for soil erosion control projects in the Lake Tahoe region, as defined in Section 66905.5 of the Government Code. | | |
| 3125-001-6029—For support of California Tahoe Conservancy, for payment to Item 3125-001-0001, payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund | | 631,000 |

Item Amount

3125-001-6031—For support of California Tahoe Conservancy, for payment to Item 3125-001-0001, payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 ..... 374,000

3125-101-6029—For local assistance, California Tahoe Conservancy, payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund ..... 3,000,000

Schedule:

(1) 10-Tahoe Conservancy ..... 3,000,000

Provisions:

1. The acquisition of real property or an interest in real property with funds appropriated in this item is not subject to the Property Acquisition Law when the value is $250,000 or less, and, therefore, is not subject to approval by the State Public Works Board.
2. The amount appropriated in this item is available for expenditure for capital outlay or local assistance. Expenditures of funds for grants to public agencies and grants to nonprofit organizations, as authorized by subdivision (a) of Section 66907.7 of the Government Code, are exempt from review of the State Public Works Board.
3. This appropriation shall be available for expenditure until June 30, 2008.

3125-101-6031—For local assistance, California Tahoe Conservancy, payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 ..... 9,000,000

Schedule:

(1) 10-Tahoe Conservancy ..... 9,000,000

Provisions:

1. The acquisition of real property or an interest in real property with funds appropriated in this item is not subject to the Property Acquisition Law when the value is $250,000 or less, and, therefore, is not subject to approval by the State Public Works Board.
2. The amount appropriated in this item is available for expenditure for capital outlay or local assistance. Expenditures of funds for grants to public agencies and grants to nonprofit organizations, as authorized by subdivision (a) of Section 66907.7 of the Government Code, are exempt from review of the State Public Works Board.

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3. This appropriation shall be available for expenditure until June 30, 2008.

3125-301-0262—For capital outlay, California Tahoe Conservancy, payable from the Habitat Conservation Fund ..... 400,000

Schedule:

(1) 50.30.003-Acquisition, restoration, and enhancement of habitat..... 400,000

Provisions:

1. The acquisition of real property or interests with funds appropriated by this item is not subject to the Property Acquisition Law when the value is less than $250,000 and, therefore, is not subject to Public Works Board approval.
2. The amount appropriated in this item is available for expenditure for capital outlay or for local assistance until June 30, 2008. Expenditures of funds for grants to public agencies and grants to nonprofit organizations, as authorized by subdivision (a) of Section 66907.7 of the Government Code, are exempt from Public Works Board review.

3125-301-0286—For capital outlay, California Tahoe Conservancy, payable from the Lake Tahoe Conservancy Account..... 754,000

Schedule:

(1) 50.30.002-Land acquisition and site improvements—Public access and recreation pursuant to Title 7.42 (commencing with Section 66905) of the Government Code..... 377,000

(2) 50.30.004-Land acquisition and site improvements—Stream environment zones and watershed restorations pursuant to Title 7.42 (commencing with Section 66905) of the Government Code ..... 377,000

Provisions:

1. The acquisition of real property or interests with funds appropriated by this item is not subject to the Property Acquisition Law when the value is less than $250,000 and, therefore, is not subject to Public Works Board approval.
2. The amount appropriated in this item is available for expenditure for capital outlay or for local assistance until June 30, 2008. Expenditures of funds for grants to public agencies and grants to

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| nonprofit organizations, as authorized by subdivision (a) of Section 66907.7 of the Government Code, are exempt from Public Works Board review. | | |
| 3125-301-6029—For capital outlay, California Tahoe Conservancy, payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund | | 7,123,000 |
| Schedule: | | |
| (1) 50.30.002-For land acquisition and site improvements for public access and recreation pursuant to Title 7.42 (commencing with Section 66905) of the Government Code | 1,223,000 | |
| (2) 50.30.003-For land acquisition and site improvements for wildlife enhancement pursuant to Title 7.42 (commencing with Section 66905) of the Government Code | 750,000 | |
| (3) 50.30.004-For land acquisition and site improvements for stream environment zones and watershed restorations pursuant to Title 7.42 (commencing with Section 66905) of the Government Code | 4,090,000 | |
| (4) 50.30.005-For land acquisitions pursuant to Title 7.42 (commencing with Section 66905) of the Government Code | 1,500,000 | |
| (5) Reimbursements | –440,000 | |

Provisions:

1. The acquisition of real property or an interest in real property with funds appropriated in this item is not subject to the Property Acquisition Law when the value is $250,000 or less, and, therefore, is not subject to approval by the State Public Works Board.
2. The amount appropriated in this item is available for expenditure for capital outlay or local assistance. Expenditures of funds for grants to public agencies and grants to nonprofit organizations, as authorized by subdivision (a) of Section 66907.7 of the Government Code, are exempt from the review of the State Public Works Board.
3. The amount appropriated in this item is available for expenditure until June 30, 2008.

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| 3340-001-0001—For support of California Conservation Corps | | 24,130,000 |
| Schedule: | | |
| (1) 10-Training and Work Program | 58,080,000 | |
| (2) 20.01-Administration | 6,480,000 | |
| (3) 20.02-Distributed Administration | –6,480,000 | |
| (4) 97.20.001-Unallocated Reduction | –378,000 | |
| (5) Amount payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Item 3340-001-0005). | –5,000 | |
| (6) Amount payable from the California Environmental License Plate Fund (Item 3340-001-0140) | –306,000 | |
| (7) Amount payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund (Item 3340-001-0235) | –292,000 | |
| (8) Amount payable from the Collins-Dugan California Conservation Corps Reimbursement Account (Item 3340-001-0318) | –31,745,000 | |
| (9) Amount payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Item 3340-001-6029) | –1,224,000 | |

Provisions:

1. Of the funds appropriated in this item, $2,725,000 shall be available for use by the California Conservation Corps to respond to natural disasters and other emergencies, including the fighting of forest fires. The Director of Finance may adjust this amount to the extent indicated by corrections identified by the director in the reports of the past expenditures of the California Conservation Corps upon which the amounts appropriated by this item are based. The Director of Finance shall notify the Chairperson of the Joint Legislative Budget Committee at least 30 days prior to making that adjustment.
2. To the extent that funds in excess of the amount identified in Provision 1 are necessary in order for the California Conservation Corps to respond to one or more emergencies declared by the Governor, the Department of Finance shall transfer,

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| from the funds available pursuant to Section 8690.6 of the Government Code, an amount not to exceed $1,500,000 as necessary to fund that response. If, after the Department of Finance has transferred funds pursuant to this provision, the California Conservation Corps receives reimbursements or other amounts in payment of its costs of response to one or more declared emergencies, those amounts shall be deposited in the General Fund. | |
| 3340-001-0005—For support of California Conservation Corps, for payment to Item 3340-001-0001, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund..... | 5,000 |
| 3340-001-0140—For support of California Conservation Corps, for payment to Item 3340-001-0001, payable from the California Environmental License Plate Fund ..... | 306,000 |
| 3340-001-0235—For support of California Conservation Corps, for payment to Item 3340-001-0001, payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund..... | 292,000 |
| 3340-001-0318—For support of California Conservation Corps, for payment to Item 3340-001-0001, payable from the Collins-Dugan California Conservation Corps Reimbursement Account ..... | 31,745,000 |
| Provisions: | |
| 1. Notwithstanding Section 14316 of the Public Resources Code, the Department of Finance may make a loan from the General Fund to the Collins-Dugan California Conservation Corps reimbursement account for the purposes of this item, in the amount of 25 percent of the reimbursements anticipated in the Collins-Dugan California Conservation Corps Reimbursement Account to be received by the California Conservation Corps from each client agency, not to exceed an aggregate total of $7,936,250 to meet cashflow needs due to delays in collecting reimbursements. Any loan made by the Department of Finance pursuant to this provision shall only be made if the California Conservation Corps has a valid contract or certification signed by the client agency, which demonstrates that sufficient funds will be available to repay the loan. All moneys so transferred shall be repaid to the General Fund as soon as possible, but not later than one year from the date of the | |

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| loan. On and after a date of 90 days after the end of that year, the Department of Finance shall charge interest to the California Conservation Corps, at the rate earned in the Pooled Money Investment Fund, on any portion of the loan that has not been repaid. | |
| 2. Notwithstanding Section 28.50 of the 2005 Budget Act, the Department of Finance may augment this item to reflect increases in reimbursements in the Collins-Dugan California Conservation Corps Reimbursement Account received from another officer, department, division, bureau, or other agency of the state. | |
| 3340-001-6029—For support of California Conservation Corps, for payment to Item 3340-001-0001, payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund.. | 1,224,000 |
| 3340-101-0005—For local assistance, California Conservation Corps, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund ..... | 64,000 |
| 3340-101-6029—For local assistance, California Conservation Corps, payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund ..... | 2,105,000 |
| 3340-301-0660—For Capital Outlay California Conservation Corps, payable from the Public Buildings Construction Fund ..... | 37,096,000 |
| Schedule: | |
| (1) 20.10.150-Delta Service District Center—Acquisition, preliminary plans, working drawings, and construction..... 21,717,000 | |
| (2) 20.10.145-Camarillo Satellite Relocation/construction—Working drawings and construction ..... 15,379,000 | |
| *Provisions:* | |
| *1. 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 acquisition, design, and construction of the projects authorized by this item.* | |
| *2. The State Public Works Board and the California Conservation Corps may obtain interim financing for the project costs authorized in this item from* | |

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*any appropriate source including, but not limited to, the Pooled Money Investment Account pursuant to Sections 16312 and 16313 of the Government Code.*

*3. The State Public Works Board may authorize the augmentation of the costs of acquisition, design, and construction of the projects scheduled in this item pursuant to the board's authority under Section 13332.11 of the Government Code. In addition, the State Public Works Board may authorize any additional amount necessary to establish a reasonable construction reserve and to pay the cost of financing a debt service fund, and the cost of issuance of permanent financing for the project. This additional amount may include interest payable on any interim financing obtained.*

*4. The California Conservation Corps is authorized and directed to execute and deliver any and all leases, contracts, agreements, or other documents necessary or advisable to consummate the financing of the projects authorized in this item.*

*5. The State Public Works Board shall not be 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 Division 3 of Title 2 of the Government Code). This provision does not exempt the California Conservation Corps from the requirements of the California Environmental Quality Act. This provision is intended to be declarative of existing law.*

3340-490—Reappropriation, California Conservation Corps. Notwithstanding any other provision of law, the balance of the appropriations provided in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided for in the appropriations:

0660—Public Buildings Construction Fund

(1) Item 3340-301-0660, Budget Act of 2003 (Ch. 157, Stats. 2003), as reappropriated by Item 3340-490, Budget Act of 2004 (Ch. 208, Stats. 2004)

(1) 20.10.170-Tahoe Base Center Relocation—Acquisition, preliminary plans, working drawings and construction

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Provisions:

1. Notwithstanding any other provision of law, the funds appropriated in this item shall be available for expenditure until June 30, 2008, except appropriations for preliminary plans which shall be available until June 30, 2006, and appropriations for working drawings which shall be available for expenditure until June 30, 2007.

*3340-491—Reappropriation, California Conservation Corps. The amounts specified in the following citations are reappropriated for the purposes provided for in those appropriations and shall be available for encumbrance or expenditure until June 30, 2006:*

*0005—Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund*

*(1) $590,000 in Item 3340-101-0005, Budget Act of 2004 (Ch. 208, Stats. 2004), for local assistance to local conservation corps. Of that amount, $106,000 shall be for Long Beach local corps for resource conservation projects, and $484,000 shall be for Fresno local corps for the construction of a recreation building with a neighborhood youth center.*

*6029—California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund*

*(1) $2,000,000 in Item 3340-101-6029, Budget Act of 2004 (Ch. 208, Stats. 2004) for local assistance to local conservation corps. Of that amount, $1,200,000 shall be for Fresno local corps, and $800,000 shall be for San Francisco local corps, for capital outlay projects to meet their program needs.*

3340-495—Reversion, California Conservation Corps. As of June 30, 2005, the unencumbered balances of the appropriations provided for in the following citations shall revert to the fund from which the appropriation was made:

0660—Public Buildings Construction Fund

(1) Item 3340-301-0660, Budget Act of 2001 (Ch. 106, Stats. 2001), as reappropriated by Item 3340-490, Budget Act of 2002 (Ch. 379, Stats. 2002)

(1) 20.10.145-Camarillo Satellite Relocation/Construction—Construction

(2) Funds appropriated in paragraph (1) of subdivision (b) of Section 2 of Chapter 3 of the Statutes of 2002, Third Extraordinary Session, as reap-

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propriated by Item 3340-490, Budget Act of 2002 (Ch. 379, Stats. 2002), for the Delta Service Center District Site Selection and Acquisition Project 20.10.150 shall be available for acquisition, preliminary plans, working drawings, and construction.

3360-001-0044—For support of Energy Resources Conservation and Development Commission, for payment to Item 3360-001-0465, payable from the Motor Vehicle Account, State Transportation Fund ..... 139,000

3360-001-0381—For support of Energy Resources Conservation and Development Commission, for payment to Item 3360-001-0465, payable from the Public Interest Research, Development and Demonstration Fund ..... 80,080,000

Provisions:

1. Notwithstanding subdivision (a) of Section 2.00 of this act, funds appropriated in this item shall be available for expenditure during the 2005–06 and 2006–07 fiscal years.
2. Notwithstanding Section 16304.1 of the Government Code, funds appropriated in this item shall be available for liquidation of encumbrances until June 30, 2011.
3. Notwithstanding any other provision of law, funds appropriated in this item may be used by the Energy Resources Conservation and Development Commission to provide grants, loans, or repayable research contracts. When the commission evaluates proposals, a high-point scoring method may be used in lieu of lowest cost. Repayment terms shall be determined by the commission.

3360-001-0382—For support of Energy Resources Conservation and Development Commission, for payment to Item 3360-001-0465, payable from the Renewable Resource Trust Fund ..... 4,748,000

3360-001-0465—For support of Energy Resources Conservation and Development Commission, payable from the Energy Resources Programs Account ..... 49,807,000

Schedule:

(1) 10-Regulatory and Planning..... 25,731,000
(2) 20-Energy Resources Conservation. 16,669,000
(3) 30-Development.....108,595,000
(4) 40.01-Policy, Management and Administration..... 11,522,000
(5) 40.02-Distributed Policy, Management and Administration .....–11,522,000

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(6) Reimbursements ..... –5,745,000

(7) Amount payable from the Motor Vehicle Account, State Transportation Fund (Item 3360-001-0044)... –139,000

(8) Amount payable from the Public Interest Research, Development and Demonstration Fund (Item 3360-001-0381) .....–80,080,000

(9) Amount payable from the Renewable Resource Trust Fund (Item 3360-001-0382) ..... –4,748,000

(10) Amount payable from the Energy Technologies Research Development and Demonstration Account (Item 3360-001-0479) ..... –100,000

(11) Amount payable from the Local Government Geothermal Resources Revolving Subaccount, GRDA (Item 3360-001-0497)..... –307,000

(12) Amount payable from the Federal Trust Fund (Item 3360-001-0890). –8,911,000

(13) Amount payable from the Gas Consumption Surcharge Fund (Item 3360-001-3015) ..... –535,000

(14) Amount payable from the Energy Facility License and Compliance Fund (Item 3360-001-3062)..... –623,000

Provisions:

1. Notwithstanding Section 16304.1 of the Government Code, funds appropriated in this item for the Energy Technology Export Program shall be available for liquidation of encumbrances until June 30, 2009.

3360-001-0479—For support of Energy Resources Conservation and Development Commission, for payment to Item 3360-001-0465, payable from the Energy Technologies Research, Development and Demonstration Account for the purpose of funding loans, grants and contracts to provide a variety of research projects..... 100,000

Provisions:

1. Notwithstanding subdivision (a) of Section 2.00 of this act, funds appropriated in this item shall be available for expenditure during the 2005–06 and 2006–07 fiscal years.
2. Notwithstanding Section 16304.1 of the Government Code, funds appropriated in this item shall

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| be available for liquidation of encumbrances until June 30, 2009. | |
| 3. Notwithstanding any other provision of law, funds appropriated in this item may be used by the Energy Resources Conservation and Development Commission to provide grants, loans, or repayable research contracts. When the commission evaluates proposals, a high-point scoring method may be used in lieu of lowest cost. Repayment terms shall be determined by the commission. | |
| 3360-001-0497—For support of Energy Resources Conservation and Development Commission, for payment to Item 3360-001-0465, payable from the Local Government Geothermal Resources Revolving Subaccount, GRDA ..... | 307,000 |
| 3360-001-0890—For support of Energy Resources Conservation and Development Commission, for payment to Item 3360-001-0465, payable from the Federal Trust Fund ..... | 8,911,000 |
| 3360-001-3015—For support of Energy Resources Conservation and Development Commission, for payment to Item 3360-001-0465, payable from the Gas Consumption Surcharge Fund ..... | 535,000 |
| 3360-001-3062—For support of Energy Resources Conservation and Development Commission, for payment to Item 3360-001-0465, payable from the Energy Facility License and Compliance Fund ..... | 623,000 |
| *3360-011-0381—For transfer by the Controller, upon order of the Director of Finance, from the Public Interest Research, Development, and Demonstration Fund to the General Fund* ..... | *(4,000,000)* |
| *Provisions:* | |
| *1. The amount displayed in this item is for informational purposes only and is based upon the current estimate of interest earned by the Public Interest Research, Development, and Demonstration Fund for the 2005–06 fiscal year. The actual amount to be transferred through this item shall be the actual amount of interest earned for the 2005–06 fiscal year as determined by the Controller.* | |
| 3360-101-0497—For local assistance, Energy Resources Conservation and Development Commission, pursuant to Section 3822 of the Public Resources Code, payable from the Local Government Geothermal Resources Revolving Subaccount, GRDA..... | 3,500,000 |

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Schedule:

(1) 30-Development ..... 3,500,000

Provisions:

1. Funds appropriated in this item shall be available for expenditure until June 30, 2007.
2. Notwithstanding Section 16304.1 of the Government Code, funds appropriated in this item shall be available for liquidation until June 30, 2009.

3360-490—Reappropriation, Energy Resources Conservation and Development Commission. Notwithstanding any other provision of law, the period to liquidate encumbrance of the following citations are extended to June 30, 2006:

0381—Public Interest Research, Development, and Demonstration Fund

(1) Item 3360-001-0381, Budget Act of 1999 (Ch. 50, Stats. 1999).

0497—Local Government Geothermal Resources Revolving Subaccount, Geothermal Resources Development Account

(1) Item 3360-101-0497, Budget Act of 1999 (Ch. 50, Stats. 1999).

3360-491—Reappropriation, Energy Resources Conservation and Development Commission. Notwithstanding any other provision of law, the period to liquidate encumbrances of the following citations are extended to June 30, 2007:

0465—Energy Resources Programs Account

(1) Item 3360-001-0465, Budget Act of 2002 (Ch. 379, Stats. 2002).

3460-001-0001—For support of Colorado River Board of California ..... 0

Schedule:

(1) 10-Protection of California's Colorado River Rights and Interests .... 1,237,000

(2) Reimbursements ..... –1,237,000

3480-001-0001—For support of Department of Conservation ..... 4,006,000

Schedule:

(1) 10-Geologic Hazards and Mineral Resources Conservation ..... 27,276,000

(2) 20-Oil, Gas, and Geothermal Resources ..... 16,594,000

(3) 30-Land Resource Protection ..... 4,256,000

(4) 40.01-Administration ..... 11,329,000

(5) 40.02-Distributed Administration ...–11,329,000

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| (6) 50-Beverage Container Recycling and Litter Reduction Program ..... | 35,227,000 |
| (7) 97.20.001-Unallocated Reduction... | –62,000 |
| (8) Reimbursements..... | –8,713,000 |
| (9) Amount payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Item 3480-001-0005). | –433,000 |
| (10) Amount payable from the Surface Mining and Reclamation Account (Item 3480-001-0035) ..... | –1,269,000 |
| (11) Amount payable from the State Highway Account, State Transportation Fund (Item 3480-001-0042). | –12,000 |
| (12) Amount payable from the California Beverage Container Recycling Fund (Item 3480-001-0133)..... | –35,127,000 |
| (13) Amount payable from the Soil Conservation Fund (Item 3480-001-0141)..... | –2,599,000 |
| (14) Amount payable from the Hazardous and Idle-Deserted Well Abatement Fund (Section 3206, Public Resources Code)..... | –100,000 |
| (15) Amount payable from the Mine Reclamation Account (Item 3480-001-0336)..... | –2,855,000 |
| (16) Amount payable from the Strong Motion Instrumentation and Seismic Hazards Mapping Fund (Item 3480-001-0338) ..... | –8,475,000 |
| (17) Amount payable from the Federal Trust Fund (Item 3480-001-0890). | –1,730,000 |
| (18) Amount payable from the Bosco Keene Renewable Resources Investment Fund (Item 3480-001-0940)..... | –858,000 |
| (19) Amount payable from the Abandoned Mine Reclamation and Mineral Fund Subaccount, Mine Reclamation Account (Item 3480-001-3025)..... | –409,000 |
| (20) Amount payable from the Oil, Gas, and Geothermal Administrative Fund (Item 3480-001-3046)... | –15,501,000 |

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| (21) Amount payable from the Agriculture and Open Space Mapping Subaccount (Item 3480-001-6004) | –430,000 |
| (22) Amount payable from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund of 2002 (Item 3480-001-6029) | –540,000 |
| (23) Amount payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Item 3480-001-6031) | –234,000 |

Provisions:

1. Notwithstanding any other provision of law, upon approval and order of the Department of Finance, the Department of Conservation may borrow sufficient funds, from special funds that otherwise provide support for the department, to meet cashflow needs due to delays in collecting reimbursements. Any loan made by the Department of Finance pursuant to this provision may be made only if the Department of Conservation has a valid contract or certification signed by the client agency, which demonstrates that sufficient funds will be available to repay the loan. All money so transferred shall be repaid to the special fund as soon as possible, but not later than one year from the date of the loan.

3480-001-0005—For support of Department of Conservation, for payment to Item 3480-001-0001, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund..... 433,000

3480-001-0035—For support of Department of Conservation, for payment to Item 3480-001-0001, payable from the Surface Mining and Reclamation Account ..... 1,269,000

3480-001-0042—For support of Department of Conservation, for payment to Item 3480-001-0001, payable from the State Highway Account, State Transportation Fund ..... 12,000

Provisions:

1. The funds appropriated in this item are for the state's share of costs of the California Institute of Technology seismograph network.

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|---|---|
| 3480-001-0133—For support of Department of Conservation, for payment to Item 3480-001-0001, payable from the California Beverage Container Recycling Fund | 35,127,000 |
| 3480-001-0141—For support of Department of Conservation, for payment to Item 3480-001-0001, payable from the Soil Conservation Fund | 2,599,000 |
| 3480-001-0336—For support of Department of Conservation, for payment to Item 3480-001-0001, payable from the Mine Reclamation Account | 2,855,000 |
| 3480-001-0338—For support of Department of Conservation, for payment to Item 3480-001-0001, payable from the Strong Motion Instrumentation and Seismic Hazards Mapping Fund | 8,475,000 |
| 3480-001-0890—For support of Department of Conservation, for payment to Item 3480-001-0001, payable from the Federal Trust Fund | 1,730,000 |
| 3480-001-0940—For support of Department of Conservation, for payment to Item 3480-001-0001, payable from the Bosco Keene Renewable Resources Investment Fund | 858,000 |
| 3480-001-3025—For support of Department of Conservation, for payment to Item 3480-001-0001, payable from the Abandoned Mine Reclamation and Minerals Fund Subaccount, Mine Reclamation Account | 409,000 |
| 3480-001-3046—For support of Department of Conservation, for payment to Item 3480-001-0001, payable from the Oil, Gas, and Geothermal Administrative Fund | 15,501,000 |
| 3480-001-6004—For support of Department of Conservation, for payment to Item 3480-001-0001, payable from the Agriculture and Open Space Mapping Subaccount | 430,000 |
| 3480-001-6029—For support of Department of Conservation, for payment to Item 3480-001-0001, payable from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund of 2002 | 540,000 |
| 3480-001-6031—For support of Department of Conservation, for payment to Item 3480-001-0001, payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 | 234,000 |
| 3480-012-0001—For transfer by the Controller to the Oil, Gas, and Geothermal Administrative Fund | 859,000 |

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3480-101-6029—For local assistance, Department of Conservation, payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund ..... 14,944,000

Provisions:

1. The funds appropriated in this item shall be available for expenditure until June 30, 2007.

3480-101-6031—For local assistance, Department of Conservation, payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 ..... 3,000,000

Provisions:

1. The funds appropriated in this item shall be available for expenditure until June 30, 2007.

~~3480-295-0001—For local assistance, Department of Conservation, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller ..... 0~~

~~Schedule:~~

~~(1) 98.01.113.175-Mineral resources policies (Ch. 1131, Stats. 1975) (CSM-2255) ..... 0~~

~~Provisions:~~

~~1. Pursuant to Section 17581 of the Government Code, the mandate identified in the appropriation schedule of this item with an appropriation of $0 and included in the language of this provision are specifically identified by the Legislature for suspension during the 2005–06 fiscal year:~~

~~(1) Mineral resources policies (Ch. 1131, Stats. 1975) (CSM-2255).~~

3540-001-0001—For support of Department of Forestry and Fire Protection ..... ~~429,297,000~~ *435,993,000*

Schedule:

(.1) 10-Office of the State Fire Marshal 13,793,000

(.2) 11-Fire Protection ..... ~~741,090,000~~ *745,090,000*

(.3) 12-Resource Management ..... ~~55,380,000~~ *51,380,000*

(.4) 20.01-Administration ..... ~~53,060,000~~ *57,060,000*

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|---|---|
| (.5) 20.02-Distributed Administration .. | ~~–52,630,000~~ *–56,630,000* |
| ~~(.6) 97.20.001-Unallocated Reduction..~~ | ~~–6,696,000~~ |
| (4) Reimbursements ..... | –223,932,000 |
| (6) Amount payable from the General Fund (Item 3540-006-0001)..... | –95,000,000 |
| (7) Amount payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Item 3540-001-0005). | –254,000 |
| (8) Amount payable from the State Emergency Telephone Number Account (Item 3540-001-0022)..... | –1,078,000 |
| (9) Amount payable from the Unified Program Account (Item 3540-001-0028)..... | –318,000 |
| (10) Amount payable from the State Fire Marshal Licensing and Certification Fund (Item 3540-001-0102)..... | –1,949,000 |
| (11) Amount payable from the California Environmental License Plate Fund (Item 3540-001-0140)..... | –395,000 |
| (12) Amount payable from the California Fire and Arson Training Fund (Item 3540-001-0198) ..... | –1,619,000 |
| (13) Amount payable from the Hazardous Liquid Pipeline Safety Fund (Item 3540-001-0209) ..... | –2,731,000 |
| (14) Amount payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund (Item 3540-001-0235) ..... | –396,000 |
| (15) Amount payable from the Professional Forester Registration Fund (Item 3540-001-0300) ..... | –197,000 |
| (16) Amount payable from the Federal Trust Fund (Item 3540-001-0890)..... | –31,309,000 |
| (17) Amount payable from the Forest Resources Improvement Fund (Item 3540-001-0928) ..... | –4,625,000 |
| (17.5) Amount payable from the Renewable Resources Investment Fund (Item 3540-001-0940)..... | –3,000,000 |
| (18) Amount payable from the Timber Tax Fund (Item 3540-001-0965)... | –30,000 |

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|---|---|---|
| (19) Amount payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Item 3540-001-6029) | −7,713,000 | |
| (20) Amount payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Item 3540-001-6031) | −154,000 | |
| Provisions: | | |
| 1. Notwithstanding any other provision of law, the Department of Finance may authorize the temporary or permanent redirection of funds from this item for purposes of emergency fire suppression and detection costs and related emergency refutation costs. | | |
| 3540-001-0005—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund | | 254,000 |
| 3540-001-0022—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the State Emergency Telephone Number Account | | 1,078,000 |
| 3540-001-0028—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the Unified Program Account | | 318,000 |
| 3540-001-0102—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the State Fire Marshal Licensing and Certification Fund | | 1,949,000 |
| 3540-001-0140—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the California Environmental License Plate Fund | | 395,000 |
| 3540-001-0198—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the California Fire and Arson Training Fund | | 1,619,000 |
| 3540-001-0209—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the California Hazardous Liquid Pipeline Safety Fund | | 2,731,000 |

| Item | Amount |
|---|---|
| 3540-001-0235—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund..... | 396,000 |
| 3540-001-0300—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the Professional Forester Registration Fund..... | 197,000 |
| 3540-001-0890—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the Federal Trust Fund ..... | 31,309,000 |
| 3540-001-0928—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the Forest Resources Improvement Fund..... | 4,625,000 |
| 3540-001-0940—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the Bosco-Keene Renewable Resources Investment Fund..... | 3,000,000 |
| 3540-001-0965—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the Timber Tax Fund..... | 30,000 |
| 3540-001-6029—For support of the Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund ..... | 7,713,000 |
| 3540-001-6031—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002..... | 154,000 |
| 3540-003-0001—For support of Department of Forestry and Fire Protection for rental payments on lease-revenue bonds ..... | 1,683,000 |

Schedule:

(1) Base Rental and Fees ..... 1,675,000

(2) Insurance ..... 8,000

Provisions:

1. The Controller shall transfer funds appropriated in this item according to a schedule to be provided by the State Public Works Board. The schedule shall be provided on a monthly basis or as otherwise might be needed to ensure debt requirements are met.
2. This item may contain adjustments pursuant to Control Section 4.30 that are not currently re-

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flected. Any adjustments to this item shall be reported to the Joint Legislative Budget Committee pursuant to Control Section 4.30.

3540-006-0001—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001 ..... 95,000,000

Provisions:

1. The funds appropriated in this item shall be available for emergency fire suppression and detection costs and related emergency revegetation costs and may be used for these purposes to reimburse the main support appropriation (Item 3540-001-0001) only upon approval by the Department of Finance.
2. The Director of Forestry and Fire Protection shall furnish quarterly reports on expenditures for emergency fire suppression activities to the Director of Finance, the Chairperson of the Joint Legislative Budget Committee, and the fiscal and appropriate policy committees of each house. The Director of Finance may authorize expenditures in excess of the amount appropriated in this item by an amount necessary to fund emergency fire suppression costs. This authorization shall occur not less than 30 days after the receipt by the Legislature of the quarterly expenditure report from the Department of Forestry and Fire Protection.

3540-101-0005—For local assistance, Department of Forestry and Fire Protection, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund ..... 1,175,000

~~3540-295-0001—For local assistance, Department of Forestry and Fire Protection, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the cost of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller..... 0~~

~~Schedule:~~

~~(1) 98.01.118.892-Very High Fire Hazard Severity Zones (Ch. 1188, Stats. 1992) (97-TC-13) ..... 0~~

~~Provisions:~~

~~1. Pursuant to Section 17581 of the Government Code, the mandate identified in the appropriation schedule of this item with an appropriation of $0~~

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~~and included in the language of the provision is specifically identified by the Legislature for suspension during the 2005–06 fiscal year:~~

~~(1) 98.01.118.892-Very High Fire Hazard and Severity Zones (Ch. 1188, Stats. 1992) (97-TC-13).~~

3540-301-0001—For capital outlay, Department of Forestry and Fire Protection ..... 6,555,000

Schedule:

(.5) 30.30.175-Owens Valley Conservation Camp: Construct Utility Upgrades—Construction..... 1,511,000

(2) 30.40.110-Hollister Air Attack Base: Relocate Facility—Preliminary plans..... 269,000

(3) 30.60.050-Statewide: Construct Communications Facilities—Preliminary plans and working drawings..... 2,660,000

(4) 30.80-Minor capital outlay ..... 2,115,000

Provisions:

1. The funds appropriated by Schedules (3) and (4) of this item include funding for construction and preconstruction activities, including, but not limited to, study environmental documents, preliminary plans, working drawings, equipment, and other costs relating to the design and construction of facilities, to be performed by the Department of Forestry and Fire Protection, subject to approval by the Department of Finance. While the Department of Forestry and Fire Protection may manage the project, the project is subject to the review by the State Public Works Board.

3540-301-0660—For capital outlay, Department of Forestry and Fire Protection, payable from the Public Buildings Construction Fund..... 137,532,000

Schedule:

(0.5) 30.10.005-Alma Helitack Base: Replace Facility—Preliminary plans, working drawings, and construction ..... 6,469,000

(0.7) 30.10.035-Stevens Creek Forest Fire Station: Replace Facility—Acquisition, working drawings, and construction..... 2,902,000

| Item | Amount |
|---|---|
| (1) 30.10.055-Ukiah Air Attack Base: Relocate Facility—Acquisition, preliminary plans, working drawings, and construction | 9,956,000 |
| (1.4) 30.10.090-Pacheco Forest Fire Station: Replace Facility—Acquisition and construction | 2,445,000 |
| (1.6) 30.10.110-Elk Camp Forest Fire Station: Relocate Facility—Working drawings and construction | 2,833,000 |
| (1.8) 30.10.125-Mendocino Ranger Unit Headquarters: Replace Automotive Shop—Working drawings and construction | 3,258,000 |
| (2) 30.10.065-Sweetwater Forest Fire Station: Replace Facility—Preliminary plans, working drawings, and construction | 3,117,000 |
| (3) 30.10.130-Santa Clara Ranger Unit Headquarters: Construct Facility—Working drawings and construction | 2,721,000 |
| (3.1) 30.20.030-Harts Mill Forest Fire Station: Relocate Facility—Construction | 2,392,000 |
| (3.15) ~~30.20.255-Vallecito~~ *30.40.105-Vallecito* Conservation Camp: Replace Apparatus Buildings and Utilities—Working drawings and construction | 3,483,000 |
| (3.2) 30.30.015-Independence Forest Fire Station: Relocate Facility—Working drawings and construction | 2,758,000 |
| (3.25) 30.30.020-San Luis Obispo Ranger Unit Headquarters: Replace Facility—Construction | 10,303,000 |
| (3.3) 30.30.060-Hemet-Ryan Air Attack Base: Replace Facility—Acquisition and construction | 8,296,000 |
| (3.35) 30.30.065-San Marcos Forest Fire Station: Relocate Facility—Preliminary plans, working drawings, and construction | 2,933,000 |

| Item | Amount |
|---|---|
| (3.4) 30.30.075-Warner Springs Forest Fire Station: Replace Facility—Acquisition, preliminary plans, working drawings, and construction | 3,600,000 |
| (3.45) 30.30.115-Ventura Youth Conservation Camp: Construct Apparatus Buildings, Shop, and Warehouse—Working drawings and construction | 2,657,000 |
| (3.5) 30.30.150-Nipomo Forest Fire Station: Replace Facility—Acquisition and construction | 2,936,000 |
| (3.55) 30.40.050-Rancheria Forest Fire Station: Replace Facility—Working drawings and construction | 3,272,000 |
| (3.6) 30.40.075-Usona Forest Fire Station: Replace Facility—Working drawings and construction | 2,325,000 |
| (3.65) 30.40.090-Antelope Forest Fire Station: Replace Barracks and Messhall Building—Construction | 236,000 |
| (3.7) 30.40.120-Dew Drop Forest Fire Station: Replace Facility—Acquisition and construction | 2,457,000 |
| (3.75) 30.40.125-Twain Harte Forest Fire Station: Relocate Facility—Preliminary plans, working drawings, and construction | 3,826,000 |
| (3.8) 30.40.130-Springville Forest Fire Station: Relocate Facility—Preliminary plans, working drawings, and construction | 3,697,000 |
| (3.85) 30.40.135-Raymond Forest Fire Station: Relocate Facility—Preliminary plans, working drawings, and construction | 3,444,000 |
| (3.9) 30.40.145-Bautista Conservation Camp: Replace Modular Buildings—Preliminary plans, working drawings, and construction | 4,758,000 |
| (3.95) 34.40.195-Altaville Forest Fire Station: Replace Facility—Working drawings and construction | 3,754,000 |

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(4) 30.60.045-Statewide: Construct Forest Fire Stations—Preliminary plans, working drawings, and construction ..... 36,704,000

Provisions:

1. 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 acquisition, design, and construction of the projects authorized by this item.
2. The State Public Works Board and the Department of Forestry and Fire Protection may obtain interim financing for the project costs authorized in this item from any appropriate source including, but not limited to, the Pooled Money Investment Account pursuant to Sections 16312 and 16313 of the Government Code.
3. The State Public Works Board may authorize the augmentation of the costs of acquisition, design, and construction of the projects scheduled in this item pursuant to the board's authority under Section 13332.11 of the Government Code. In addition, the State Public Works 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 construction of the project, the costs of financing a debt service fund, and the cost of issuance of permanent financing for the project. This additional amount may include interest payable on any interim financing obtained.
4. Notwithstanding any other provision of law, the funds appropriated by Schedules (1) and (4) of this item shall be available for expenditure during the 2005–06 fiscal year, except appropriations for working drawings which shall be available for expenditure until June 30, 2007, and appropriations for construction which shall be available for expenditure until June 30, 2010. In addition, the balance of funds appropriated for construction by Schedules (1) and (4) that have not been allocated, through fund transfer or approval to bid, by the Department of Finance on or before June 30, 2008, shall revert as of that date to the fund from which the appropriation was made.

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5. This department is authorized and directed to execute and deliver any and all leases, contracts, agreements, or other documents necessary or advisable to consummate the sale of bonds or otherwise effectuate the financing of the scheduled projects.

6. The State Public Works Board shall not be 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 10.5 (commencing with Section 15800) of Division 3 of Title 2 of the Government Code). This section does not exempt this department from the requirements of the California Environmental Quality Act. This section is intended to be declarative of existing law.

7. Notwithstanding any other provision of law, the funds appropriated by Schedule (1) of this item may be used to acquire fee acquisition through a purchase option or less than fee acquisition, through a long-term lease or prepaid long-term lease, subject to approval by the Department of Finance.

8. The funds appropriated in Schedule (4) of this item include funding for construction and preconstruction activities, including, but not limited to, study, environmental documents, preliminary plans, working drawings, equipment, and other costs relating to the design and construction of facilities that may be performed by the Department of Forestry and Fire Protection, subject to approval by the Department of Finance. While the Department of Forestry and Fire Protection may manage the project, the project is subject to the review of the State Public Works Board and requires authorization to proceed to bid by the Department of Finance. Funds may also be used by the Department of General Services for project monitoring and oversight.

3540-495—Reversion, Department of Forestry and Fire Protection. As of June 30, 2005, the unencumbered balance of the appropriations provided for in the fol-

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lowing citations shall revert to the balance of the fund from which the appropriation was made:

0660—Public Buildings Construction Fund

(1) Item 3540-301-0660 of Section 2 of Chapter 3 of the Statutes of 2002, Third Extraordinary Session

(7) 30.10.125-Mendocino Ranger Unit Headquarters: Replace Automotive Shop—Construction

(9) 30.40.105-Vallecito Conservation Camp: Replace Utilities/Construct Apparatus Buildings—Working drawings and construction

(2) Item 3540-301-0660, Budget Act of 2001 (Ch. 106, Stats. 2001), as partially reappropriated by Item 3540-490, Budget Acts of 2002 (Ch. 379, Stats. 2002) and 2003 (Ch. 157, Stats. 2003), and Item 3540-491, Budget Act of 2004 (Ch. 208, Stats. 2004), as partially reverted by Item 3540-496, Budget Act of 2004 (Ch. 208, Stats. 2004)

(1) 30.10.035-Stevens Creek Forest Fire Station: Replace Facility—Working drawings and construction

(2) 30.10.090-Pacheco Forest Fire Station: Replace Facility—Construction

(4) 30.30.020-San Luis Obispo Ranger Unit Headquarters: Replace Facility—Construction

(6) 30.30.060-Hemet-Ryan Air Attack Base: Replace Facility—Construction

(9) 30.40.120-Dew Drop Forest Fire Station: Replace Facility—Construction

(3) Item 3540-301-0660, Budget Act of 2002 (Ch. 379, Stats. 2002), as partially reappropriated by Item 3540-490, Budget Act of 2003 (Ch. 157, Stats. 2003), and Item 3540-491, Budget Act of 2004 (Ch. 208, Stats. 2004)

(2) 30.10.065-Sweetwater Forest Fire Station: Relocate Facility—Preliminary plans, working drawings, and construction

(3) 30.10.110-Elk Camp Forest Fire Station: Relocate Facility—Working drawings and construction

(4) 30.10.130-Santa Clara Ranger Unit Headquarters: Replace Automotive Shop—Construction

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|---|---|
| (5) 30.20.030-Harts Mill Forest Fire Station: Relocate Facility—Construction | |
| (8.5) 30.30.015-Independence Forest Fire Station: Construct Facility—Construction | |
| (8.7) 30.30.020-San Luis Obispo Ranger Unit Headquarters: Replace Facility—Construction | |
| (8.8) 30.30.060-Hemet-Ryan Air Attack Base: Replace Facility—Acquisition and construction | |
| (9) 30.30.065-San Marcos Forest Fire Station: Relocate Facility—Preliminary plans, working drawings, and construction | |
| (10) 30.30.115-Ventura Youth Conservation Camp: Construct Vehicle Apparatus Building, Shop, Warehouse—Construction | |
| (11) 30.30.120-Fenner Canyon Conservation Camp: Construct Vehicle Apparatus Buildings, Replace Office—Construction | |
| (12) 30.30.150-Nipomo Forest Fire Station: Replace Facility—Construction | |
| (13) 30.30.160-South Operations Area Headquarters: Relocate Facility—Working drawings and construction | |
| (16) 30.40.050-Rancheria Forest Fire Station: Replace Facility—Construction | |
| (17) 30.40.075-Usona Forest Fire Station: Replace Facility—Working drawings and construction | |
| (17.6) 30.40.105-Vallecito Conservation Camp: Replace Utilities/Construct Apparatus Building—Working drawings and construction | |
| (18) 30.40.130-Springville Forest Fire Station: Relocate Facility—Preliminary plans, working drawings, and construction | |
| (19) 30.40.135-Raymond Forest Fire Station: Relocate Facility—Preliminary plans, working drawings, and construction | |
| (20) 30.40.145-Bautista Conservation Camp: Replace Modular Buildings—Preliminary plans, working drawings, and construction | |
| (21) 30.40.195-Altaville Forest Fire Station: Replace Facility—Working drawings and construction | |

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(4) Item 3540-301-0660, Budget Act of 2003 (Ch. 157, Stats. 2003), as partially reappropriated by Item 3540-491, Budget Act of 2004 (Ch. 208, Stats. 2004)

(1) 30.10.005-Alma Helitack Base: Replace Facility—Preliminary plans, working drawings, and construction

(1.5) 30.10.035-Stevens Creek Forest Fire Station: Replace Facility—Construction

(1.6) 30.10.090-Pacheco Forest Fire Station: Replace Facility—Construction

(1.7) 30.20.030-Harts Mill Forest Fire Station: Relocate Facility—Construction

(2.5) 30.30.015-Independence Forest Fire Station: Construct Facility—Construction

(3) 30.30.075-Warner Springs Forest Fire Station: Replace Facility—Preliminary plans, working drawings, and construction

(3.1) 30.30.120-Fenner Canyon Conservation Camp: Construct Vehicle Apparatus and Replace Office—Construction

(3.2) 30.30.150-Nipomo Forest Fire Station: Replace Facility—Construction

(4) 30.40.020-Batterson Forest Fire Station: Relocate Facility—Working drawings and construction

(4.6) 30.40.050-Rancheria Forest Fire Station: Replace Facility—Construction

(6) 30.40.110-Hollister Air Attack Base: Relocate Facility—Acquisition, working drawings, and construction

(6.1) 30.40.120-Dew Drop Forest Fire Station: Replace Facility—Construction

(7) 30.40.125-Twain Harte Forest Fire Station: Relocate Facility—Preliminary plans, working drawings, and construction

(8) 30.40.150-Baseline Conservation Camp: Remodel Facility—Working drawings and construction

(5) Item 3540-301-0660, Budget Act of 2004 (Ch. 208, Stats. 2004)

(0.6) 30.10.035-Stevens Creek Forest Fire Station: Replace Facility—Acquisition

(0.7) 30.10.090-Pacheco Forest Fire Station: Replace Facility—Acquisition

(3.5) 30.30.060-Hemet Ryan Air Attack Base: Relocate Facility—Construction

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(3.6) 30.30.075-Warner Springs Forest Fire Station: Replace Facility—Acquisition

(3.7) 30.30.150-Nipomo Forest Fire Station: Replace Facility—Acquisition

(3.8) 30.30.160-South Operations Area Headquarters: Relocate Facility—Acquisition, working drawings, and construction

(5) 30.40.120-Dew Drop Forest Fire Station: Replace Facility—Acquisition

(6) 30.40.145-Bautista Conservation Camp: Replace Modular Buildings—Preliminary plans, working drawings, and construction

3560-001-0001—For support of State Lands Commission ..... 8,801,000

Schedule:

| | |
|---|---|
| (1) 10-Mineral Resources Management ..... | 6,819,000 |
| (2) 20-Land Management ..... | 8,271,000 |
| (3) 30.01-Executive and Administration ..... | 3,214,000 |
| (4) 30.02-Distributed Administration ... | –3,214,000 |
| (5) 40-Marine Facilities Management ..... | 8,557,000 |
| (6) 97.20.001-Unallocated Reduction... | –137,000 |
| (7) Reimbursements ..... | –3,386,000 |
| (8) Amount payable from the Marine Invasive Species Control Fund (Item 3560-001-0212) ..... | –1,938,000 |
| (9) Amount payable from the Oil Spill Prevention and Administration Fund (Item 3560-001-0320)..... | –8,959,000 |
| (10) Amount payable from the Land Bank Fund (Item 3560-001-0943). | –426,000 |

Provisions:

1. Notwithstanding subdivision (d) of Section 4 of Chapter 138 of the Statutes of 1964, 1st Extraordinary Session, all commission costs for administering the Long Beach Tidelands, exclusive of any Attorney General charges, shall be funded from revenues deposited into the General Fund pursuant to paragraph (1) of subdivision (a) of Section 6217 of the Public Resources Code.
2. All costs incurred to manage state school lands shall be deducted from the revenues produced by those lands and deposited into the General Fund pursuant to Section 24412 of the Education Code.

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|---|---|
| 3560-001-0212—For support of State Lands Commission, for payment to Item 3560-001-0001, payable from the Marine Invasive Species Control Fund ..... | 1,938,000 |
| 3560-001-0320—For support of State Lands Commission, for payment to Item 3560-001-0001, payable from the Oil Spill Prevention and Administration Fund ..... | 8,959,000 |
| 3560-001-0943—For support of State Lands Commission, for payment to Item 3560-001-0001, payable from the Land Bank Fund..... | 426,000 |
| 3600-001-0001—For support of Department of Fish and Game ..... | 44,431,000 |
| Schedule: | |
| (1) 20-Biodiversity Conservation Program..... | 137,172,000 |
| (2) 25-Hunting, Fishing and Public Use..... | ~~45,920,000~~ *48,920,000* |
| (3) 30-Management of Department Lands and Facilities ..... | 43,374,000 |
| (4) 40-Conservation Education and Enforcement ..... | 55,643,000 |
| (5) 50-Spill Prevention and Response.. | 29,737,000 |
| (6) 70.01-Administration..... | 33,756,000 |
| (7) 70.02-Distributed Administration ... | –33,756,000 |
| (8) 97.20.001-Unallocated Reduction... | –569,000 |
| (9) Reimbursements..... | –38,819,000 |
| (10) Amount payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Item 3600-001-0005). | –1,537,000 |
| (11) Amount payable from the California Environmental License Plate Fund (Item 3600-001-0140)..... | –15,802,000 |
| (12) Amount payable from the Fish and Game Preservation Fund (Item 3600-001-0200) ..... | ~~–100,919,000~~ *–103,919,000* |
| (13) Amount payable from the Fish and Wildlife Pollution Account (Item 3600-001-0207) ..... | –2,577,000 |
| (14) Amount payable from the California Waterfowl Habitat Preservation Account, Fish and Game Preservation Fund (Item 3600-001-0211)... | –220,000 |

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(15) Amount payable from the Exotic Species Control Fund (Item 3600-001-0212) ..... –1,199,000

(16) Amount payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund (Item 3600-001-0235) ..... –2,542,000

(17) Amount payable from the Oil Spill Prevention and Administration Fund (Item 3600-001-0320).....–21,503,000

(18) Amount payable from the Environmental Enhancement Fund (Item 3600-001-0322) ..... –381,000

(18.5) Amount payable from the Salmon and Steelhead Trout Restoration Account (Item 3600-001-0384)..... –8,000,000

(19) Amount payable from the Central Valley Project Improvement Subaccount (Item 3600-001-0404)..... –54,000

(20) Amount payable from the Federal Trust Fund (Item 3600-001-0890).–66,656,000

(22) Amount payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Item 3600-001-6031) ..... –4,245,000

(23) Amount payable from the Salton Sea Restoration Fund (Item 3600-001-8018) ..... –2,392,000

Provisions:

1. The funds appropriated in this item may be increased with the approval of, and under the conditions set by, the Department of Finance to meet current obligations proposed to be funded in Schedules (9) and (20). The funds appropriated in this item shall not be increased until the Department of Fish and Game has a valid contract, signed by the client agency, that provides sufficient funds to finance the increased authorization. This increased authorization may not be used to expand services or create new obligations.

   Reimbursements received under Schedules (9) and (20) shall be used in repayment of any funds used to meet current obligations pursuant to this provision.

2. Of the amount appropriated in Schedule (3), $95,000 from the Safe Neighborhood Parks,

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Clean Water, Clean Air, and Coastal Protection Bond Fund and $622,000 in reimbursements shall be available for fire prevention projects until June 30, 2007.

3. It is the intent of the Legislature that, of the funds appropriated in this item, $5,000,000 be provided for the hiring of additional game wardens in order to ensure that California's natural environment is protected through tough enforcement of existing laws.

4. It is the intent of the Legislature that, of the funds provided in this item, $1,000,000 be provided for the purposes of protecting and preserving California's wild and heritage trout populations.

5. It is the intent of the Legislature that, of the funds appropriated in this item, $1,700,000 be provided for the hiring of Fish and Game staff to review timber harvest plans in order to ensure that California's natural environment is protected through tough enforcement of existing laws.

*6. Funds provided to rebuild the Wild/Heritage Trout Program may be used to match federal funds. Any matching federal funds received may be expended by the Department of Fish and Game to hire a seasonal team in each region to augment the work of the department's biologists. The notification requirements of Section 28.00 do not apply to federal funds received for this purpose.*

3600-001-0005—For support of Department of Fish and Game, for payment to Item 3600-001-0001, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund..... 1,537,000

3600-001-0140—For support of Department of Fish and Game, for payment to Item 3600-001-0001, payable from the California Environmental License Plate Fund ..... 15,802,000

3600-001-0200—For support of Department of Fish and Game, for payment to Item 3600-001-0001, payable from the Fish and Game Preservation Fund..... ~~100,919,000~~ *103,919,000*

Provisions:

1. Of the funds appropriated in this item, $203,000 is for reimbursement to the State Department of Health Services for shellfish monitoring activities.

2. Of the funds appropriated in this item, $5,000,000 shall be available only if legislation reforming the

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|---|---|
| fee structure of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) is enacted. | |
| 3. It is the intent of the Legislature that, should legislation be enacted creating the Commercial Fishing Conservation, Management, and Research Fund, funds from this item shall be transferred from this account to the Commercial Fishing Conservation, Management, and Research Fund for expenditure as provided in that legislation. | |
| *4. Of the funds appropriated in this item, $3,000,000 shall be available to continue operations of state fish hatcheries located in various regions of the state.* | |
| 3600-001-0207—For support of Department of Fish and Game, for payment to Item 3600-001-0001, payable from the Fish and Wildlife Pollution Account | 2,577,000 |
| 3600-001-0211—For support of Department of Fish and Game, for payment to Item 3600-001-0001, payable from the California Waterfowl Habitat Preservation Account, Fish and Game Preservation Fund | 220,000 |
| 3600-001-0212—For support of Department of Fish and Game, for payment to Item 3600-001-0001, payable from the Marine Invasive Species Control Fund | 1,199,000 |
| 3600-001-0235—For support of Department of Fish and Game, for payment to Item 3600-001-0001, payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund | 2,542,000 |
| 3600-001-0320—For support of Department of Fish and Game, for payment to Item 3600-001-0001, payable from the Oil Spill Prevention and Administration Fund | 21,503,000 |
| 3600-001-0322—For support of Department of Fish and Game, for payment to Item 3600-001-0001, payable from the Environmental Enhancement Fund | 381,000 |
| 3600-001-0384—For support of Department of Fish and Game, for payment to Item 3600-001-0001, payable from the Salmon and Steelhead Trout Restoration Account | 8,000,000 |
| 3600-001-0404—For support of Department of Fish and Game, for payment to Item 3600-001-0001, payable from the Central Valley Project Improvement Subaccount | 54,000 |

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|---|---|
| 3600-001-0890—For support of Department of Fish and Game, for payment to Item 3600-001-0001, payable from the Federal Trust Fund | 66,656,000 |
| 3600-001-6010—For support of Department of Fish and Game, payable from the Yuba Feather Flood Protection Subaccount | 11,555,000 |
| Schedule: | |
| (1) 20-Biodiversity Conservation Program ..... 11,555,000 | |
| 3600-001-6031—For support of Department of Fish and Game, for payment to Item 3600-001-0001, payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 | 4,245,000 |
| 3600-001-8018—For support of Department of Fish and Game, for payment to Item 3600-001-0001, payable from the Salton Sea Restoration Fund | 2,392,000 |
| 3600-011-0001—For support of Department of Fish and Game (reimbursement of free fishing licenses), for transfer to the Fish and Game Preservation Fund | 17,000 |
| 3600-101-0001—For local assistance, Department of Fish and Game | 559,000 |
| Schedule: | |
| (1) 20-Biodiversity Conservation Program ..... 559,000 | |
| 3600-101-0207—For local assistance, Department of Fish and Game, Program 50-Spill Prevention and Response, payable from the Fish and Wildlife Pollution Account | 34,000 |
| 3600-101-0320—For local assistance, Department of Fish and Game, Program 50-Spill Prevention and Response, payable from the Oil Spill Prevention and Administration Fund | 923,000 |
| 3600-490—Reappropriation, Department of Fish and Game. The balance of the appropriation provided in the following citation is reappropriated for the purposes provided for in that appropriation and shall be available for encumbrance or expenditure until June 30, 2007: | |
| 6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 | |
| (20) Item 3600-001-6031, Budget Act of 2004 (Ch. 208, Stats. 2004) | |

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|---|---|
| 3600-491—Reappropriation, Department of Fish and Game. The balances of the appropriations provided in the following citations or the amount specified, are reappropriated for the purposes provided for in the appropriations and shall be available for encumbrance or expenditure until June 30, 2006: | |
| 0200—Fish and Game Preservation Fund | |
| (10) $4,000,000 in Item 3600-001-0200, Budget Act of 2004 (Ch. 208, Stats. 2004) to continue operation of state fish hatcheries located in various regions of the state. | |
| 0384—Salmon and Steelhead Restoration Account | |
| (16.5) Item 3600-001-0384, Budget Act of 2004 (Ch. 208, Stats. 2004) | |
| 3600-495—Reversion, Department of Fish and Game. As of June 30, 2005, the unencumbered balance of the appropriation provided in the following citation shall revert to the balance of the fund from which the appropriation was made: | |
| 6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 | |
| (20) Item 3600-001-6031, Budget Act of 2004 (Ch. 208, Stats. 2004), $10,000,000 appropriated in Program 20—Biodiversity Conservation Program. | |
| 3640-001-0001—For support of Wildlife Conservation Board, payable to Item 3640-001-0447..... | 197,000 |
| 3640-001-0140—For support of Wildlife Conservation Board, payable to Item 3640-001-0447, from the California Environmental License Plate Fund..... | 220,000 |
| 3640-001-0262—For support of Wildlife Conservation Board, payable to Item 3640-001-0447, from the Habitat Conservation Fund..... | 449,000 |
| Provisions: | |
| 1. The amount appropriated in this item shall be available to the Wildlife Conservation Board for administrative costs associated with the California Wildlife Protection Act of 1990, and the requirements of the Habitat Conservation Fund. | |
| 3640-001-0447—For support of Wildlife Conservation Board, payable from the Wildlife Restoration Fund ..... | 1,100,000 |
| Schedule: | |
| (1) 10-Wildlife Conservation Board..... 6,122,000 | |
| (2) 97.20.001-Unallocated Reduction... −3,000 | |
| (3) Amount payable from the General Fund (Item 3640-001-0001)..... −197,000 | |

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|---|---|---|
| (4) Amount payable from the California Environmental License Plate Fund (Item 3640-001-0140)..... | –220,000 | |
| (5) Amount payable from the Habitat Conservation Fund (Item 3640-001-0262)..... | –449,000 | |
| (6) Amount payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Item 3640-001-6029)..... | –651,000 | |
| (7) Amount payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Item 3640-001-6031) ..... | –3,502,000 | |
| Provisions: | | |
| 1. Of the funds appropriated by this act from the General Fund, special funds, or bond funds to the Wildlife Conservation Board for local assistance or capital outlay, upon approval of the Department of Finance, the board may allocate an amount not to exceed 1.5 percent of each project's allocation to provide for the board's costs to administer the projects. | | |
| 3640-001-6029—For support of Wildlife Conservation Board, for payment to Item 3640-001-0447, from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Bond Fund ..... | | 651,000 |
| 3640-001-6031—For support of Wildlife Conservation Board, payable to Item 3640-001-0447, from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002..... | | 3,502,000 |
| 3640-301-0262—For capital outlay, Wildlife Conservation Board, payable from the Habitat Conservation Fund ..... | | 20,551,000 |
| Schedule: | | |
| (1) 80.10.000-Wildlife Conservation Board Projects (Unscheduled) ..... | 10,551,000 | |
| (2) 80.10.101-Department of Fish and Game—Ecosystem Restoration..... | 10,000,000 | |
| Provisions: | | |
| 1. The funds appropriated in this item, except for funds for the purposes described in Provision 3 of this item, are provided in accordance with the | | |

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Wildlife Conservation Law of 1947 and, therefore, shall not be subject to Public Works Board review.

2. The amount appropriated in this item is available for expenditure for capital outlay or local assistance through fiscal year 2007–08.

3. Of the amount appropriated in this item, $10,000,000 shall be available to the Department of Fish and Game for its Ecosystem Restoration Program in accordance with Water Code Section 79550(e). Funds are available for encumbrance for the purposes of support, local assistance or capital outlay through June 30, 2008.

3640-301-0447—For capital outlay, Wildlife Conservation Board, payable from the Wildlife Restoration Fund, in lieu of the appropriation made by the Wildlife Conservation Law of 1947 ..... 500,000

Schedule:

(1) 80.10.010-Minor Projects ..... 500,000

Provisions:

1. The funds appropriated in this item are provided in accordance with the provisions of the Wildlife Conservation Law of 1947 and, therefore, shall not be subject to Public Works Board review.

2. The amount appropriated in this item is available for expenditure for capital outlay or local assistance.

3640-302-6029—For capital outlay, Wildlife Conservation Board, payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund ..... 1,545,000

Schedule:

(1) 80.10.103-San Joaquin River Conservancy—Project and acquisition ..... 2,545,000

(2) Reimbursements ..... –1,000,000

Provisions:

1. The funds in this item are provided in accordance with the Wildlife Conservation Law of 1947 and, therefore, are not subject to review by the State Public Works Board.

2. The amount appropriated in this item is available for expenditure for capital outlay or local assistance until June 30, 2008.

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3. The funds appropriated in this item shall be allocated to the San Joaquin River Conservancy for purposes consistent with the conservancy's mission.

3640-311-6031—For transfer by the Controller from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 to the Habitat Conservation Fund..... 17,100,000

Provisions:

1. The funds transferred in this item shall be used for purposes consistent with the requirements of the Habitat Conservation Fund and the requirements of Sections 79565, 79572, and 79550 of the Water Code as follows:
   (1) Water Code Section 79565..... 4,000,000
   (2) Water Code Section 79572..... 3,100,000
   (3) Water Code Section 79550..... 10,000,000
2. The amounts transferred by this item may be adjusted to reflect the requirements of subdivision (a) of Section 2796 of the Fish and Game Code.

3640-312-0940—For transfer by the Controller from the Renewable Resources Investment Fund to the Habitat Conservation Fund..... (1,300,000)

Provisions:

1. The funds transferred in this item shall be used for purposes consistent with the requirements of the Habitat Conservation Fund.
2. The amounts transferred by this item may be adjusted to reflect the requirements of subdivision (a) of Section 2796 of the Fish and Game Code.

3640-401—Notwithstanding any other provision of law, the balance of revenues that would have been deposited in the California Housing Trust Fund and the Resources Trust Fund, pursuant to Section 6217 of the Public Resources Code, shall be allocated in the following order:

Provisions:

1. $8,000,000 shall be deposited into the State Parks and Recreation Fund for the Department of Parks and Recreation Maintenance and Park Ranger staff and deferred maintenance. It is the intent of the Legislature that this augmentation be used to establish up to 40 new parks positions. These funds are intended to be ongoing.

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2. $8,000,000 shall be deposited into the Salmon and Steelhead Trout Restoration Account for salmon and steelhead trout restoration projects authorized by Section 6217.1 of the Public Resources Code, including, but not limited to, projects that implement the Coho Salmon Recovery Plan.

3. *$48,000,000 shall be deposited in the General Fund.*

*4. $3,000,000 shall be deposited into the Fish and Game Preservation Fund to continue operation of state fish hatcheries located in various regions of the state.*

*5. $3,000,000 shall be deposited into the State Parks and Recreation Fund for deferred maintenance.*

*6.* Any revenues remaining after expenditure for the purposes specified in Provisions ~~1 and 2~~ *1, 2, 3, 4, and 5* shall be deposited in the General Fund.

3640-490—Reappropriation, Wildlife Conservation Board. The balance of the appropriation provided in the following citation is reappropriated for the purposes provided for in that appropriation, and shall be available for encumbrance or expenditure until June 30, 2008:

6029—Payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund

(1) Item 3640-302-6029 of the Budget Act of 2002 (Ch. 379, Stats. 2002)

(1) 80.10.603.000-San Joaquin River Conservancy—Project and acquisition

3640-491—Reappropriation, Wildlife Conservation Board. The amounts specified in the appropriations provided for in the following citations are reappropriated for the purposes provided for in those appropriations, and shall be available for encumbrance or expenditure until June 30, 2008:

6029—California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund

(1) The balance of Program 80.10.410-Oak Woodlands Conservation Act (Ch. 983, Stats. 2002)

(2) The balance of Program 80.10.420-Rangeland, Grazing Land, and Grassland Protection Act (Ch. 984, Stats. 2002)

3640-495—Reversion, Wildlife Conservation Board. As of June 30, 2005, the unencumbered balances of the appropriations made in the following citations shall

| Item | Amount |
|---|---|
| revert to the funds from which the appropriations were made: | |
| 6029—California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund | |
| (1) Item 3640-302-6029 of the Budget Act of 2002 (Ch. 379, Stats. 2002), as amended by Section 62 of Chapter 3 of the Statutes of 2003, First Extraordinary Session | |
| (1.5) 80.10.500-Wetlands Restoration and Acquisition | |
| 6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 | |
| (1) Item 3640-301-6031 of the Budget Act of 2002 (Ch. 379, Stats. 2002), as added by Section 63 of Chapter 3 of the Statutes of 2003, First Extraordinary Session | |
| (1) 80.10.800-Cargill Property—Project and acquisition | |
| 3680-001-0516—For support of Department of Boating and Waterways, payable from the Harbors and Watercraft Revolving Fund ..... | 15,862,000 |
| Schedule: | |
| (1) 10-Boating Facilities ..... 14,765,000 | |
| (2) 20-Boating Operations..... 6,481,000 | |
| (3) 30-Beach Erosion Control ..... 601,000 | |
| (4) 40.01-Administration..... 2,338,000 | |
| (5) 40.02-Distributed Administration ... –2,338,000 | |
| (6) Reimbursements..... –15,000 | |
| (7) Amount payable from the Federal Trust Fund (Item 3680-001-0890). –5,893,000 | |
| (8) Less funding provided by capital outlay ..... –77,000 | |
| Provisions: | |
| 1. Notwithstanding Section 85.2 of the Harbors and Navigation Code, $601,000 of the funds appropriated in this item shall be expended for support of the Beach Erosion Control program. | |
| 3680-001-0890—For support of Department of Boating and Waterways, for payment to Item 3680-001-0516, payable from the Federal Trust Fund..... | 5,893,000 |
| 3680-101-0516—For local assistance, Department of Boating and Waterways, payable from the Harbors and Watercraft Revolving Fund..... | ~~61,730,000~~ *43,130,000* |
| Schedule: | |
| (1) 10-Boating Facilities ..... ~~55,057,000~~ *36,457,000* | |

| Item | Amount |
|---|---|
| (a) Launching Facility Grants | (12,714,000) |
| (1) Antioch Marina BLF | (2,039,000) |
| (2) Bonelli BLF | (100,000) |
| (3) Broderick BLF | (793,000) |
| (4) Dana Point BLF | (1,800,000) |
| (5) Floating Restrooms | (500,000) |
| (6) Live Oak BLF | (561,000) |
| (7) Lopez Lake BLF | (755,000) |
| (8) Oyster Point Marina BLF | (745,000) |
| (9) Pepper Park BLF | (690,000) |
| (10) Port of Redwood City BLF | (1,081,000) |
| (11) Ramp Repair and Modifications | (500,000) |
| (12) Shelter Island BLF | (2,000,000) |
| (13) Signs | (50,000) |
| (14) Vessel Pumpout | (100,000) |
| (15) Reimbursement Grants | (1,000,000) |
| (b) Public Small Craft Harbor Loans | ~~(37,600,000)~~ *(19,000,000)* |
| (1) Alamitos Bay Basin 1 | ~~(7,875,000)~~ *(1,875,000)* |
| (2) Long Beach Downtown Marinas | (8,125,000) |
| (3) Dana Point Marina | ~~(4,700,000)~~ *(3,700,000)* |
| (4) Sacramento Marina | (500,000) |
| (5) Long Beach Basins 2 and 3 | ~~(400,000)~~ *(100,000)* |
| (6) San Francisco Marina | ~~(15,000,000)~~ *(3,700,000)* |
| (7) Moss Landing Marina | (500,000) |
| (8) Emergency Loans | (500,000) |
| (c) Private Loans | (3,500,000) |
| (d) Clean Vessel Act Grant Program | (843,000) |
| (e) Boating Trails | (300,000) |

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|---|---|
| (f) Boating Infrastructure Grant Program | (100,000) |
| (2) 20-Boating Operations | 9,575,000 |
| (3) 30-Beach Erosion Control | 816,000 |
| (4) Reimbursements | –1,000,000 |
| (5) Amount payable from the Abandoned Watercraft Abatement Fund (Item 3680-101-0577) | –500,000 |
| (6) Amount payable from the Federal Trust Fund (Item 3680-101-0890). | –2,218,000 |

Provisions:

1. Of the funds appropriated in Schedule (2), Program 20-Boating Operations, $8,100,000 is for boating safety and enforcement programs pursuant to Section 663.7 of the Harbors and Navigation Code.

3680-101-0577—For local assistance, Department of Boating and Waterways, for payment to Item 3680-101-0516, payable from the Abandoned Watercraft Abatement Fund ..... 500,000

3680-101-0890—For local assistance, Department of Boating and Waterways, for payment to Item 3680-101-0516, payable from the Federal Trust Fund..... 2,218,000

Provisions:

1. Of the amount appropriated in this item, $975,000 shall be for grants to local governments for boating safety and law enforcement, 15 percent of which shall be allocated according to the department's discretion, and 85 percent of which shall be allocated by the department in accordance with the following priorities:

First—To local governments that are eligible for state aid because they are spending all their local boating revenue on boating enforcement and safety, but are not receiving sufficient state funds to meet their need as calculated pursuant to Section 663.7 of the Harbors and Navigation Code.

Second—To local governments that are not spending all local boating revenue on boating enforcement and safety, and whose boating revenue does not equal their calculated need. Local assistance shall not exceed the difference between the calculated need and local boating revenue.

Third—To local governments whose boating revenue exceeds their need, but who are not spending sufficient local revenue to meet their calculated need.

| Item | | Amount |
|---|---|---|
| 3680-301-0516—For capital outlay, Department of Boating and Waterways, payable from the Harbors and Watercraft Revolving Fund | | 3,546,000 |
| Schedule: | | |
| (0.5) 50.56.010-Channel Islands: Boating Instruction and Safety Center—Working drawings | 166,000 | |
| (1) 50.99.010-Project Planning | 80,000 | |
| (2) 50.99.020-Minor Projects | 3,300,000 | |
| Provisions: | | |
| 1. Funds appropriated in Schedule (1) are available for expenditure by the Department of Boating and Waterways upon approval of the Department of Finance to be used to develop design information or cost information for new construction projects for which funds have not been appropriated previously but which are anticipated to be included in the Governor's Budget for the 2006–07 or 2007–08 fiscal year. | | |
| 3720-001-0001—For support of California Coastal Commission | | 10,751,000 |
| Schedule: | | |
| (1) 10-Coastal Management Program | 14,573,000 | |
| (2) 20-Coastal Energy Program | 1,147,000 | |
| (3) 30.01-Administration | 1,619,000 | |
| (4) 30.02-Distributed Administration | −1,538,000 | |
| (5) 97.20.001-Unallocated Reduction | −152,000 | |
| (6) Reimbursements | −1,284,000 | |
| (7) Amount payable from California Beach and Coastal Enhancement Account (Item 3720-001-0371) | −582,000 | |
| (8) Amount payable from the Federal Trust Fund (Item 3720-001-0890) | −3,032,000 | |
| 3720-001-0371—For support of California Coastal Commission, for payment to Item 3720-001-0001, payable from the California Beach and Coastal Enhancement Account, California Environmental License Plate Fund | | 582,000 |
| 3720-001-0890—For support of California Coastal Commission, for payment to Item 3720-001-0001, payable from the Federal Trust Fund | | 3,032,000 |
| 3720-101-0371—For local assistance, California Coastal Commission, payable from California Beach and Coastal Enhancement Account, California Environmental License Plate Fund | | 778,000 |

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Schedule:

(1) 10-Coastal Management Program .. 778,000

~~3720-295-0001—For local assistance, California Coastal Commission, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller~~ ..... ~~0~~

~~Schedule:~~

~~(1) 98.01.133.076-Local coastal plans (Ch. 1330, Stats. 1976) (CSM-4431)~~ ..... ~~0~~

~~Provisions:~~

~~1. Pursuant to Section 17581 of the Government Code, the mandate identified in the appropriation schedule of this item with an appropriation of $0 and included in the language of this provision is specifically identified by the Legislature for suspension during the 2005–06 fiscal year:~~

~~(1) Local coastal plans (Ch. 1330, Stats. 1976) (CSM-4431).~~

3760-001-0005—For support of State Coastal Conservancy, for payment to Item 3760-001-0565, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund..... 1,414,000

3760-001-0140—For support of State Coastal Conservancy, for payment to Item 3760-001-0565, payable from the California Environmental License Plate Fund ..... 1,200,000

3760-001-0565—For support of State Coastal Conservancy, payable from the State Coastal Conservancy Fund ..... 4,938,000

Schedule:

(1) 15-Coastal Resource Development. 4,744,000

(2) 25-Coastal Resource Enhancement. 4,610,000

(3) 90.01-Administration and Support . 3,174,000

(4) 90.02-Distributed Administration..... –3,174,000

(5) Reimbursements..... –120,000

(6) Amount payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Item 3760-001-0005). –1,414,000

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|---|---|
| (7) Amount payable from the California Environmental License Plate Fund (Item 3760-001-0140)..... | −1,200,000 |
| (8) Amount payable from the Federal Trust Fund (Item 3760-001-0890)..... | −125,000 |
| (9) Amount payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Item 3760-001-6029)..... | −887,000 |
| (10) Amount payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Item 3760-001-6031) ..... | −670,000 |

Provisions:

1. Notwithstanding any other provision of law, upon approval and order of the Department of Finance, the State Coastal Conservancy may borrow sufficient funds from the State Coastal Conservancy Fund to meet cashflow needs due to delays in collecting reimbursements. Any loan made by the Department of Finance pursuant to this provision may be made only if the State Coastal Conservancy has a valid contract or certification signed by the agency providing the reimbursements, which demonstrates that sufficient funds will be available to repay the loan. All moneys so transferred shall be repaid to the State Coastal Conservancy Fund as soon as possible, but not later than one year from the date of the loan.
2. Of the funds appropriated by this act from the General Fund, special funds, or bond funds to the State Coastal Conservancy for local assistance or capital outlay, upon approval of the Department of Finance, the conservancy may allocate an amount not to exceed 1.5 percent of each project's allocation to provide for the department's costs to administer the projects.

| | |
|---|---|
| 3760-001-0890—For support of State Coastal Conservancy, for payment to Item 3760-001-0565, payable from the Federal Trust Fund ..... | 125,000 |
| 3760-001-6029—For support of State Coastal Conservancy, for payment to Item 3760-001-0565, from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund..... | 887,000 |

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|---|---|
| 3760-001-6031—For support of State Coastal Conservancy, for payment to Item 3760-001-0565, payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 ..... | 670,000 |
| 3760-301-0005—For capital outlay, State Coastal Conservancy, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund ..... | 14,777,000 |
| Schedule: | |
| (1) 80.00.023-San Francisco Bay Area Conservancy Program ..... 2,244,000 | |
| (2) 80.97.030-Conservancy Programs .. 13,033,000 | |
| (3) Reimbursements ..... –500,000 | |
| Provisions: | |
| 1. The funds appropriated in this item are conditioned upon all of the following: | |
| (a) The State Coastal Conservancy may not enter into a grant contract with a nonprofit organization or local government for property acquisition unless the grant contract provides a reversionary interest to the state that specifies that the property shall not revert to the state without review and approval by the State Coastal Conservancy and the State Public Works Board. | |
| (b) The State Coastal Conservancy may not enter into a grant contract with a nonprofit organization or local government for property acquisition that provides for a state leasehold interest in property acquired by a nonstate public agency with grant funds of the State Coastal Conservancy unless the Director of General Services approves the lease terms. | |
| (c) Except for the above, the expenditures of funds for grants to nonstate public agencies and nonprofit organizations shall be exempt from State Public Works Board review. | |
| 2. The funds appropriated in this item are available for encumbrance for either capital outlay or local assistance until June 30, 2008. | |
| 3760-301-0262—For capital outlay, State Coastal Conservancy, payable from the Habitat Conservation Fund ..... | 4,000,000 |
| Schedule: | |
| (1) 80.93.025-Coastal Resource Enhancement ..... 4,300,000 | |
| (2) Reimbursements ..... –300,000 | |

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Provisions:

1. (a) The State Coastal Conservancy shall not enter into a grant contract with a nonprofit organization or local government for property acquisition unless the grant contract provides a reversionary interest to the state that specifies that the property shall not revert to the state without review and approval by the State Coastal Conservancy and the State Public Works Board.

(b) The State Coastal Conservancy shall not enter into a grant contract with a nonprofit organization or local government for property acquisition that provides for a state leasehold interest in property acquired by a nonstate public agency with grant funds of the State Coastal Conservancy unless the Director of General Services approves the lease terms.

(c) Except for the above, the expenditures of funds for grants to nonstate public agencies and nonprofit organizations shall be exempt from State Public Works Board review.

2. The funds appropriated in this item are available for encumbrance for either capital outlay or local assistance without regard to fiscal year.

3. Notwithstanding any other provision of law, upon approval and order of the Department of Finance, the State Coastal Conservancy may borrow sufficient funds from the State Coastal Conservancy Fund to meet cashflow needs due to delays in collecting reimbursements. Any loan made by the Department of Finance pursuant to this provision may be made only if the State Coastal Conservancy has a valid contract or certification signed by the agency providing the reimbursements, which demonstrates that sufficient funds will be available to repay the loan. All moneys so transferred shall be repaid to the State Coastal Conservancy Fund as soon as possible, but not later than one year from the date of the loan.

3760-301-0371—For capital outlay, State Coastal Conservancy, payable from the California Beach and Coastal Enhancement Account, California Environmental License Plate Fund ..... 400,000

Schedule:

(1) 80.00.020-Public Access ..... 400,000

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Provisions:

1. (a) The State Coastal Conservancy may not enter into a grant contract with a nonprofit organization or local government for property acquisition unless the grant contract provides a reversionary interest to the state that specifies that the property shall not revert to the state without review and approval by the State Coastal Conservancy and the State Public Works Board.

(b) The State Coastal Conservancy may not enter into a grant contract with a nonprofit organization or local government for property acquisition that provides for a state leasehold interest in property acquired by a nonstate public agency with grant funds of the State Coastal Conservancy unless the Director of General Services approves the lease terms.

(c) Except for the above, the expenditure of funds for grants to nonstate public agencies and nonprofit organizations is exempt from State Public Works Board review.

2. The funds appropriated in this item are available for encumbrance for either capital outlay or local assistance until June 30, 2008.

3760-301-0565—For capital outlay, State Coastal Conservancy, payable from the State Coastal Conservancy Fund ..... 650,000

Schedule:

(1) 80.00.020-Public Access..... 650,000

Provisions:

1. (a) The State Coastal Conservancy may not enter into a grant contract with a nonprofit organization or local government for property acquisition unless the grant contract provides a reversionary interest to the state that specifies that the property shall not revert to the state without review and approval by the State Coastal Conservancy and the State Public Works Board.

(b) The State Coastal Conservancy may not enter into a grant contract with a nonprofit organization or local government for property acquisition that provides for a state leasehold interest in property acquired by a nonstate

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public agency with grant funds of the State Coastal Conservancy unless the Director of General Services approves the lease terms.

(c) Except for the above, the expenditure of funds for grants to nonstate public agencies and nonprofit organizations is exempt from State Public Works Board review.

2. The funds appropriated in this item are available for encumbrance for either capital outlay or local assistance until June 30, 2008.

3760-301-0593—For capital outlay, State Coastal Conservancy, payable from the Coastal Access Account, State Coastal Conservancy Fund ..... 950,000

Schedule:

(1) 80.00.020-Public Access..... 950,000

Provisions:

1. (a) The State Coastal Conservancy may not enter into a grant contract with a nonprofit organization or local government for property acquisition unless the grant contract provides a reversionary interest to the state that specifies that the property shall not revert to the state without review and approval by the State Coastal Conservancy and the State Public Works Board.

(b) The State Coastal Conservancy may not enter into a grant contract with a nonprofit organization or local government for property acquisition that provides for a state leasehold interest in property acquired by a nonstate public agency with grant funds of the State Coastal Conservancy unless the Director of General Services approves the lease terms.

(c) Except for the above, the expenditure of funds for grants to nonstate public agencies and nonprofit organizations is exempt from State Public Works Board review.

2. The funds appropriated in this item are available for encumbrance for either capital outlay or local assistance until June 30, 2008.

3760-301-0890—For capital outlay, State Coastal Conservancy, payable from the Federal Trust Fund..... 2,000,000

Schedule:

(1) 80.97.030-Conservancy Programs .. 2,000,000

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Provisions:

1. (a) The State Coastal Conservancy shall not enter into a grant contract with a nonprofit organization or local government for property acquisition unless the grant contract provides a reversionary interest to the state that specifies that the property shall not revert to the state without review and approval by the State Coastal Conservancy and the State Public Works Board.

(b) The State Coastal Conservancy shall not enter into a grant contract with a nonprofit organization or local government for property acquisition that provides for a state leasehold interest in property acquired by a nonstate public agency with grant funds of the State Coastal Conservancy unless the Director of General Services approves the lease terms.

(c) Except for the above, the expenditures of funds for grants to nonstate public agencies and nonprofit organizations shall be exempt from State Public Works Board review.

2. The funds appropriated in this item are available for encumbrance for either capital outlay or local assistance until June 30, 2008.

3760-301-6029—For capital outlay, State Coastal Conservancy, payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund ..... 4,000,000

Schedule:

(1) 80.00.023-San Francisco Bay Conservancy Program ..... 4,500,000

(2) Reimbursements..... –500,000

Provisions:

1. (a) The State Coastal Conservancy shall not enter into a grant contract with a nonprofit organization or local government for property acquisition unless the grant contract provides a reversionary interest to the state that specifies that the property shall not revert to the state without review and approval by the State Coastal Conservancy and the State Public Works Board.

(b) The State Coastal Conservancy shall not enter into a grant contract with a nonprofit organization or local government for property ac-

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quisition that provides for a state leasehold interest in property acquired by a nonstate public agency with grant funds of the State Coastal Conservancy unless the Director of General Services approves the lease terms.

(c) Except for the above, the expenditures of funds for grants to nonstate public agencies and nonprofit organizations shall be exempt from State Public Works Board review.

2. The amount appropriated in this item is available for encumbrance for either capital outlay or local assistance until June 30, 2008.

3760-301-6031—For capital outlay, State Coastal Conservancy, payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 ..... 31,500,000

Schedule:

(1) 80.02.032-Watershed, Water Quality Protection, and Enhancement Program..... 32,000,000

(2) Reimbursements..... –500,000

Provisions:

1. The amount appropriated in this item is available for encumbrance for either capital outlay or local assistance until June 30, 2008.

2. The funds appropriated in this item are conditioned upon all of the following:

(a) The State Coastal Conservancy may not enter into a grant contract with a nonprofit organization or local government for property acquisition unless the grant contract provides a reversionary interest to the state that specifies that the property shall not revert to the state without review and approval by the State Coastal Conservancy and the State Public Works Board.

(b) The State Coastal Conservancy may not enter into a grant contract with a nonprofit organization or local government for property acquisition that provides for a state leasehold interest in property acquired by a nonstate public agency with grant funds of the State Coastal Conservancy unless the Director of General Services approves the lease terms.

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(c) Except for the above, the expenditures of funds for grants to nonstate public agencies and nonprofit organizations shall be exempt from State Public Works Board review.

3760-311-6031—For transfer by the Controller from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 to the Habitat Conservation Fund..... 4,000,000

Provisions:

1. The funds transferred in this item shall be used for purposes consistent with the requirements of the Habitat Conservation Fund and the requirements of subdivision (a) of Section 79570 of the Water Code.
2. The amounts transferred by this item may be adjusted to reflect the requirements of subdivision (a) of Section 2796 of the Fish and Game Code.

3760-490—Reappropriation, State Coastal Conservancy. The amount specified in the appropriation provided for in the following citation is reappropriated for the purposes specified in that appropriation, and shall be available for encumbrance or expenditure until June 30, 2008:

6029—California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund

(1) The balance of Item 3760-301-6029 of the Budget Act of 2002 (Ch. 379, Stats. 2002)

3760-495—Reversion, State Coastal Conservancy. As of June 30, 2005, the balances of the appropriations provided for in the following citations shall revert to the funds from which the appropriations were made:

0005—Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund

(1) $3,117,000 from Program 80.93.015—Coastal Resource Development in Item 3760-301-0005 of the Budget Act of 2000 (Ch. 52, Stats. 2000)
(2) $7,404,000 from Program 80.01.027—Upper Newport Bay Restoration and Protection Program in Item 3760-301-0005 of the Budget Act of 2001 (Ch. 106, Stats. 2001)
(3) $2,582,000 from Program 80.93.025—Coastal Resource Enhancement in Item 3760-301-0005 of the Budget Act of 2001 (Ch. 106, Stats. 2001)
(4) $35,000 from Program 80.97.030—Conservancy Programs (2) (S) in Item 3760-302-0005 of the Budget Act of 2000 (Ch. 52, Stats. 2000)

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| (5) $4,387,000 from Program 80.97.030—Conservancy Programs (2) (Z) in Item 3760-302-0005 of the Budget Act of 2000 (Ch. 52, Stats. 2000) | | |
| 3780-001-0001—For support of Native American Heritage Commission | | 532,000 |
| Schedule: | | |
| (1) 10-Native American Heritage Commission | 545,000 | |
| (2) 97.20.001-Unallocated Reduction | –8,000 | |
| (3) Reimbursements | –5,000 | |
| 3790-001-0001—For support of Department of Parks and Recreation | | 100,976,000 |
| Schedule: | | |
| (1) For support of the Department of Parks and Recreation | ~~350,003,000~~ *353,003,000* | |
| (2) Unallocated Reduction | –1,567,000 | |
| (3) Reimbursements | –34,575,000 | |
| (4) Less funding provided by capital outlay | –4,000,000 | |
| (5) Amount payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Item 3790-001-0005) | –10,179,000 | |
| (5.5) Amount payable from the Surface Mining and Reclamation Account (Item 3790-001-0035) | –500,000 | |
| (6) Amount payable from the California Environmental License Plate Fund (Item 3790-001-0140) | –2,635,000 | |
| (7) Amount payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund (Item 3790-001-0235) | –9,858,000 | |
| (8) Amount payable from the Off-Highway Vehicle Trust Fund (Item 3790-001-0263) | –36,579,000 | |
| (9) Amount payable from the State Parks and Recreation Fund (Item 3790-001-0392) | ~~–131,779,000~~ *–134,779,000* | |
| (10) Amount payable from the Winter Recreation Fund (Item 3790-001-0449) | –346,000 | |

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| (11) Amount payable from the Harbors and Watercraft Revolving Fund (Item 3790-001-0516) ..... | –689,000 |
| (12) Amount payable from the Federal Trust Fund (Item 3790-001-0890). | –3,652,000 |
| (13) Amount payable from the California Main Street Program Fund (Item 3790-001-3077) ..... | –175,000 |
| (14) Amount payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Item 3790-001-6029) ..... | –12,022,000 |
| (15) Amount payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Item 3790-001-6031) ..... | –471,000 |
| Provisions: | |
| 1. Of the funds appropriated by this act from the General Fund and special funds, other than the Off-Highway Vehicle Trust Fund and bond funds, to the Department of Parks and Recreation for local assistance grants to local agencies, the department may allocate an amount not to exceed 1.5 percent of each project's allocation to provide for the department's costs to administer these grants. | |
| 2. It is the intent of the Legislature that salaries, wages, operating expenses, and positions associated with implementing specific Department of Parks and Recreation capital outlay projects continue to be funded through capital outlay appropriations, and that these funds should also be reflected in the department's state operations budget in the Governor's Budget as a special item of expense reflecting the funding provided from the capital outlay appropriations. | |
| 3790-001-0005—For support of Department of Parks and Recreation, for payment to Item 3790-001-0001, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund ..... | 10,179,000 |
| 3790-001-0035—For support of Department of Parks and Recreation, for payment to Item 3790-001-0001, payable from the Surface Mining and Reclamation Account ..... | 500,000 |

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|---|---|
| Provisions: | |
| 1. Notwithstanding Section 2796.5 of the Public Resources Code, the funds appropriated in this item shall be available for a water pollution mitigation study of the Empire Mine State Historic Park. | |
| 3790-001-0140—For support of Department of Parks and Recreation, for payment to Item 3790-001-0001, payable from the California Environmental License Plate Fund | 2,635,000 |
| 3790-001-0235—For support of Department of Parks and Recreation, for payment to Item 3790-001-0001, payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund | 9,858,000 |
| 3790-001-0263—For support of Department of Parks and Recreation, for payment to Item 3790-001-0001, payable from the Off-Highway Vehicle Trust Fund | 36,579,000 |
| 3790-001-0392—For support of Department of Parks and Recreation, for payment to Item 3790-001-0001, payable from the State Parks and Recreation Fund | ~~131,779,000~~ *134,779,000* |
| 3790-001-0449—For support of Department of Parks and Recreation, for payment to Item 3790-001-0001, payable from the Winter Recreation Fund | 346,000 |
| 3790-001-0516—For support of Department of Parks and Recreation, for payment to Item 3790-001-0001, payable from the Harbors and Watercraft Revolving Fund | 689,000 |
| 3790-001-0890—For support of Department of Parks and Recreation, for payment to Item 3790-001-0001, payable from the Federal Trust Fund | 3,652,000 |
| 3790-001-3077—For support of Department of Parks and Recreation, for payment to Item 3790-001-0001, payable from the California Main Street Program Fund | 175,000 |
| 3790-001-6029—For support of Department of Parks and Recreation, for payment to Item 3790-001-0001, payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund | 12,022,000 |
| 3790-001-6031—For support of Department of Parks and Recreation, payable to Item 3790-001-0001, from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 | 471,000 |

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3790-011-0062—For transfer by the Controller to the State Parks and Recreation Fund, as prescribed by subdivision (a) of Section 2107.7 of the Streets and Highways Code, for expenditure by the Department of Parks and Recreation for maintenance and repair of highways in units of the State Park System, payable from the Highway Users Tax Account, Transportation Tax Fund ..... (3,400,000)

3790-012-0061—For transfer by the Controller from the Motor Vehicle Fuel Account, Transportation Tax Fund to the State Parks and Recreation Fund ..... (26,649,000)

Provisions:

1. Notwithstanding any other provision of law, the amount appropriated in this item normally transferred to the Harbors and Watercraft Revolving Fund from the Motor Vehicle Fuel Account, Transportation Tax Fund, shall be available for transfer to the State Parks and Recreation Fund.

3790-101-0005—For local assistance, Department of Parks and Recreation, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund, to be available for expenditure through fiscal year 2007–08..... 835,000

Schedule:

(1) 80.25-Recreational Grants ..... 835,000

(a) Local Agencies Operating Park Units

Provisions:

1. The funds appropriated in Schedule (1)(a) shall be available to the City of Huntington Beach for improvements to the bicycle and pedestrian trail and for bluff erosion and safety railing at Bolsa Chica State Beach.

3790-101-0262—For local assistance, Department of Parks and Recreation, payable from the Habitat Conservation Fund, to be available for expenditure through fiscal year 2007–08..... 4,592,000

Schedule:

(1) 80.25-Recreational Grants ..... 3,092,000

(2) 80.28-Local Projects..... 1,500,000

(a) Monterey County, Monterey Peninsula Regional Park District-Santa Lucia Mountain Range.....(1,500,000)

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Provisions:

1. The funds appropriated by this item shall be available only for projects submitted to the Department of Parks and Recreation for consideration during the evaluation process for the Habitat Conservation Fund Program.

3790-101-0263—For local assistance, Department of Parks and Recreation, payable from the Off-Highway Vehicle Trust Fund, for grants to cities, counties, federal agencies or special districts, as specified in Section 5090.50 of the Public Resources Code, to be available for expenditure through fiscal year 2007–08 ..... 18,000,000

Schedule:

(1) 80.12-OHV Grants ..... 18,000,000

3790-101-0858—For local assistance, Department of Parks and Recreation, payable from the Recreational Trails Fund, to be available for expenditure through fiscal year 2007–08 ..... 6,200,000

Schedule:

(1) 80.12-OHV Grants ..... 1,200,000

(2) 80.25-Recreational Grants ..... 5,000,000

Provisions:

1. The funds appropriated in Schedules (1) and (2) shall be available for expenditure for local assistance or capital outlay.
2. Of the funds appropriated, the department may allocate, to the maximum extent allowable under federal law, the amount necessary to provide for the department's costs to administer these grants.
3. Grants may be made to nonprofit organizations and government entities.

3790-101-0890—For local assistance, Department of Parks and Recreation, payable from the Federal Trust Fund, to be available for expenditure through fiscal year 2007–08 ..... 14,200,000

Schedule:

(1) 80.25-Recreational Grants ..... 13,000,000

(2) 80.30-Historic Preservation Grants. 1,200,000

Provisions:

1. The funds appropriated in Schedules (1) and (2) shall be available for expenditure for local assistance or capital outlay.

3790-101-8017—For local assistance, Department of Parks and Recreation, payable from the California Missions Foundation Fund, to be available for expenditure through fiscal year 2007–08..... 260,000

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Schedule:

(1) 80.30-Historic Preservation Grants. 260,000

Provisions:

1. The funds appropriated in this item shall be available for allocation to the California Missions Foundation for the restoration of California missions.

2. The Department of Parks and Recreation, upon approval by the Department of Finance, may adjust the appropriation specified in this item to the amount deposited in the fund from voluntary contributions made by taxpayers.

3790-301-0005—For capital outlay, Department of Parks and Recreation, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund ..... 5,404,000

Schedule:

(1) 90.AI.101-Millerton Lake SRA: Rehabilitate La Playa Day Use Area—Preliminary plans ..... 200,000

(1.1) 90.EX.101-Malibu Creek SP: Restore Sepulveda Adobe—Construction ..... 384,000

(1.2) 90.E4.103-Chino Hills SP: Visitor Center—Construction..... 726,000

(1.3) 90.GG.101-Silverwood Lake SRA: Campground and Day Use Improvements—Construction ..... 526,000

(2) 90.G3.101-Antelope Valley Indian Museum-Structural Improvements—Preliminary plans and working drawings ..... 149,000

(2.1) 90.H9.101-Cardiff SB: Rebuild South Cardiff Facilities—Construction ..... 500,000

(3) 90.I6.101-San Elijo SB: Replace Main Lifeguard Tower—Preliminary plans and working drawings..... 418,000

(4) 90.RS.205-Statewide: State Park System—Minor projects..... 975,000

(5) 90.RS.250-Statewide: Interpretive Exhibits—Minor projects ..... 500,000

(6) 90.RS.260-Statewide: Recreational Trails—Minor projects ..... 250,000

(7) 90.RS.601-Statewide: Budget Development—Study ..... 500,000

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(8) 90.8J.101-Columbia SHP: Drainage Improvements—Preliminary plans. 144,000

(9) 90.86.100-Rancho San Andres: Castro Adobe—Construction ..... 132,000

Provisions:

1. The funds appropriated in Schedule (7) of this item shall be used to develop design information or cost information for new projects for which funds have not been appropriated previously, but that are anticipated to be included in the Governor's Budget for the 2006–07 and 2007–08 fiscal years.

3790-301-0262—For capital outlay, Department of Parks and Recreation, payable from the Habitat Conservation Fund ..... 1,000,000

Schedule:

(1) 90.RS.406-Habitat Conservation: Proposed Additions—Acquisition . 1,000,000

3790-301-0263—For capital outlay, Department of Parks and Recreation, payable from the Off-Highway Vehicle Trust Fund ..... 7,845,000

Schedule:

(1) 90.RS.206-Statewide: OHV Minors—Minor projects ..... 2,245,000

(2) 90.RS.405-Statewide: OHV Opportunity Purchase/Budget Package/ Schematic Planning—Acquisition and study ..... 600,000

(3) 90.9N.101-Bakersfield OHV Park Project—Acquisition ..... 5,000,000

Provisions:

1. The funds appropriated in Schedule (2) of this item shall be used to develop design information or cost information for new projects for which funds have not been appropriated previously, but which are anticipated to be included in the Governor's Budget for the 2006–07 or 2007–08 fiscal year.

3790-301-0890—For capital outlay, Department of Parks and Recreation, payable from the Federal Trust Fund..... 5,000,000

Schedule:

(1) 90.RS.801-Federal Trust Fund Program—Acquisition, preliminary plans, working drawings and construction ..... 5,000,000

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| 3790-301-6029—For capital outlay, Department of Parks and Recreation, payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund | | 27,000,000 |
| Schedule: | | |
| (1) 90.BA.102-Big Basin Redwoods SP: Water System Improvements—Preliminary plans | 236,000 | |
| (2) 90.EX.103-Malibu Creek SP: Rehabilitate Public Use Facilities at Tapia—Working drawings, construction, and equipment | 3,845,000 | |
| (3) 90.E4.104-Chino Hills SP: Entrance Road and Facilities—Construction and equipment | 12,426,000 | |
| (4) 90.FW.101-Topanga SP: Public Use Improvements—Construction and equipment | 1,521,000 | |
| (4.1) 90.GI.102-Crystal Cove SP: Rehabilitation of Historic Cottages and Infrastructure—Construction | 567,000 | |
| (4.2) 90.GY.101-Doheny SB: New Lifeguard Headquarters—Construction | 263,000 | |
| (4.3) 90.IH.101-Lake Perris SRA: Replace Lifeguard Headquarters—Construction | 572,000 | |
| (5) 90.RS.412-Statewide: State Park System Opportunity & Inholding Acquisitions—Acquisition | 1,500,000 | |
| (6) 90.RS.810-Capital Outlay Projects—Acquisition, preliminary plans, working drawings, construction, and minor projects | 3,000,000 | |
| (7) 90.3I.101-Shasta SHP: Southside Ruins Stabilization—Working drawings and construction | 1,852,000 | |
| (7.1) 90.5R.101-Fort Ross SHP: Reconstruction Historic Fur Warehouse—Construction | 2,336,000 | |
| (8) 90.6H.101-Samuel P. Taylor SP: Install New Concrete Reservoirs—Working drawings and construction | 1,677,000 | |

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(9) 90.8X.101-Plumas-Eureka SP: Historic Stamp Mill Preservation—Preliminary plans ..... 205,000

(10) Reimbursement—Capital Outlay Projects ..... –3,000,000

3790-401—For the 2005–06 fiscal year, the balance as of July 1, 2005, deposits in, and accruals to the Conservation and Enforcement Services Account in the Off-Highway Vehicle Trust Fund shall be transferred by the State Controller to the Off-Highway Vehicle Trust Fund. All funds transferred pursuant to this item shall be available for expenditure by the Department of Parks and Recreation for activities pursuant to Section 5090.64 of the Public Resources Code which are authorized for expenditure within Items 3790-001-0263, 3790-101-0263, and 3790-301-0263. The Controller shall make the transfers quarterly or at such intervals as determined necessary to meet the cashflow needs of the Off-Highway Vehicle Trust Fund.

3790-490—Reappropriation, Department of Parks and Recreation. The balance of the appropriation provided for in the following citation is reappropriated for the purposes provided for in that appropriation and shall be available for encumbrance or expenditure until June 30, 2008:

0001—General Fund

(1) Item 3790-101-0001, Budget Act of 2000 (Ch. 52, Stats. 2000)

(a) 80.25-Recreational Grants

(184) City of Redlands: Local Park Facility

3790-491—Reappropriation, Department of Parks and Recreation. The balances of the appropriations provided for in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided for in the appropriations:

0005—Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund

(1) Item 3790-302-0005, Budget Act of 2001 (Ch. 106, Stats. 2001), as reappropriated by Chapter 636 of the Statutes of 2002

(7) 90.EC.400-Kenneth Hahn SRA: Baldwin Hills—Acquisition, planning, preliminary

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plans, working drawings, equipment, and construction, including, but not limited to, trail development and improvement, habitat restoration.

(2) Item 3790-301-0005, Budget Act of 2002 (Ch. 379, Stats. 2002)

(5.5) 90.86.100-Rancho San Andres: Castro Adobe—Preliminary plans, working drawings, and construction

(6) 90.AA.101-Folsom Powerhouse SHP: Powerhouse Stabilization—Working drawings, construction, and equipment

(20) 90.H9.101-Cardiff SB: Rebuild South Cardiff Facilities—Construction

(23) 90.IL.102-Border Field SP: Sediment Basins and Road Realignment—Construction

(27.5) 90.AA.102-Folsom Powerhouse SHP: Visitor Center—Preliminary plans, working drawings, construction, and equipment

(29) Reimbursements-Border Field SP: Sediment Basins and road realignment

(30) Reimbursements-Folsom Powerhouse SHP: Visitor Center

(3) Kenneth Hahn SRA, Section 1 of Chapter 636 of the Statutes of 2002

(4) Item 3790-301-0005, Budget Act of 2004 (Ch. 208, Stats. 2004)

(0.1) 90.EX.101-Malibu Creek SP: Restore Sepulveda Adobe—Working drawings and construction

(0.2) 90.E4.103-Chino Hills SP: Visitor Center—Construction and equipment

(1) 90.GI.101-Crystal Cove SP: El Morro Mobilehome Park Conversion—Construction

(5) Reimbursement-Crystal Cove SP: El Morro Mobilehome Park Conversion

0263—Off-Highway Vehicle Trust Fund

(1) Item 3790-301-0263, Budget Act of 2004 (Ch. 208, Stats. 2004)

(1) 90.A7.102-Prairie City SVRA: Improvement Project—Working drawings and construction

(4) 90.20.002-Unallocated Capital Outlay

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6029—California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund

(1) Item 3790-301-6029, Budget Act of 2002 (Ch. 379, Stats. 2002)

(1) 90.FJ.103-Will Rogers SHP: Restoration Historic Landscape—Preliminary plans, working drawings, and construction

(2) 90.FW.104-Topanga SP: Immediate Use and General Planning—Study, preliminary plans, working drawings, and construction

(3) 90.GI.102-Crystal Cove SP: Rehabilitation of Historic Cottages and Infrastructure—Preliminary plans, working drawings, and construction

(4) 90.KV.101-Los Angeles River Parkway Project: Taylor Yards, Immediate Public Use and General Planning—Study, preliminary plans, working drawings, and construction

(5) 90.KZ.102-Cornfields Project: Immediate Use and General Planning—Study, preliminary plans, working drawings, and construction

(6) 90.RS.224-Statewide Acquisition-Proposition 40—Acquisition

(2) California Indian Museum: Preliminary plans, working drawings, and construction, Chapter 1126 of the Statutes of 2002

(3) Item 3790-301-6029, Budget Act of 2004 (Ch. 208, Stats. 2004)

(0.5) 90.AC.101-Railroad Technology Museum: Rehabilitation and Facilities Plan—Working drawings and construction

(1) 90.BA.101-Big Basin Redwoods SP: Wastewater Collection/Treatment System Improvements—Construction and equipment

(2) 90.CB.102-Morro Bay SP: Sewer System Improvement—Construction

(2.1) 90.EX.103-Malibu Creek SP: Rehabilitate Public Use Facilities at Tapia—Preliminary plans

(2.5) 90.FW.101-Topanga SP: Public Use Improvements—Preliminary plans and working drawings

(2.6) 90.GY.101-Doheny SB: New Lifeguard Headquarters—Construction and equipment

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(2.7) 90.IH.101-Lake Perris SRA: Replace Lifeguard Headquarters—Construction and equipment

(3.3) 90.3I.101-Shasta SHP: Southside Ruins Stabilization—Preliminary plans

(4) 90.5R.102-Fort Ross SHP: Water System Improvement—Construction

(5.1) 90.8D.102-Donner Memorial SP: New Visitor Center—Working drawings, construction, and equipment

(5.2) 90.8I.101-Calaveras Big Trees SP: New Visitor Center—Working drawings, construction, and equipment

(5.3) 90.8X.101-Plumas-Eureka SP: Historic Stamp Mill Preservation—Study and partial construction

(5.4) 90.42.101-MacKerricher SP: Rehabilitate Historic Pudding Creek Trestle—Construction

(5.5) Reimbursement-Railroad Technology Museum: Rehabilitation and Facilities Plan

(5.6) Reimbursement-Calaveras Big Trees SP: New Visitor Center

(5.7) Reimbursement-Donner Memorial SP: Visitor Center

3790-492—Reappropriation, Department of Parks and Recreation. Notwithstanding any other provision of law, the period to liquidate encumbrances of the following citation is extended to June 30, 2006:

0262—Habitat Conservation Fund

(1) Item 3790-101-0262, Budget Act of 1999 (Ch. 50, Stats. 1999), as reappropriated by Item 3790-493, Budget Act of 2004 (Ch. 208, Stats. 2004)

(1) 80.25.0001-Local Grants—Habitat Conservation Fund Program

Provisions:

1. The reappropriation is limited to the $325,000 grant to the Mid-Peninsula Regional Open Space District.

3790-493—Reappropriation, Department of Parks and Recreation. The balance of the appropriation provided for in the following citation is reappropriated for the purposes provided for in that appropriation

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and shall be available for encumbrance or expenditure until June 30, 2008:

0001—General Fund

(1) Item 3790-101-0001, Budget Act of 2000 (Ch. 52, Stats. 2000)

(a) 80.25-Recreational Grants

(94) Mendocino Coast Recreation and Park District: Construction of Phase I of the Ft. Bragg Aquatic Center

3790-494—Reappropriation, Department of Parks and Recreation. The balance of the appropriation provided for in the following citation is reappropriated for the purposes specified and shall be available for encumbrance or expenditure until June 30, 2006:

0383—Natural Resources Infrastructure Fund

(1) The balance of Item 3790-101-0383 of the Budget Act of 2004 (Ch. 208, Stats. 2004) shall be available to the City of Los Angeles, Department of Parks and Recreation, to fund priority parks renovation, restoration, improvement, and deferred maintenance.

3790-495—Reversion, Department of Parks and Recreation. As of June 30, 2005, the sum of $6,236,000 from the appropriation provided for in the following citation shall revert to the balance of the fund from which the appropriation was made.

6029—California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund

(1) Item 3790-001-6029, Budget Act of 2004 (Ch. 208, Stats. 2004)

3790-496—Reversion, Department of Parks and Recreation. As of June 30, 2005, the unencumbered balance of the appropriations provided for in the following citations shall revert to the fund from which the appropriation was made:

0005—Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund

(1) Item 3790-301-0005, Budget Act of 2003 (Ch. 157, Stats. 2003)

(15) 90.5R.101-Fort Ross SHP: Reconstruct Historic Fur Warehouse—Construction

6029—California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund

(1) Item 3790-301-6029, Budget Act of 2004 (Ch. 208, Stats. 2004)

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| (2.4) 90.FO.101-Huntington SB: Expand Lifeguard Headquarters/Training Facility—Working drawings, construction, and equipment | |
| 3810-001-0140—For support of Santa Monica Mountains Conservancy, payable from the California Environmental License Plate Fund ..... | 267,000 |
| Schedule: | |
| (1) 10-Santa Monica Mountains Conservancy ..... 717,000 | |
| (2) Amount payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Item 3810-001-6029)..... –229,000 | |
| (3) Amount payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Item 3810-001-6031) ..... –221,000 | |
| Provisions: | |
| 1. Notwithstanding Article 4 (commencing with Section 11040) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code, the Attorney General shall continue to provide legal services to the Santa Monica Mountains Conservancy consistent with the manner in which the Attorney General provides legal services to state agencies that are funded by appropriations made from the General Fund. | |
| 2. (a) The Santa Monica Mountains Conservancy shall not encumber state appropriated funds for the purchase or acquisition of real property directly or through any public agency intermediary, including the State Public Works Board, that requires the payment of interest costs, or late fees or penalties, unless the conservancy certifies all of the following: (1) that the purchase is necessary to implement an acquisition identified in the high-priority category of the work program submitted annually to the Legislature pursuant to Section 33208 of the Public Resources Code, or amendments made thereto, (2) that the purchase agreement does not involve interest payments or terms in excess of those that the | |

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State Public Works Board may enter into pursuant to Section 15854.1 of the Government Code, and (3) that the purchase agreement does not commit the state to future appropriations.

(b) The Santa Monica Mountains Conservancy shall report periodically to the Legislature, but no less frequently than twice yearly, concerning the status of any purchases certified as required in (a) and the amount of state funds thus far encumbered for interest, penalties, or other principal surcharges.

3810-001-6029—For support of the Santa Monica Mountains Conservancy, for payment to Item 3810-001-0140, payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund ..... 229,000

3810-001-6031—For support of Santa Monica Mountains Conservancy, for payment to Item 3810-001-0140, payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002..... 221,000

3810-301-0941—For capital outlay, Santa Monica Mountains Conservancy, payable from the Santa Monica Mountains Conservancy Fund..... 13,000

Schedule:

(1) 50.20-Capital Outlay and Local Assistance..... 13,000

Provisions:

1. The Santa Monica Mountains Conservancy may encumber funds for either capital outlay or local assistance grants through June 30, 2008. The conservancy shall not encumber funds for any grant not previously approved by the office of the Attorney General.

2. The Santa Monica Mountains Conservancy shall issue grants from this appropriation only in accordance with the General Obligation Bond Law and the specific provisions of the bond funds from which appropriations have been made, and according to advice it has received from the office of the Attorney General, and, if appropriate, from the Office of the State Treasurer, respecting the permissible use of bond funds available to the conservancy.

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3. Any time that the office of the Attorney General concludes that any use of bond funds has not been consistent with the advice provided by the Attorney General, the Santa Monica Mountains Conservancy shall follow the instructions of the Attorney General with respect to recovery, refund, or other settlement.

5. The Santa Monica Mountains Conservancy shall submit a report to the Director of Finance and the Joint Legislative Budget Committee, no later than October 1, 2005, on the conservancy's procedures and progress towards achieving compliance with audit findings identified in ''Final Management Letter—Audit of Proposition 12, 40, and 50 Bond Funds,'' prepared by the Office of State Audits and Evaluations, Department of Finance, dated March 1, 2005.

3810-301-6031—For capital outlay, Santa Monica Mountains Conservancy, payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 ..... 9,500,000

Schedule:

(1) 50.20-Capital Outlay and Local Assistance..... 9,500,000

Provisions:

1. The Santa Monica Mountains Conservancy may encumber funds for either capital outlay or local assistance grants through June 30, 2008. The conservancy shall not encumber funds for any grant not previously approved by the office of the Attorney General.

2. The Santa Monica Mountains Conservancy shall issue grants from this appropriation only in accordance with the General Obligation Bond Law and the specific provisions of the bond funds from which appropriations have been made, and according to advice it has received from the office of the Attorney General, and if appropriate, from the Office of the State Treasurer, respecting the permissible use of bond funds available to the conservancy.

3. Any time that the office of the Attorney General concludes that any use of bond funds has not been consistent with the advice provided by the Attorney General, the Santa Monica Mountains Con-

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servancy shall follow the instructions of the Attorney General with respect to recovery, refund, or other settlement.

5. The Santa Monica Mountains Conservancy shall submit a report to the Director of Finance and the Joint Legislative Budget Committee, no later than October 1, 2005, on the conservancy's procedures and progress towards achieving compliance with audit findings identified in ''Final Management Letter—Audit of Proposition 12, 40, and 50 Bond Funds,'' prepared by the Office of State Audits and Evaluations, Department of Finance, dated March 1, 2005.

3810-490—Reappropriation, Santa Monica Mountains Conservancy. Notwithstanding any other provision of law, the period to liquidate encumbrances of the following citation is extended to June 30, 2008.

0941—Santa Monica Mountains Conservancy Fund

(1) Reimbursements to Item 3810-301-0941, Budget Act of 2000 (Ch. 52, Stats. 2000)

3810-491—Reappropriation, Santa Monica Mountains Conservancy. The balances of the appropriations provided for in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided for in the appropriations, and shall be available for encumbrance or expenditure until June 30, 2008:

0005—Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund

(1) Item 3810-301-0005, Budget Act of 2000 (Ch. 52, Stats. 2000), provided that the funds will be available for capital outlay and local assistance.

(2) Item 3810-301-0005, Budget Act of 2001 (Ch. 106, Stats. 2001), provided that the funds will be available for capital outlay and local assistance. Of the amount reappropriated, the balance of the appropriation specified in Provision 2 of Item 3810-301-0005, Budget Act of 2001 (Ch. 106, Stats. 2001), may be used for capital outlay and local assistance grants other than Phase 1 of the acquisition of Zanja Madre Park.

(3) Item 3810-301-0005, Budget Act of 2002 (Ch. 379, Stats. 2002), provided that the funds will be available for capital outlay and local assistance.

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| 6015—River Protection Subaccount | | |
| (1) Item 3810-301-6015, Budget Act of 2000 (Ch. 52, Stats. 2000) | | |
| Provisions: | | |
| 1. The Santa Monica Mountains Conservancy may encumber funds for either capital outlay or local assistance grants until June 30, 2008. | | |
| 2. This reappropriation item shall not affect funds reverted by Item 3810-495. | | |
| 3810-495—Reversion, Santa Monica Mountains Conservancy. As of June 30, 2005, the amounts in the appropriations provided for in the following citations shall revert to the balance of the fund from which the appropriations were made: | | |
| 0005—Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund | | |
| (1) $10,000 from Item 3810-301-0005, Budget Act of 2000 (Ch. 52, Stats. 2000) | | |
| (2) $2,695,000 from Item 3810-301-0005, Budget Act of 2001 (Ch. 106, Stats. 2001) | | |
| 3820-001-0001—For support of San Francisco Bay Conservation and Development Commission | | 3,204,000 |
| Schedule: | | |
| (1) 10-Bay Conservation and Development | 4,125,000 | |
| (2) 97.20.001-Unallocated Reduction | –50,000 | |
| (3) Reimbursements | –674,000 | |
| (4) Amount payable from the Bay Fill Clean-Up and Abatement Fund (Item 3820-001-0914) | –197,000 | |
| 3820-001-0914—For support of San Francisco Bay Conservation and Development Commission, for payment to Item 3820-001-0001, payable from the Bay Fill Clean-Up and Abatement Fund | | 197,000 |
| 3825-001-0140—For support of San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, payable from the California Environmental License Plate Fund | | 283,000 |
| Schedule: | | |
| (1) 10-San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy | 515,000 | |
| (2) Amount payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Item 3825-001-6029) | –132,000 | |

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(3) Amount payable from the Water Security, Clean Drinking Water, Coastal Beach Protection Fund of 2002 (Item 3825-001-6031)..... −100,000

3825-001-6029—For support of San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, for payment to Item 3825-001-0140, payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund..... 132,000

3825-001-6031—For support of San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, for payment to Item 3825-001-0140, payable from the Water Security, Clean Drinking Water, Coastal Beach Protection Fund of 2002..... 100,000

3825-301-6031—For capital outlay, San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 ..... 4,500,000

Provisions:

1. The funds appropriated in this item are available for expenditure for capital outlay or local assistance until June 30, 2008.

3830-001-0140—For support of San Joaquin River Conservancy, payable from the California Environmental License Plate Fund ..... 264,000

Schedule:

(1) 10-San Joaquin River Conservancy. 374,000

(2) Amount payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Item 3830-001-6029)..... −110,000

3830-001-6029—For support of San Joaquin River Conservancy, for payment to Item 3830-001-0140, payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund ..... 110,000

3830-301-0104—For capital outlay, San Joaquin River Conservancy, payable from the San Joaquin River Conservancy Fund..... 0

Schedule:

(1) 20-Capital Outlay Acquisition and Enhancement Projects ..... 1,000,000

(2) Reimbursements..... −1,000,000

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Provisions:

1. The funds appropriated in this item are available for expenditure for capital outlay or local assistance until June 30, 2008.
2. Notwithstanding any other provision of law, upon approval and order of the Department of Finance, loans may be made from the California Environmental License Plate Fund to meet cashflow needs due to delays in collecting reimbursements. Any loan authorized by the Department of Finance pursuant to this provision shall only be made if the conservancy has a valid contract or certification that demonstrates that sufficient funds will be available to repay the loan.

3835-001-0140—For support of Baldwin Hills Conservancy, payable from the California Environmental License Plate Fund ..... 311,000

Schedule:

(1) 10-Baldwin Hills Conservancy ..... 417,000

(2) Amount payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Item 3835-001-6029)..... –106,000

3835-001-6029—For support of Baldwin Hills Conservancy, for payment to Item 3835-001-0140, payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund.. 106,000

3835-301-6029—For capital outlay, Baldwin Hills Conservancy, payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund ..... 8,648,000

Schedule:

(1) 20-Capital Outlay Acquisition and Improvement Program..... 10,648,000

(2) Reimbursements..... –2,000,000

Provisions:

1. The funds appropriated in this item are available for expenditure for capital outlay or local assistance until June 30, 2008.

3840-001-0140—For support of Delta Protection Commission, payable from the California Environmental License Plate Fund ..... 151,000

3840-001-0516—For support of Delta Protection Commission, payable from the Harbors and Watercraft Revolving Fund ..... 178,000

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| 3845-001-0140—For support of San Diego River Conservancy, payable from the California Environmental License Plate Fund | | 274,000 |
| Schedule: | | |
| (1) 10-San Diego River Conservancy | 274,000 | |
| 3845-301-0140—For capital outlay, San Diego River Conservancy, payable from the Environmental License Plate Fund | | 0 |
| Schedule: | | |
| (1) 20-Capital Outlay Acquisition and Enhancement Projects | 500,000 | |
| (2) Reimbursements | –500,000 | |
| Provisions: | | |
| 1. The funds appropriated in this item are available for encumbrance for either capital outlay or local assistance until June 30, 2008. | | |
| 3850-001-0140—For support of Coachella Valley Mountains Conservancy, payable from the California Environmental License Plate Fund | | 255,000 |
| Schedule: | | |
| (1) 10-Coachella Valley Mountains Conservancy | 411,000 | |
| (2) Reimbursements | –124,000 | |
| (3) Amount payable from the Coachella Valley Mountains Conservancy Fund (Item 3850-001-0296) | –32,000 | |
| 3850-001-0296—For support of Coachella Valley Mountains Conservancy, for payment to Item 3850-001-0140, payable from the Coachella Valley Mountains Conservancy Fund | | 32,000 |
| 3850-301-6029—For capital outlay, Coachella Valley Mountains Conservancy, payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund | | 218,000 |
| Schedule: | | |
| (1) 20-Coachella Valley Mountains Acquisition and Enhancement Projects and Costs | 218,000 | |
| Provisions: | | |
| 1. The funds appropriated in this item are available for expenditure for capital outlay or local assistance until June 30, 2008. | | |
| 3855-001-0140—For support of Sierra Nevada Conservancy, payable from the California Environmental License Plate Fund | | ~~2,957,000~~ *3,357,000* |

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|---|---|---|
| Schedule: | | |
| (1) 10-Sierra Nevada Conservancy ..... | ~~3,157,000~~ *3,557,000* | |
| (2) Reimbursements ..... | –200,000 | |
| ~~Provisions:~~ | | |
| ~~1. Of the amount appropriated in this item, $567,000 for external consulting for program and guideline development, and $586,000 for equipment, are limited to terms of two years and one year, respectively.~~ | | |
| 3860-001-0001—For support of Department of Water Resources ..... | | 72,691,000 |
| Schedule: | | |
| (1) 10-Continuing Formulation of the California Water Plan ..... | 108,447,000 | |
| (2) 20-Implementation of the State Water Resources Development System ..... | 5,220,000 | |
| (3) 30-Public Safety and Prevention of Damage ..... | 92,690,000 | |
| (4) 40-Services ..... | 7,205,000 | |
| (5) 45-California Energy Resources Scheduling (CERS) ..... | 32,343,603 | |
| (6) 50.01-Management and Administration ..... | 63,700,000 | |
| (7) 50.02-Distributed Management and Administration ..... | –63,700,000 | |
| (8) 97.20.001-Unallocated Reduction... | –576,000 | |
| (9) Reimbursements ..... | –26,693,000 | |
| (10) Amount payable from the California Environmental License Plate Fund (Item 3860-001-0140)..... | –238,000 | |
| (11) Amount payable from the Central Valley Project Improvement Subaccount (Item 3860-001-0404)..... | –1,575,000 | |
| (12) Amount payable from the Feasibility Projects Subaccount (Item 3860-001-0445) ..... | –482,000 | |
| (13) Amount payable from the Water Conservation and Groundwater Recharge Subaccount (Item 3860-001-0446) ..... | –125,000 | |
| (14) Amount payable from the Energy Resources Programs Account (Item 3860-001-0465) ..... | –1,792,000 | |

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| (15) Amount payable from the Local Projects Subaccount (Item 3860-001-0543) | –101,000 |
| (17) Amount payable from the 1986 Water Conservation and Water Quality Bond Fund (Item 3860-001-0744) | –195,000 |
| (18) Amount payable from the Federal Trust Fund (Item 3860-001-0890) | –12,700,000 |
| (19) Amount payable from the Dam Safety Fund (Item 3860-001-3057) | –7,827,000 |
| (20) Amount payable from the Electric Power Fund (Item 3860-001-3100) | –32,343,603 |
| (21) Amount payable from the Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Bond Fund (Item 3860-001-6001) | –988,000 |
| (22) Amount payable from Floodplain Mapping Subaccount (Item 3860-001-6003) | –254,000 |
| (23) Amount payable from the Flood Protection Corridor Subaccount (Item 3860-001-6005) | –866,000 |
| (24) Amount payable from the Urban Stream Restoration Subaccount (Item 3860-001-6007) | –701,000 |
| (25) Amount payable from the Yuba Feather Flood Protection Subaccount (Item 3860-001-6010) | –703,000 |
| (26) Amount payable from the Water Conservation Account (Item 3860-001-6023) | –789,000 |
| (27) Amount payable from the Conjunctive Use Subaccount (Item 3860-001-6025) | –1,316,000 |
| (28) Amount payable from the Bay-Delta Multipurpose Water Management Subaccount (Item 3860-001-6026) | –3,604,000 |
| (29) Amount payable from the Interim Water Supply and Water Quality Infrastructure and Management Subaccount (Item 3860-001-6027). | –433,000 |

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| (30) Amount payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Item 3860-001-6031) ..... | –78,913,000 |
| Provisions: | |
| 1. The amounts appropriated in Items 3860-001-0001 to 3860-001-6031, inclusive, shall be transferred to the Water Resources Revolving Fund (0691) for direct expenditure in such amounts as the Department of Finance may authorize, including cooperative work with other agencies. | |
| 3860-001-0140—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the California Environmental License Plate Fund ..... | 238,000 |
| 3860-001-0404—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Central Valley Project Improvement Subaccount ..... | 1,575,000 |
| 3860-001-0445—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Feasibility Projects Subaccount ..... | 482,000 |
| 3860-001-0446—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Water Conservation and Groundwater Recharge Subaccount ..... | 125,000 |
| 3860-001-0465—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Energy Resources Programs Account ..... | 1,792,000 |
| 3860-001-0543—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Local Projects Subaccount ..... | 101,000 |
| 3860-001-0744—For support of the Department of Water Resources, for payment to Item 3860-001-0001, payable from the 1986 Water Conservation and Water Quality Bond Fund ..... | 195,000 |
| 3860-001-0890—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Federal Trust Fund ..... | 12,700,000 |
| 3860-001-3057—For support of Department of Water Resources, for payments to Item 3860-001-0001, payable from the Dam Safety Fund ..... | 7,827,000 |

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| 3860-001-3100—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Electric Power Fund | 32,343,603 |
| 3860-001-6001—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Bond Fund | 988,000 |
| 3860-001-6003—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Floodplain Mapping Subaccount | 254,000 |
| 3860-001-6005—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Flood Protection Corridor Subaccount | 866,000 |
| 3860-001-6007—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Urban Stream Restoration Subaccount | 701,000 |
| 3860-001-6010—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Yuba Feather Flood Protection Subaccount | 703,000 |
| 3860-001-6023—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Water Conservation Account | 789,000 |
| 3860-001-6025—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Conjunctive Use Subaccount | 1,316,000 |
| 3860-001-6026—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Bay-Delta Multipurpose Water Management Subaccount | 3,604,000 |
| 3860-001-6027—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Interim Water Supply and Water Quality Infrastructure and Management Subaccount | 433,000 |
| 3860-001-6031—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 | 78,913,000 |

Provisions:

1. This item contains $3,200,000 to continue studies of the feasibility of enlarging Los Vaqueros Reservoir. It is the intent of the Legislature that regional partners in the Los Vaqueros Reservoir execute an agreement to work together to continue

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| investigation and planning for Los Vaqueros by July 1, 2006, if the state is to continue funding this project beyond the fiscal year. | |
| 3860-002-0001—For support of Department of Water Resources, for annual payment related to Coordination Proceeding Special Title (Rule 1550(b)) February 20, 1986 Flood Cases (Paterno v. State of California (2003) 113 Cal.App.4th 998) ..... | 67,068,000 |
| Provisions: | |
| 1. This item is for the payment of the settlement entered into by the State of California and the plaintiffs of the Coordination Proceeding Special Title (Rule 1550(b)) February 20, 1986 Flood Cases (Paterno v. State of California (2003) 113 Cal.App.4th 998), that was ultimately acquired by Merrill Lynch & Co. and allows for repayment over a 10-year period ending in 2015. Interest payments are due each December 1 and June 1. A principal payment is due each June 1. | |
| 2. Because the judgment terms include a variable interest rate, the precise amount of the payments that will come due cannot be determined with certainty beforehand. In the event that the actual total payments for this item exceed the amount appropriated in this item, the Director of Finance is hereby authorized to increase this item in an amount necessary to pay the full required amount. The Director of Finance shall notify the Joint Legislative Budget Committee 30 days prior to the expenditure of any additional funds from this item. | |
| 3. In the event that the actual total payments for this item are less than the amount appropriated, the excess funds will revert to the General Fund on June 30, 2006. | |
| 3860-101-0744—For local assistance, Department of Water Resources, payable from the 1986 Water Conservation and Water Quality Bond Fund ..... | 1,600,000 |
| 3860-101-0790—For local assistance, Department of Water Resources, payable from the 1988 Water Conservation Fund..... | 8,974,000 |
| 3860-101-6010—For local assistance, Department of Water Resources, payable from the Yuba Feather Flood Protection Subaccount..... | 34,207,000 |

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| 3860-101-6023—For local assistance, Department of Water Resources, payable from the Water Conservation Account | | 7,508,000 |
| 3860-101-6031—For local assistance, Department of Water Resources, payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 | | 52,035,000 |
| 3860-301-0001—For capital outlay, Department of Water Resources | | 16,700,000 |
| Schedule: | | |
| (1) 30.95.010-Sacramento River Bank Protection Project | 5,620,000 | |
| (3) 30.95.115-American River Flood Control Project: Common Elements | 5,109,000 | |
| (3.5) 30.95.211-1997 Flood Damage Repair Projects—San Joaquin Valley | 346,000 | |
| (4) 30.95.255-Eastside Bypass Levee Raising Project | 55,000 | |
| (5) 30.95.260-South Sacramento County Streams | 6,080,000 | |
| (6) 30.95.280-Terminus Dam, Lake Kaweah Project | 3,902,000 | |
| (7) Reimbursements-American River Flood Control Project: Common Elements | −1,500,000 | |
| (8) Reimbursements-Terminus Dam, Lake Kaweah Project | −1,154,000 | |
| (9) Reimbursements-South Sacramento County Streams | −1,758,000 | |
| Provisions: | | |

1. The funds appropriated in this item may be expended for relocations and acquisition of land, easements, and rights-of-way, including, but not limited to, borrow pits, spoil areas, and easements for levees, clearing, flood control works, and flowage, and for appraisals, surveys, and engineering studies necessary for the completion or operation of the projects in the Sacramento and San Joaquin watersheds as authorized by Section 8617.1 and Chapters 1 (commencing with Section 12570), 2 (commencing with Section 12639), 3 (commencing with Section 12800), 3.5 (commencing with Section 12840), and 4 (commencing with Section 12850) of Part 6 of Division 6 of

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the Water Code. Notwithstanding paragraph (1) of subdivision (a) of Section 12582.7 and Section 12585.5 of the Water Code, prior to state and federal authorization of the project and appropriation of federal construction funds by Congress and subsequent to submittal of a report to the Legislature pursuant to Section 12582.7, the amounts appropriated in this item may be expended for state costs associated with preconstruction design and engineering work conducted by the federal government and others.

2. The amounts appropriated in this item are also for advances to the federal government or payments to the federal government or others for incidental construction or reconstruction items that are an obligation of the state in connection with the completion or operation of the projects and for materials and necessary construction, reconstruction, relocation, or alterations to highways, railroads, bridges, powerlines, communication lines, pipelines, irrigation works, and other structures and facilities and for appraisals, surveys, and engineering studies incidental thereto.

3. The funds appropriated in this item include funding for preliminary plans, working drawings, construction supervision, contract administration, and other work activities to be performed by Department of Water Resources personnel in completion of the projects.

4. The funds appropriated in this item may be used to implement the above projects by arranging to perform work which is a federal responsibility prior to the availability of federal appropriations with the intention that the costs will be reimbursed or eligible for credit by the federal government as provided in Public Law 99-662, Section 104, November 17, 1986, or Public Law 90-488, Section 215, August 13, 1968.

5. Notwithstanding Section 26.00 of this act, funds may be transferred, with the approval of the Department of Finance, between projects specified in this item and other Department of Water Resources major capital outlay projects with an active appropriation. The Director of Finance shall notify, in writing, the chairperson of the committee in each house that considers appropriations

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and the Chairperson of the Joint Legislative Budget Committee, within 30 days or such lesser time as the Chairperson of the Joint Legislative Budget Committee, or his or her designee, may determine, prior to any transfer.

3860-301-6026—For capital outlay, Department of Water Resources, payable from the Bay-Delta Multipurpose Water Management Subaccount..... 15,000,000

Schedule:

(1) 10.95.015-South Delta Improvements Program..... 15,000,000

3860-490—Reappropriation, Department of Water Resources. The balance of the appropriations provided for in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided for in those appropriations:

0001—General Fund

(1) Section 1 of Chapter 5 of the Statutes of 1997, First Extraordinary Session, as reappropriated by Item 3860-490, Budget Act of 2000 (Ch. 52, Stats. 2000) and Budget Act of 2001 (Ch. 106, Stats. 2001), as reappropriated by Item 3860-492, Budget Act of 2002 (Ch. 379, Stats. 2002)

(e) 30.95.085-Cache Creek Settling Basin

(g) 30.95.155-Mid-Valley Area Levee

(2) Item 3860-301-0001, Budget Act of 1998 (Ch. 324, Stats. 1998), as reappropriated by Item 3860-490, Budget Act of 2001 (Ch. 106, Stats. 2001), as reappropriated by Item 3860-492, Budget Act of 2002 (Ch. 379, Stats. 2002)

(1.1) 30.95.111-1997 Flood Damage Repair Projects

(3) Item 3860-301-0001, Budget Act of 1997 (Ch. 282, Stats. 1997), as reappropriated by Item 3860-490, Budget Act of 2000 (Ch. 52, Stats. 2000) and Budget Act of 2001 (Ch. 106, Stats. 2001), as reappropriated by Item 3860-492, Budget Act of 2002 (Ch. 379, Stats. 2002)

(5) 30.95.220-Upper Sacramento Area Levee Construction Project

(4) Item 3860-301-0001, Budget Act of 2002 (Ch. 379, Stats. 2002)

(4) 30.95.297-Success Reservoir Enlargement Project

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3860-491—Reappropriation, Department of Water Resources. The balances of the appropriations provided in the following citations are reappropriated for the purposes provided for in those appropriations and shall be available for encumbrance or expenditure until June 30, 2007:

6010—Yuba Feather Flood Protection Subaccount

(1) Item 3860-101-6010, Budget Act of 2004 (Ch. 208, Stats. 2004), for the Yuba Feather Flood Protection Program

6023—Water Conservation Account

(1) Item 3860-101-6023, Budget Act of 2004 (Ch. 208, Stats. 2004), for the Infrastructure Rehabilitation Program

6026—Bay-Delta Multipurpose Water Management Subaccount

(1) Item 3860-001-6026, Budget Act of 2004 (Ch. 208, Stats. 2004), for the CALFED Science, Conveyance, and Ecosystem Restoration Programs

6027—Interim Water Supply and Water Quality Infrastructure and Management Subaccount

(1) Item 3860-101-6027, Budget Act of 2000 (Ch. 52, Stats. 2000), as reappropriated by Item 3860-492, Budget Act of 2001 (Ch. 106, Stats. 2001), and reappropriated by Item 3860-491, Budget Act of 2002 (Ch. 379, Stats. 2002), for purposes of the Environmental Water Account

6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002

(1) Up to $1,330,000 from Item 3860-001-6031, Budget of 2004 (Ch. 208, Stats. 2004), for purposes of the CALFED Watershed and Ecosystem Restoration programs

3860-492—Extension of liquidation period, Department of Water Resources. Notwithstanding any other provision of law, funds appropriated in the following citations shall be available for liquidation until June 30, 2007:

0001—General Fund

(1) Item 3860-301-0001, Budget Act of 1999 (Ch. 52, Stats. 1999), as reappropriated by Item 3860-492, Budget Act of 2004 (Ch. 208, Stats. 2004)

(4) 30.95.205-Sutter County Bridge Replacement

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(2) Item 3860-301-0001, Budget Act of 2000 (Ch. 52, Stats. 2000)

(1) 30.95.010-Sacramento Riverbank Protection Project

(2) 30.95.030-Merced County Streams

0543—Local Projects Subaccount

(1) Item 3860-101-0543, Budget Act of 2000 (Ch. 52, Stats. 2000)

0790—1988 Water Conservation Fund

(1) Item 3860-101-0790, Budget Act of 2002 (Ch. 379, Stats. 2002)

6005—Flood Protection Corridor Subaccount

(1) Item 3860-101-6005, Budget Act of 2000 (Ch. 50, Stats. 2000), Program 30.10-Flood Protection Corridor Program

(2) Item 3860-101-6005, Budget Act of 2002 (Ch. 379, Stats. 2002), Program 30.10-Flood Protection Corridor Program

6007—Urban Stream Restoration Subaccount

(1) Item 3860-101-6007, Budget Act of 2002 (Ch. 379, Stats. 2002), Program 10.10-Urban Stream Restoration Program

6010—Yuba Feather Flood Protection Subaccount

(1) Item 3860-101-6010, Budget Act of 2000 (Ch. 50, Stats. 2000), Program ~~31.10-Yuba~~ *30.10-Yuba* Feather Flood Protection Program

(2) Item 3860-101-6010, Budget Act of 2002 (Ch. 379, Stats. 2002), Program 30.10-Yuba Feather Flood Protection Program

6015—River Protection Subaccount

(1) Item 3860-001-6015, Budget Act of 2000 (Ch. 52, Stats. 2000), Program 10.10-San Joaquin River Parkway and Restoration

(2) Item 3860-101-6015, Budget Act of 2000 (Ch. 52, Stats. 2000), Program 10.10-Kern River Restoration Project and the Nature Conservancy Sacramento River Project

6023—Water Conservation Account

(1) Item 3860-101-6023, Budget Act of 2000 (Ch. 52, Stats. 2000), Program 10.29-Groundwater Recharge Program, Urban Water Conservation Grant Program, and Agricultural Water Conservation Program

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(2) Item 3860-101-6023, Budget Act of 2002 (Ch. 379, Stats. 2002), Program 10.29-Infrastructure Rehabilitation Program, Agricultural Water Conservation Program, and Urban Water Conservation Grant Program

6025—Conjunctive Use Subaccount

(1) Item 3860-101-6025, Budget Act of 2000 (Ch. 52, Stats. 2000), Program 10.29-Groundwater Storage Program

(2) Item 3860-101-6025, Budget Act of 2002 (Ch. 379, Stats. 2002), Program 10.29-Groundwater Storage Program

6026—Bay Delta Multipurpose Water Management Subaccount

(1) Item 3860-001-6026, Budget Act of 2002 (Ch. 379, Stats. 2002), Program 10.10-CALFED Conveyance Program

6027—Interim Water Supply and Water Quality Infrastructure and Management Subaccount

(1) Item 3860-101-6027, Budget Act of 2002 (Ch. 379, Stats. 2002), Program 10.29-Interim Water Supply and Water Quality Infrastructure and Management Program

6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002

(1) Item 3860-001-6031, Budget Act of 2002 (Ch. 379, Stats. 2002) *, Program 10.10 and 15.10-Watershed Program*

3860-495—Reversion, Department of Water Resources. As of June 30, 2005, the appropriations provided in the following citations shall revert to the fund from which the appropriation was made:

6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002

(1) Item 3860-001-6031, Budget Act of 2002 (Ch. 379, Stats. 2002)..... 3,000,000

(2) Item 3860-001-6031, Budget Act of 2004 (Ch. 208, Stats. 2004)..... 12,896,000

3860-496—Reversion, Department of Water Resources. Upon termination of the grant contract entered into pursuant to Section 79205.8 of the Water Code by the department with the Friant Water Users Authority, dated October 12, 2000, the balance specified below of the appropriation provided in the following

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citation, shall revert to the balance of the fund from which the appropriation was made:

6027—Interim Water Supply and Water Quality Infrastructure and Management Subaccount

(1) Up to $9,160,000 from Item 3860-101-6027, Budget Act of 2000 (Ch. 52, Stats. 2000) as reappropriated by Item 3860-491, Budget Act of 2003 (Ch. 157, Stats. 2003)

3860-497—Reversion, Department of Water Resources. As of June 30, 2005, the balances specified below of the appropriations provided in the following citations shall revert to the balance of the fund from which the appropriation was made:

6005—Flood Protection Corridor Subaccount

(1) $411,030 from Item 3860-001-6005, Budget Act of 2003 (Ch. 157, Stats. 2003)

6007—Urban Stream Restoration Subaccount

(1) $74,836 from Item 3860-101-6007, Budget Act of 2001 (Ch. 106, Stats. 2001)

(2) $1,097,511 from Item 3860-101-6007, Budget Act of 2002 (Ch. 379, Stats. 2002)

(3) $71,102 from Item 3860-001-6007, Budget Act of 2003 (Ch. 157, Stats. 2003)

6010—Yuba Feather Flood Protection Subaccount

(1) $139,397 from Item 3860-101-6010, Budget Act of 2000 (Ch. 52, Stats. 2000)

(2) $2,979,732 from Item 3860-101-6010, Budget Act of 2001 (Ch. 106, Stats. 2001)

(3) $3,185,500 from Item 3860-101-6010, Budget Act of 2002 (Ch. 379, Stats. 2002)

(4) $340,805 from Item 3860-001-6010, Budget Act of 2003 (Ch. 157, Stats. 2003)

(5) $4,542,700 from Item 3860-101-6010, Budget Act of 2003 (Ch. 157, Stats. 2003)

6015—River Protection Subaccount

(1) $28,000 from Item 3860-001-6015, Budget Act of 2003 (Ch. 157, Stats. 2003)

6023—Water Conservation Account

(1) $29,906,533 from Item 3860-101-6023, Budget Act of 2000 (Ch. 52, Stats. 2000)

(2) $103,812 from Item 3860-001-6023, Budget Act of 2001 (Ch. 106, Stats. 2001)

(3) $13,886,920 from Item 3860-101-6023, Budget Act of 2001 (Ch. 106, Stats. 2001)

(4) $14,526,126 from Item 3860-101-6023, Budget Act of 2002 (Ch. 379, Stats. 2002)

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| (5) $22,806 from Item 3860-001-6023, Budget Act of 2003 (Ch. 157, Stats. 2003) | |
| (6) $8,969,832 from Item 3860-101-6023, Budget Act of 2003 (Ch. 157, Stats. 2003) | |
| 6025—Conjunctive Use Subaccount | |
| (1) $78,000 from Item 3860-101-6025, Budget Act of 2000 (Ch. 52, Stats. 2000) | |
| (2) $76,537,069 from Item 3860-101-6025, Budget Act of 2002 (Ch. 379, Stats. 2002) | |
| (3) $218,029 from Item 3860-001-6025, Budget Act of 2003 (Ch. 157, Stats. 2003) | |
| 6026—Bay-Delta Multipurpose Water Management Subaccount | |
| (1) $14,497,002 from Item 3860-001-6026, Budget Act of 2001 (Ch. 106, Stats. 2001) | |
| (2) $4,046,525 from Item 3860-001-6026, Budget Act of 2002 (Ch. 379, Stats. 2002) | |
| 6027—Interim Water Supply and Water Quality Infrastructure and Management Subaccount | |
| (1) $1,999,000 from Item 3860-101-6027, Budget Act of 2002 (Ch. 379, Stats. 2002) | |
| (2) $193,967 from Item 3860-001-6027, Budget Act of 2003 (Ch. 157, Stats. 2003) | |
| 3870-001-0001—For support of California Bay-Delta Authority | 8,522,000 |
| Schedule: | |
| (1) 10-CALFED Bay-Delta Program ... 36,691,000 | |
| (2) 97.20.001-Unallocated Reduction... −132,000 | |
| (3) Reimbursements −16,886,000 | |
| (4) Amount payable from the Bay-Delta Ecosystem Restoration Account (Item 3870-001-0546) −5,074,000 | |
| (5) Amount payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Item 3870-001-6031) −6,077,000 | |
| 3870-001-0546—For support of California Bay-Delta Authority, for payment to Item 3870-001-0001, payable from the Bay-Delta Ecosystem Restoration Account | 5,074,000 |
| 3870-001-6031—For support of California Bay-Delta Authority, for payment to Item 3870-001-0001, payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 | 6,077,000 |

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|---|---|
| 3870-490—Reappropriation, California Bay-Delta Authority. The balance of the appropriation provided in the following citation is reappropriated for the purposes provided for in that appropriation and shall be available for encumbrance or expenditure until June 30, 2007: | |
| 6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 | |
| (1) Up to $54,700,000 from Item 3860-001-6031, Budget Act of 2003, (Ch. 157, Stats. 2003) for the Battle Creek Restoration Project and for integrated agriculture and ecosystem restoration activities. | |
| CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY | |
| 3900-001-0001—For support of State Air Resources Board, for payment to Item 3900-001-0044 | 2,211,000 |
| 3900-001-0044—For support of State Air Resources Board, payable from the Motor Vehicle Account, State Transportation Fund | ~~71,239,000~~ *85,639,000* |
| Schedule: | |
| (1) 15-Mobile Source | ~~192,326,000~~ *211,446,000* |
| (2) 25-Stationary Source | ~~48,297,000~~ *42,797,000* |
| (3) 30.01-Program Direction and Support | 11,571,000 |
| (4) 30.02-Distributed Program Direction and Support | –11,571,000 |
| (5) 97.20.001-Unallocated Reduction | –34,000 |
| (6) Reimbursements | –4,470,000 |
| (7) Amount payable from the General Fund (Item 3900-001-0001) | –2,211,000 |
| (8) Amount payable from the Air Pollution Control Fund (Item 3900-001-0115) | –135,459,000 |
| (9) Amount payable from the Vehicle Inspection and Repair Fund (Item 3900-001-0421) | –12,049,000 |
| (10) Amount payable from the Air Toxics Inventory and Assessment Account (Item 3900-001-0434) | –876,000 |
| ~~(10.5) Amount payable from the Energy Resources Programs Account (Item 3900-001-0465)~~ | ~~–780,000~~ |

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(11) Amount payable from the Federal Trust Fund (Item 3900-001-0890).–12,006,000

(12) Amount payable from the Non-Toxic Dry Cleaning Incentive Trust Fund (Item 3900-001-3070)..... –1,499,000

*Provisions:*

*1. Of the amount appropriated in this item, $12,500,000 shall be used by the State Air Resources Board to replace pre-1977 school buses with new school buses that comply with the most recent passenger safety standards, and that have been certified by the board to meet the lowest achievable emission levels irrespective of the fuel stock used.*

*2. Of the amount appropriated in this item, $2,500,000 shall be used to retrofit in-use diesel school buses to protect children's health and reduce particulate matter emissions from those buses by at least 85 percent.*

*3. In expending funds under Provision 2, the State Air Resources Board shall require retrofit technologies to do all of the following: (a) have at least a level 3 verification from the board; (b) apply to the broadest range of year, make, and model of school bus diesel engine; (c) operate on CARB diesel fuel or ultra-low sulfur diesel fuel; (d) operate across the broadest range of school bus operating conditions and duty cycles; and (e) produce the lowest possible NO2 across the device.*

*4. It is the intent of the Legislature in appropriating these funds that the State Air Resources Board provide equitable geographic distribution of the funds in a manner that reduces the risk to children's health from diesel emissions from school buses.*

3900-001-0115—For support of State Air Resources Board, for payment to Item 3900-001-0044, payable from the Air Pollution Control Fund ..... 135,459,000

*Provisions:*

*1. Of the amount appropriated in this item, $10,000,000 shall be used to retrofit in-use diesel school buses to protect children's health and reduce particulate matter emissions from those buses by at least 85 percent.*

*2. In expending funds under Provision 1, the State Air Resources Board shall require retrofit technologies to do all of the following: (a) have at*

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*least a level 3 verification from the board; (b) apply to the broadest range of year, make, and model of school bus diesel engine; (c) operate on CARB diesel fuel or ultra-low sulfur diesel fuel; (d) operate across the broadest range of school bus operating conditions and duty cycles; and (e) produce the lowest possible NO2 across the device.*

*3. It is the intent of the Legislature in appropriating these funds that the State Air Resources Board provide equitable geographic distribution of the funds in a manner that reduces the risk to children's health from diesel emissions from school buses.*

*4. Notwithstanding any other provision of law, funds from the Carl Moyer Memorial Air Quality Standards Attainment Trust Fund may be used for the purposes specified in Provision 1.*

3900-001-0421—For support of State Air Resources Board, for payment to Item 3900-001-0044, payable from the Vehicle Inspection and Repair Fund ..... 12,049,000

3900-001-0434—For support of State Air Resources Board, for payment to Item 3900-001-0044, payable from the Air Toxics Inventory and Assessment Account ..... 876,000

~~3900-001-0465—For support of State Air Resources Board, for payment to Item 3900-001-0044, payable from the Energy Resources Programs Account ..... 780,000~~

3900-001-0890—For support of State Air Resources Board, for payment to Item 3900-001-0044, payable from the Federal Trust Fund ..... 12,006,000

3900-001-3070—For support of State Air Resources Board, for payment to Item 3900-001-0044, payable from the Non-Toxic Dry Cleaning Incentive Trust Fund ..... 1,499,000

3900-101-0044—For local assistance, State Air Resources Board, for assistance to counties in the operation of local air pollution control districts, payable from the Motor Vehicle Account, State Transportation Fund ..... 10,111,000

Schedule:

(1) 35-Subvention ..... 10,111,000

Provisions:

1. It is the intent of the Legislature that funds appropriated in this item shall not be used to reduce the fees paid by permittees to the local air quality management and air pollution control districts.

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|---|---|
| 3900-301-0115—For capital outlay, State Air Resources Board, payable from the Air Pollution Control Fund | 103,000 |
| Schedule: | |
| (1) 40.10.002—Haagen-Smit Laboratory Seismic Retrofit—Preliminary plans | 103,000 |
| 3910-001-0005—For support of California Integrated Waste Management Board, for payment to Item 3910-001-0387, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund | 142,000 |
| 3910-001-0100—For support of California Integrated Waste Management Board, for payment to Item 3910-001-0387, payable from the California Used Oil Recycling Fund | 4,842,000 |
| Provisions: | |
| 1. Notwithstanding subdivision (d) of Section 48653 of the Public Resources Code, the aggregate of appropriations from the California Used Oil Recycling Fund may exceed $3,000,000 during the 2005–06 fiscal year. | |
| 3910-001-0193—For support of California Integrated Waste Management Board, for payment to Item 3910-001-0387, payable from the Waste Permit Discharge Fund | 200,000 |
| Provisions: | |
| 1. Of the amount appropriated by this item, $200,000 shall be available to support development of the Education and Environment Initiative. The funds shall become available no sooner than the chaptering of Assembly Bill 1721 of the 2005–06 Regular Session. | |
| 3910-001-0226—For support of California Integrated Waste Management Board, for payment to Item 3910-001-0387, payable from the California Tire Recycling Management Fund | 28,664,000 |
| Provisions: | |
| 1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code. | |
| 2. Notwithstanding Section 42889 of the Public Resources Code, expenditures for administration of the Tire Recycling Program may exceed the limits set forth in subdivisions (a) and (b) of Section 42889 of the Public Resources Code. | |

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| 3910-001-0281—For support of California Integrated Waste Management Board, for payment to Item 3910-001-0387, payable from the Recycling Market Development Revolving Loan Account, Integrated Waste Management Fund | | 2,143,000 |
| 3910-001-0386—For support of California Integrated Waste Management Board, for payment to Item 3910-001-0387, payable from the Solid Waste Disposal Site Cleanup Trust Fund | | 593,000 |
| Provisions: | | |
| 1. Notwithstanding Section 48020 of the Public Resources Code, expenditures for administration of the Solid Waste Cleanup Trust Fund Program may exceed the limits set forth in subdivision (c) of Section 48020 of the Public Resources Code. | | |
| 3910-001-0387—For support of California Integrated Waste Management Board, payable from the Integrated Waste Management Account, Integrated Waste Management Fund | | 41,383,000 |
| Schedule: | | |
| (1) 11-Waste Reduction and Management | 92,908,000 | |
| (2) 30.01-Administration | 8,924,000 | |
| (3) 30.02-Distributed Administration | –8,924,000 | |
| (4) Reimbursements | –207,000 | |
| (5) Amount payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Item 3910-001-0005). | –142,000 | |
| (6) Amount payable from the California Used Oil Recycling Fund (Item 3910-001-0100) | –4,842,000 | |
| (7) Amount payable from the California Used Oil Recycling Fund (paragraph (4) of subdivision (a) of Section 48653 of the Public Resources Code) | –1,950,000 | |
| (8) Amount payable from the California Used Oil Recycling Fund (paragraph (1) of subdivision (a) of Section 48653 of the Public Resources Code) | –3,300,000 | |
| (9) Amount payable from the Waste Discharge Permit Fund (Item 3910-001-0193) | –200,000 | |

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(10) Amount payable from the California Tire Recycling Management Fund (Item 3910-001-0226).....–28,664,000

(11) Amount payable from the Recycling Market Development Revolving Loan Account, Integrated Waste Management Fund (Item 3910-001-0281) ..... –2,143,000

(12) Amount payable from the Solid Waste Disposal Site Cleanup Trust Fund (Item 3910-001-0386)..... –593,000

(13) Amount payable from the Integrated Waste Management Account, Integrated Waste Management Fund (Item 3910-006-0387). –640,000

(14) Amount payable from the Farm and Ranch Solid Waste Cleanup and Abatement Account (Item 3910-001-0558) ..... –1,064,000

(15) Amount payable from the Rigid Container Account (Item 3910-001-3024)..... –200,000

(16) Amount payable from the Electronic Waste Recovery and Recycling Account (Item 3910-001-3065)..... –7,580,000

Provisions:

1. Notwithstanding subdivision (h) of Section 42023.1 of the Public Resources Code, the California Integrated Waste Management Board may offset the costs of administering the revolving loan program for Recycling Market Development Zones with funds appropriated in this item.

2. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

3. Of the amount appropriated by this item, $3,300,000 shall be available to support development of the Education and Environment Initiative. The funds shall become available no sooner than Assembly Bill 1721 of the 2005–06 Regular Session is chaptered.

3910-001-0558—For support of California Integrated Waste Management Board, for payment to Item 3910-001-0387, payable from the Farm and Ranch Solid Waste Cleanup and Abatement Account..... 1,064,000

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|---|---|
| Provisions: | |
| 1. Notwithstanding Section 48100 of the Public Resources Code, expenditures for administration of the Farm and Ranch Solid Waste Cleanup and Abatement Grant Program may exceed the limits set forth in paragraph (3)(A) of subdivision (c) of Section 48100 of the Public Resources Code. | |
| 3910-001-3024—For support of California Integrated Waste Management Board, for payment to Item 3910-001-0387, payable from the Rigid Container Account ..... | 200,000 |
| 3910-001-3065—For support of California Integrated Waste Management Board, for payment to Item 3910-001-0387, payable from the Electronic Waste Recovery and Recycling Account..... | 7,580,000 |
| 3910-003-0100—For transfer by the Controller, upon notification by the board, of an amount not to exceed the appropriation in this item, from the California Used Oil Recycling Fund to the Farm and Ranch Solid Waste Cleanup and Abatement Account pursuant to paragraph (2)(A) of subdivision (c) of Section 48100 of the Public Resources Code..... | (333,000) |
| 3910-003-0226—For transfer by the Controller, upon notification by the board, of an amount not to exceed the appropriation in this item, from the California Tire Recycling Management Fund to the Farm and Ranch Solid Waste Cleanup and Abatement Account pursuant to paragraph (2)(A) of subdivision (c) of Section 48100 of the Public Resources Code..... | (333,000) |
| 3910-003-0387—For transfer by the Controller from the Integrated Waste Management Account, Integrated Waste Management Fund, to the Recycling Market Development Revolving Loan Account as a loan pursuant to subdivision (a) of Section 42023.2 of the Public Resources Code ..... | (5,000,000) |
| 3910-004-0387—For transfer by the Controller from the Integrated Waste Management Account, Integrated Waste Management Fund, to the Solid Waste Disposal Site Cleanup Trust Fund pursuant to paragraph (1) of subdivision (c) of Section 48027 of the Public Resources Code..... | (5,000,000) |
| 3910-005-0387—For transfer by the Controller, upon notification by the board, of an amount not to exceed the appropriation in this item, from the Integrated | |

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| Waste Management Account, Integrated Waste Management Fund, to the Farm and Ranch Solid Waste Cleanup and Abatement Account pursuant to paragraph (2)(A) of subdivision (c) of Section 48100 of the Public Resources Code | (334,000) |
| 3910-006-0387—For support of California Integrated Waste Management Board, for payment to Item 3910-001-0387, payable from the Integrated Waste Management Account, Integrated Waste Management Fund | 640,000 |
| 3910-101-0226—For local assistance, California Integrated Waste Management Board, payable from the California Tire Recycling Management Fund | 4,000,000 |
| Provisions: | |
| 1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code. | |
| 3910-101-0387—For local assistance, California Integrated Waste Management Board, payable from the Integrated Waste Management Account, Integrated Waste Management Fund | 5,904,000 |
| 3930-001-0106—For support of Department of Pesticide Regulation, payable from the Department of Pesticide Regulation Fund | 41,842,000 |
| Schedule: | |
| (1) 12-Registration and Health Evaluation ..... 18,117,000 | |
| (2) 17-Pest Management, Environmental Monitoring, Enforcement, and Licensing ..... 27,159,000 | |
| (3) ~~20.10-Administration~~ *20.01-Administration* ..... 8,234,000 | |
| (4) ~~20.20-Distributed~~ *20.02-Distributed* Administration ..... –8,234,000 | |
| (5) Reimbursements ..... –479,000 | |
| (6) Amount payable from the California Environmental License Plate Fund (Item 3930-001-0140) ..... –455,000 | |
| (7) Amount payable from the Food Safety Account (Item 3930-001-0224) ..... –306,000 | |
| (8) Amount payable from the Federal Trust Fund (Item 3930-001-0890). –2,194,000 | |

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Provisions:

1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

3930-001-0140—For support of Department of Pesticide Regulation, for payment to Item 3930-001-0106, payable from the California Environmental License Plate Fund ..... 455,000

3930-001-0224—For support of Department of Pesticide Regulation, for payment to Item 3930-001-0106, payable from the Food Safety Account ..... 306,000

Provisions:

1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

3930-001-0890—For support of Department of Pesticide Regulation, for payment to Item 3930-001-0106, payable from the Federal Trust Fund ..... 2,194,000

3930-003-0106—For transfer by the Controller from the Department of Pesticide Regulation Fund to the Food Safety Account pursuant to Section 12846.5 of the Food and Agricultural Code ..... (320,000)

~~3930-295-0106—For local assistance, Department of Pesticide Regulation, payable from the Department of Pesticide Regulation Fund for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller..... 157,000~~

~~Schedule:~~

~~(1) 98.01.120.089-Pesticide Use Reports (Ch. 1200, Stats. 1989) (CSM-4420)..... 157,000~~

~~Provisions:~~

~~1. Except as provided in Provision 2, allocations of funds provided in this item to the appropriate local entities shall be made by the State Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior~~

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~~year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.~~

~~2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the State Controller may, upon notifying the Director of Finance in writing, augment those deficient amounts from the unencumbered balance of any other scheduled amounts therein. No order may be issued pursuant to this provision unless written notification of the necessity therefore is provided to the chairperson of the committee in each house, which considers appropriations, and the Chairperson of the Joint Legislative Budget Committee or his or her designee.~~

3940-001-0001—For support of State Water Resources Control Board..... ~~30,736,000~~ *29,236,000*

Schedule:

(1) 10-Water Quality.....431,809,000

(2) 20-Water Rights ..... 11,085,000

(3) 30.01-Administration..... 17,805,000

(4) 30.02-Distributed Administration ...–17,805,000

(5) 97.20.001-Unallocated Reduction... –454,000

(6) Reimbursements..... –9,815,000

(7) Amount payable from the Unified Program Account (Item 3940-001-0028)..... –525,000

(8) Amount payable from the Waste Discharge Permit Fund (Item 3940-001-0193) .....–62,318,000

(9) Amount payable from the Marine Invasive Species Control Fund (Item 3940-001-0212) ..... –77,000

(10) Amount payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund (Item 3940-001-0235) ..... ~~–2,166,000~~ *–3,666,000*

(11) Amount payable from the Integrated Waste Management Account, Integrated Waste Management Fund (Item 3940-001-0387). –5,547,000

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|---|---|
| (12) Amount payable from the State Revolving Fund Loan Subaccount (Item 3940-001-0417) ..... | –538,000 |
| (13) Amount payable from the Water Recycling Subaccount (Item 3940-001-0419) ..... | –153,000 |
| (14) Amount payable from the Drainage Management Subaccount (Item 3940-001-0422) ..... | –515,000 |
| (16) Amount payable from the Seawater Intrusion Control Subaccount (Item 3940-001-0424) ..... | –39,000 |
| (17) Amount payable from the Underground Storage Tank Tester Account (Item 3940-001-0436)..... | –63,000 |
| (18) Amount payable from the Underground Storage Tank Cleanup Fund (Item 3940-001-0439).... | –275,556,000 |
| (19) Amount payable from the Surface Impoundment Assessment Account (Item 3940-001-0482) ..... | –198,000 |
| (20) Amount payable from the 1984 State Clean Water Bond Fund (Item 3940-001-0740) ..... | –321,000 |
| (21) Amount payable from the Federal Trust Fund (Item 3940-001-0890)..... | –34,670,000 |
| (22) Amount payable from the Water Rights Fund (Item 3940-001-3058) ..... | –9,227,000 |
| (23) Amount payable from the Watershed Protection Subaccount (Item 3940-001-6013) ..... | –1,069,000 |
| (24) Amount payable from the Santa Ana River Watershed Subaccount (Item 3940-001-6016) ..... | –1,062,000 |
| (25) Amount payable from the Lake Elsinore and San Jacinto Watershed Subaccount (Item 3940-001-6017)..... | –47,000 |
| (26) Amount payable from the Nonpoint Source Pollution Control Subaccount (Item 3940-001-6019). | –1,238,000 |
| (27) Amount payable from the State Revolving Fund Loan Subaccount (Item 3940-001-6020) ..... | –81,000 |

| Item | | Amount |
|---|---|---|
| (28) Amount payable from the Wastewater Construction Grant Subaccount (Item 3940-001-6021)..... | –23,000 | |
| (29) Amount payable from the Coastal Nonpoint Source Control Subaccount (Item 3940-001-6022)..... | –1,076,000 | |
| (30) Amount payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Item 3940-001-6031) ..... | –4,820,000 | |
| (31) Amount payable from the Petroleum Underground Storage Tank Financing Account (Item 3940-001-8026)..... | –560,000 | |
| Provisions: | | |
| 1. Notwithstanding any other provision of law, upon approval and order of the Director of Finance, the State Water Resources Control Board may borrow sufficient funds for cash purposes from special funds that otherwise provide support for the board. Any such loans are to be repaid with interest at the rate earned in the Pooled Money Investment Account. | | |
| 3940-001-0028—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Unified Program Account..... | | 525,000 |
| 3940-001-0193—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Waste Discharge Permit Fund..... | | 62,318,000 |
| 3940-001-0212—For support of State Water Resources Control Board, for payment to Item 3940-001-0001 payable from the Marine Invasive Species Control Fund ..... | | 77,000 |
| 3940-001-0235—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund..... | | ~~2,166,000~~ *3,666,000* |
| 3940-001-0387—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Integrated Waste Management Account, Integrated Waste Management Fund..... | | 5,547,000 |
| 3940-001-0417—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the State Revolving Fund Loan Subaccount..... | | 538,000 |

| Item | Amount |
|---|---|
| 3940-001-0419—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Water Recycling Subaccount ..... | 153,000 |
| 3940-001-0422—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Drainage Management Subaccount..... | 515,000 |
| 3940-001-0424—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Seawater Intrusion Control Subaccount..... | 39,000 |
| 3940-001-0436—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Underground Storage Tank Tester Account ..... | 63,000 |
| 3940-001-0439—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Underground Storage Tank Cleanup Fund ..... | 275,556,000 |
| Provisions: | |
| 1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code. | |
| 3940-001-0482—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Surface Impoundment Assessment Account Fund..... | 198,000 |
| 3940-001-0740—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the 1984 State Clean Water Bond Fund ..... | 321,000 |
| 3940-001-0890—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Federal Trust Fund..... | 34,670,000 |
| 3940-001-3058—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Water Rights Fund ..... | 9,227,000 |
| 3940-001-6013—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Watershed Protection Subaccount..... | 1,069,000 |
| 3940-001-6016—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Santa Ana River Watershed Subaccount..... | 1,062,000 |

| Item | Amount |
|---|---|
| 3940-001-6017—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Lake Elsinore and San Jacinto Watershed Subaccount | 47,000 |
| 3940-001-6019—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Nonpoint Source Pollution Control Subaccount | 1,238,000 |
| 3940-001-6020—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the State Revolving Fund Loan Subaccount | 81,000 |
| 3940-001-6021—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Wastewater Construction Subaccount | 23,000 |
| 3940-001-6022—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Nonpoint Source Control Subaccount | 1,076,000 |
| 3940-001-6031—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002. | 4,820,000 |
| 3940-001-8026—For support of State Water Resources Control Board, for payment to Item 3940-001-0001, payable from the Petroleum Underground Storage Tank Financing Account | 560,000 |
| 3940-101-0001—For local assistance, State Water Resources Control Board | 0 |
| Schedule: | |
| (1) 10-Water Quality | 169,814,000 |
| (3) Amount payable from the Watershed Protection Subaccount (Item 3940-101-6013) | −1,920,000 |
| (4) Amount payable from the Nonpoint Source Pollution Control Subaccount (Item 3940-101-6019) | −3,847,000 |
| (5) Amount payable from the Coastal Nonpoint Source Control Subaccount (Item 3940-101-6022) | −385,000 |
| (6) Amount payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Item 3940-101-6031) | −152,162,000 |

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(7) Amount payable from the Petroleum Underground Storage Tank Financing Account (Item 3940-101-8026) ..... –11,500,000

3940-101-6013—For local assistance, State Water Resources Control Board, for payment to Item 3940-101-0001, payable from the Watershed Protection Subaccount, to be available for expenditure until June 30, 2008 ..... 1,920,000

3940-101-6019—For local assistance, State Water Resources Control Board, for payment to Item 3940-101-0001, payable from the Nonpoint Source Pollution Control Subaccount to be available for expenditure until June 30, 2008 ..... 3,847,000

3940-101-6022—For local assistance, State Water Resources Control Board, for payment to Item 3940-101-0001, payable from the Coastal Nonpoint Source Control Subaccount to be available for expenditure until June 30, 2008 ..... 385,000

3940-101-6031—For local assistance, State Water Resources Control Board, for payment to Item 3940-101-0001, payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 ..... 152,162,000

Provisions:

1. Notwithstanding any other provision of law, the amount appropriated in this item shall be available for expenditure until June 30, 2008, and may be used to provide grants to local, state, federal, and private entities for projects.

3940-101-8026—For support of local assistance, State Water Resources Control Board, for payment to Item 3940-101-0001, payable from the Petroleum Underground Storage Tank Financing Account ..... 11,500,000

3940-490—Extension of liquidation period, State Water Resources Control Board. Notwithstanding any other provision of law, funds appropriated in the following citations shall be available for liquidation until June 30, 2006:

6013—Watershed Protection Subaccount

(1) Item 3940-101-6013, Budget Act of 2000 (Ch. 52, Stats. 2000), as amended by Section 18 of Chapter 672 of the Statutes of 2000

(2) Item 3940-101-6013, Budget Act of 2001 (Ch. 106, Stats. 2001)

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6016—Santa Ana River Watershed Subaccount

(1) Item 3940-101-6016, Budget Act of 2000 (Ch. 52, Stats. 2000), as amended by Section 19 of Chapter 672 of the Statutes of 2000

6017—Lake Elsinore and San Jacinto Watershed Subaccount

(1) Item 3940-101-6017, Budget Act of 2001 (Ch. 106, Stats. 2001)

6019—Nonpoint Source Pollution Control Subaccount

(1) Item 3940-101-6019, Budget Act of 2000 (Ch. 52, Stats. 2000), as amended by Section 21 of Chapter 672 of the Statutes of 2000

(2) Item 3940-101-6019, Budget Act of 2001 (Ch. 106, Stats. 2001)

6022—Coastal Nonpoint Source Control Subaccount

(1) Item 3940-101-6022, Budget Act of 2000 (Ch. 52, Stats. 2000), as amended by Section 24 of Chapter 672 of the Statutes of 2000

(2) Item 3940-101-6022, Budget Act of 2001 (Ch. 106, Stats. 2001)

6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund

(1) Item 3940-101-6031, Budget Act of 2002 (Ch. 379, Stats. 2002)

3940-491—Reappropriation, State Water Resources Control Board. The amount specified in the appropriation provided for in the following citation is reappropriated for the purpose of developing instream flow guidelines and shall be available for encumbrance or expenditure until June 30, 2006:

3058—Water Rights Fund

(1) Item 3940-001-3058, Budget Act of 2004 (Ch. 208, Stats. 2004)..... 1,500,000

3960-001-0001—For support of Department of Toxic Substances Control, for payment to Item 3960-001-0014..... 24,618,000

Provisions:

1. The Director of the Department of Toxic Substances Control may expend from this item: (a) $8,013,000 for the following activities at the Stringfellow Federal Superfund site: (1) operation and maintenance of pretreatment plants to treat contaminated groundwater extracted from the site, (2) site maintenance and groundwater moni-

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toring, and (3) implementation of work to stabilize the site, and (b) $6,575,000 for the operation of the Illegal Drug Laboratory Removal Program.

2. Notwithstanding any other provision of law, the funds appropriated for removal and remedial action at the Stringfellow Federal Superfund site shall be available for encumbrance for three fiscal years subsequent to the fiscal year in which the funds are appropriated, and disbursements in liquidation of encumbrances shall be pursuant to Section 16304.1 of the Government Code.

3. Of the amount appropriated in this item, $750,000 shall be used for the purposes of emergency response activity pursuant to Section 25354 of the Health and Safety Code, in lieu of the appropriation made pursuant to that section.

4. The amount appropriated in this item includes $8,491,000 for emergency response activities at the BKK Landfill. This appropriation is subject to the condition that, to the extent that funds are expended for purposes for which any private or public entity is or may be held financially liable, the Department of Toxic Substances Control shall take all reasonable actions to recover the amount of that expenditure from one or more of those entities, and that the amounts so recovered be paid to the General Fund in ~~reimbursements~~ *reimbursement* of the amount of that expenditure. Additionally, those recovered funds shall be spent before funds from the General Fund, consistent with the language in any settlement agreements between the department and the potentially responsible parties.

5. As of June 30, 2006, or earlier, any unspent funds in Provision 3 shall revert to the General Fund if the Directors of the Department of Toxic Substances Control and the Department of Finance agree that sufficient funds have been provided by the other potentially responsible parties.

6. The director of the Department of Toxic Substances Control shall send a letter notifying the chairpersons of the fiscal committees of each house of the Legislature that act on the department's budget and the Legislative Analyst's Office within 30 days of receiving any moneys from potentially responsible parties for the BKK Landfill.

| Item | | Amount |
|---|---|---|
| 3960-001-0014—For support of Department of Toxic Substances Control, payable from the Hazardous Waste Control Account | | 51,327,000 |
| Schedule: | | |
| (1) 12-Site Mitigation and Brownfields Reuse | 84,445,000 | |
| (2) 13-Hazardous Waste Management | 65,349,000 | |
| (3) 19.01-Administration | 34,572,000 | |
| (4) 19.02-Distributed Administration | –34,572,000 | |
| (5) 20-Science, Pollution Prevention and Technology | 10,798,000 | |
| (6) 97.20.001-Unallocated Reduction | –143,000 | |
| (7) Reimbursements | –9,700,000 | |
| (8) Amount payable from General Fund (Item 3960-001-0001) | –24,618,000 | |
| (9) Amount payable from Unified Program Account (Item 3960-001-0028) | –992,000 | |
| (10) Amount payable from Illegal Drug Lab Cleanup Account (Item 3960-001-0065) | –2,073,000 | |
| (11) Amount payable from California Used Oil Recycling Fund (Item 3960-001-0100) | –362,000 | |
| (12) Amount payable from Toxic Substances Control Account (Item 3960-001-0557) | –43,282,000 | |
| (13) Amount payable from Federal Trust Fund (Item 3960-001-0890) | –25,448,000 | |
| (14) Amount payable from Environmental Quality Assessment Fund (Item 3960-001-3035) | –678,000 | |
| (15) Amount payable from Electronic Waste Recovery and Recycling Account (Item 3960-001-3065) | –651,000 | |
| (16) Amount payable from State Certified Unified Program *Agency* Account (Item 3960-001-3084) | –1,318,000 | |

Provisions:

1. Notwithstanding any other provision of law, upon approval and order of the Director of Finance, the Department of Toxic Substances Control may borrow sufficient funds from special funds that otherwise provide support for the department for cashflow purposes. Any such loans are to be repaid with interest at the rate earned by the Pooled Money Investment Account.

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2. Notwithstanding any other provision of law, upon request of the Director of the Department of Toxic Substances Control, and approval of the Department of Finance, the Controller shall increase the appropriation in this item in an amount necessary to pay the Board of Equalization any additional costs the board may incur to make refunds required by Chapter 737 of the Statutes of 1998, provided sufficient funds are available for such purposes and the board provides workload information that justifies the increase.

3960-001-0018—For support of Department of Toxic Substances Control, payable from the Site Remediation Account ..... 8,418,000

Schedule:

(1) 12-Site Mitigation and Brownfields Reuse ..... 8,418,000

Provisions:

1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.
2. The Director of the Department of Toxic Substances Control shall report, in writing, not later than 120 days after the end of the fiscal year to the Chairperson of the Joint Legislative Budget Committee, the chairpersons of the legislative fiscal committees that act on the department's budget, the Chairperson of the Environmental Safety and Toxic Materials Committee of the Assembly, and the Chairperson of the Environmental Quality Committee of the Senate, actions taken under this provision.
3. Notwithstanding Section 2.00 of the Budget Act, this appropriation shall be available in accordance with the provisions of Section 25330.2 of the Health and Safety Code.

3960-001-0028—For support of Department of Toxic Substances Control, for payment to Item 3960-001-0014, payable from the Unified Program Account .. 992,000

3960-001-0065—For support of Department of Toxic Substances Control, for payment to Item 3960-001-0014, payable from the Illegal Drug Lab Cleanup Account ..... 2,073,000

| Item | Amount |
|---|---|
| 3960-001-0100—For support of Department of Toxic Substances Control, for payment to Item 3960-001-0014, payable from the California Used Oil Recycling Fund | 362,000 |
| 3960-001-0456—For support of Department of Toxic Substances Control, payable from the Expedited Site Remediation Trust Fund | 750,000 |
| Schedule: | |
| (1) 12-Site Mitigation and Brownfields Reuse ..... 750,000 | |
| Provisions: | |
| 1. Notwithstanding any other provision of law, upon request of the Department of Toxic Substances Control, and approval by the Department of Finance, the Controller shall augment the appropriation in this item to pay costs associated with orphan shares at sites selected for the Expedited Site Remediation Pilot Program from any uncommitted funds in the Expedited Site Remediation Trust Fund. | |
| 2. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code. | |
| 3960-001-0557—For support of Department of Toxic Substances Control, for payment to Item 3960-001-0014, payable from the Toxic Substances Control Account | 43,282,000 |
| Provisions: | |
| 1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code. | |
| 2. The amount appropriated in this item includes state oversight costs at military installations. The expenditure of these funds shall not relieve the federal government of the responsibility to pay for all state oversight costs. The department shall take all steps necessary to recover these costs from the federal government, including, but not limited to, filing civil actions authorized by state and federal law. | |
| 3960-001-0890—For support of Department of Toxic Substances Control, for payment to Item 3960-001-0014, payable from the Federal Trust Fund | 25,448,000 |

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Provisions:

1. Upon receipt of the federal Revolving Fund Grant, the Department of Toxic Substances Control is authorized to make loans and grants as authorized under the federal regulations and in accordance with all applicable federal laws and guidelines.

3960-001-3035—For support of Department of Toxic Substances Control, for payment to Item 3960-001-0014, payable from the Environmental Quality Assessment Fund ..... 678,000

Provisions:

1. Notwithstanding any other provision of law, upon approval and order of the Director of Finance, the Department of Toxic Substances Control may borrow for cashflow purposes sufficient funds from special funds that otherwise provide support for the department. Any such loans are to be repaid with interest at the rate earned by the Pooled Money Investment Account.

3960-001-3065—For support of Department of Toxic Substances Control, for payment to Item 3960-001-0014, payable from the Electronic Waste Recovery and Recycling Account ..... 651,000

Provisions:

1. Notwithstanding any other provisions of law, upon approval and order of the Director of Finance, the Department of Toxic Substances Control may borrow for cashflow purposes sufficient funds from special funds that otherwise provide support for the department. Any such loans are to be repaid with interest at the rate earned by the Pooled Money Investment Account.

3960-001-3084—For support of Department of Toxic Substances Control, for payment to Item 3960-001-0014, payable from the State Certified Unified Program *Agency* Account ..... 1,318,000

Provisions:

1. Notwithstanding any other provision of law, upon approval and order of the Director of Finance, the Department of Toxic Substances Control may borrow for cashflow purposes sufficient funds from special funds that otherwise provide support to the department. Any such loans are to be repaid with interest at the rate earned by the Pooled Money Investment Account.

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2. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

3960-011-0294—For transfer by the Controller from the subaccount for removal and remedial action in the Hazardous Substance Account to the Toxic Substances Control Account ..... (250,000)

Provisions:

1. Notwithstanding any other provision of law, upon request of the Department of Toxic Substances Control, the Controller shall transfer those funds deposited in the subaccount for removal and remedial action in the Hazardous Substance Account to the Toxic Substances Control Account in an amount sufficient to fund the department's costs of providing oversight to sites with deposits in the subaccount for removal and remedial action. The amount of funds transferred for the oversight of a given site shall not exceed the amount deposited in the subaccount for removal and remedial action pursuant to the settlement for that specific site.

3960-011-0557—For transfer by the Controller from the Toxic Substances Control Account to the Expedited Site Remediation Trust Fund..... (482,000)

Provisions:

1. Notwithstanding any other provision of law, upon request of the Department of Toxic Substances Control, the Controller shall transfer funds from the Toxic Substances Control Account to the Expedited Site Remediation Trust Fund, pursuant to Chapter 6.85 (commencing with Section 25396) of Division 20 of the Health and Safety Code. The amount of the funds transferred shall not exceed the proceeds of fines and penalties deposited in the Toxic Substances Control Account in the 2004–05 fiscal year, exclusive of the fines and penalties transferred to the Hazardous Substance Account pursuant to Section 25192 of the Health and Safety Code for expenditure in accordance with Section 25385.9 of the Health and Safety Code.
2. The amount specified in this item is an estimate of the funds available from the proceeds of fines and

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penalties described in Provision 1, and does not represent a limit on the funds that may be transferred.

3. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

3960-011-1003—For transfer by the Controller from the Cleanup Loans and Environmental Assistance to Neighborhoods Account to the Toxic Substances Control Account ..... (424,000)

Provisions:

1. Notwithstanding any other provision of law, upon request of the Department of Toxic Substances Control, the Controller shall transfer up to $424,000 to the Toxic Substances Control Account based on actual costs incurred by the department for its oversight of Cleanup Loans and Environmental Assistance to Neighborhoods loan projects, provided that sufficient funds are available for those purposes.

3960-011-1006—For transfer by the Controller from the Rural CUPA Reimbursement Account to the State Certified Unified Program Account ..... (120,000)

Provisions:

1. The amount appropriated in this item represents the maximum amount of funding due to the State Certified Unified Program Account. Upon request of the Department of Toxic Substances Control, the Controller shall transfer up to $120,000 to the State Certified Unified Program Account. The amount transferred shall be the amount that the California Environmental Protection Agency determines pursuant to Health and Safety Code Section 25404.8 that the Department of Toxic Substances Control is due as the Certified Program Agency for Trinity and Imperial Counties.

3960-012-0557—For transfer by the Controller from the Toxic Substances Control Account to the Site Remediation Account ..... (8,002,000)

3960-013-0557—For transfer by the Controller from the Toxic Substances Control Account to the Hazardous Substance Account..... (1,000,000)

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Provisions:

1. Upon request of the Department of Toxic Substances Control, the Controller shall transfer up to $1,000,000 to the Hazardous Substance Account, pursuant to this item.

3960-301-0001—For capital outlay, Department of Toxic Substances Control ..... 1,063,000

Schedule:

(1) 12.18.STF-Stringfellow Pretreatment Plant Site—Preliminary plans 1,063,000

Provisions:

1. Notwithstanding any other provision of law, the Department of Toxic Substances Control may enter into any and all contracts for the design, construction, and management of the project authorized in this item. In doing so, the Department of Toxic Substances Control shall comply with the State Contract Act (Chapter 1 (commencing with Section 10100) of Part 2 of Division 2 of the Public Contract Code) and other applicable competitive selection processes. The Department of Toxic Substances Control shall provide management oversight of the project, which shall be subject to the review of the State Public Works Board.

3960-490—Reappropriation, Department of Toxic Substances Control. The amounts specified in the appropriations provided for in the following citations are reappropriated for the purposes provided in those appropriations and shall be available for encumbrance or expenditure until June 30, 2006:

0001—General Fund

(1) $920,000 from Item 3960-001-0001, Budget Act of 2002 (Ch. 379, Stats. 2002)

(2) $1,080,000 from Item 3960-001-0001, Budget Act of 2003 (Ch. 157, Stats. 2003)

Provisions:

1. Notwithstanding any other provision of law, a total of $2,000,000 from the unencumbered balances of the Budget Acts of 2002 and 2003 appropriations cited above are reappropriated to capital outlay for the purpose of preliminary plan development for a new pretreatment plant at the Stringfellow Federal Superfund site and shall be available for encumbrance or expenditure until June 30, 2006. This reappropriation is consistent with the remediation efforts authorized in the original appropriation.

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2. Notwithstanding any other provision of law, the Department of Toxic Substances Control may enter into any and all contracts for the design, construction, and management of the project authorized in this item. In doing so, the Department of Toxic Substances Control shall comply with the State Contract Act (Chapter 1 (commencing with Section 10100) of Part 2 of Division 2 of the Public Contract Code) and other applicable competitive selection processes. The Department of Toxic Substances Control shall provide management oversight of the project, which shall be subject to the review of the State Public Works Board.

3980-001-0001—For support of Office of Environmental Health Hazard Assessment ..... 8,852,000

Schedule:

(1) 10-Health Risk Assessment..... 16,924,000

(2) 97.20.001-Unallocated Reduction... –122,000

(3) Reimbursements..... –1,642,000

(4) Amount payable from the Motor Vehicle Account, State Transportation Fund (Item 3980-001-0044)... –2,234,000

(5) Amount payable from the California Used Oil Recycling Fund (Item 3980-001-0100) ..... –553,000

(6) Amount payable from the Department of Pesticide Regulation Fund (Item 3980-001-0106) ..... –1,120,000

(7) Amount payable from the California Environmental License Plate Fund (Item 3980-001-0140)..... –805,000

(7.5) Amount payable from the Waste Discharge Permit Fund (Item 3980-001-0193) ..... –250,000

(8) Amount payable from the Integrated Waste Management Account (Item 3980-001-0387)..... –340,000

(9) Amount payable from the Underground Storage Tank Cleanup Fund (Item 3980-001-0439)..... –124,000

(9.5) Amount payable from the Federal Trust Fund (Item 3980-001-0890). –500,000

(10) Amount payable from the Safe Drinking Water and Toxic Enforcement Fund (Item 3980-001-3056). –382,000

| Item | Amount |
|---|---|
| 3980-001-0044—For support of Office of Environmental Health Hazard Assessment, for payment to Item 3980-001-0001, payable from the Motor Vehicle Account, State Transportation Fund | 2,234,000 |
| 3980-001-0100—For support of Office of Environmental Health Hazard Assessment, for payment to Item 3980-001-0001, payable from the California Used Oil Recycling Fund | 553,000 |
| 3980-001-0106—For support of Office of Environmental Health Hazard Assessment, for payment to Item 3980-001-0001, payable from the Department of Pesticide Regulation Fund | 1,120,000 |
| 3980-001-0140—For support of Office of Environmental Health Hazard Assessment, for payment to Item 3980-001-0001, payable from the California Environmental License Plate Fund | 805,000 |
| 3980-001-0193—For support of Office of Environmental Health Hazard Assessment, for payment to Item 3980-001-0001, payable from the Waste Discharge Permit Fund | 250,000 |
| 3980-001-0387—For support of Office of Environmental Health Hazard Assessment, for payment to Item 3980-001-0001, payable from the Integrated Waste Management Account, Integrated Waste Management Fund | 340,000 |
| 3980-001-0439—For support of Office of Environmental Health Hazard Assessment, for payment to Item 3980-001-0001, payable from the Underground Storage Tank Cleanup Fund | 124,000 |
| 3980-001-0890—For support of Office of Environmental Health Hazard Assessment, for payment to Item 3980-001-0001, payable from the Federal Trust Fund | 500,000 |
| 3980-001-3056—For support of Office of Environmental Health Hazard Assessment, for payment to Item 3980-001-0001, payable from the Safe Drinking Water and Toxic Enforcement Fund | 382,000 |
| HEALTH AND HUMAN SERVICES | |
| 4100-001-0890—For support of the State Council on Developmental Disabilities, payable from the Federal Trust Fund | 6,995,000 |
| Schedule: | |
| (1) 10-State Council Planning and Administration ..... 1,458,000 | |

| Item | | Amount |
|---|---|---|
| (2) 20-Community Program Development | 1,987,000 | |
| (3) 40-Regional Offices and Local Area Boards | 9,650,000 | |
| (4) Reimbursements | –6,100,000 | |

4100-490—Reappropriation, State Council on Developmental Disabilities. Notwithstanding any other provision of law, the balance of the amount appropriated for the State Council on Developmental Disabilities, payable from the Federal Trust Fund, in Item 4100-001-0890 of the Budget Act of 2004 (Ch. 208, Stats. 2004) is reappropriated for transfer to and in augmentation of Item 4100-001-0890 of this Budget Act for the following purposes:

(a) To augment the allocation to the Developmental Disabilities Program Development Fund.

(b) To fund the cost of salary and benefit increases approved by the Legislature that exceed the Budget Act appropriation.

(c) To fund the implementation of any portion of the state plan as approved by the council.

| | | |
|---|---|---|
| 4120-001-0001—For support of Emergency Medical Services Authority | | 991,000 |
| Schedule: | | |
| (1) 10-Emergency Medical Services Authority | 8,158,000 | |
| (2) 97.20.001-Unallocated Reduction | –12,000 | |
| (3) Reimbursements | –3,831,000 | |
| (4) Amount payable from the Emergency Medical Services Training Program Approval Fund (Item 4120-001-0194) | –366,000 | |
| (5) Amount payable from the Emergency Medical Services Personnel Fund (Item 4120-001-0312) | –1,228,000 | |
| (6) Amount payable from the Federal Trust Fund (Item 4120-001-0890) | –1,730,000 | |
| 4120-001-0194—For support of Emergency Medical Services Authority, for payment to Item 4120-001-0001, payable from the Emergency Medical Services Training Program Approval Fund | | 366,000 |
| 4120-001-0312—For support of Emergency Medical Services Authority, for payment to Item 4120-001-0001, payable from the Emergency Medical Services Personnel Fund | | 1,228,000 |

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|---|---|
| 4120-001-0890—For support of Emergency Medical Services Authority, for payment to Item 4120-001-0001, payable from the Federal Trust Fund ..... | 1,730,000 |
| 4120-101-0001—For local assistance, Emergency Medical Services Authority, grants to local agencies..... | 9,786,000 |

Schedule:

(1) 10-Emergency Medical Services Authority ..... 14,090,000

(2) Reimbursements ..... –3,300,000

(3) Amount payable from the Federal Trust Fund (Item 4120-101-0890). –1,004,000

Provisions:

1. The General Fund support for poison control centers shall augment, but not replace, local expenditures for existing poison control center services. These funds shall be used primarily to increase services to underserved counties and populations and for poison prevention and information services. The Director of the Emergency Medical Services Authority may contract with eligible poison control centers for the distribution of these funds.
2. The Emergency Medical Services Authority shall use the following guidelines in administering state-funded grants to local agencies: (a) funding eligibility shall be limited to rural multicounty regions that demonstrate a heavy use of the emergency medical services system by nonresidents, (b) local agencies shall provide matching funds of at least $1 for each dollar of state funds received, (c) state funding shall be used to provide only essential minimum services necessary to operate the system, as defined by the authority, (d) no region shall receive both federal and state funds in the same fiscal year for the same purpose, and (e) the Emergency Medical Services Authority shall monitor the use of the funds by recipients to assure that these funds are used in an appropriate manner.
3. Each region shall be eligible to receive up to one-half of the total cost of a minimal system for that region, as defined by the Emergency Medical Services Authority. However, the authority may reallocate unclaimed funds among regions.
4. Notwithstanding Provision 2(b), each region with a population of 300,000 or less as of June 30, 2003, shall receive the full amount for which it is

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eligible if it provides a cash match of $0.41 per capita or more. Failure to provide local cash contributions at the specified level shall result in a proportional reduction in state funding.

4120-101-0890—For local assistance, Emergency Medical Services Authority, Program 10, for payment to Item 4120-101-0001, payable from the Federal Trust Fund ..... 1,004,000

*4120-115-0001—For transfer by the Controller to the Trauma Care Fund ..... 10,000,000*

4130-001-0632—For support of California Health and Human Services Agency Data Center, payable from the California Health and Human Services Agency Data Center Revolving Fund ..... 115,272,000

Schedule:

(1) 25-Operations.....115,272,000

Provisions:

1. The funds appropriated in this item are available for expenditure or encumbrance and the language included in this item is applicable only until the Governor's Reorganization Plan, or similar legislation that creates the Department of Technology Services, becomes law. At that time, the unencumbered balance of funds appropriated in this item shall immediately revert to the Health and Human Services Agency Data Center Revolving Fund.
2. Notwithstanding any other provision of law, the Director of Finance may authorize expenditure for unanticipated workload resulting from services provided to client departments or as appropriated in a client department's budget for the California Health and Human Services Agency Data Center in excess of the amount appropriated no sooner than 30 days after providing notification in writing to the chairpersons of the fiscal committees of each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee, or no sooner than such lesser time as the chairperson of the committee, or his or her designee, may in each instance determine.
3. Funds appropriated in this item are in lieu of the amounts that otherwise would have been appropriated pursuant to Section 11797 of the Government Code.
4. Expenditure authority provided in this item to support data center infrastructure projects may

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only be utilized for items outside the approved scope of those projects if these changes are supported by documentation prepared and processed in accordance with the state's established administrative and legislative reporting requirements. Changes in a project's scope must receive approval in accordance with established administrative and legislative reporting requirements.

5. Notwithstanding any other provision of law, upon request by the Health and Human Services Agency Data Center, the Director of Finance may adjust the amount available for expenditure in this item to pay costs associated with the Child Welfare Services/Case Management System (CWS/CMS) Application Re-Hosting Project. The adjustment may be effected not sooner than 30 days after notification in writing of the necessity therefor to the chairpersons of the committees in each house of the Legislature that consider appropriations and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine. The revised expenditure authority granted pursuant to this provision shall be consistent with the current approved project or an amount approved by the Director of Finance based on his or her review of a subsequent special project report or equivalent document.

4140-001-0001—For support of Office of Statewide Health Planning and Development ..... ~~117,000~~ *392,000*

Schedule:

(1) 10-Health Care Quality and Analysis ..... 6,061,000

(2) 30-Health Care Workforce ..... ~~5,726,000~~ *6,001,000*

(3) 42-Facilities Development ..... 29,737,000

(4) 45-Cal-Mortgage Loan Insurance... 4,544,000

(5) 60-Health Care Information ..... 8,784,000

(6) 80.01-Administration ..... 10,574,000

(7) 80.02-Distributed Administration ...–10,349,000

(8) Reimbursements ..... –874,000

(9) Amount payable from the Hospital Building Fund (Item 4140-001-0121).....–29,707,000

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(10) Amount payable from the California Health Data and Planning Fund (Item 4140-001-0143) .....–16,522,000

(11) Amount payable from the Registered Nurse Education Fund (Item 4140-001-0181) ..... –1,409,000

(12) Amount payable from the Federal Trust Fund (Item 4140-001-0890). –241,000

(13) Amount payable from the Mental Health Practitioner Education Fund (Item 4140-001-3064) ..... –213,000

(14) Amount payable from the Vocational Nurse Education Fund (Item 4140-001-3068) ..... –138,000

(15) Amount payable from the Health Facilities Construction Loan Insurance Fund (Section 129200, Health and Safety Code) ..... –4,544,000

(16) Amount payable from the Health Professions Education Fund (Section 128355, Health and Safety Code) ..... –1,312,000

Provisions:

1. Of the amount appropriated in Schedule (9), the $223,000 allocated for procurement activities of the Logbook Redesign Project shall not be expended until the Department of Finance approves a feasibility study report submitted by the OSHPD for the report.

4140-001-0121—For support of Office of Statewide Health Planning and Development, for payment to Item 4140-001-0001, payable from the Hospital Building Fund ..... 29,707,000

Provisions:

1. Notwithstanding any other provision of law, upon request by the Office of Statewide Health Planning and Development, the Department of Finance may augment the amount available for expenditure in this item to pay costs associated with the review of hospital building plans. The augmentation may be effected not sooner than 30 days after notification in writing of the necessity thereof to the chairperson of the committee in each house of the Legislature that considers appropriations and the Chairperson of the Joint Leg-

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|---|---|
| islative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may determine. | |
| 4140-001-0143—For support of Office of Statewide Health Planning and Development, for payment to Item 4140-001-0001, payable from the California Health Data and Planning Fund ..... | 16,522,000 |
| 4140-001-0181—For support of Office of Statewide Health Planning and Development, for payment to Item 4140-001-0001, payable from the Registered Nurse Education Fund ..... | 1,409,000 |
| 4140-001-0890—For support of Office of Statewide Health Planning and Development, for payment to Item 4140-001-0001, payable from the Federal Trust Fund ..... | 241,000 |
| 4140-001-3064—For support of Office of Statewide Health Planning and Development, for payment to Item 4140-001-0001, payable from the Mental Health Practitioner Education Fund ..... | 213,000 |
| 4140-001-3068—For support of Office of Statewide Health Planning and Development, for payment to Item 4140-001-0001, payable from the Vocational Nurse Education Fund ..... | 138,000 |
| 4140-001-8007—For support of Office of Statewide Health Planning and Development, payable from the Specialty Care Fund ..... | 0 |

Provisions:

1. Notwithstanding any other provision of law, upon request of the Office of Statewide Health Planning and Development, the Department of Finance may authorize expenditures of up to $200,000 in excess of the amount appropriated in this item, if sufficient funds are available in the Specialty Care Fund, to pay costs associated with fundraising activities by a nonprofit organization as specified in Section 127630 of the Health and Safety Code, not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairperson of the committee in each house of the Legislature that considers appropriations and the Chairperson of the Joint Legislative Budget Committee. The funds appropriated by this provision shall be made available consistent with the amount approved by the Department of Finance based on its review of the proposed contractual agreement for the fundraising activities.

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4140-017-0143—For support of Office of Statewide Health Planning and Development, payable from the California Health Data and Planning Fund ..... 102,000

Schedule:

(1) 60-Health Care Information ..... 102,000

Provisions:

1. The funding appropriated in this item is limited to the amount specified in Control Section 17.00. These funds are to be used in support of compliance activities related to the federal Health Insurance Portability and Accountability Act (HIPAA) of 1996.

4140-101-0001—For local assistance, Office of Statewide Health Planning and Development ..... ~~1,965,000~~ *4,690,000*

Schedule:

(1) 30-Health Care Workforce ..... ~~5,331,000~~ *8,056,000*

(2) Reimbursements ..... –400,000

(3) Amount payable from California Health Data and Planning Fund (Item 4140-101-0143) ..... –1,966,000

(4) Amount payable from the Federal Trust Fund (Item 4140-101-0890) ..... –1,000,000

*Provisions:*

*1. Of the amount appropriated in Schedule (1), $2,725,000 is appropriated for nursing education pursuant to subdivision (c) of Section 128235 of the Health and Safety Code.*

*2. Notwithstanding any other provision of law, the funds appropriated in this item for contracts with accredited medical schools, or programs that train primary care physicians' assistants, registered nurses, or primary care nurse practitioners, as well as contracts with hospitals or other health care delivery systems located in California, that meet the standards of the California Healthcare Workforce Policy Commission established pursuant to Article 1 (commencing with Section 128200) of Chapter 4 of Part 3 of Division 107 of the Health and Safety Code, shall continue to be available for the 2006–07, 2007–08, and 2008–09 fiscal years.*

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| 4140-101-0143—For local assistance, Office of Statewide Health Planning and Development, for payment to Item 4140-101-0001, payable from the California Health Data and Planning Fund ..... | 1,966,000 |
| Provisions: | |
| 1. Notwithstanding subdivision (a) of Section 2.00 of this act, or any other provision of law, the funds appropriated in this item for contracts with accredited medical schools, or programs that train primary care physicians' assistants or primary care nurse practitioners, as well as contracts with hospitals or other health care delivery systems located in California, that meet the standards of the California Healthcare Workforce Policy Commission established pursuant to Article 1 (commencing with Section 128200) of Chapter 4 of Part 3 of Division 107 of the Health and Safety Code, shall continue to be available for the 2006–07, 2007–08, and 2008–09 fiscal years. | |
| 4140-101-0890—For local assistance, Office of Statewide Health Planning and Development, for payment to Item 4140-101-0001, payable from the Federal Trust Fund ..... | 1,000,000 |
| 4170-001-0001—For support of Department of Aging... | 3,904,000 |
| Schedule: | |
| (1) 10-Nutrition ..... 2,807,000 | |
| (2) 20-Senior Community Employment Service ..... ~~706,000~~ *644,000* | |
| (3) 30-Supportive Services and Centers ..... ~~5,134,000~~ *5,196,000* | |
| (4) 40-Special Projects..... 7,075,000 | |
| (5) 50.01-Administration..... 14,056,000 | |
| (6) 50.02-Distributed Administration ...–14,056,000 | |
| (7) 97.20.001-Unallocated Reduction... –38,000 | |
| (8) Reimbursements..... –3,438,000 | |
| (9) Amount payable from the State HICAP Fund (Item 4170-001-0289)..... –200,000 | |
| (10) Amount payable from the Federal Trust Fund (Item 4170-001-0890). –8,011,000 | |
| (11) Amount payable from the Federal Citation Penalties Account, Special Deposit Fund (Item 4170-003-0942)..... –131,000 | |

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Provisions:

1. Of the amount available for expenditure in this item, $267,000 for 2.0 positions for the Adult Day Health Care (ADHC) Program shall not be expended until the federal Centers for Medicare and Medicaid Services (CMS) specifies the requirements to maintain federal financial participation for the ADHC as a Medicaid program. These 2.0 positions shall not be established until the Department of Finance has approved the workload necessary to comply with requirements set forth by the CMS.

4170-001-0289—For support of Department of Aging, for payment to Item 4170-001-0001, payable from the State HICAP Fund ..... 200,000

4170-001-0890—For support of Department of Aging, for payment to Item 4170-001-0001, payable from the Federal Trust Fund..... 8,011,000

Provisions:

1. The Department of Finance may authorize the transfer of funds between this item and Item 4170-101-0890 no sooner than 30 days after written notification to the chairpersons of the fiscal committees of each house and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the Chairperson of the Joint Legislative Budget Committee may determine. The notification shall include: (a) the amount of the proposed transfer; (b) an identification of the purposes for which the funds will be used; (c) documentation that the proposed activities must be carried out in the current year and that no other funds are available for their support; and (d) the impact of any transfer on the level of services.

4170-003-0942—For support of Department of Aging, for payment to Item 4170-001-0001, payable from the Federal Citation Penalties Account, Special Deposit Fund ..... 131,000

4170-017-0001—For support of Department of Aging... 12,000

Schedule:

(1) 40-Special Projects..... 24,000

(2) Reimbursements..... –12,000

Provisions:

1. The funding appropriated in this item is limited to the amount specified in Control Section 17.00. These funds are to be used in support of compli-

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| ance activities related to the federal Health Insurance Portability and Accountability Act (HIPAA) of 1996. | | |
| 4170-101-0001—For local assistance, Department of Aging | | 31,452,000 |
| Schedule: | | |
| (1) 10-Nutrition | 73,373,000 | |
| (2) 20-Senior Community Employment Service | ~~10,202,000~~ *9,149,000* | |
| (3) 30-Supportive Services and Centers | ~~70,398,000~~ *71,451,000* | |
| (4) 40-Special Projects | 24,266,000 | |
| (5) Reimbursements | –4,559,000 | |
| (6) Amount payable from the State HICAP Fund (Item 4170-101-0289) | –2,246,000 | |
| (7) Amount payable from the Federal Trust Fund (Item 4170-101-0890) | –138,540,000 | |
| (8) Amount payable from the Federal Citation Penalties Account, Special Deposit Fund (Item 4170-103-0942) | –1,442,000 | |
| Provisions: | | |
| 1. To the extent the United States enacts a minimum wage equal to or greater than that of California, state funding provided in this item for the Senior Community Service Employment Program shall revert to the General Fund. | | |
| 4170-101-0289—For local assistance, Department of Aging, for payment to Item 4170-101-0001, payable from the State HICAP Fund | | 2,246,000 |
| 4170-101-0890—For local assistance, Department of Aging, for payment to Item 4170-101-0001, payable from the Federal Trust Fund | | 138,540,000 |
| Provisions: | | |
| 1. Provision 1 of Item 4170-001-0890 is also applicable to this item. | | |
| 2. Notwithstanding subdivision (d) of Section 28.00 of this act, the Department of Finance, upon notification by the California Department of Aging, may authorize augmentations in this item for budget revisions submitted by Area Agencies on Aging and approved by the Department of Aging for estimated entitlements of per-meal reimburse- | | |

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ments from the U.S. Department of Agriculture and for funds allocated to Area Agencies on Aging for federal Title III and Title VII one-time-only allocations.

4170-103-0942—For local assistance, Department of Aging, for payment to Item 4170-101-0001, payable from the Federal Citation Penalties Account, Special Deposit Fund ..... 1,442,000

Provisions:

1. Notwithstanding any other provision of law, funds appropriated by this item shall be allocated by the Department of Aging to each local ombudsman program in accordance with a formula calculated on the number of beds in licensed skilled nursing home facilities in each program's area of service in proportion to the total number of beds in licensed skilled nursing homes in the state.

4180-001-0983—For support of Commission on Aging, payable from the California Fund for Senior Citizens ..... 290,000

Provisions:

1. Funds appropriated in this item from the California Fund for Senior Citizens shall be allocated by the Commission on Aging for the purposes specified in Section 18723 of the Revenue and Taxation Code.
2. Pursuant to Section 18723 of the Revenue and Taxation Code, the balance of this item as well as the balance of prior year appropriations from the California Fund for Senior Citizens may be carried over and expended in any following fiscal year.
3. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures from the California Fund for Senior Citizens for the Commission on Aging in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee.

4180-002-0886—For support of Commission on Aging, payable from the California Seniors Special Fund ..... 57,000

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Provisions:

1. Pursuant to Section 18773 of the Revenue and Taxation Code, the balance of this item as well as the balance of prior year appropriations from the California Seniors Special Fund may be carried over and expended in any following fiscal year.
2. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures from the California Seniors Special Fund for the Commission on Aging in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine.

4180-002-0890—For support of Commission on Aging, payable from the Federal Trust Fund..... 325,000

4200-001-0001—For support of Department of Alcohol and Drug Programs..... 4,364,000

Schedule:

(1) 15-Alcohol and Other Drug Services Program..... 44,134,000
(2) 30.01-Administration..... 11,195,000
(3) 30.02-Distributed Administration ...–11,195,000
(4) 97.20.001-Unallocated Reduction... –252,000
(5) Reimbursements..... –4,450,000
(6) Amount payable from the Driving-Under-the-Influence Program Licensing Trust Fund (Item 4200-001-0139)..... –1,601,000
(7) Amount payable from the Narcotic Treatment Program Licensing Trust Fund (Item 4200-001-0243)..... –1,321,000
(8) Amount payable from Indian Gaming Special Distribution Fund (Item 4200-001-0367) ..... –3,040,000
(9) Amount payable from the Audit Repayment Trust Fund (Item 4200-001-0816)..... –67,000
(10) Amount payable from the Federal Trust Fund (Item 4200-001-0890).....–24,931,000

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(11) Amount payable from the Substance Abuse Treatment Trust Fund (Item 4200-001-3019) ..... –3,860,000

(12) Amount payable from the Mental Health Services Fund (Item 4200-001-3085) ..... –248,000

4200-001-0139—For support of Department of Alcohol and Drug Programs, for payment to Item 4200-001-0001, payable from the Driving-Under-the-Influence Program Licensing Trust Fund ..... 1,601,000

Provisions:

1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for the Driving-Under-the-Influence Program Licensing Trust Fund in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine.

4200-001-0243—For support of Department of Alcohol and Drug Programs, for payment to Item 4200-001-0001, payable from the Narcotic Treatment Program Licensing Trust Fund ..... 1,321,000

Provisions:

1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for the Narcotic Treatment Program Licensing Trust Fund in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine.

4200-001-0367—For support of Department of Alcohol and Drug Programs, for payment to Item 4200-001-0001, payable from the Indian Gaming Special Distribution Fund..... 3,040,000

4200-001-0816—For support of Department of Alcohol and Drug Programs, for payment to Item 4200-001-0001, payable from the Audit Repayment Trust Fund ..... 67,000

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|---|---|
| 4200-001-0890—For support of Department of Alcohol and Drug Programs, for payment to Item 4200-001-0001, payable from the Federal Trust Fund ..... | 24,931,000 |
| Provisions: | |
| 1. Upon order of the Department of Finance, the Controller shall transfer funds as necessary between this item and Item 4200-101-0890. In determining which transfers are necessary pursuant to this provision, the director shall assess those programs and operations that have the most critical need. In making this assessment, the director shall consider such factors as caseload requirements, availability of personnel to provide essential services, other funding sources, and relevant information provided by affected state agencies. | |
| 4200-001-3019—For support of Department of Alcohol and Drug Programs, for payment to Item 4200-001-0001, payable from the Substance Abuse Treatment Trust Fund..... | 3,860,000 |
| Provisions: | |
| 1. Funds appropriated in this item are in lieu of the amounts that otherwise would have been appropriated for administration pursuant to Section 11999.6 of the Health and Safety Code. | |
| 2. Notwithstanding any other provision of law, the Department of Finance may authorize a loan from the General Fund to the Substance Abuse Treatment Trust Fund for administrative costs of the State Department of Alcohol and Drug Programs made necessary by the provisions of the Substance Abuse and Crime Prevention Act of 2000. The amounts so transferred are in augmentation of Item 4200-001-3019, as directed by the Department of Finance. The moneys shall be repaid to the General Fund without interest, from the next annual allocation of the Substance Abuse Treatment Trust Fund pursuant to Section 11999.6 of the Health and Safety Code, prior to the distribution of trust funds to the counties and state departments. | |
| 4200-001-3085—For support of Department of Alcohol and Drug Programs, for payment to Item 4200-001-0001, payable from the Mental Health Services Fund ..... | 248,000 |

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*Provisions:*

*1. Funds appropriated in this item are in lieu of the amounts that otherwise would have been appropriated for administration pursuant to subdivision (d) of Section 5892 of the Welfare and Institutions Code.*

4200-017-0001—For support of Department of Alcohol and Drug Programs, for implementation of the Health Insurance Portability and Accountability Act..... 831,000

Schedule:

(1) 15-Alcohol and Other Drug Services Program..... 1,791,000

(2) Reimbursements..... –960,000

Provisions:

1. The funding appropriated in this item is limited to the amount specified in Control Section 17.00. These funds are to be used in support of compliance activities related to the federal Health Insurance Portability and Accountability Act (HIPAA) of 1996.

4200-101-0001—For local assistance, Department of Alcohol and Drug Programs ..... 31,143,000

Schedule:

(1) 15-Alcohol and Other Drug Services Program.....295,295,000

(2) Reimbursements.....–15,395,000

(3) Amount payable from the Federal Trust Fund (Item 4200-101-0890) ..... –248,613,000

(4) Amount payable from the Resident-Run Housing Revolving Fund (Item 4200-101-0977) ..... –144,000

Provisions:

1. Upon approval by the Director of Finance, the Controller shall transfer such funds as are necessary between this item and Items 4200-001-0001, 4200-102-0001, 4200-103-0001, and 4200-104-0001. In determining which transfers are necessary pursuant to this provision, the director shall assess those programs and operations that have the most critical need. In making this assessment, the director shall consider such factors as caseload requirements, availability of personnel to provide

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essential services, other funding sources, and relevant information provided by affected state agencies.

2. Upon approval by the Department of Finance, one or more short-term loans not to exceed a cumulative total of $59,745,000 may be made available from the General Fund when there is a delay in the allocation of federal Substance Abuse Prevention and Treatment (SAPT) Block Grant funds to California. The loans shall be repaid, with interest calculated pursuant to subdivision (a) of Section 16314 of the Government Code, upon receipt of the federal SAPT Block Grant.

4200-101-0890—For local assistance, Department of Alcohol and Drug Programs, for payment to Item 4200-101-0001, payable from the Federal Trust Fund..... 248,613,000

Provisions:

1. Upon order of the Department of Finance, the Controller shall transfer funds as necessary between this item and Item 4200-001-0890. In determining which transfers are necessary pursuant to this provision, the director shall assess those programs and operations that have the most critical need. In making this assessment, the director shall consider such factors as caseload requirements, availability of personnel to provide essential services, other funding sources, and relevant information provided by affected state agencies.

4200-101-0977—For local assistance, Department of Alcohol and Drug Programs, for payment to Item 4200-101-0001, payable from the Resident-Run Housing Revolving Fund..... 144,000

Provisions:

1. To the extent that moneys available in the Resident-Run Housing Revolving Fund are less than the amount appropriated by this item, this appropriation shall be limited to that lesser amount.

2. Notwithstanding any other provision of law, if revenues and loan repayments to the Resident-Run Housing Revolving Fund are sufficient to create additional allocation workload, the Director of Finance may authorize expenditures for the Department of Alcohol and Drug Programs in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the

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fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine.

4200-102-0001—For local assistance, Department of Alcohol and Drug Programs, for perinatal substance abuse treatment programs (Drug Medi-Cal) ..... 2,537,000

Schedule:

(1) 15-Alcohol and Other Drug Services Program ..... 5,074,000

(2) Reimbursements ..... –2,537,000

Provisions:

1. Upon approval by the Director of Finance, the Controller shall transfer such funds as are necessary between this item and Items 4200-001-0001, 4200-101-0001, 4200-103-0001, and 4200-104-0001. In determining which transfers are necessary pursuant to this provision, the director shall assess those programs and operations that have the most critical need. In making this assessment, the director shall consider such factors as caseload requirements, availability of personnel to provide essential services, other funding sources, and relevant information provided by affected state agencies.
2. The funds appropriated by this item are available to provide funding for the state's share of expenditures for perinatal substance abuse services provided to persons eligible for Medi-Cal.
3. Notwithstanding subdivision (a) of Section 2.00 and Section 26.00, the Department of Finance may authorize a transfer of expenditure authority between this item and Item 4200-103-0001 so that the funds appropriated in either item may be used to pay the state and federal share of prior fiscal years' allowable Medi-Cal costs that exceed the amount encumbered in prior fiscal years. The Director of Finance shall notify the Legislature within 10 days after authorizing a transfer pursuant to this provision unless prior notification of the transfer has been included in the Medi-Cal estimates submitted pursuant to Section 14100.5 of the Welfare and Institutions Code.

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4. Of the combined amounts appropriated in Items 4200-102-0001 and 4200-103-0001, $1,104,000 General Fund, and corresponding reimbursements, is for the purpose of augmenting Drug Medi-Cal rates above the 2002–03 rate level. The department shall establish increases in maximum reimbursement rates for Drug Medi-Cal services in the fiscal year to reflect the additional General Fund and reimbursements appropriated in this item.

4200-103-0001—For local assistance, Department of Alcohol and Drug Programs, Drug Medi-Cal Services ..... 60,298,000

Schedule:

(1) 15-Alcohol and Other Drug Services Program.....114,029,000

(2) Reimbursements.....–53,731,000

Provisions:

1. Upon approval by the Director of Finance, the Controller shall transfer such funds as are necessary between this item and Items 4200-001-0001, 4200-101-0001, 4200-102-0001, and 4200-104-0001. In determining which transfers are necessary pursuant to this provision, the director shall assess those programs and operations that have the most critical need. In making this assessment, the director shall consider such factors as caseload requirements, availability of personnel to provide essential services, other funding sources, and relevant information provided by affected state agencies.

2. The funds appropriated in this item are available to provide funding for the state's share of expenditures for substance abuse services provided to persons eligible for Medi-Cal.

3. Notwithstanding subdivision (a) of Section 2.00 and Section 26.00, the Department of Finance may authorize a transfer of expenditure authority between this item and Item 4200-102-0001 so that the funds appropriated in either item may be used to pay the state and federal share of prior fiscal years' allowable Medi-Cal costs that exceed the amount encumbered in prior fiscal years. The Director of Finance shall notify the Legislature within 10 days after authorizing a transfer pursuant to this provision unless prior notification of the transfer has been included in the Medi-Cal es-

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timates submitted pursuant to Section 14100.5 of the Welfare and Institutions Code.

4. Notwithstanding any other provision of law, both the federal and nonfederal shares of any moneys recovered for previously paid drug Medi-Cal program services provided pursuant to Chapter 7 (commencing with Section 14000) of Part 3 of Division 9 of the Welfare and Institutions Code are hereby appropriated and shall be expended as soon as practicable for drug Medi-Cal program services, as defined in the Welfare and Institutions Code.

5. Of the combined amounts appropriated in Items 4200-102-0001 and 4200-103-0001, $1,104,000 General Fund, and corresponding reimbursements, are for the purpose of augmenting Drug Medi-Cal rates above the 2002–03 fiscal year rate level. The department shall establish increases in maximum reimbursement rates for Drug Medi-Cal services in the fiscal year to reflect the additional General Fund and reimbursements appropriated in this item.

6. By April 1, 2006, the Department of Alcohol and Drug Programs shall report to the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the fiscal committees of both houses of the Legislature regarding the feasibility and advisability of modifying its system for reimbursement of methadone treatment services to account separately for the medication costs of methadone so that the state can obtain Medicaid prices and collect the rebates to which it is entitled from drug manufacturers. Nothing in this provision shall preclude the department from acting sooner than this date to implement this action or to take alternative actions that, in its discretion, would reduce the cost to the Drug Medi-Cal program for methadone medication.

4200-104-0001—For local assistance, Department of Alcohol and Drug Programs, for perinatal substance abuse treatment programs ..... 23,457,000

Schedule:

(1) 15-Alcohol and Other Drug Services Program..... 40,511,000

(2) Amount payable from the Federal Trust Fund (Item 4200-104-0890).–17,054,000

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Provisions:

1. Upon approval by the Director of Finance, the Controller shall transfer such funds as are necessary between this item and Items 4200-001-0001, 4200-101-0001, 4200-102-0001, and 4200-103-0001. In determining which transfers are necessary pursuant to this provision, the director shall assess those programs and operations that have the most critical need. In making this assessment, the director shall consider such factors as caseload requirements, availability of personnel to provide essential services, other funding sources, and relevant information provided by affected state agencies.
2. Of the funds appropriated in this item, $6,408,000 shall be used to fund existing residential perinatal treatment programs that were begun through federal Center for Substance Abuse Treatment grants but whose grants have since expired and currently are constituted as Women and Children's Residential Treatment Services. For counties in which there is such a provider, the Department of Alcohol and Drug Programs shall include language in those counties' allocation letters that indicates the amount of the allocation designated for the provider during the fiscal year. Pursuant to Section 11840.1 of the Health and Safety Code, the treatment programs that were established through federal Center for Substance Abuse Treatment grants are not subject to the county 10-percent match. All of the funds allocated for programs shall be passed through those counties directly to the designated nine residential treatment programs in each county, respectively.
3. Notwithstanding any specified amount in other provisions of this item, any general reduction in this item shall be made proportionately between the Women and Children's Residential Treatment Services and other perinatal programs.

4200-104-0890—For support of Department of Alcohol and Drug Programs, for payments to Item 4200-104-0001, payable from the Federal Trust Fund ..... 17,054,000

| Item | Amount |
|---|---|
| 4200-490—Reappropriation, Department of Alcohol and Drug Programs. $200,000 of the appropriation provided in Item 4200-001-0367, Budget Act of 2004 (Ch. 208, Stats. 2004) is reappropriated until June 30, 2006, for the creation of culturally competent literature on problem gambling. | |
| 4260-001-0001—For support of Department of Health Services | ~~242,450,750~~ *244,093,000* |
| Schedule: | |
| (1) 10-Public and Environmental Health | ~~311,129,000~~ *313,379,000* |
| (2) 20-Health Care Services | ~~616,651,000~~ *615,395,000* |
| (4) 30.01-Administration | 54,199,000 |
| (5) 30.02-Distributed Administration | –51,776,000 |
| (6) 97.20.001-Unallocated Reduction | –11,020,000 |
| (7) Reimbursements | –38,509,000 |
| (8) Amount payable from the Breast Cancer Research Account (Item 4260-001-0007) | –1,420,000 |
| (9) Amount payable from the Breast Cancer Control Account (Item 4260-001-0009) | –8,560,000 |
| (10) Amount payable from the Nuclear Planning Assessment Special Account (Item 4260-001-0029) | –773,000 |
| (11) Amount payable from the Motor Vehicle Account, State Transportation Fund (Item 4260-001-0044) | –1,228,000 |
| (12) Amount payable from the Sale of Tobacco to Minors Control Account (Item 4260-001-0066) | –2,527,000 |
| (13) Amount payable from the Occupational Lead Poisoning Prevention Account (Item 4260-001-0070) | –2,742,000 |
| (14) Amount payable from the Medical Waste Management Fund (Item 4260-001-0074) | –1,294,000 |
| (15) Amount payable from the Radiation Control Fund (Item 4260-001-0075) | –19,592,000 |
| (16) Amount payable from the Tissue Bank License Fund (Item 4260-001-0076) | –280,000 |

| Item | Amount |
|---|---|
| (17) Amount payable from the Childhood Lead Poisoning Prevention Fund (Item 4260-001-0080)..... | –8,981,000 |
| (18) Amount payable from the Export Document Program Fund (Item 4260-001-0082) ..... | –159,000 |
| (19) Amount payable from the Clinical Laboratory Improvement Fund (Item 4260-001-0098) ..... | –4,165,000 |
| (20) Amount payable from the Health Statistics Special Fund (Item 4260-001-0099)..... | –16,426,000 |
| (21) Amount payable from the Wine Safety Fund (Item 4260-001-0116)..... | –55,000 |
| (22) Amount payable from the Water Device Certification Special Account (Item 4260-001-0129)..... | –204,000 |
| (23) Amount payable from the Food Safety Fund (Item 4260-001-0177)..... | –4,360,000 |
| (24) Amount payable from the Environmental Laboratory Improvement Fund (Item 4260-001-0179)..... | –3,010,000 |
| (25) Amount payable from the Genetic Disease Testing Fund (Item 4260-001-0203)..... | –78,157,000 |
| (26) Amount payable from the Health Education Account, Cigarette and Tobacco Products Surtax Fund (Item 4260-001-0231) ..... | –6,648,000 |
| (27) Amount payable from the Research Account, Cigarette and Tobacco Products Surtax Fund (Item 4260-001-0234) ..... | –5,213,000 |
| (28) Amount payable from the Unallocated Account, Cigarette and Tobacco Products Surtax Fund (Item 4260-001-0236) ..... | –6,370,000 |
| (29) Amount payable from the Drinking Water Operator Certification Special Account (Item 4260-001-0247)..... | –1,287,000 |

| Item | Amount |
|---|---|
| (30) Amount payable from the Nursing Home Administrator's State License Examining Fund (Item 4260-001-0260) | –484,000 |
| (31) Amount payable from the Infant Botulism Treatment and Prevention Fund (Item 4260-001-0272) | –1,910,000 |
| (32) Amount payable from the Safe Drinking Water Account (Item 4260-001-0306) | –8,914,000 |
| (33) Amount payable from the Registered Environmental Health Specialist Fund (Item 4260-001-0335) | –266,000 |
| (34) Amount payable from the Mosquitoborne Disease Surveillance Account (Item 4260-001-0478) | –43,000 |
| (34.5) Amount payable from the Water System Reliability Account (Item 4260-001-0626) | –400,000 |
| (35) Amount payable from the Drinking Water Treatment and Research Fund (Item 4260-001-0622) | –624,000 |
| (36) Amount payable from the Domestic Violence Training and Education Fund (Item 4260-001-0642) | –830,000 |
| (37) Amount payable from the Emergency Services and Supplemental Payments Fund (Item 4260-001-0693) | –2,160,000 |
| (38) Amount payable from the California Alzheimer's Disease and Related Disorders Research Fund (Item 4260-001-0823) | –863,000 |
| (39) Amount payable from the Medi-Cal Inpatient Payment Adjustment Fund (Item 4260-001-0834) | –1,152,000 |
| (40) Amount payable from the Federal Trust Fund (Item 4260-001-0890) | ~~–438,355,250~~ *–437,707,000* |
| (41) Amount payable from the Drug and Device Safety Fund (Item 4260-001-3018) | –2,294,000 |
| (42) Amount payable from the Medical Marijuana Program Fund (Item 4260-001-3074) | –1,181,000 |

| Item | Amount |
|---|---|
| (43) Amount payable from the Cannery Inspection Fund (Item 4260-001-3081) | −1,570,000 |
| (43.5) Amount payable from the Mental Health Services Fund (Item 4260-001-3085) | −52,000 |
| (44) Amount payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Item 4260-001-6031) | −3,229,000 |
| (45) Amount payable from the Asthma and Lung Disease Research Fund (Item 4260-001-8003) | −188,000 |
| (46) Amount payable from the Lupus Foundation of America Fund (Item 4260-001-8006) | −257,000 |

Provisions:

1. Except as otherwise prohibited by law, the department shall promulgate emergency regulations to adjust the public health fees set by regulation to an amount, such that if the new fees were effective throughout the 2005–06 fiscal year, the estimated revenues would be sufficient to offset at least 95 percent of the approved program level intended to be supported by those fees.

   The General Fund fees of the State Department of Health Services (DHS) that are subject to the annual fee adjustment pursuant to subdivision (a) of Section 100425 of the Health and Safety Code shall be increased by 4.58 percent. The special fund fees of DHS that are subject to the annual fee adjustment pursuant to subdivision (a) of Section 100425 of the Health and Safety Code may be increased by 4.58 percent only if the fund condition statements project fund reserves to be less than 10 percent and the revenues projected for the 2005–06 fiscal year are less than the appropriation contained in this act.

2. Effective July 1, 2005, the annual fee for a general acute care hospital, acute psychiatric hospital, special hospital, general acute care rehabilitation hospital and chemical dependency recovery hospital shall be $98.91 per bed. Effective July 1, 2005, the annual fee for a skilled nursing facility, intermediate care facility, or intermediate care facility for the developmentally disabled is $215.32 per bed.

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The fees of the State Department of Health Services that are subject to the annual fee adjustment pursuant to subdivision (a) of Section 100445 of the Health and Safety Code shall be increased by 5.87 percent for the 2005–06 fiscal year.

Notwithstanding subdivision (b) of Section 100450 of the Health and Safety Code, departmental fees that are subject to the annual fee adjustment pursuant to subdivision (a) of Section 100450 of the Health and Safety Code shall not be increased for the 2005–06 fiscal year.

3. The State Department of Health Services shall limit expenditures in this item to implement the Uniform Anatomical Gift Act (Chapter 819 of the Statutes of 2000) to the amount of actual fees collected from tissue banks.
4. $13,601,000 of the funds appropriated in this item are intended to pay the General Fund portion of annual rents for the Capitol East End Office Complex.
5. Effective February 1, 2004, the State Department of Health Services shall report semiannually in writing on the results of the additional positions established under the 2003 Medi-Cal Anti-Fraud Initiative to the chairperson of the committee in each house that considers appropriations and the Chairperson of the Joint Legislative Budget Committee. The report shall include the results of the most recently completed error rate study and random claim sampling process, the number of positions filled by division, and, for each of the components of the initiative, the amount of savings and cost avoidance achieved and estimated, the number of providers sanctioned, and the number of claims and beneficiary records reviewed.
6. Of the funds appropriated for new information technology projects, including, but not limited to, the provider enrollment automation project, no funds may be expended on a project prior to approval of a feasibility study report concerning that project by the Director of Finance. The State Department of Health Services shall notify the fiscal committees of both houses of the Legislature that a feasibility study report has been approved for a project within 30 days of the report's approval by

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the Director of Finance, and shall include with the notification a copy of the approved feasibility study report that reflects the Director of Finance's changes.

Prior to the expenditure of funds appropriated in this item for the provider enrollment automation project, the State Department of Health Services shall obtain approval from the Director of Finance of a feasibility study report covering the complete provider enrollment automated system that the department intends to implement.

The State Department of Health Services shall report back to the budget committees of both houses of the Legislature during budget hearings regarding the status of the provider enrollment backlog and the streamlining of provider enrollment processes.

7. The State Department of Health Services shall develop a comprehensive strategic plan that assesses California's current programs and efforts in obesity prevention, identifies core gaps or concerns, identifies best practices, and makes recommendations for improvement. The department shall provide the strategic plan to the Legislature when it is completed, but no later than June 30, 2006.

8. In response to the public health implications of the West Nile Virus, and in order to expedite the implementation of mosquito control efforts funded by up to $2 million appropriated in this item, the department is exempt from competitive bidding requirements, and from the requirements of Part 2 (commencing with Section 10100) of Division 2 of the Public Contract Code for purposes of making, receiving, and entering into contracts and interagency agreements.

9. The State Department of Health Services shall provide to the appropriate fiscal and policy committees of the Legislature the quantitative analysis and key data results obtained from the rate study being conducted by an independent contractor. The information shall be provided on a flow basis, when applicable, and no later than March 1, 2006. No proprietary or confidential information is required by this provision.

10. The State Department of Health Services shall utilize at least two positions, as authorized by the Legislature, for processing applications for the

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|---|---|
| Program for All-Inclusive Care for the Elderly (PACE) in order to expedite implementation of these cost-beneficial services for the elderly. | |
| *11. Of the amount appropriated in this item, $3,000,000 shall be used for the IMPACT Program to provide health care services for low-income men with prostate cancer. The State Department of Health Services shall commence enrolling new enrollees as of July 1, 2005. The State Department of Health Services shall require of the contractor that expenditures for direct patient care shall at least equal 80 percent of the program funding. The State Department of Health Services may seek other structural changes to the IMPACT Program as deemed warranted by the State Department of Health Services to operate an efficient and effective program for men with prostate cancer.* | |
| 4260-001-0007—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Breast Cancer Research Account ..... | 1,420,000 |
| 4260-001-0009—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Breast Cancer Control Account..... | 8,560,000 |
| 4260-001-0029—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Nuclear Planning Assessment Special Account ..... | 773,000 |
| 4260-001-0044—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Motor Vehicle Account, State Transportation Fund..... | 1,228,000 |
| 4260-001-0066—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Sale of Tobacco to Minors Control Account..... | 2,527,000 |
| Provisions: | |
| 1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Government Code Section 13332.18. | |
| 4260-001-0070—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Occupational Lead Poisoning Prevention Account..... | 2,742,000 |

| Item | Amount |
|---|---|
| Provisions: | |
| 1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code. | |
| 4260-001-0074—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Medical Waste Management Fund .... | 1,294,000 |
| Provisions: | |
| 1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code. | |
| 4260-001-0075—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Radiation Control Fund ..... | 19,592,000 |
| Provisions: | |
| 1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code. | |
| 4260-001-0076—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Tissue Bank License Fund..... | 280,000 |
| 4260-001-0080—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Childhood Lead Poisoning Prevention Fund ..... | 8,981,000 |
| 4260-001-0082—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Export Document Program Fund ..... | 159,000 |
| 4260-001-0098—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Clinical Laboratory Improvement Fund ..... | 4,165,000 |
| Provisions: | |
| 1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code. | |
| 4260-001-0099—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Health Statistics Special Fund..... | 16,426,000 |
| 4260-001-0116—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Wine Safety Fund ..... | 55,000 |

| Item | Amount |
|---|---|
| 4260-001-0129—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Water Device Certification Special Account | 204,000 |
| 4260-001-0177—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Food Safety Fund | 4,360,000 |
| 4260-001-0179—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Environmental Laboratory Improvement Fund | 3,010,000 |
| 4260-001-0203—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Genetic Disease Testing Fund | 78,157,000 |
| Provisions: | |
| 1. On a quarterly basis, the Department of Health Services shall report to the chairperson of the budget committees in each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee regarding the monthly status and oversight reports for the Genetic Disease Branch Screening Information System. | |
| 2. The Department of Health Services shall report to the Joint Legislative Budget Committee by September 30, 2005, regarding the impact of restructuring its fee collection and customer service functions within the Genetic Disease Branch. This restructuring effort is necessary to ensure that fee collection and customer service have a separate and distinct focus and provide proper separation of accounting and cashiering duties as recommended in the 1997 Bureau of State Audits report regarding these activities. | |
| 4260-001-0231—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Health Education Account, Cigarette and Tobacco Products Surtax Fund | 6,648,000 |
| 4260-001-0234—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Research Account, Cigarette and Tobacco Products Surtax Fund | 5,213,000 |
| 4260-001-0236—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Unallocated Account, Cigarette and Tobacco Products Surtax Fund | 6,370,000 |

| Item | Amount |
|---|---|
| 4260-001-0247—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Drinking Water Operator Certification Special Account | 1,287,000 |
| 4260-001-0260—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Nursing Home Administrator's State License Examining Fund | 484,000 |
| 4260-001-0272—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Infant Botulism Treatment and Prevention Fund | 1,910,000 |
| 4260-001-0306—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Safe Drinking Water Account | 8,914,000 |
| Provisions: | |
| 1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code. | |
| 4260-001-0335—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Registered Environmental Health Specialist Fund | 266,000 |
| 4260-001-0478—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Vectorborne Disease Account | 43,000 |
| 4260-001-0622—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Drinking Water Treatment and Research Fund | 624,000 |
| 4260-001-0626—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Water System Reliability Account | 400,000 |
| Provisions: | |
| 1. Of the amount appropriated in this item, up to $400,000 shall be used for an interagency agreement to conduct work related to small drinking water systems. The funds shall not be used for any other purpose. | |
| 4260-001-0642—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Domestic Violence Training and Education Fund | 830,000 |

| Item | Amount |
|---|---|
| 4260-001-0693—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Emergency Services and Supplemental Payments Fund | 2,160,000 |
| Provisions: | |
| 1. To the extent that moneys available in the Emergency Services and Supplemental Payments Fund are less than the amount appropriated in this item, this appropriation shall be limited to that lesser amount. | |
| 2. Notwithstanding any other provision of law, if revenues to the Emergency Services and Supplemental Payments Fund are sufficient to create additional allocation workload, the Director of Finance may authorize expenditures for the Department of Health Services in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees in each house and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine. | |
| 4260-001-0823—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the California Alzheimer's Disease and Related Disorders Research Fund | 863,000 |
| 4260-001-0834—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Medi-Cal Inpatient Payment Adjustment Fund | 1,152,000 |
| 4260-001-0890—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Federal Trust Fund | ~~438,355,250~~ *437,707,000* |
| Provisions: | |
| 1. Of the funds appropriated in this item, $59,023,000 shall be available for administration, research, and training projects. Notwithstanding Section 28.00 of this act, the State Department of Health Services shall report under that section any new project over $200,000 or any increase in excess of $400,000 for an identified project. | |

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2. $12,276,000 of the funds appropriated in this item are intended to pay the federal fund portion of annual rents for the Capitol East End Office Complex.
3. The Department of Finance may authorize the transfer of amounts from this item to Item 4260-111-0890 in order to reflect modifications in the use of federal bioterrorism grants. The funds may not be approved sooner than 30 days after notification in writing of the necessity therefor is provided to the chairperson of the committee in each house of the Legislature that considers appropriations and the Chairperson of the Joint Legislative Budget Committee, or no sooner than whatever lesser time the Chairperson of the Joint Legislative Budget Committee, or his or her designee, may in each instance determine.
4. Notwithstanding any other provision of law, moneys made available for the federal Bioterrorism Hospital Preparedness Program pursuant to this act shall be available for expenditure and encumbrance until August 30, 2006.
5. The Department of Health Services shall notify the fiscal and relevant policy committees of the Legislature in a timely manner regarding the federal government's approval of the state's application for cooperative agreement for funding from the federal Centers for Disease Control and Prevention's Public Health Preparedness and Response to Bioterrorism Program. The notification shall include a summary of all policy and fiscal changes made by the federal government to the state's application. If additional changes are made throughout the fiscal year, the Department of Health Services shall notify the fiscal and relevant policy committees of the Legislature in a similar manner.
6. The Department of Health Services shall provide information to the Bureau of State Audits to enable it to conduct a fiscal review of the department's bioterrorism preparedness grant funding as received from the federal government, including grant funds from the federal Centers for Disease Control and Prevention, and the Health Resources and Services Administration.
7. The Office of Homeland Security, in collaboration with the Department of Health Services, shall

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provide to the Chairperson of the Joint Legislative Budget Committee, and the chairperson of the budget and policy committees of each house of the Legislature on or before February 1, 2006, a statewide strategic plan for the use of federal homeland security and bioterrorism funds by all departments and local jurisdictions. The plan shall include goals and objectives for improving the state's level of preparedness for a terrorism event, based on an assessment of the state's level of preparedness and reflecting a coordination of preparedness activities at the state and local level. It is not the intent of the Legislature to require the Office of Homeland Security or the Department of Health Services to disclose or include sensitive or classified information in the strategic plan.

4260-001-3018—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Drug and Device Safety Fund..... 2,294,000

4260-001-3074—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Medical Marijuana Program Fund..... 1,181,000

4260-001-3081—For support of the Department of Health Services, for payment to Item 4260-001-0001, payable from the Cannery Inspection Fund... 1,570,000

*4260-001-3085—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Mental Health Services Fund..... 52,000*

*Provisions:*

*1. Funds appropriated in this item are in lieu of the amounts that otherwise would have been appropriated for administration pursuant to subdivision (d) of Section 5892 of the Welfare and Institutions Code.*

4260-001-6031—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 ..... 3,229,000

Provisions:

1. The funds available in this item are intended to provide support costs pursuant to the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Proposition 50), associated with statewide water security improvements and the provision of safe drinking water grants and loans to local water agencies.

| Item | Amount |
|---|---|
| 4260-001-8003—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Asthma and Lung Disease Research Fund | 188,000 |
| 4260-001-8006—For support of Department of Health Services, for payment to Item 4260-001-0001, payable from the Lupus Foundation of America, California Chapters Fund | 257,000 |
| 4260-002-0942—For support of Department of Health Services, payable from the Special Deposit Fund, Health Facilities Citation Penalties Account | 5,012,000 |
| 4260-003-0001—For support of Department of Health Services, for rental payments on lease-revenue bonds (Richmond Laboratory) | 10,288,000 |
| Schedule: | |
| (1) Base Rental and Fees ..... 10,244,000 | |
| (2) Insurance ..... 44,000 | |
| Provisions: | |
| 1. The Controller shall transfer funds appropriated in this item according to a schedule to be provided by the State Public Works Board. The schedule shall be provided on a monthly basis or as otherwise might be needed to ensure debt requirements are met. | |
| 2. This item may contain adjustments pursuant to Control Section 4.30 that are not currently reflected. Any adjustments to this item shall be reported to the Joint Legislative Budget Committee pursuant to Control Section 4.30. | |
| 4260-003-0044—For support of Department of Health Services, for rental payments on lease-revenue bonds, payable from the Motor Vehicle Account, State Transportation Fund | 477,000 |
| Schedule: | |
| (1) Base Rental and Fees ..... 475,000 | |
| (2) Insurance ..... 2,000 | |
| Provisions: | |
| 1. The Controller shall transfer funds appropriated in this item according to a schedule to be provided by the State Public Works Board. The schedule shall be provided on a monthly basis or as otherwise might be needed to ensure debt requirements are met. | |
| 2. This item may contain adjustments pursuant to Section 4.30 that are not currently reflected. Any | |

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adjustments to this item shall be reported to the Joint Legislative Budget Committee pursuant to Section 4.30.

4260-003-0080—For support of Department of Health Services, for rental payments on lease-revenue bonds, payable from the Childhood Lead Poisoning Prevention Fund ..... 301,000

Schedule:

(1) Base Rental and Fees ..... 300,000

(2) Insurance ..... 1,000

Provisions:

1. The Controller shall transfer funds appropriated in this item according to a schedule to be provided by the State Public Works Board. The schedule shall be provided on a monthly basis or as otherwise might be needed to ensure debt requirements are met.
2. This item may contain adjustments pursuant to Control Section 4.30 that are not currently reflected. Any adjustments to this item shall be reported to the Joint Legislative Budget Committee pursuant to Control Section 4.30.

4260-003-0098—For support of Department of Health Services, for rental payments on lease-revenue bonds, payable from the Clinical Laboratory Improvement Fund ..... 125,000

Schedule:

(1) Base Rental and Fees ..... 125,000

Provisions:

1. The Controller shall transfer funds appropriated in this item according to a schedule to be provided by the State Public Works Board. The schedule shall be provided on a monthly basis or as otherwise might be needed to ensure debt requirements are met.
2. This item may contain adjustments pursuant to Control Section 4.30 that are not currently reflected. Any adjustments to this item shall be reported to the Joint Legislative Budget Committee pursuant to Control Section 4.30.

4260-003-0179—For support of Department of Health Services, for rental payments on lease-revenue bonds, payable from the Environmental Laboratory Improvement Fund ..... 6,000

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Schedule:

(1) Base Rental and Fees ..... 6,000

Provisions:

1. The Controller shall transfer funds appropriated in this item according to a schedule to be provided by the State Public Works Board. The schedule shall be provided on a monthly basis or as otherwise might be needed to ensure debt requirements are met.

2. This item may contain adjustments pursuant to Control Section 4.30 that are not currently reflected. Any adjustments to this item shall be reported to the Joint Legislative Budget Committee pursuant to Control Section 4.30.

4260-003-0203—For support of Department of Health Services, for rental payments on lease-revenue bonds, payable from the Genetic Disease Testing Fund ..... 3,618,000

Schedule:

(1) Base Rental and Fees ..... 3,604,000

(2) Insurance ..... 14,000

Provisions:

1. The Controller shall transfer funds appropriated in this item according to a schedule to be provided by the State Public Works Board. The schedule shall be provided on a monthly basis or as otherwise might be needed to ensure debt requirements are met.

2. This item may contain adjustments pursuant to Control Section 4.30 that are not currently reflected. Any adjustments to this item shall be reported to the Joint Legislative Budget Committee pursuant to Control Section 4.30.

4260-003-0890—For support of Department of Health Services, for rental payments on lease-revenue bonds, payable from the Federal Trust Fund..... 74,000

Schedule:

(1) Base Rental and Fees ..... 74,000

Provisions:

1. The Controller shall transfer funds appropriated in this item according to a schedule to be provided by the State Public Works Board. The schedule shall be provided on a monthly basis or as otherwise might be needed to ensure debt requirements are met.

2. This item may contain adjustments pursuant to Control Section 4.30 that are not currently re-

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flected. Any adjustments to this item shall be reported to the Joint Legislative Budget Committee pursuant to Control Section 4.30.

4260-003-0942—For support of Department of Health Services, payable from the Special Deposit Fund, Federal Citation Penalties Account ..... 935,000

4260-004-0942—For support of Department of Health Services, payable from the Special Deposit Fund, Local Education Agency Medi-Cal Recovery Account ..... 1,542,000

4260-007-0890—For support of Department of Health Services, payable from the Federal Trust Fund ..... 16,306,000

Provisions:

1. Notwithstanding Section 28.00 of this act, adjustments may be made to align the federal funds for legislative actions and other technical adjustments affecting the recipient department's appropriation authority.

4260-011-0099—For transfer by the Controller, upon order of the Director of Finance, from the Health Statistics Special Fund to the Medical Marijuana Program Fund..... (517,000)

Provisions:

1. Notwithstanding any other provision of law, this loan shall be repaid no later than June 30, 2008, with interest calculated at the rate earned by the Pooled Money Investment Account at the time of the transfer.

4260-011-0233—For transfer by the Controller, upon order of the Director of Finance, from the Physician Services Account, Cigarette and Tobacco Products Surtax Fund to the Medically Underserved Account, Contingent Fund of the Medical Board of California (2,000,000)

4260-011-0236—For transfer by the Controller, upon order of the Director of Finance, from the Unallocated Account, Cigarette and Tobacco Products Surtax Fund to the Medically Underserved Account, Contingent Fund of the Medical Board of California .... (1,000,000)

4260-011-3020—For transfer by the Controller, from the Tobacco Settlement Fund, to the General Fund..... (12,000,000)

4260-017-0001—For support of Department of Health Services, for implementation of the Health Insurance Portability and Accountability Act..... 4,591,000

Schedule:

(1) 20-Health Care Services ..... 15,394,000

(2) 97.20.001-Unallocated Reduction... –239,000

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(3) Amount payable from the Genetic Disease Testing Fund (Item 4260-017-0203) ..... –508,000

(4) Amount payable from Federal Trust Fund (Item 4260-017-0890).....–10,056,000

Provisions:

1. The funding appropriated in this item is limited to the amount specified in Control Section 17.00. These funds are to be used in support of compliance activities related to the federal Health Insurance Portability and Accountability Act (HIPAA) of 1996.

4260-017-0203—For support of Department of Health Services, for payment to Item 4260-017-0001, payable from the Genetic Disease Testing Fund, for implementation of the Health Insurance Portability and Accountability Act ..... 508,000

Provisions:

1. The funding appropriated in this item is limited to the amount specified in Control Section 17.00. These funds are to be used in support of compliance activities related to the federal Health Insurance Portability and Accountability Act (HIPAA) of 1996.

4260-017-0890—For support of Department of Health Services, for payment to Item 4260-017-0001, payable from the Federal Trust Fund, for implementation of the Health Insurance Portability and Accountability Act ..... 10,056,000

Provisions:

1. The funding appropriated in this item is limited to the amount specified in Control Section 17.00. These funds are to be used in support of compliance activities related to the federal Health Insurance Portability and Accountability Act (HIPAA) of 1996.

4260-101-0001—For local assistance, Department of Health Services, Medical Assistance Program, payable from the Health Care Deposit Fund (0912) after transfer from the General Fund ..... ~~12,695,091,000~~ *12,670,181,000*

Schedule:

(1) 20.10.010-Eligibility (County Administration)..... ~~2,309,221,000~~ *2,309,421,000*

| Item | Amount |
|---|---|
| (2) 20.10.020-Fiscal Intermediary Management | ~~285,424,000~~ *284,853,000* |
| (3) 20.10.030-Benefits (Medical Care and Services) | ~~29,451,351,000~~ *29,401,653,000* |
| (4) Reimbursements | –11,845,000 |
| (5) Amount payable from Childhood Lead Poisoning Prevention Fund (Item 4260-101-0080) | –250,000 |
| (6) Amount payable from the Hospital Services Account, Cigarette and Tobacco Products Surtax Fund (Item 4260-101-0232) | –5,823,000 |
| (7) Amount payable from the Physicians Services Account, Cigarette and Tobacco Products Surtax Fund (Item 4260-101-0233) | 0 |
| (8) Amount payable from the Unallocated Account, Cigarette and Tobacco Products Surtax Fund (Item 4260-101-0236) | –20,008,000 |
| (9) Amount payable from the Federal Trust Fund (Item 4260-101-0890) | ~~–19,307,730,000~~ *–19,282,571,000* |
| (10) Amount payable from Federal Trust Fund (Item 4260-103-0890). | –5,249,000 |

Provisions:

1. The aggregate principal amount of disproportionate share hospital general obligation debt that may be issued in the 2005–06 fiscal year pursuant to subparagraph (A) of paragraph (2) of subdivision (f) of Section 14085.5 of the Welfare and Institutions Code shall be $0.
2. Notwithstanding any other provision of law, both the federal and nonfederal shares of any moneys recovered for previously paid health care services, provided pursuant to Chapter 7 (commencing with Section 14000) of Part 3 of Division 9 of the Welfare and Institutions Code, are hereby appropriated and shall be expended as soon as practicable for medical care and services as defined in the Welfare and Institutions Code.

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3. Notwithstanding any other provision of law, accounts receivable for recoveries as described in Provision 2 shall have no effect upon the positive balance of the General Fund or the Health Care Deposit Fund. Notwithstanding any other provision of law, moneys recovered as described in this item that are required to be transferred from the Health Care Deposit Fund to the General Fund shall be credited by the Controller to the General Fund without regard to the appropriation from which it was drawn.

4. Without regard to fiscal year, the General Fund shall make one or more loans available not to exceed a cumulative total of $45,000,000 to be transferred as needed to the Health Care Deposit Fund to meet cash needs. The loans are subject to the repayment provisions of Section 16351 of the Government Code. Any additional loan requirement in excess of $45,000,000 shall be processed in the manner prescribed by Section 16351 of the Government Code.

5. Notwithstanding any other provision of law, the Director of Health Services may give public notice relative to proposing or amending any rule or regulation that could result in increased costs in the Medi-Cal program only after approval by the Department of Finance; and any rule or regulation adopted by the Director of Health Services and any communication that revises the Medi-Cal program shall be effective only from and after the date upon which it is approved by the Department of Finance.

6. Of the funds appropriated in this item, up to $50,000 may be allocated for attorney's fees awarded pursuant to state or federal law without prior notification to the Legislature. Individual settlements authorized under this language shall not exceed $5,000. The semiannual estimates of Medi-Cal expenditures due to the Legislature in January and May shall reflect attorney's fees paid 15 or more days prior to the transmittal of the estimate.

7. Change orders to the medical or the dental fiscal intermediary contract for amounts exceeding a total cost of $250,000 shall be approved by the Director of Finance not sooner than 30 days after

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written notification of the change order is provided to the chairpersons of the fiscal and policy committees in each house and to the Chairperson of the Joint Legislative Budget Committee or not sooner than such lesser time as the Chairperson of the Joint Legislative Budget Committee, or his or her designee, may designate. The semiannual estimates of Medi-Cal expenditures due to the Legislature in January and May may constitute the notification required by this provision.

8. Recoveries of advances made to counties in prior years pursuant to Section 14153 of the Welfare and Institutions Code are reappropriated to the Health Care Deposit Fund for reimbursement of those counties where allowable costs exceeded the amounts advanced. Recoveries in excess of the amounts required to fully reimburse allowable costs shall be transferred to the General Fund. When a projected deficiency exists in the Medical Assistance Program, these funds, subject to notification to the Chairperson of the Joint Legislative Budget Committee, are appropriated and shall be expended as soon as practicable for the state's share of payments for medical care and services, county administration, and fiscal intermediary services.

9. The Department of Finance may transfer funds representing all or any portion of any estimated savings that are a result of improvements in the Medi-Cal claims processing procedures from the Medi-Cal services budget or the support budget of the State Department of Health Services (Item 4260-001-0001) to the fiscal intermediary budget item for purposes of making improvements to the Medi-Cal claims system.

10. Notwithstanding any other provision of law, the Department of Finance may authorize transfer of expenditure authority between Schedules (1), (2), (3), and (4) of this item and between this item and Items 4260-102-0001 and 4260-113-0001 in order to effectively administer the Medi-Cal program.

The Director of Finance shall notify the Legislature within 10 days of authorizing such a transfer unless prior notification of the transfer

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has been included in the Medi-Cal estimates submitted pursuant to Section 14100.5 of the Welfare and Institutions Code.

11. The Department of Health Services shall report in writing to the Chairperson of the Joint Legislative Budget Committee on the anticipated impact to local educational agencies of any Medicaid State Plan Amendments that may be submitted to the federal Centers for Medicare and Medicaid Services and would affect local educational agencies that serve as Medi-Cal service providers under an interagency agreement with the Department of Education.

12. The Department of Health Services shall pursue a federal law change to enable all county organized health systems to participate in the quality improvement assessment fee on Medi-Cal managed care plans.

13. Notwithstanding any other provision of law, the Department of Health Services may use up to $1,300,000 to implement and conduct activities associated with long-term care integration, including support to local organizing groups for the purpose of completing activities to allow for the implementation of the integration initiatives.

14. It is the intent of the Legislature that funding appropriated to the State Department of Health Services for the Medi-Cal program shall be expended for purposes that are consistent with the assumptions and estimates as defined in Section 14100.5 of the Welfare and Institutions Code. Any change in the assumptions and estimates for the Medi-Cal program, as defined in Section 14100.5 of the Welfare and Institutions Code, that result in an expenditure that is inconsistent with the purposes for which the Legislature appropriated the funding shall not be authorized by the Director of Finance any sooner than 30 days after written notification of the necessity therefor is provided to the chairpersons of the fiscal committees in each house of the Legislature, and the Chairperson of the Joint Legislative Budget Committee.

15. Upon completion of the CA-MMIS assessment, the State Department of Health Services shall provide a copy of the assessment to the Joint Legislative Budget Committee.

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16. Of the amount appropriated in this item, $898,000 shall be directed from the long-term care integration pilot project set forth in Article 4.3 (commencing with Section 14139.05) of Chapter 7 of Part 3 of Division 9 of the Welfare and Institutions Code, and made available to the Director of Health Services for use by local entities implementing Acute and Long Term Care Integration Projects and shall be available only for reimbursable start-up costs approved by the director.

*17. When the State Department of Health Services has completed its business-based justification of the Drug Rebate Accounting Information System equipment refresh, it shall provide a copy to the Chairperson of the Joint Legislative Budget Committee.*

4260-101-0080—For local assistance, Department of Health Services, for payment to Item 4260-101-0001, payable from the Childhood Lead Poisoning Prevention Fund ..... 250,000

4260-101-0232—For local assistance, Department of Health Services, for payment to Item 4260-101-0001, payable from the Hospital Services Account, Cigarette and Tobacco Products Surtax Fund..... 5,823,000

4260-101-0236—For local assistance, Department of Health Services, for payment to Item 4260-101-0001, payable from the Unallocated Services Account, Cigarette and Tobacco Products Surtax Fund ..... 20,008,000

4260-101-0693—Notwithstanding any other provision of law, moneys available in the Emergency Services and Supplemental Payments Fund, after the appropriation made by Item 4260-001-0693 of this act, are appropriated to the Department of Health Services for expenditure for local assistance for the purposes specified in Section 14085.6 of the Welfare and Institutions Code.

4260-101-0890—For local assistance, Department of Health Services, for payment to Item 4260-101-0001, payable from the Federal Trust Fund..... ~~19,307,730,000~~ *19,282,571,000*

Provisions:

1. Any of the provisions in Item 4260-101-0001 that are relevant to this item also apply to this item.

| Item | Amount |
|---|---|
| 4260-102-0001—For local assistance, Department of Health Services, Program 20.10.030-Benefits (Medical Care and Services), for supplemental reimbursement for debt service pursuant to Section 14085.5 of the Welfare and Institutions Code ..... | 95,882,000 |
| Provisions: | |
| 1. Notwithstanding any other provision of law, the Department of Finance may authorize transfer of expenditure authority between this item and Items 4260-101-0001 and 4260-113-0001 in order to effectively administer the Medi-Cal program. | |
| The Director of Finance shall notify the Legislature within 10 days of authorizing such a transfer unless prior notification of the transfer has been included in the Medi-Cal estimates submitted pursuant to Section 14100.5 of the Welfare and Institutions Code. | |
| 4260-102-0890—For local assistance, Department of Health Services, Program 20.10.030-Benefits (Medical Care and Services), payable from the Federal Trust Fund, for supplemental reimbursement for debt service pursuant to Section 14085.5 of the Welfare and Institutions Code ..... | 95,882,000 |
| Provisions: | |
| 1. Any of the provisions in Item 4260-102-0001 that are relevant to this item also apply to this item. | |
| 4260-103-0890—For local assistance, for refugee services, Department of Health Services, for payment to Item 4260-101-0001, payable from the Federal Trust Fund ..... | 5,249,000 |
| Provisions: | |
| 1. Any of the provisions in Item 4260-101-0001 that are relevant to this item also apply to this item. | |
| 4260-111-0001—For local assistance, Department of Health Services..... | ~~410,702,000~~ *415,841,000* |
| Schedule: | |
| (1) 10.10.010-Vital Records Improvement Project ..... 510,000 | |
| (2) 10.20.010-Environmental Management..... 73,224,000 | |
| (3) 10.20.040-Drinking Water..... 95,388,000 | |
| (4) 10.30.030-Childhood Lead Poisoning Prevention ..... 11,000,000 | |
| (5) 10.30.040-Chronic Diseases..... ~~177,818,000~~ *177,318,000* | |

| Item | Amount |
|---|---|
| (6) 10.30.050-Communicable Disease Control | 76,220,000 |
| (7) 10.30.060-AIDS | ~~291,427,000~~ *297,066,000* |
| (8) 20.30-County Health Services | ~~51,602,000~~ *76,045,000* |
| (9) 20.40-Primary Care and Family Health | 1,528,184,000 |
| (10) Reimbursements | –104,018,000 |
| (11) Amount payable from the Breast Cancer Control Account (Item 4260-111-0009) | –8,086,000 |
| (12) Amount payable from the Childhood Lead Poisoning Prevention Fund (Item 4260-111-0080) | –11,102,000 |
| (13) Amount payable from the Health Statistics Special Fund (Item 4260-111-0099) | –510,000 |
| (14) Amount payable from the California Health Data and Planning Fund (Item 4260-111-0143) | –200,000 |
| (15) Amount payable from the Health Education Account, Cigarette and Tobacco Products Surtax Fund (Item 4260-111-0231) | –49,954,000 |
| (16) Amount payable from the Hospital Services Account, Cigarette and Tobacco Products Surtax Fund (Item 4260-111-0232) | ~~–35,853,000~~ *–58,080,000* |
| (17) Amount payable from the Physicians Services Account, Cigarette and Tobacco Products Surtax Fund (Item 4260-111-0233) | ~~–12,823,000~~ *–15,399,000* |
| (18) Amount payable from the Unallocated Account, Cigarette and Tobacco Products Surtax Fund (Item 4260-111-0236) | –43,276,000 |
| (19) Amount payable from the Child Health and Safety Fund (Item 4260-111-0279) | –683,000 |
| (20) Amount payable from the Drinking Water Treatment and Research Fund (Item 4260-111-0622) | –4,374,000 |

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(21) Amount payable from the Domestic Violence Training and Education Fund (Item 4260-111-0642)... –235,000

(22) Amount payable from the Federal Trust Fund (Item 4260-111-0890) ..... –1,269,855,000

(23) Amount payable from the Special Deposit Fund, Nine West Settlement Account (Item 4260-111-0942)..... –350,000

(24) Amount payable from the WIC Manufacturer Rebate Fund (Item 4260-111-3023) ..... –262,401,000

(25) Amount payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Item 4260-111-6031).....–90,951,000

Provisions:

1. Program 10.30.060-AIDS: The Office of AIDS in the State Department of Health Services, in allocating and processing contracts and grants, shall comply with the same requirements that are established for contracts and grants for other public health programs. The contracts or grants administered by the Office of AIDS shall be exempt from the Public Contract Code and shall be exempt from approval by the Department of General Services prior to their execution.

2. Program 20.40-Primary Care and Family Health: Counties may retain 50 percent of total enrollment and assessment fees that are collected by the counties for the CCS Program. Fifty percent of the enrollment and assessment fee for each county shall be offset from the state's match for that county.

4. Of the amount appropriated in this item, up to $1,100,000 shall be used to address the needs of nontraditional users of domestic shelter services, as identified by the State Department of Health Services in its recent survey. The State Department of Health Services shall expedite a Request for Proposal process to allocate these funds. The Request for Proposal shall be released by the State Department of Health Services no later than October 1, 2005. If the Request for Proposal is not released by October 1, 2005, then an interagency agreement process may be used. It is the intent of

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the Legislature that these funds be allocated as quickly as possible in order to address the needs of nontraditional users of domestic shelter services.

5. (a) Of the amount appropriated in this item, the department shall, at the discretion of the director, allocate $10,000,000 to local mosquito and vector control agencies or other governmental entities, or contract with other entities to supplement resources for ~~existing~~ local ~~mosquito control programs or to provide mosquito control efforts to currently unserved areas across the state in response to the threat~~ *mosquito control efforts to mitigate the threat* of West Nile Virus transmission. *In allocating these funds, the director shall first address high priority areas and "hot spots," based on epidemiological studies and related information to mitigate the spread of the disease.*

(b) In response to the public health implications of the West Nile Virus, and in order to expedite the implementation of mosquito control efforts funded by no more than $10,000,000 appropriated in this item, the department may make and receive grants and enter into contracts and interagency agreements. The department shall be exempt from competitive bidding requirements and shall be exempt from the requirements of Part 2 (commencing with Section 10100) of Division 2 of the Public Contract Code.

*6. Of the amount appropriated in this item, up to $5,639,000 shall be used to augment the State Department of Health Services, Office of AIDS, budget to allow for HIV education and prevention funding for local health jurisdictions to be reinstated to the funding level of the 2001–02 fiscal year and those local health jurisdictions that are currently funded at a level higher than the 2001–02 fiscal year shall be held harmless.*

4260-111-0009—For local assistance, Department of Health Services, for payment to Item 4260-111-0001, payable from the Breast Cancer Control Account ..... 8,086,000

| Item | Amount |
|---|---|
| 4260-111-0080—For local assistance, Department of Health Services, for payment to Item 4260-111-0001, payable from the Childhood Lead Poisoning Prevention Fund | 11,102,000 |
| 4260-111-0099—For local assistance, Department of Health Services, for payment to Item 4260-111-0001, payable from the Health Statistics Special Fund | 510,000 |
| 4260-111-0143—For local assistance, Department of Health Services, for payment to Item 4260-111-0001, payable from the California Health Data and Planning Fund | 200,000 |
| 4260-111-0231—For local assistance, Department of Health Services, for payment to Item 4260-111-0001, payable from the Health Education Account, Cigarette and Tobacco Products Surtax Fund | 49,954,000 |
| 4260-111-0232—For local assistance, Department of Health Services, for payment to Item 4260-111-0001, payable from the Hospital Services Account, Cigarette and Tobacco Products Surtax Fund | ~~35,853,000~~ *58,080,000* |
| 4260-111-0233—For local assistance, Department of Health Services, for payment to Item 4260-111-0001, payable from the Physician Services Account, Cigarette and Tobacco Products Surtax Fund | ~~12,823,000~~ *15,399,000* |
| 4260-111-0236—For local assistance, Department of Health Services, for payment to Item 4260-111-0001, payable from the Unallocated Account, Cigarette and Tobacco Products Surtax Fund | 43,276,000 |
| 4260-111-0279—For local assistance, Department of Health Services, for payment to Item 4260-111-0001, payable from the Child Health and Safety Fund | 683,000 |
| 4260-111-0622—For local assistance, Department of Health Services, for payment to Item 4260-111-0001, payable from the Drinking Water Treatment and Research Fund | 4,374,000 |
| 4260-111-0642—For local assistance, Department of Health Services, for payment to Item 4260-111-0001, payable from the Domestic Violence Training and Education Fund | 235,000 |
| 4260-111-0890—For local assistance, Department of Health Services, for payment to Item 4260-111-0001, payable from the Federal Trust Fund | 1,269,855,000 |

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Provisions:

1. Of the funds appropriated in this item, $60,809,000 shall be available for administration, research, and training projects. Notwithstanding the provisions of Section 28.00 of this act, the State Department of Health Services shall report under that section any new project over $200,000 or any increase in excess of $400,000 for an identified project.

2. Notwithstanding any other provision of law, moneys made available for the federal Bioterrorism Hospital Preparedness Program pursuant to this act shall be available for expenditure and encumbrance until August 30, 2006.

4260-111-0942—For local assistance, Department of Health Services, for payment to Item 4260-111-0001, payable from the Special Deposit Fund, Nine West Settlement Account ..... 350,000

4260-111-3023—For local assistance, State Department of Health Services, for payment to Item 4260-111-0001, payable from the WIC Manufacturer Rebate Fund ..... 262,401,000

4260-111-6031—For local assistance, State Department of Health Services, for payment to Item 4260-111-0001, payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002..... 90,951,000

4260-113-0001—For local assistance, Department of Health Services, for the Healthy Families Program (Medi-Cal) ..... 217,275,000

Schedule:

(1) 20.10.010-Eligibility (County Administration) ..... 4,369,000

(2) 20.10.020-Fiscal Intermediary Management ..... 262,000

(3) 20.10.030-Benefits (Medical Care and Services)..... 570,454,000

(4) Amount payable from the Federal Trust Fund (Item 4260-113-0890) ..... –357,810,000

Provisions:

1. Notwithstanding any other provision of law, the Department of Finance may authorize transfer of expenditure authority between Schedules (1), (2), and (3) of this item and between this item and

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Items 4260-101-0001 and 4260-102-0001 in order to effectively administer the Medi-Cal program.

The Director of Finance shall notify the Legislature within 10 days of authorizing such a transfer unless prior notification of the transfer has been included in the Medi-Cal estimates submitted pursuant to Section 14100.5 of the Welfare and Institutions Code.

4260-113-0890—For local assistance, Department of Health Services, for payment to Item 4260-113-0001, payable from the Federal Trust Fund ..... 357,810,000

Provisions:

1. Any of the provisions in Item 4260-113-0001 that are relevant to this item also apply to this item.

4260-115-0890—For transfer by the Controller from the Federal Trust Fund to the Safe Drinking Water State Revolving Loan Fund ..... 85,000,000

4260-115-6031—For transfer by the Controller from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 to the Safe Drinking Water State Revolving Loan Fund..... 17,000,000

4260-117-0001—For local assistance, Department of Health Services, for implementation of the Health Insurance Portability and Accountability Act ..... 5,280,000

Schedule:

(1) 20.10.010-Eligibility (County Administration) ..... 5,663,000

(2) 20.10.020-Fiscal Intermediary Management ..... 36,949,000

(3) 20.10.030-Benefits (Medical Care and Services) ..... 0

(4) Amount payable from the Federal Trust Fund (Item 4260-117-0890) .–37,332,000

Provisions:

1. The funding appropriated in this item is limited to the amount specified in Section 17.00 of this act. These funds are to be used in support of compliance activities related to the federal Health Insurance Portability and Accountability Act (HIPAA) of 1996.

2. Notwithstanding subdivision (a) of Section 2.00 and Section 26.00 of this act, the Department of Finance may authorize transfer of expenditure authority between Schedules (1) and (2). The Director of Finance shall notify the Legislature within 10 days of authorizing such a transfer unless prior

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notification of the transfer has been included in the Medi-Cal estimates submitted pursuant to Section 14100.5 of the Welfare and Institutions Code.

4260-117-0890—For local assistance, Department of Health Services, for payment to Item 4260-117-0001, payable from the Federal Trust Fund, for implementation of the Health Insurance Portability and Accountability Act ..... 37,332,000

Provisions:

1. The funding appropriated in this item is limited to the amount specified in Control Section 17.00. These funds are to be used in support of compliance activities related to the federal Health Insurance Portability and Accountability Act (HIPAA) of 1996.
2. Any of the provisions in Item 4260-117-0001 that are relevant to this item also apply to this item.

~~4260-295-0001—For local assistance, Department of Health Services, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller ..... 3,761,000~~

~~Schedule:~~

~~(1) 98.01.091.692-Pacific Beach Safety (Ch. 916, Stats. 1992) (CSM-4432)..... 140,000~~

~~(2) 98.01.095.589-SIDS Autopsies (Ch. 955, Stats. 1989) (CSM-4393)..... 0~~

~~(3) 98.01.108.888-AIDS Search Warrants (Ch. 1088, Stats. 1988) (CSM-4392)..... 1,100,000~~

~~(4) 98.01.116.381-Medi-Cal Beneficiary Death Notices (Ch. 102, Stats. 1981 and Ch. 1163, Stats. 1981) (CSM-4032)..... 21,000~~

~~(5) 98.01.159.788-Inmates AIDS Testing (Ch. 1597, Stats. 1988) (CSM-4369)..... 0~~

~~(6) 98.01.160.390-Perinatal services for alcohol/drug exposed infants (Ch. 1603, Stats. 1990) (CSM-4397)..... 2,500,000~~

| Item | Amount |
|---|---|
| ~~(7) 98.01.111.189-SIDS Training for Firefighters (Ch. 1111, Stats. 1989).....~~ | ~~0~~ |
| ~~(8) 98.01.026.891-SIDS contacts by Local Health Officers (Ch. 268, Stats. 1991) (CSM-4424).....~~ | ~~0~~ |
| ~~(9) 98.01.045.374-SIDS Notices (Ch. 453, Stats. 1974) (CSM-4412).....~~ | ~~0~~ |

~~Provisions:~~

~~1. Except as provided in Provision 2 of this item, allocations of funds provided in this item to the appropriate local entities shall be made by the Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.~~

~~2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the State Controller may, upon notifying the Director of Finance in writing, augment those deficient amounts from the unencumbered balance of any other scheduled amounts therein. No order may be issued pursuant to this provision unless written notification of the necessity therefore is provided to the chairperson of the committee in each house, which considers appropriations, and the Chairperson of the Joint Legislative Budget Committee or his or her designee.~~

~~3. Pursuant to Section 17581 of the Government Code, mandates identified in the appropriation schedule of this item with an appropriation of $0 and included in the language of this provision are specifically identified by the Legislature for suspension during the 2005–06 fiscal year:~~

~~(2) SIDS Autopsies (Ch. 955, Stats. 1989) (CSM-4393)~~

~~(5) Inmate AIDS testing (Ch.1597, Stats. 1988) (CSM-4369)~~

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~~(7) SIDS Training for Firefighters (Ch. 1111, Stats. 1989)~~

~~(8) SIDS contracts by Local Health Officers (Ch. 268, Stats. 1991) (CSM-4424)~~

~~(9) SIDS Notices (Ch. 453, Stats. 1974) (CSM-4412)~~

*4260-301-0890—For capital outlay, Department of Health Services, payable from the Federal Trust Fund ..... 1,266,000*

*Schedule:*

*(1) 94.90.005-Emergency Operations Center—Preliminary plans, working drawings, and construction..... 1,266,000*

4260-401—Approximately $3.4 million in General Fund moneys has been loaned to the Department of Health Services (DHS), Botulism Treatment and Prevention Fund, pursuant to Section 123707 of the Health and Safety Code to support the development of the Botulism Immunoglobin (BIG) vaccine. This loan is to be fully repaid now that BIG has been approved and licensed by the U.S. Food and Drug Administration. In conjunction with payments from the Botulism Treatment and Prevention Fund beginning in the 2004–2005 fiscal year, a reduction of $500,000 has been made in Item 4260-001-0001, Program 10, Public and Environmental Health, until the loan is paid off. These funds will be restored after the debt to the General Fund has been satisfied.

4260-402—Notwithstanding Provision 1 of Item 4260-011-0001 of the Budget Act of 2002 (Ch. 379, Stats. 2002) and the Budget Act of 2003 (Ch. 157, Stats. 2003), the $10,300,000 loan authorized to the Genetic Disease Testing Fund shall be fully repaid to the General Fund by June 30, 2006, with interest calculated at the rate earned by the Pooled Money Investment Account at the time of the transfer.

4260-491—Reappropriation, Department of Health Services. Notwithstanding any other provision of law, the balances of the appropriations provided for in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided for in those appropriations, and shall be available for encumbrance or expenditure until June 30, 2005, as specified.

0589—Cancer Research Fund

(1) Item 4260-001-0589, Budget Act of 2002 (Ch. 379, Stats. 2002). Funds appropriated in this item

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for the Cancer Research Program are made available for the 2005–06 fiscal year, subject to the provisions for the appropriation.

3020—Tobacco Settlement Fund

(1) Item 4260-001-3020, Budget Act of 2001 (Ch. 106, Stats. 2001). Notwithstanding any other provision of law, the balance as of June 30, 2004, for the Prostate Cancer Treatment Program is reappropriated and is available for expenditure through June 30, 2006.

(2) Item 4260-001-3020, Budget Act of 2002 (Ch. 379, Stats. 2002). Notwithstanding any other provision of law, the balance as of June 30, 2004, for the Prostate Cancer Treatment Program is reappropriated and is available for expenditure through June 30, 2006.

4260-495—Reversion, Department of Health Services. As of June 30, 2005, the unencumbered balance of the appropriation provided for in the following citation shall revert to the fund balance of the fund from which appropriation was made:

0942—Nine West Settlement Account, Special Deposit Fund

(1) Item 4260-011-0942, Budget Act of 2003 (Ch. 157, Stats. 2003) related to the Gynecological Cancer Information Program.

4270-001-0001—For support of California Medical Assistance Commission..... ~~1,035,500~~ *1,207,000*

Schedule:

(1) 10-California Medical Assistance Commission..... ~~2,279,000~~ *2,622,000*

(2) Reimbursements..... ~~−1,135,500~~ *−1,307,000*

(3) Amount payable from Emergency Services and Supplemental Payments Fund (Item 4270-001-0693)..... −108,000

Provisions:

1. As permitted under subdivision (q) of Section 6254 of the Government Code, the California Medical Assistance Commission (CMAC) shall make entire hospital inpatient contracts and

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amendments open to inspection by the Joint Legislative Audit Committee and the Legislative Analyst's Office to review. The purpose of this review will be to determine if the CMAC is operating effectively and efficiently in negotiating hospital contracts.

4270-001-0693—For support, California Medical Assistance Commission, for payment to Item 4270-001-0001, payable from the Emergency Services and Supplemental Payments Fund..... 108,000

Provisions:

1. To the extent that moneys available in the Emergency Services and Supplemental Payments Fund are less than the amount appropriated in this item, this appropriation shall be limited to that lesser amount.
2. Notwithstanding any other provision of law, if revenues to the Emergency Services and Supplemental Payments Fund are sufficient to create additional allocation workload, the Director of Finance may authorize expenditures for the California Medical Assistance Commission in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees in each house and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine.

4280-001-0001—For support of Managed Risk Medical Insurance Board ..... ~~2,054,911~~ *2,142,000*

Schedule:

| | |
|---|---|
| (1) 10-Major Risk Medical Insurance Program..... | 876,000 |
| (2) 20-Access for Infants and Mothers Program..... | 853,000 |
| (3) 40-Healthy Families Program ..... | ~~6,779,790~~ *6,972,000* |
| (4) 50-Children's Health Initiative Matching Fund Program..... | 285,000 |
| (6) Reimbursements..... | –249,000 |
| (7) Amount payable from Perinatal Insurance Fund (Item 4280-001-0309)..... | –853,000 |

| Item | Amount |
|---|---|
| (8) Amount payable from Major Risk Medical Insurance Fund (Item 4280-001-0313) ..... | –876,000 |
| (9) Amount payable from Federal Trust Fund (Item 4280-001-0890)..... | ~~–4,480,999~~ *–4,586,000* |
| (10) Amount payable from Federal Trust Fund (Item 4280-003-0890). | ~~–179,880~~ *–180,000* |
| (11) Amount payable from Children's Health Initiative Matching Fund (Item 4280-003-3055) ..... | –100,000 |

Provisions:

1. Upon order of the Director of Finance, the State Controller shall transfer such funds as are necessary between this item and Item 4280-103-0890 or Item 4280-103-3055 in order to effectively administer the County Health Initiative Matching Fund Program.
2. To provide for the effective use of federal State Children's Health Insurance Program funds in the County Health Initiative Matching Fund Program, notwithstanding Section 28.00 of this act, this item may be reduced or increased by the Department of Finance not sooner than 30 days after notification in writing of the necessity therefor to the chairperson of the committee in each house that considers appropriations and the Chairperson of the Joint Legislative Budget Committee, or such lesser time as the chairperson of the committee, or his or her designee, may in each instance determine. This provision shall not apply to any General Fund increases or reductions.

4280-001-0309—For support of Managed Risk Medical Insurance Board, for payment to Item 4280-001-0001, payable from the Perinatal Insurance Fund.... 853,000

Provisions:

1. Provision 1 of Item 4280-001-0313 also applies to this item.

4280-001-0313—For support of Managed Risk Medical Insurance Board, for payment to Item 4280-001-0001, payable from the Major Risk Medical Insurance Fund ..... 876,000

Provisions:

1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for the Managed Risk Medical Insurance Board in

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excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees in each house and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine.

4280-001-0890—For support of Managed Risk Medical Insurance Board, for payment to Item 4280-001-0001, payable from the Federal Trust Fund, for Healthy Families Program..... ~~4,480,999~~ *4,586,000*

4280-003-0890—For support of Managed Risk Medical Insurance Board, for payment to Item 4280-001-0001, payable from the Federal Trust Fund, for Children's Health Initiative Matching Fund Program..... ~~179,880~~ *180,000*

Provisions:

1. Provisions 1 and 2 of Item 4280-001-0001 also apply to this item.

4280-003-3055—For support of Managed Risk Medical Insurance Board, for payment of Item 4280-001-0001, payable from the County Health Initiative Matching Fund, for Children's Health Initiative Matching Fund Program ..... 100,000

Provisions:

1. Provisions 1 and 2 of Item 4280-001-0001 also apply to this item.

4280-017-0001—For support of Managed Risk Medical Insurance Board, for implementation of the Health Insurance Portability and Accountability Act ..... 25,000

Schedule:

| | |
|---|---|
| (1) 10-Major Risk Medical Insurance Program..... | 15,000 |
| (2) 20-Access for Infants and Mothers Program..... | 15,000 |
| (3) 40-Healthy Families Program ..... | 71,000 |
| (4) Amount payable from the Perinatal Insurance Fund (Item 4280-017-0309)..... | –15,000 |
| (5) Amount payable from the Major Risk Medical Insurance Fund (Item 4280-017-0313) ..... | –15,000 |
| (6) Amount payable from the Federal Trust Fund (Item 4280-017-0890). | –46,000 |

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|---|---|
| 4280-017-0309—For support of Managed Risk Medical Insurance Board, for payment to Item 4280-017-0001, payable from the Perinatal Insurance Fund, for implementation of the Health Insurance Portability and Accountability Act ..... | 15,000 |
| 4280-017-0313—For support of Managed Risk Medical Insurance Board, for payment to Item 4280-017-0001, payable from the Major Risk Medical Insurance Fund, for implementation of the Health Insurance Portability and Accountability Act..... | 15,000 |
| 4280-017-0890—For support of Managed Risk Medical Insurance Board, for payment to Item 4280-017-0001, payable from the Federal Trust Fund, for implementation of the Health Insurance Portability and Accountability Act ..... | 46,000 |
| 4280-101-0001—For local assistance, Managed Risk Medical Insurance Board, for the Healthy Families Program ..... | 319,576,000 |
| Schedule: | |
| (1) 20-Access for Infants and Mothers Program..... 65,005,000 | |
| (2) 40-Healthy Families Program .....876,809,000 | |
| (3) Amount payable from the Federal Trust Fund (Item 4280-101-0890) ..... –622,238,000 | |
| Provisions: | |
| 1. Upon order of the Director of Finance, the State Controller shall transfer such funds as are necessary between this item and Item 4280-102-0001 in order to effectively administer the Healthy Families Program. | |
| 4280-101-0236—For local assistance, Managed Risk Medical Insurance Board, payable from the unallocated account, Cigarette and Tobacco Products Surtax Fund..... | 175,000 |
| Schedule: | |
| (1) 40-Healthy Families Program ..... 175,000 | |
| 4280-101-0890—For local assistance, Managed Risk Medical Insurance Board, for payment to Item 4280-101-0001, payable from the Federal Trust Fund, for the Healthy Families Program..... | 622,238,000 |
| Provisions: | |
| 1. Upon order of the Director of Finance, the State Controller shall transfer such funds, as are neces- | |

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sary between this item and Item 4280-102-0890 in order to effectively administer the Healthy Families Program.

4280-102-0001—For local assistance, Managed Risk Medical Insurance Board, for the Healthy Families Program administrative contracts..... 27,315,000

Schedule:

(1) 40-Healthy Families Program ..... 75,671,000

(2) Reimbursements..... –9,758,000

(3) Amount payable from the Federal Trust Fund (Item 4280-102-0890) ..... –38,598,000

Provisions:

1. Upon order of the Director of Finance, the State Controller shall transfer such funds as are necessary between this item and Item 4280-101-0001 in order to effectively administer the Healthy Families Program.

4280-102-0890—For local assistance, Managed Risk Medical Insurance Board, for payment to Item 4280-102-0001, payable from the Federal Trust Fund, for Healthy Families Program administrative contracts..... 38,598,000

Provisions:

1. Upon order of the Director of Finance, the State Controller shall transfer such funds, as are necessary between this item and Item 4280-101-0890 in order to effectively administer the Healthy Families Program.

4280-103-0890—For local assistance, Managed Risk Medical Insurance Board, for payment to Item 4280-103-3055, payable from the Federal Trust Fund, for the Children's Health Initiative Matching Fund Program ..... 2,381,000

Provisions:

1. Provisions 1, 2, and 3 of Item 4280-103-3055 also apply to this item.

4280-103-3055—For local assistance, Managed Risk Medical Insurance Board, for the Children's Health Initiative Matching Fund Program..... 1,282,000

Schedule:

(1) 50-County Health Initiative Matching Fund Program..... 3,663,000

(2) Amount payable from the Federal Trust Fund (Item 4280-103-0890). –2,381,000

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Provisions:

1. Upon order of the Director of Finance, the State Controller shall transfer such funds as are necessary between this item and Item 4280-003-0890 or Item 4280-003-3055 in order to effectively administer the County Health Initiative Matching Fund program.
2. Funds in this item are subject to the availability, as determined by the Department of Finance, of federal State Children's Health Insurance Program funds not needed for state-funded health programs, including, but not limited to, the Healthy Families Program and, as funded by the federal State Children's Health Insurance Program, the Access for Infants and Mothers Program and the Medi-Cal program. To determine the availability of funds, all entities participating in the County Health Initiative Matching Fund program shall submit, on or before August 1 and February 1 of each year, an estimate of expenditures under this item to the Managed Risk Medical Insurance Board. The Managed Risk Medical Insurance Board shall submit, by September 10 and March 1 of each year, an estimate of expenditures under this item to the Department of Finance.
3. To provide for the effective use of federal State Children's Health Insurance Program funds in the County Health Initiative Matching Fund program, notwithstanding Section 28.00, this item may be reduced or increased by the Department of Finance not sooner than 30 days after notification in writing of the necessity therefor to the chairperson of the committee in each house that considers appropriations and the Chairperson of the Joint Legislative Budget Committee, or such lesser time as the chairperson of the committee, or his or her designee, may in each instance determine.

4280-104-0236—For local assistance, Managed Risk Medical Insurance Board, for the Healthy Families Program Rural Health Demonstration Project ..... 2,047,000

Schedule:

(1) 40-Healthy Families Program ..... 5,889,000

(2) Amount payable from Federal Trust Fund (Item 4280-104-0890)..... –3,842,000

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|---|---|
| 4280-104-0890—For local assistance, Managed Risk Medical Insurance Board, for payment to Item 4280-104-0236, payable from the Federal Trust Fund, for the Healthy Families Program Rural Health Demonstration Project | 3,842,000 |
| 4280-111-0232—For transfer by the Controller from the Hospital Services Account, Cigarette and Tobacco Products Surtax Fund to the Perinatal Insurance Fund, for the Access for Infants and Mothers Program | (34,445,000) |
| 4280-111-0233—For transfer by the Controller from the Physician Services Account, Cigarette and Tobacco Products Surtax Fund to the Perinatal Insurance Fund, for the Access for Infants and Mothers Program | (10,013,000) |
| 4300-001-0001—For support of Department of Developmental Services | 26,137,000 |
| Schedule: | |
| (1) 10-Community Services Program | ~~23,398,000~~ *23,648,000* |
| (2) 20-Developmental Centers Program | ~~13,133,000~~ *14,882,000* |
| (3) 35.01-Administration | 26,446,000 |
| (4) 35.02-Distributed Administration | ~~–24,447,000~~ *–26,446,000* |
| (5) 97.20.001-Unallocated Reduction | –104,000 |
| (6) Reimbursements | –9,856,000 |
| (7) Amount payable from the Developmental Disabilities Program Development Fund (Item 4300-001-0172) | –268,000 |
| (8) Amount payable from the Federal Trust Fund (Item 4300-001-0890) | –2,165,000 |
| Provisions: | |

1. Upon order of the Director of Finance, the State Controller shall transfer such funds as are necessary between this item and Item 4300-003-0001 in order to appropriately align General Fund and Medi-Cal reimbursements from the Department of Health Services with budgeted activities. Within 10 working days after approval of a transfer as authorized by this provision, the Department of Finance shall notify the chairperson of the fiscal committee of each house of the Legislature and the Chairperson of the Joint Legislative Bud-

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get Committee of the transfer, including the amount transferred, how the amount was determined, and how the amount will be utilized.

2. The General Fund shall make a loan available to the State Department of Developmental Services not to exceed a cumulative total of $3,000,000. The loan funds will be transferred to this item as needed to meet cashflow needs due to delays in collecting reimbursements for the Health Care Deposit Fund, and are subject to the repayment provisions in Section 16351 of the Government Code.

3. The State Department of Developmental Services may promulgate regulations specifically for implementing proposals to increase federal funding to the state. These regulations shall be deemed emergency regulations necessary for the immediate preservation of the public peace, health and safety, or general welfare for purposes of subdivision (b) of Section 11346.1 of the Government Code.

4. Notwithstanding Section 26.00 of this act, the Department of Finance may authorize transfer of expenditure authority between Schedules (1) and (2) in order to accurately reflect expenditures in these programs.

5. Beginning July 1, 2004, the Department of Developmental Services shall provide, on a quarterly basis, to the Chairperson of the Joint Legislative Budget Committee copies of the monthly status and oversight reports submitted to the Department of Finance for the California Developmental Disabilities Information System Project.

6. The State Department of Developmental Services shall provide the fiscal and policy committees of the Legislature with a comprehensive status update on the Agnews Plan, on January 10, 2006, and May 15, 2006, which will include at a minimum all of the following:

(a) A description and progress report on all pertinent aspects of the community-based resources development.

(b) An aggregate update on the consumers living at Agnews and consumers who have been transitioned to other living arrangements.

(c) An update to the Major Implementation Steps and Timelines.

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|---|---|
| (d) A comprehensive update to the fiscal analyses as provided in the original plan. | |
| (e) An update to the plan regarding Agnews' employees. | |
| The above requested information may be provided through the Department of Developmental Services budget process, as part of the Regional Center and Developmental Center estimates packages. The updated information shall be made available to the public upon request. | |
| 4300-001-0172—For support of Department of Developmental Services, for payment to Item 4300-001-0001, payable from the Developmental Disabilities Program Development Fund..... | 268,000 |
| Provisions: | |
| 1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for the Department of Developmental Services in excess of the amount appropriated no sooner than 30 days after notification in writing is provided to the chairpersons of the fiscal committees in each house and the Chairperson of the Joint Legislative Budget Committee, or no sooner than such lesser time as the chairperson of the committee, or his or her designee, may in each instance determine. | |
| 4300-001-0890—For support of Department of Developmental Services, for payment to Item 4300-001-0001, payable from the Federal Trust Fund ..... | 2,165,000 |
| Provisions: | |
| 1. Upon order of the Director of Finance, the State Controller shall transfer such funds as are necessary between this item and Item 4300-101-0890 in order to effectively administer the Early Intervention Program (Part C of the Individuals with Disabilities Education Act). | |
| 4300-003-0001—For support of Department of Developmental Services, for Developmental Centers..... | ~~368,740,000~~ *368,580,000* |
| Schedule: | |
| (1) 20-Developmental Centers Program..... | ~~694,268,000~~ *694,108,000* |
| (2) 97.20.001-Unallocated Reduction... | −2,115,000 |
| (3) Reimbursements ..... | −322,768,000 |

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(4) Amount payable from the Federal Trust Fund (Item 4300-003-0890)..... –645,000

Provisions:

1. The General Fund shall make a loan available to the State Department of Developmental Services not to exceed a cumulative total of $77,000,000. The loan funds will be transferred to this item as needed to meet cashflow needs due to delays in collecting reimbursements from the Health Care Deposit Fund, and subject to the repayment provisions of Section 16351 of the Government Code.
2. Upon order of the Director of Finance, the State Controller shall transfer such funds as are necessary between this item and Item 4300-001-0001 in order to appropriately align General Fund and Medi-Cal reimbursements from the Department of Health Services with budgeted activities. Within 10 working days after approval of a transfer as authorized by this provision, the Department of Finance shall notify the chairperson of the fiscal committee of each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee of the transfer, including the amount transferred, how the amount was determined, and how the amount will be utilized.
3. Upon order of the Director of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4300-101-0001.
4. The State Department of Developmental Services (DDS) shall notify the chairperson of each fiscal committee and policy committee of each house of the Legislature of specific outcomes resulting from citations and the results of annual surveys conducted by the State Department of Health Services, as well as findings of any other government agency authorized to conduct investigations or surveys of state developmental centers. DDS shall forward the notifications, including a copy of the specific findings, to the chairpersons of the respective committees within 10 working days of its receipt of these findings. DDS also shall forward these findings, within three working days of submission, to the appropriate investigating agency. In addition, DDS shall provide notification to the above-mentioned committee chairs, within three

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working days, of its receipt of information concerning any investigation initiated by the United States Department of Justice and the private nonprofit corporation designated by the Governor pursuant to Division 4.7 (commencing with Section 4900) of the Welfare and Institutions Code or concerning any findings or recommendations resulting from any of these investigations.

*5. It is the intent of the Legislature to ensure the continued quality of care for consumers residing at Agnews Developmental Center as they transition to other living arrangements, including community-based living arrangements. An important component of this transition for many individuals will be the use of existing state staff from Agnews Developmental Center, who are familiar with each consumer's individual, specialized needs. The use of existing employees in community-based settings will provide for the continuation of services and supports to address specified needs, including medical, social, educational, and related functions, as individuals adapt to their new living environment.*

*6. By April 1, 2006, the State Department of Developmental Services and the State Department of Mental Health shall jointly report to the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the fiscal committees of each house of the Legislature regarding the feasibility and advisability of modifying their reimbursement systems to account separately for drugs provided for eligible developmental center residents and state hospital patients so that the state can obtain Medicaid prices and collect the rebates to which it is entitled from drug manufacturers. Nothing in this provision is intended to preclude the two departments from acting sooner than this date to implement this action or to take alternative actions that, in their discretion, would reduce the cost to the state for providing drugs for residents and patients of these state facilities.*

4300-003-0890—For support of Department of Developmental Services, for payment to Item 4300-003-0001, payable from the Federal Trust Fund ..... 645,000

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Provisions:

1. Upon order of the Director of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4300-101-0890 in order to effectively administer the Foster Grandparent Program.

4300-004-0001—For support of Department of Developmental Services (Proposition 98), for Developmental Centers ..... 10,217,000

Schedule:

(1) 20-Developmental Centers Program ..... 13,886,000

(a) 20.17-AB 1202 Contracts ..... 2,052,000

(b) 20.66-Medi-Cal Eligible Services ... 11,834,000

(2) Reimbursements ..... –3,669,000

Provisions:

1. Of the amount appropriated in this item, $3,753,000 is to be used to provide the General Fund match for Medi-Cal Eligible Services.

4300-017-0001—For support of Department of Developmental Services, for implementation of the Health Insurance Portability and Accountability Act ..... 260,000

Schedule:

(1) 20-Developmental Centers Program ..... 434,000

(2) Reimbursements ..... –174,000

Provisions:

1. The funding appropriated in this item is limited to the amount specified in Control Section 17.00. These funds are to be used in support of compliance activities related to the federal Health Insurance Portability and Accountability Act (HIPAA) of 1996.

4300-101-0001—For local assistance, Department of Developmental Services, for Regional Centers ..... ~~1,923,211,000~~ *1,862,046,000*

Schedule:

(1) 10.10.010-Operations ..... ~~460,920,000~~ *456,054,000*

(2) 10.10.020-Purchase of Services ..... ~~2,438,102,000~~ *2,437,803,000*

(3) 10.10.060-Early Intervention Programs ..... 20,095,000

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(4) Reimbursements ..... ~~–940,263,000~~
*–996,263,000*

(5) Amount payable from Developmental Disabilities Program Development Fund (Item 4300-101-0172)..... –2,000,000

(5.5) Amount payable from Developmental Disabilities Services Account (Item 4300-101-0496)..... –69,000

(6) Amount payable from Federal Trust Fund (Item 4300-101-0890).....–53,574,000

Provisions:

1. Upon order of the Director of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4300-003-0001.
2. A loan shall be made available from the General Fund to the State Department of Developmental Services not to exceed a cumulative total of $160,000,000. The loan funds shall be transferred to this item as needed to meet cashflow needs due to delays in collecting reimbursements from the Health Care Deposit Fund, and are subject to the repayment provisions of Section 16351 of the Government Code.
3. Upon order of the Director of Finance, the Controller shall transfer funds as are necessary between this item and Item 5160-001-0001 to provide for the transportation costs to and from work activity programs of clients who are receiving vocational rehabilitation services through the Vocational Rehabilitation/Work Activity Program (VR/WAP) Transition Program.
4. Of the funds appropriated in this item, $3,730,000 shall be available for information technology costs of the California Developmental Disabilities Information System (CADDIS). Of this amount, $2,000,000 is set aside for the sole purpose of funding functional changes to CADDIS.
5. ~~Expenditure~~ *Notwithstanding any other provision of law, expenditure* of the $2,000,000 for CADDIS functional changes shall be made no sooner than 30 days after notification in writing by the Department of Finance to the chairperson of the budget committee in each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee of its approval of a revised Special Project Report approving these

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functional changes. The intent of the set-aside is to ensure that sufficient funding is available for this purpose in the event that the Director of Finance determines such changes are necessary for successful completion of the project and approves the Special Project Report. The Director of Finance's determination will be informed by the findings of an independent project review of CADDIS conducted by an independent contractor under the oversight of the California Health and Human Services Agency and the Department of Finance.

6. The independent project review will be an assessment to determine if the current CADDIS design maps to and reflects the project objectives as represented in the original project Feasibility Study Report and Request for Proposal. The assessment will consider whether CADDIS will meet Department of Developmental Services and Regional Center business practice requirements and objectives, including objectives related to federal programs. The assessment will examine project management, schedule, and status.
7. Funding in this item for Regional Center operations also includes a set-aside of $467,000 General Fund and $92,000 in reimbursements for Regional Centers to input federally required consumer attendance data into CADDIS upon its implementation. These funds shall not be expended until such time as CADDIS implementation occurs.
8. On or before September 1, 2005, the Department of Finance shall report to the chairperson of the budget committee in each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee of its strategy to resolve problems on the CADDIS project. The strategy shall include, but is not limited to, (a) identification of problems or issues on the project, and (b) actions, costs, and timeframes broken out by budget year and future years to correct those problems or issues. The Department of Finance shall include a copy of the independent project review with its report.

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9. ~~Based~~ *Notwithstanding any other provision of law, based* on the findings of the independent project review, and no sooner than 30 days after notification in writing by the Department of Finance to the chairperson of the budget committee in each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee, the Director of Finance may transfer management of the CADDIS project *and the expenditure authority for the project* from the Department of Developmental Services to the California Health and Human Services Agency, or another appropriate state agency, in order to promote successful completion of the project.

10. Nothing in this provision is intended to nullify the approval and legislative notification provisions of Section 11.00 or 11.10.

11. The State Department of Developmental Services shall provide to the Legislature, by May 1, 2006, expenditure data for costs of drugs purchased by Regional Centers between January 1, 2006, and March 31, 2006, for Regional Center consumers eligible for the Medicare Part D drug benefit and projections for the rest of the calendar year.

4300-101-0172—For local assistance, Department of Developmental Services, for payment to Item 4300-101-0001, payable from the Developmental Disabilities Program Development Fund ..... 2,000,000

Provisions:

1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for the Department of Developmental Services in excess of the amount appropriated no sooner than 30 days after notification in writing of the chairpersons of the fiscal committees in each house and the Chairperson of the Joint Legislative Budget Committee, or no sooner than such lesser time as the chairperson of the committee, or his or her designee, may in each instance determine.

4300-101-0496—For local assistance, Department of Developmental Services, for payment to Item 4300-101-0001, payable from the Developmental Disabilities Services Account..... 69,000

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4300-101-0890—For local assistance, Department of Developmental Services, for Regional Centers, for payment to Item 4300-101-0001, payable from Federal Trust Fund..... 53,574,000

Provisions:

1. Upon order of the Director of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4300-001-0890 in order to effectively administer the Early Intervention Program (Part C of the Individuals with Disabilities Education Act).
2. Upon order of the Director of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4300-003-0890 in order to effectively administer the Foster Grandparent Program.

*4300-102-0001—For local assistance, Department of Developmental Services, Special Item for Medicare Part D Transition ..... 4,866,000*

*Provisions:*

*1. Funds appropriated in this item may only be expended to facilitate the enrollment of regional center consumers into Medicare Part D prescription drug plans. The State Department of Developmental Services, through the California Health and Human Services Agency, shall submit, no later than August 31, 2005, an expenditure plan for these funds to the Joint Legislative Budget Committee. The Joint Legislative Budget Committee shall have 30 days to review the expenditure plan prior to its implementation.*

4300-117-0001—For local assistance, Department of Developmental Services, for implementation of the Health Insurance Portability and Accountability Act..... 708,000

Schedule:

(1) 10.10.010-Regional Centers: Operations..... 1,416,000

(2) Reimbursements..... –708,000

Provisions:

1. The funding appropriated in this item is limited to the amount specified in Control Section 17.00. These funds are to be used in support of compliance activities related to the federal Health Insurance Portability and Accountability Act (HIPAA) of 1996.

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~~4300-295-0001—For local assistance, Department of Developmental Services, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller..... 502,000~~

~~Schedule:~~

~~(1) 98.01.064.480-Judicial Proceedings (Ch. 644, Stats. 1980) (CMS-4366)..... 66,000~~

~~(2) 98.01.069.475-Developmentally Disabled Attorneys Services (Ch. 694, Stats. 1975)..... 295,000~~

~~(3) 98.01.125.380-Mentally Retarded Defendents (MRD): Diversion (Ch. 1253, Stats. 1980) ..... 13,000~~

~~(4) 98.01.130.480-Conservatorship: Developmentally Disabled Adults (Ch. 1304, Stats. 1980) ..... 128,000~~

~~(5) 98.01.135.776-Guardianship/Conservatorship Filings (Ch. 1357, Stats. 1976) ..... 0~~

~~Provisions:~~

~~1. Except as provided in Provision 2, allocations of funds provided in this item to the appropriate local entities shall be made by the Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.~~

~~2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the Controller may, upon notifying the Director of Finance in writing, augment those deficient amounts from the unencumbered balance of any other scheduled amounts therein. No order may be issued pursuant~~

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~~to this provision unless written notification of the necessity therefor is provided to the chairperson of the committee in each house, which considers appropriations, and the Chairperson of the Joint Legislative Budget Committee or his or her designee.~~

~~3. Pursuant to Section 17581 of the Government Code, the mandates identified in the appropriation schedule of this item with an appropriation of $0 and included in the language of this provision are specifically identified by the Legislature for suspension during the 2005–06 fiscal year:~~

~~(5) Guardianship/Conservatorship Filings (Ch. 1357, Stats. 1976)~~

4300-490—Reappropriation, Department of Developmental Services. Notwithstanding any other provision of law, as of June 30, 2005, the balances of the appropriations provided in the following citations are reappropriated for the purposes specified and shall be available for encumbrance or expenditure until June 30, 2006, unless otherwise stated.

0001—General Fund

(1) Item 4300-101-0001, Budget Act of 2004 (Ch. 208, Stats. 2004)

Schedule:

(a) 10.10.010 for cost containment proposals, including cost statement automation and information technology consulting for day programs, in-home respite, and work activity programs, as well as for research and education for supported living services, the standardized rate project, and geographic rate consideration ..... 488,000

(b) Balance of appropriations in Schedule (1) 10.10.010 and Schedule (2) 10.10.020 for the Life Quality Assessment Interagency Agreement.

(2) Item 4300-105-0001, Budget Act of 2004 (Ch. 208, Stats. of 2004) ..... 11,115,000

0496—Developmental Disabilities Services Account

(1) Item 4300-101-0496, Budget Act of 2004 (Ch. 208, Stats. 2004)

| Item | Amount |
|---|---|
| 4440-001-0001—For support of Department of Mental Health | 36,197,000 |
| Schedule: | |
| (1) 10-Community Services ..... 73,031,000 | |
| (2) 20-Long-Term Care Services ..... 11,812,000 | |
| (3) 35.01-Departmental Administration..... 19,437,000 | |
| (4) 35.02-Distributed Departmental Administration..... –19,437,000 | |
| (5) 97.20.001-Unallocated Reduction... –709,000 | |
| (6) Reimbursements ..... –27,590,000 | |
| (7) Amount payable from the Traumatic Brain Injury Fund (Item 4440-001-0311)..... –168,000 | |
| (8) Amount payable from the Federal Trust Fund (Item 4440-001-0890). –3,532,000 | |
| (9) Amount payable from the Mental Health Services Fund (Item 4440-001-3085) .....–16,647,000 | |
| Provisions: | |
| 1. Upon order of the Director of Finance, and following 30-day notification to the Joint Legislative Budget Committee, the Controller shall transfer between this item and Item 4440-016-0001 those funds that are necessary for direct community services, as well as administrative and ancillary services related to the provision of direct services. | |
| 2. None of the funds appropriated in this item for compliance with federal Medicaid managed care notification requirements shall be expended before October 1, 2005. It is the intent of the Legislature that, in the interim, the state shall seek assistance from the California congressional delegation, the new national commission to reduce Medicaid Program costs, or other appropriate parties to modify these requirements to reduce their cost to the state and to the federal government. In the event that the federal notification requirements are modified, the Director of Finance may revert, at his or her discretion, any part or all of the appropriation provided in this item for compliance with the requirements. | |
| 4440-001-0311—For support of Department of Mental Health, for payment to Item 4440-001-0001, payable from the Traumatic Brain Injury Fund..... | 168,000 |

| Item | Amount |
|---|---|
| 4440-001-0890—For support of Department of Mental Health, for payment to Item 4440-001-0001, payable from the Federal Trust Fund ..... | 3,532,000 |
| Provisions: | |
| 1. Upon order of the Department of Finance, the State Controller shall transfer such funds as are necessary between this item and Item 4440-101-0890. | |
| 4440-001-3085—For support of the Department of Mental Health for payment to Item 4440-001-0001, payable from the Mental Health Services Fund..... | 16,647,000 |
| Provisions: | |
| 1. Funds appropriated in this item are in lieu of the amounts that otherwise would have been appropriated for administration pursuant to subdivision (d) of Section 5892 of the Welfare and Institutions Code. | |
| 2. Notwithstanding any other provision of law, the Director of Finance may increase the funding provided in this item to further the implementation of the Mental Health Services Act. Any increase would occur not sooner than 30 days after written notification has been provided to the chairperson of the committee in each house of the Legislature that considers appropriations, the chairpersons of the committees, and the appropriate subcommittees, in each house that consider the State Budget, and the Chairperson of the Joint Legislative Budget Committee identifying the need for that increase and the expenditure plan for the additional funds. | |
| 3. Of the funds appropriated in this item, $3,150,000 is a one-time funding for rent subsidies, predevelopment costs for housing for the mentally ill, and collaborative efforts to promote stable housing for homeless persons. These funds will be used for the Governor's Initiative to End Chronic Homelessness. These funds are available for expenditure in the 2005–06 and 2006–07 fiscal years. | |
| 4440-003-0001—For support of the Department of Mental Health for rental payments on lease-revenue bonds ..... | 30,321,000 |
| Schedule: | |
| (1) Base Rent and Fees..... 30,259,000 | |
| (2) Insurance ..... 150,000 | |
| (3) Reimbursements..... –88,000 | |

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Provisions:

1. The Controller shall transfer funds appropriated in this item according to a schedule to be provided by the State Public Works Board. The schedule shall be provided on a monthly basis or as otherwise needed to ensure debt requirements are met.
2. This item may contain adjustments pursuant to Section 4.30 that are not currently reflected. Any adjustments to this item shall be reported to the Joint Legislative Budget Committee pursuant to Section 4.30.

4440-011-0001—For support of the State Hospitals, Department of Mental Health ..... 767,702,000

Schedule:

(1) 20.10-Long-Term Care Services—Lanterman-Petris-Short Act ..... 78,546,000
(2) 20.20-Long-Term Care Services—Penal Code and Judicially Committed ..... 706,908,000
(3) 20.30-Long-Term Care Services—Other State Hospital Services ..... 68,465,000
(4) 97.20.001-Unallocated Reduction... –240,000
(5) Reimbursements ..... –84,821,000
(6) Amount payable from the California State Lottery Education Fund (Section 8880.5 of the Government Code) ..... –1,156,000
~~(7) Amount payable from the Hospital Services Account, Cigarette and Tobacco Products Surtax Fund (Item 4440-011-0232) .....~~ ~~0~~

Provisions:

1. Upon order of the Director of Finance, the Controller shall transfer such funds as are necessary between this item and Item 5240-001-0001.
2. Upon order of the Director of Finance, and following 30-day notification to the Joint Legislative Budget Committee, the Controller shall transfer between this item and Item 4440-016-0001 those funds that are necessary for direct community services, as well as administrative and ancillary services related to the provision of direct services.
3. Upon approval of the State Department of Mental Health, a portion of the funds appropriated in

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Schedule (2) shall be available to reimburse counties for the cost of treatment and legal services to patients in the five State Department of Mental Health State Hospitals, pursuant to Section 4117 of the Welfare and Institutions Code. Expenditures made under this item shall be charged to either the fiscal year in which the claim is received or the fiscal year in which the Controller issues the warrant. Claims filed by local jurisdictions for legal services may be scheduled by the Controller for payment.

4. The reimbursements identified in Schedule (5) of this item shall include amounts received by the State Department of Mental Health as a result of billing for Lanterman-Petris-Short (LPS) Act state hospital bed day expenditures attributable to conservatees who are gravely disabled as defined in subparagraph (B) of paragraph (1) of subdivision (h) of Section 5008 of the Welfare and Institutions Code (Murphy Conservatee).

5. Of the total amount attributable in the 2005–06 fiscal year to patient-generated collections for Lanterman-Petris-Short (LPS) Act patients, the Controller shall transfer $8,000,000 as revenue to the General Fund, and the remainder shall be used to offset county costs for LPS state hospital beds.

6. Funds appropriated to accommodate projected hospital population levels in excess of those that actually materialize, if any, shall revert to the General Fund. However, the Director of Finance may approve an increase in expenditures that are not related to caseload for the state hospitals through the redirection of funding that is reasonably believed not to be needed for accommodating projected hospital population levels if the approval is made in writing and filed with the Chairperson of the Joint Legislative Budget Committee and the chairperson of each house of the Legislature that considers appropriations not later than 30 days prior to the effective date of the approval, or prior to whatever lesser time the Chairperson of the Joint Legislative Budget Committee, or his or her designee, may in each instance determine. All notifications shall include (a) the reason for the proposed redirection of caseload

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funding to expenditures that are not related to caseload, (b) the approved amount, and (c) the basis of the director's determination that the funding is not needed for accommodating projected hospital population levels.

7. Notwithstanding Section 26.00 of this act, the Department of Finance may authorize transfer of expenditure authority between Schedules (1), (2), and (3) in order to accurately reflect caseload in these programs.

8. Of the amount appropriated in Schedule (2), $2,484,000 is allocated for relocation costs for Coalinga State Hospital employees hired in the 2005–06 fiscal year. Any unspent amount will revert to the General Fund on January 1, 2007.

*9. By April 1, 2006, the State Department of Developmental Services and the State Department of Mental Health shall jointly report to the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the fiscal committees of each house of the Legislature regarding the feasibility and advisability of modifying their reimbursement systems to account separately for drugs provided for eligible developmental center residents and state hospital patients so that the state can obtain Medicaid prices and collect the rebates to which it is entitled from drug manufacturers. Nothing in this provision is intended to preclude the two departments from acting sooner than this date to implement this action or to take alternative actions that, in their discretion, would reduce the cost to the state for providing drugs for residents and patients of these state facilities.*

4440-012-0001—For support of the State Hospitals (Proposition 98), Department of Mental Health ..... 3,400,000

Schedule:

(1) 20.10-Long-Term Care Services—Lanterman-Petris-Short Act ..... 3,400,000

Provisions:

1. The funds appropriated in this item are available to contract for the provision of education services for mental health patients on state hospital grounds.

4440-016-0001—For support of Department of Mental Health, for Conditional Release Services ..... 21,544,000

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Schedule:

(1) 20-Long-Term Care Services ..... 21,544,000

Provisions:

1. The funds appropriated in this item shall be used to provide community services as provided in Section 4360 of the Welfare and Institutions Code. These funds shall support direct community services, as well as administrative and ancillary services related to the provision of direct services.
2. Upon order of the Director of Finance, and following 30-day notification to the Joint Legislative Budget Committee, the Controller shall transfer between this item and Items 4440-001-0001 and 4440-011-0001 those funds that are necessary for direct community services, as well as administrative and ancillary services related to the provision of direct services.
3. The State Department of Mental Health shall provide forensic conditional release services mandated either in Title 15 (commencing with Section 1600) of Part 2 or in Article 4 (commencing with Section 2960) of Chapter 7 of Title 1 of Part 3 of the Penal Code, through contracts with programs which integrate the supervision and treatment roles and providers selected consistent with Section 1615 of the Penal Code.
4. Of the funds appropriated in this item, it is intended that no funds shall be available for the payment of treatment services to persons on court visit from state hospitals to the community as designated in subdivision (a) of Section 4117 of the Welfare and Institutions Code.

4440-017-0001—For support of Department of Mental Health, for implementation of the Health Insurance Portability and Accountability Act..... 1,075,000

Schedule:

(1) 10-Community Services ..... 2,152,000

(2) 20-Long-Term Care Services ..... 0

(3) 35.01-Departmental Administration..... 678,000

(4) 35.02-Distributed Departmental Administration ..... –678,000

(5) Reimbursements..... –1,077,000

Provisions:

1. The funding appropriated in this item is limited to the amount specified in Control Section 17.00.

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These funds are to be used in support of compliance activities related to the federal Health Insurance Portability and Accountability Act (HIPAA) of 1996.

4440-101-0001—For local assistance, Department of Mental Health..... 59,718,000

Schedule:

(1) 10.25-Community Services—Other Treatment..... 1,505,272,000

(1.5) 10.47-Community Services—Children's Mental Health Services. 350,000

(2) 10.85-Community Services—AIDS..... 1,500,000

(3) 10.97-Community Services—Healthy Families..... 14,966,000

(4) Reimbursements ..... –1,462,370,000

Provisions:

1. Augmentations to reimbursements in this item from the Office of Emergency Services for Disaster Relief are exempt from Section 28.00 of this act. The State Department of Mental Health shall provide written notification to the Joint Legislative Budget Committee describing the nature and planned expenditure of these augmentations when the amount received exceeds $200,000.
2. It is the intent of the Legislature that local expenditures for mental health services for Medi-Cal eligible individuals serve as the match to draw down maximum federal financial participation to continue the Short-Doyle/Medi-Cal program.

4440-101-0311—For local assistance, Department of Mental Health, all funds that are transferred into the Traumatic Brain Injury Fund pursuant to subdivision (f) of Section 1464 of the Penal Code..... 892,000

Schedule:

(1) 10.87-Community Services—Traumatic Brain Injury Projects.... 1,124,000

(2) Reimbursements..... –232,000

4440-101-0890—For local assistance, Department of Mental Health, payable from the Federal Trust Fund ..... 59,457,000

Schedule:

(1) 10.25-Community Services—Other Treatment ..... 52,075,000

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(2) 10.75-Community Services—Homeless Mentally Disabled ..... 7,382,000

Provisions:

1. The funds appropriated in this item are for assistance to local agencies in the establishment and operation of mental health services, in accordance with Division 5 (commencing with Section 5000) of the Welfare and Institutions Code.
2. The Department of Mental Health may authorize advance payments of federal grant funds on a monthly basis to the counties for grantees. These advance payments may not exceed one-twelfth of Section 2.00 of the individual grant award for the 2005–06 fiscal year.
3. Upon order of the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4440-001-0890.

4440-102-0001—For local assistance, Department of Mental Health (Proposition 98) for early mental health services ..... 10,000,000

4440-103-0001—For local assistance, Department of Mental Health, Program 10.25-Community Services: Other Treatment for Mental Health Managed Care ..... 227,167,000

Provisions:

1. The allocation of funds appropriated in this item shall be determined based on a methodology developed by the Department of Mental Health in consultation with a statewide organization representing counties. This methodology shall be based on a review of actual and projected expenditures for mental health services for Medi-Cal beneficiaries, by county.
2. Of the amount appropriated in this item, $8,000,000 shall be transferred to the Mental Health Managed Care Deposit Fund (Fund 0865).
3. Upon order of the Director of Finance and agreement between the Department of Mental Health and the Department of Health Services, the Controller shall transfer between this item and Item 4260-101-0001 any General Fund amount determined necessary to fully reflect the transfer of responsibility for administration of mental health services pursuant to the implementation of mental health managed care.

| Item | | Amount |
|---|---|---|
| 4440-111-0001—For local assistance, Department of Mental Health, for caregiver resource centers serving families of adults with acquired brain injuries .. | | 11,747,000 |
| 4440-295-0001—For local assistance, Department of Mental Health, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller ..... | | ~~102,509,000~~ *120,000,000* |
| Schedule: | | |
| ~~(1) 98.01.049.877-Coroner's Costs (Ch. 498, Stats. 1977)~~ ..... | ~~80,000~~ | |
| ~~(2) 98.01.081.579-Short-Doyle Case Management (Ch. 815, Stats. 1979) (CSM-4246)~~..... | ~~0~~ | |
| ~~(3) 98.01.103.678-Mentally Disordered Sex Offender Extended Commitments (Ch. 1036, Stats. 1978)~~..... | ~~163,000~~ | |
| ~~(4) 98.01.111.479-Not Guilty By Reason of Insanity (Ch. 1114, Stats. 1979) (CSM-2753)~~..... | ~~1,054,000~~ | |
| ~~(5) 98.01.132.784-Short-Doyle Audits (Ch. 1327, Stats. 1984) (CSM-4238)~~..... | ~~0~~ | |
| ~~(6) 98.01.135.285-Residential Care Services (Ch. 1352, Stats. 1985) (CSM-4292)~~..... | ~~0~~ | |
| ~~(8) 98.01.043.593-Mentally Disordered Offender's Extended Commitment Proceedings (Ch. 435, Stats. 1993) (98-TC-09)~~..... | ~~2,310,000~~ | |
| ~~(9) 98.01.076.295-Sexually Violent Predators (Chs. 762 and 763, Stats. 1995) (CSM-4509)~~..... | ~~8,902,000~~ | |
| (11) 98.01.001.000-2004–05 Cost for AB 3632 Mandates: Services to Handicapped Students (Ch. 1747, Stats. 1984) (CSM-4282) and Seriously Emotionally Disturbed Pupils (Ch. 654, Stats. 1996) (97-TC-05) ..... | ~~45,000,000~~ *60,000,000* | |

| Item | Amount |
|---|---|
| (12) 98.01.002.000-2005–06 Cost for AB 3632 Mandates: Services to Handicapped Students (Ch. 1747, Stats. 1984) (CSM-4282) and Seriously Emotionally Disturbed Pupils (Ch. 654, Stats. 1996) (97-TC-05) ..... | ~~45,000,000~~ *60,000,000* |

Provisions:

~~1. Except as provided in Provision 2 of this item, allocations of funds provided in this item to the appropriate local entities shall be made by the State Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.~~

~~2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the State Controller may, upon notifying the Director of Finance in writing, augment those deficient amounts from the unencumbered balance of any other scheduled amount therein. No order may be issued pursuant to this provision unless written notification of the necessity therefor is provided to the chairperson of the committee in each house, which considers appropriations, and the Chairperson of the Joint Legislative Budget Committee or his or her designee.~~

~~3. Pursuant to Section 17581 of the Government Code, mandates identified in the appropriation schedule of this item with an appropriation of $0 and included in the language of this provision are specifically identified by the Legislature for suspension during the 2005–06 fiscal year:~~

~~(2) Short-Doyle Case Management (Ch. 815, Stats. 1979) (CSM-4246)~~

~~(5) Short-Doyle Audits (Ch. 1327, Stats. 1984)~~

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~~(6) Residential Care Services (Ch. 1352, Stats. 1985) (CSM-4238)~~

4. The ~~$90,000,000~~ *$120,000,000* General Fund appropriated in Schedules (11) and (12) shall be used to reimburse local government agencies for costs claimed for the 2004–05 and 2005–06 fiscal years for Services to Handicapped Students (Ch. 1747, Stats. 1984) and Seriously Emotionally Disturbed Pupils (Ch. 654, Stats. 1996) state-mandated local programs. Reimbursement for claims shall only be made for claims that are still subject to audit by the State Controller.

5. It is the intent of the Legislature that the funds appropriated in Schedules (11) and (12), as well as those appropriated within the State Department of Education for services to students enrolled in special education and requiring mental health assistance in order to benefit from the education services provided, be fully expended to address needs in the 2004–05 and 2005–06 fiscal years.

4440-301-0001—For capital outlay, Department of Mental Health ..... 5,674,000

Schedule:

(1) 55.35.295-Metropolitan: Remodel Satellite Serving Kitchens—Construction ..... 5,282,000

(2) 55.10.205-Minor Project..... 392,000

Provisions:

1. Notwithstanding any other provision of law, the project funded in Schedule (1) shall be considered part of the Metropolitan: Construct New Kitchen and Remodel Satellite Serving Kitchens project funded in Item 4440-301-0660, Schedule (1), of the 2005 Budget Act. The Schedule (1) project is exempt from competitive bid in order to facilitate management of the overall project.

4440-301-0660—For capital outlay, Department of Mental Health, payable from the Public Building Construction Fund ..... 56,930,000

Schedule:

(1) 55.35.295-Metropolitan: Construct New Kitchen and Remodel Satellite Serving Kitchens—Working drawings and construction..... 18,030,000

| Item | Amount |
|---|---|
| (1.5) 55.35.305-Metropolitan: Construct School Building—Construction | 8,754,000 |
| (2) 55.45.270-Patton: Renovate Admission Suite and Fire Life Safety and Environmental Improvements and Seismic Retrofit, Phases II and III, EB Building—Working drawings and construction | 30,146,000 |

Provisions:

1. 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 all phases of the project authorized by this item.
2. The State Public Works Board and the Department of Mental Health may obtain interim financing for the project costs authorized in this item from any appropriate source, including, but not limited to, Section 15849.1 of the Government Code and the Pooled Money Investment Account pursuant to Sections 16312 and 16313 of the Government Code.
3. The State Public Works Board may authorize the augmentation of the cost of each phase of the projects scheduled in this item pursuant to the board's authority under Section 13332.11 of the Government Code. In addition, the State Public Works 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 and for up to six months after construction of the project, the costs of financing a debt service fund, and the cost of issuance of permanent financing for the project. This additional amount may include interest payable on any interim financing obtained.
4. The State Department of Mental Health is authorized and directed to execute and deliver any and all leases, contracts, agreements, or other documents necessary or advisable to consummate the sale of bonds or otherwise effectuate the financing of the scheduled projects.
5. The State Public Works Board shall not be deemed to be the lead or responsible agency for purposes of the California Environmental Quality

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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 Division 3 of Title 2 of the Government Code). This provision does not exempt the State Department of Mental Health from the requirements of the California Environmental Quality Act. This provision is declaratory of existing law.

4440-401—Notwithstanding Section 14666 of the Government Code, the Department of General Services may grant an easement, subject to Department of Finance approval, to the Napa Sanitation District at Napa State Hospital for the installation of reclaimed water piping and a storage tank.

4440-491—Reappropriation, Department of Mental Health. The balances of the appropriations provided in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided for in those appropriations:

(1) Item 4440-301-0001, Budget Act of 2004 (Ch. 208, Stats. 2004)

(1) 55.35.295-Metropolitan: Remodel Satellite Serving Kitchens—Working drawings

4440-492—Reappropriation, Department of Mental Health. Notwithstanding any other provision of law, the period to liquidate encumbrances of the following citations are extended to June 30, 2007.

0660—Public Buildings Construction Fund

(1) Item 4440-301-0660, Budget Act of 2001 (Ch. 106, Stats. 2001) as reappropriated by Item 4440-493, Budget Act of 2002 (Ch. 379, Stats. 2002)

(1) 55.18.255-Sexually Violent Predator Facility—Construction.

4440-496—Reversion, Department of Mental Health. As of June 30, 2005, the unencumbered balances of the appropriations provided in the following citations shall revert to the balance of the fund from which the appropriation was made:

0660—Public Buildings Construction Fund

(1) Item 4440-301-0660, Budget Act of 2002 (Ch. 379, Stats. 2002)

(2) 55.35.305-Metropolitan: Construct School Building—Working drawings and construction

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(2) Item 4440-301-0660, Budget Act of 2003 (Ch. 157, Stats. 2003)

(2) 55.35.295-Metropolitan: Construct New Kitchen and Remodel Satellite Serving Kitchens—Preliminary plans, working drawings, and construction

(3) 55.45.270-Patton: Renovate Admission Suite and Fire and Life Safety and Environmental Improvements Phases II and III, EB Building—Construction

4700-001-0001—For support of Department of Community Services and Development ..... 125,000

Schedule:

(1) 47-Naturalization Services ..... 125,000

4700-001-0853—For support of Department of Community Services and Development ..... 202,000

Schedule:

(1) 20-Energy Programs ..... 202,000

4700-001-0890—For support of Department of Community Services and Development, payable from the Federal Trust Fund ..... 9,712,000

Schedule:

(1) 20-Energy Programs ..... 8,652,000

(2) 40-Community Services ..... 3,169,000

(3) 50.01-Administration ..... 3,300,000

(4) 50.02-Distributed Administration ... –3,300,000

(5) Reimbursements ..... –2,109,000

Provisions:

1. On a federal fiscal year basis, the Department of Community Services and Development shall make the following program allocation for the community services block grant, as a percentage of the total block grant:

(a) Administration ..... 5 percent

2. Any unexpended federal funds from Item 4700-001-0890, Budget Act of 2004 (Ch. 208, Stats. 2004), shall be in augmentation of Item 4700-001-0890 of this act and not subject to the provisions of Section 28.00.

4700-101-0001—For local assistance, Department of Community Services and Development ..... 2,375,000

Schedule:

(1) 47-Naturalization Services ..... 2,375,000

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4700-101-0853—For local assistance, Department of Community Services and Development ..... 3,847,000

Schedule:

(1) 20-Energy Programs..... 3,847,000

4700-101-0890—For local assistance, Department of Community Services and Development, for assistance to individuals and payments to service providers, payable from the Federal Trust Fund ..... 154,536,000

Schedule:

(1) 20-Energy Programs..... 92,404,000

(2) 40-Community Services ..... 62,132,000

Provisions:

1. On a federal fiscal year basis, the department shall make the following program allocations for the community services block grant as a percentage of the total block grant:

(a) Discretionary ..... 5 percent

(b) Migrant and seasonal farmworkers ..... 10 percent

(c) Native American Indian programs ..... 3.9 percent

(d) Community action agencies and rural community services..... 76.1 percent

All grantees under the community services block grant program are subject to standard state contracting procedures required under the program.

2. Funds scheduled in Item 4700-101-0890 may be transferred to Item 4700-001-0890 for the administration of the Low Income Home Energy Assistance Program, subject to approval of the Department of Finance.

3. Any unexpended federal funds from Item 4700-101-0890 of the Budget Act of 2004 (Ch. 208, Stats. 2004), shall be in augmentation of Item 4700-101-0890 of this act and are not subject to the provisions of Section 28.00. These funds shall be used for local assistance for the programs for which they were originally budgeted.

5160-001-0001—For support of Department of Rehabilitation..... 44,850,000

Schedule:

(1) 10-Vocational Rehabilitation Services.....328,789,000

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(2) 30-Support of Community Facilities ..... 4,011,000
(3) 40.01-Administration ..... 25,643,000
(4) 40.02-Distributed Administration ...–25,643,000
(5) 97.20.0001-Unallocated Reduction. –162,000
(6) Reimbursements ..... –7,900,000
(7) Amount payable from the Vending Stand Fund (Item 5160-001-0600) ..... –3,447,000
(8) Amount payable from the Federal Trust Fund (Item 5160-001-0890) ..... –276,246,000
(9) Amount payable from the Mental Health Services Fund (Item 5160-001-3085) ..... –195,000

Provisions:

1. Upon order of the Director of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4300-101-0001 to provide for the transportation costs to and from work activity programs of clients who are receiving vocational rehabilitation services through the Vocational Rehabilitation/Work Activity Program (VR/WAP) transition program.
2. The Department of Rehabilitation shall maximize its use of certified time as a match for federal vocational rehabilitation funds. To the extent that certified time is available, it shall be used in lieu of the General Fund moneys.
3. Upon order of the Director of Finance, the Controller shall transfer the General Fund share of budgeted client costs as necessary between this item and Item 4300-101-0001 to provide for the net transfer of clients, resulting from program closures, between the Department of Rehabilitation and the Department of Developmental Services. The amount transferred shall be based on the amount budgeted per client by each department for the remainder of the fiscal year.

5160-001-0600—For support of Department of Rehabilitation, for payment to Item 5160-001-0001, payable from the Vending Stand Fund ..... 3,447,000

5160-001-0890—For support of Department of Rehabilitation, for payment to Item 5160-001-0001, payable from the Federal Trust Fund ..... 276,246,000

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Provisions:

1. The amount appropriated in this item that is payable from federal Social Security Act funds for vocational rehabilitation services for SSI/SSDI recipients shall be expended only to the extent that funds received exceed the amount appropriated by Item 5160-101-0890 that is payable from the federal Social Security Act funds. It is the intent of the Legislature that first priority of federal Social Security Act funding be given to independent living centers in the amount of federal Social Security Act funding appropriated by Item 5160-101-0890.

5160-001-3085—For support of Department of Rehabilitation, for payment to Item 5160-001-0001, payable from the Mental Health Services Fund ..... 195,000

Provisions:

1. Funds appropriated in this item are in lieu of the amounts that otherwise would have been appropriated for administration pursuant to subdivision (d) of Section 5892 of the Welfare and Institutions Code.

5160-101-0890—For local assistance, Department of Rehabilitation, payable from the Federal Trust Fund... 15,736,000

Schedule:

(1) 30-Support of Community Facilities ..... 15,736,000

5170-001-0001—For support of State Independent Living Council ..... 0

Schedule:

(1) 10-State Council Services..... 473,000

(2) Reimbursements..... –473,000

5175-001-0001—For support of Department of Child Support Services..... 16,978,000

Schedule:

(1) 10-Child Support Services..... 51,651,000

(2) 97.20.001-Unallocated Reduction... –172,000

(3) Reimbursements..... –123,000

(4) Amount payable from the Federal Trust Fund (Item 5175-001-0890).....–34,378,000

Provisions:

1. By January 10, 2006, the Department of Child Support Services shall report in writing to the chairperson of the committee in each house of the Legislature that considers appropriations, and the Chairperson of the Joint Legislative Budget Com-

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mittee, on the activities and cost-effectiveness of the Child Support Full Collection Program positions. The report shall describe any changes in the activities of these positions to increase collections and the current and anticipated collections attributed to these positions, case inventory per position, and collections per case and per position.

5175-001-0890—For support of Department of Child Support Services, for payment to Item 5175-001-0001, payable from the Federal Trust Fund ..... 34,378,000

5175-002-0001—For support of Department of Child Support Services..... 26,075,000

Schedule:

(1) 10-Child Support Services ..... 82,851,000

(2) 97.20.001-Unallocated Reduction... –334,000

(3) Amount payable from the Federal Trust Fund (Item 5175-002-0890) .....–56,442,000

Provisions:

1. Funds in this item shall be used for contracts and interagency agreements in the child support program, unless otherwise authorized by the Department of Finance no sooner than 30 days after providing notification in writing to the chairperson of the fiscal committee of each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee, or no sooner than such lesser time as the chairperson of the committee, or his or her designee, may in each instance determine.

2. Notwithstanding any other provision of law, the Department of Finance may augment this item to reimburse the Judicial Council for the increased costs associated with salary adjustments for child support commissioners and family law facilitators pursuant to Section 70141(e) of the Government Code, in the event such salary adjustments are provided to superior court judges, no sooner than 30 days after notification in writing of the necessity therefor to the chairperson of the committee in each house of the Legislature that considers appropriations and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the Chairperson of the Joint Legislative Budget Committee, or his or her designee, may in each instance determine.

3. By January 10, 2006, the Department of Child Support Services shall report in writing to the

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chairpersons of the committees in each house of the Legislature that consider appropriations, and the Chairperson of the Joint Legislative Budget Committee, on the activities and cost-effectiveness of the Child Support Full Collection Program positions. The report shall describe any changes in the activities of these positions to increase collections, and the current and anticipated collections attributed to these positions, case inventory per position, and collections per case and per position.

5175-002-0890—For support of Department of Child Support Services, for payment to Item 5175-002-0001, payable from the Federal Trust Fund ..... 56,442,000

Provisions:

1. Provisions 1 and 2 of Item 5175-002-0001 also apply to this item.

5175-101-0001—For local assistance, Department of Child Support Services ..... 470,649,000

Schedule:

(1) 10-Child Support Services ..... 1,267,937,000

(a) 10.01-Child Support Administration.....1,090,145,000

(b) 10.03-Child Support Automation..... 177,792,000

(2) Amount payable from the Federal Trust Fund (Item 5175-101-0890) ..... –501,920,000

(3) Amount payable from the Child Support Collections Recovery Fund (Item 5175-101-8004).... –295,368,000

Provisions:

1. No funds appropriated in this item shall be encumbered unless every rule or regulation adopted and every child support services letter or similar instruction issued by the Department of Child Support Services that adds to the costs of the child support program is approved by the Department of Finance as to the availability of funds before it becomes effective. In making the determination as to availability of funds to meet the expenditures of a rule, regulation, or child support services letter that would increase the costs of the program, the Department of Finance shall consider the amount of the proposed increase on an annualized

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basis, the effect the change would have on the expenditure limitations for the program set forth in this act, the extent to which the rule, regulation, or child support services letter constitutes a deviation from the premises under which the expenditure limitations were prepared, and any additional factors relating to the fiscal integrity of the program or the state's fiscal situation.

Notwithstanding Section 28.00 of this act, the availability of funds contained in this item for child support program rules, regulations, or child support services letters that add to program costs funded from the General Fund in excess of $500,000 on an annual basis, including those that are the result of federal regulations but excluding those that are (a) specifically required as a result of the enactment of a federal or state law, or (b) included in the appropriation made by this act, shall not be approved by the Department of Finance sooner than 30 days after notification in writing of the necessity therefor to the chairpersons of the committees in each house that consider appropriations and the Chairperson of the Joint Legislative Budget Committee, or such lesser time as the chairperson of the committee, or his or her designee, may in each instance determine. Funds appropriated in this item are for the child support program consisting of state and federal statutory law, regulations, and court decisions, if funds necessary to carry out those decisions are specifically appropriated in this act.

2. Notwithstanding any other provision of law, a loan not to exceed $136,000,000 shall be made available from the General Fund, from funds not otherwise appropriated, to cover the federal share of costs of the program when the federal funds have not been received by this state prior to the usual time for transmitting that federal share to the counties of this state or to cover the federal share of child support collections for which the federal funds have been reduced prior to the collections being received from the counties. This loan from the General Fund shall be repaid when the federal share of costs for the program becomes available or when the collections are received from the counties.

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3. The Department of Finance may authorize the establishment of positions and transfer of amounts from this item to Item 5175-001-0001 in order to allow the state to perform the functions or oversee the functions of the local child support agency in the event a county fails to perform that function or is out of compliance with state performance standards.
4. It is the intent of the Legislature that the California Child Support Automation Project receive the highest commitment and priority of all of the state's child support automation activities.
5. Of the amount appropriated in this item, $5,890,000 shall be available for approving funding for county-specific automation projects for the enhancements to existing county child support automation systems and for transitioning counties from existing legacy systems to one of the two selected consortia systems. The funds subject to this provision shall be available for expenditure by the Department of Child Support Services until June 30, 2007.
6. Of the amount appropriated in this item, the $5,890,000 allocated for enhancements to the existing county child support automation systems shall not be expended until the Department of Finance approves the Advance Planning Document that is submitted to the federal Administration of Children and Families. In the event that any proposed enhancements are not approved for federal financial participation, the Department of Child Support Services shall submit a revised plan to the Department of Finance detailing how it will reprioritize projects to remain within existing General Fund expenditure authority.

5175-101-0890—For local assistance, Department of Child Support Services, for payment to Item 5175-101-0001, payable from the Federal Trust Fund..... 501,920,000

Provisions:

1. Provisions 1 and 5 of Item 5175-101-0001 also apply to this item.
2. The Department of Finance may authorize the establishment of positions and transfer of amounts from this item to Item 5175-001-0890 in order to allow the state to perform the functions or oversee the functions of the local child support agency in the event a county fails to perform that function or

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is out of compliance with state performance standards.

3. Upon request of the Department of Child Support Services, the Department of Finance may increase or decrease the expenditure authority in this item pursuant to the provisions of Section 28.00 of this act to offset any increases or decreases in collections deposited in the Child Support Collections Recovery Fund and appropriated in Item 5175-101-8004.

4. Of the amount appropriated in this item, $20,000,000 is for the purpose of providing a federal match to voluntary county contributions to the Child Support Program. Any county requesting an augmentation of federal funds for local assistance must enter into an agreement with the Department of Child Support Services that sets forth the amount of augmented federal funds to be received and payment terms, including a provision holding the ~~state harmless for~~ *county responsible for 10 percent of* any additional federal penalty costs that might result from this increased spending.

5175-101-8004—For local assistance, Department of Child Support Services, for payment to Item 5175-101-0001, payable from the Child Support Collections Recovery Fund ..... 295,368,000

Provisions:

1. Notwithstanding any other provision of law, the Director of Finance may increase or decrease this appropriation, for the purposes of Section 17702.5 of the Family Code, not sooner than 30 days after notification in writing of the necessity thereof is provided to the Chairperson of the Joint Legislative Budget Committee and the chairperson of the committee in each house of the Legislature that considers appropriations, or not sooner than whatever lesser time as the Chairperson of the Joint Legislative Budget Committee, or his or her designee, may in each instance determine. Adjustments to expenditure authority shall be consistent with those made pursuant to Provision 4 of Item 5175-101-0890.

5180-001-0001—For support of Department of Social Services ..... ~~77,230,000~~ *78,630,000*

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Schedule:

(1) 16-Welfare Programs..... 66,252,000

(2) 25-Social Services and Licensing...~~138,398,000~~ *139,798,000*

(3) 35-Disability Evaluation and Other Services.....245,993,000

(6) 60.01-Administration..... 45,631,000

(7) 60.02-Distributed Administration ...–45,631,000

(8) 97.20.001-Unallocated Reduction... –8,202,000

(9) Reimbursements.....–25,321,000

(10) Amount payable from Foster Family Home and Small Family Home Insurance Fund (Item 5180-001-0131)..... –2,195,000

(11) Amount payable from the Federal Trust Fund (Item 5180-001-0890) ..... –337,180,000

(12) Amount payable from the Mental Health Services Fund (Item 5180-001-3085) ..... –515,000

Provisions:

1. The Department of Finance may authorize the transfer of funds from Schedule (2) of this item to Schedule (1), Program 25.30, of Item 5180-151-0001, Children and Adult Services and Licensing, in order to allow counties to perform the facilities evaluation function.

2. The Department of Finance may authorize the transfer of funds from Schedule (2) of this item to Schedule (1), Program 25.30, of Item 5180-151-0001, Children and Adult Services and Licensing, in order to allow counties to perform the adoptions program function.

3. Nonfederal funds appropriated in this item which have been budgeted to meet the state's Temporary Assistance for Needy Families maintenance-of-effort requirement established pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) may not be expended in any way that would cause their disqualification as a federally allowable maintenance-of-effort expenditure.

4. Notwithstanding paragraph (4) of subdivision (b) of Section 1778 of the Health and Safety Code, the State Department of Social Services may use no more than 20 percent of the fees collected pursuant to Chapter 10 (commencing with Section

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1770) of Division 2 of the Health and Safety Code for overhead costs, facilities operation, and indirect department costs.

5. It is the intent of the Legislature to provide sufficient funding to ensure that electronic benefit transfer state administrative hearings are conducted to meet statutory timeframes. Notwithstanding the 30-day notice requirement set forth in subdivision (d) of Section 28.00 of this act, upon request by the Department of Social Services, the Department of Finance may augment expenditure authority in this item to fund increased costs associated with the state administrative hearing process at the time the request is made. Concurrent with the Department of Finance approval, written notification shall be provided to the Chairperson of the Joint Legislative Budget Committee and the chairperson of the committee in each house that considers appropriations.

6. Expenditures incurred by the Department of Social Services for its implementation of Chapter 669, Statutes of 2002 (SB 646) shall not exceed the amount of revenue collected from charging substitute child care employee registries an administrative fee for participation pursuant to Section 1522.02 of the Health and Safety Code.

5180-001-0131—For support of Department of Social Services, for payment to Item 5180-001-0001, for claim payments and the operation and maintenance of the Foster Family Home and Small Family Home Insurance Fund ..... 2,195,000

Provisions:

1. The Department of Finance is authorized to approve expenditures from the unexpended balance available from prior years' appropriations in the Foster Family Home and Small Family Home Insurance Fund during the 2005–06 fiscal year, in those amounts made necessary by increases in either the payment of claims or the costs of operating and maintaining the Foster Family Home and Small Family Home Insurance Fund, which are within or in excess of amounts appropriated in this act for that year.

If the Department of Finance determines that the estimate of expenditures will exceed the expenditures authorized for the 2005–06 fiscal year, the department shall notify the Legislature. Upon

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|---|---|
| notification the amount of the limitation for the 2005–06 fiscal year shall be increased by the amount of such excess from the unexpended balance available from prior years' appropriations in the Foster Family Home and Small Family Home Insurance Fund. | |
| 5180-001-0270—For support of Department of Social Services, payable from the Technical Assistance Fund | 23,955,000 |
| 5180-001-0271—For support of Department of Social Services, payable from the Certification Fund | 1,187,000 |
| 5180-001-0279—For support of Department of Social Services, payable from the Child Health and Safety Fund | 1,366,000 |
| 5180-001-0803—For support of Department of Social Services, payable from the State Children's Trust Fund | 160,000 |
| 5180-001-0890—For support of Department of Social Services, for payment to Item 5180-001-0001, payable from the Federal Trust Fund | 337,180,000 |
| Provisions: | |
| 1. The Department of Finance may authorize the transfer of federal funds from this item to Item 5180-151-0890 in order to allow counties to perform the adoption program functions, and the facilities evaluation function in Community Care Licensing in the Department of Social Services. | |
| 2. Provision 5 of Item 5180-001-0001 also applies to this item. | |
| 5180-001-3085—For support of Department of Social Services, for payment to Item 5180-001-0001, payable from the Mental Health Services Fund | 515,000 |
| Provisions: | |
| 1. Funds appropriated in this item are in lieu of the amounts that otherwise would have been appropriated for administration pursuant to subdivision (d) of Section 5892 of the Welfare and Institutions Code. | |
| 5180-011-0001—For transfer by the Controller to the Foster Family Home and Small Family Home Insurance Fund | 1,229,000 |
| Provisions: | |
| 1. Provision 1 of Item 5180-001-0131 also applies to this item. | |

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5180-011-0279—For transfer by the Controller from the Child Health and Safety Fund to the State Children's Trust Fund..... 68,000

5180-011-0890—For transfer by the Controller from the Federal Trust Fund to the Foster Family Home and Small Family Home Insurance Fund ..... 966,000

Provisions:

1. Provision 1 of Item 5180-001-0131 also applies to this item.

5180-101-0001—For local assistance, Department of Social Services ..... ~~2,750,717,000~~ *2,643,493,000*

Schedule:

(1) 16.30-CalWORKs..... ~~5,111,256,000~~ *4,979,156,000*

(2) 16.65-Other Assistance Payments..... 1,553,495,000

(3) Reimbursements ..... –4,066,000

(4) Amount payable from the Emergency Food Assistance Program Fund (Item 5180-101-0122)..... –442,000

(5) Amount payable from the Employment Training Fund (Item 5180-101-0514)..... ~~–35,430,000~~ *–37,930,000*

(6) Amount payable from the Federal Trust Fund (Item 5180-101-0890) ..... ~~–3,874,096,000~~ *–3,846,720,000*

Provisions:

1. No funds appropriated in this item shall be encumbered unless every rule or regulation adopted and every all-county letter issued by the Department of Social Services that adds to the costs of any program is approved by the Department of Finance as to the availability of funds before it becomes effective. In making the determination as to availability of funds to meet the expenditures of a rule, regulation, or all-county letter that would increase the costs of a program, the Department of Finance shall consider the amount of the proposed increase on an annualized basis, the effect the change would have on the expenditure limitations for the program set forth in this act, the extent to which the rule, regulation, or all-county letter

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constitutes a deviation from the premises under which the expenditure limitations were prepared, and any additional factors relating to the fiscal integrity of the program or the state's fiscal situation.

Notwithstanding Sections 28.00 and 28.50 of this act, the availability of funds contained in this item for rules, regulations, or all-county letters that add to program costs funded from the General Fund in excess of $500,000 on an annual basis, including those that are the result of a federal regulation but excluding those that are (a) specifically required as a result of the enactment of a federal or state law, or (b) included in the appropriation made by this act, shall not be approved by the Department of Finance sooner than 30 days after notification in writing of the necessity therefor to the chairperson of the committee in each house that considers appropriations and the Chairperson of the Joint Legislative Budget Committee, or such lesser time as the chairperson of the committee, or his or her designee, may in each instance determine.

2. Notwithstanding Chapter 1 (commencing with Section 18000) of Part 6 of Division 9 of the Welfare and Institutions Code, a loan not to exceed $500,000,000 shall be made available from the General Fund, from funds not otherwise appropriated, to cover the federal share of costs of a program(s) when the federal funds have not been received by this state prior to the usual time for transmitting that federal share to the counties of this state. This loan from the General Fund shall be repaid when the federal share of costs for the program or programs becomes available.

3. The Department of Finance may authorize the transfer of amounts from this item to Item 5180-001-0001 in order to fund the costs of the administrative hearing process associated with changes in aid payments in the CalWORKs program.

4. The Department of Finance is authorized to approve expenditures in those amounts made necessary by changes in either caseload or payments, or any rule or regulation adopted and any all-county letter issued as a result of the enactment of a fed-

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eral or state law, the adoption of a federal regulation, or the following of a court decision, during the 2005–06 fiscal year that are within or in excess of amounts appropriated in this act for that year.

If the Department of Finance determines that the estimate of expenditures will exceed the expenditures authorized for this item, the department shall so report to the Legislature. At the time the report is made, the amount of the limitation shall be increased by the amount of the excess unless and until otherwise provided by law.

5. Nonfederal funds appropriated in this item which have been budgeted to meet the state's Temporary Assistance for Needy Families maintenance-of-effort requirement established pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) may not be expended in any way that would cause their disqualification as a federally allowable maintenance-of-effort expenditure.

6. In the event of declared disaster and upon county request, the State Department of Social Services may act in the place of any county and assume direct responsibility for the administration of eligibility and grant determination. Upon recommendation of the Director of Social Services, the Department of Finance may authorize the transfer of funds from Items 5180-101-0001 and 5180-101-0890, to Items 5180-001-0001 and 5180-001-0890, for this purpose.

7. Pursuant to the Electronic Benefit Transfer (EBT) Act (Chapter 3 (commencing with Section 10065) of Part 1 of Division 9 of the Welfare and Institutions Code) and in accordance with the EBT System regulations (Manual of Policies and Procedures Section 16-401.15), in the event a county fails to reimburse the EBT contractor for settlement of EBT transactions made against the county's cash assistance programs, the state is required to pay the contractor. The Department of Social Services may use funds from this item to reimburse the EBT contractor for settlement on behalf of the county. The county shall be required to reimburse the Department of Social Services for county's settlement via direct payment or administrative offset.

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|---|---|
| 5180-101-0122—For local assistance, Department of Social Services, for payment to Item 5180-101-0001, payable from the Emergency Food Assistance Program Fund | 442,000 |
| 5180-101-0514—For local assistance, Department of Social Services, for payment to Item 5180-101-0001, payable from the Employment Training Fund | ~~35,430,000~~ *37,930,000* |
| 5180-101-0890—For local assistance, Department of Social Services, for payment to Item 5180-101-0001, payable from the Federal Trust Fund | ~~3,874,096,000~~ *3,846,720,000* |

Provisions:

1. Provisions 1, 4, 6, and 7 of Item 5180-101-0001 also apply to this item.
2. The Director of Finance may authorize the transfer of amounts from this item to Item 5180-001-0890 in order to fund the costs of the administrative hearing process associated with changes in aid payments in the CalWORKs program.
3. The State Department of Social Services may transfer up to $10,000,000 of the funds appropriated in this item for Program 16.30—CalWORKs, from the Temporary Assistance to Needy Families (TANF) block grant to the Social Services Block Grant (Title XX) pursuant to authorization in the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193). The Title XX funds shall be pooled with TANF funds appropriated in this item for CalWORKs Child Care, for the purpose of broadening access to federal Child and Adult Care Food Program benefits for low-income children in proprietary child care centers. This transfer shall occur only if the Director of Finance approves the pooling of Title XX funds with Child Care and Development Fund and/or TANF funds.
4. Upon request of the Department of Social Services, the Director of Finance may increase or decrease the expenditure authority in this item pursuant to the provisions of Section 28.00 of this act to offset any increases or decreases in collections deposited in the Child Support Collections Recovery Fund and appropriated in Item 5180-101-8004.

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5180-101-8004—For local assistance, Department of Social Services, Program 16.65 Other Assistance Payments, payable from the Child Support Collections Recovery Fund ..... 14,264,000

Provisions:

1. Notwithstanding any other provision of law, upon request by the Department of Social Services, the Department of Finance may increase or decrease this appropriation, for the purposes of Section 17702.5 of the Family Code, no sooner than 30 days after notification in writing of the necessity thereof, is provided to the Chairperson of the Joint Legislative Budget Committee and the chairperson of the committee in each house of the Legislature that considers appropriations, unless the Chairperson of the Joint Legislative Budget Committee, or his or her designee, imposes a lesser time. Adjustments to expenditure authority shall be consistent with those made pursuant to Provision 4 of Item 5180-101-0890.

5180-111-0001—For local assistance, Department of Social Services ..... ~~4,939,201,000~~ *4,807,350,000*

Schedule:

(1) 16.70-SSI/SSP ..... ~~3,704,803,000~~ *3,572,952,000*

(2) 25.15-IHSS..... 3,762,122,000

(3) Reimbursements ..... –2,527,724,000

Provisions:

1. Provisions 1 and 4 of Item 5180-101-0001 also apply to this item.
2. Notwithstanding Chapter 1 (commencing with Section 18000) of Part 6 of Division 9 of the Welfare and Institutions Code, a loan not to exceed $195,000,000 shall be made available from the General Fund from funds not otherwise appropriated, to cover the federal share or reimbursable share, or both, of costs of a program(s) when the federal funds or reimbursements (from the Health Care Deposit Fund or counties) have not been received by this state prior to the usual time for transmitting payments for the federal or reimbursable share of costs for this state. That loan from the General Fund shall be repaid when the federal

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share of costs for the program(s) becomes available, or in the case of reimbursements, subject to Section 16351 of the Government Code. County reimbursements also shall be subject to Section 16314 of the Government Code, which specifies the rate of interest. The department may offset a county's share of cost of the In-Home Supportive Services (IHSS) program against local assistance payments made to the county if the county fails to reimburse its share of cost of the IHSS program to the state.

3. The State Department of Social Services shall provide technical assistance to counties to ensure that they maximize the receipt of federal funds for the IHSS program, without compromising the quality of the services provided to IHSS recipients.

4. Funds appropriated in this item for the management, including, as needed, procurement, design, development, testing, implementation, and oversight of the Case Management Information and Payrolling System (CMIPS) project shall be transferred to Item 0530-001-9732 upon order of the Department of Finance.

5180-141-0001—For local assistance, Department of Social Services ..... ~~424,812,000~~ *424,392,000*

Schedule:

(1) 16.75-County Administration and Automation Projects ..... ~~1,050,438,000~~ *1,050,018,000*

(2) Reimbursements ..... –55,809,000

(3) Amount payable from the Federal Trust Fund (Item 5180-141-0890) ..... –569,817,000

Provisions:

1. Notwithstanding Chapter 1 (commencing with Section 18000) of Part 6 of Division 9 of the Welfare and Institutions Code, a loan not to exceed $127,000,000 shall be made available from the General Fund, from funds not otherwise appropriated, to cover the federal share of costs of a program(s) when the federal funds have not been received by this state prior to the usual time for transmitting that federal share to the counties of

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this state. This loan from the General Fund shall be repaid when the federal share of costs for the program or programs becomes available.

2. In the event of declared disaster and upon county request, the State Department of Social Services may act in the place of any county and assume direct responsibility for the administration of eligibility and grant determination. Upon recommendation of the Director of Social Services, the Department of Finance may authorize the transfer of funds from Items 5180-141-0001 and 5180-141-0890, to Items 5180-001-0001 and 5180-001-0890, for this purpose.

3. Provision 1 of Item 5180-101-0001 also applies to this item.

4. Pursuant to public assistance caseload estimates reflected in the annual Governor's Budget, the Department of Finance may approve expenditures in those amounts made necessary by changes in caseload that are in excess of amounts appropriated in this act. If the Department of Finance determines that the estimate of expenditures will exceed the expenditures authorized for this item, the department shall so report to the Legislature. At the time the report is made, the amount of the limitation shall be increased by the amount of the excess unless and until otherwise provided by law.

5. Nonfederal funds appropriated in this item which have been budgeted to meet the state's Temporary Assistance for Needy Families maintenance-of-effort requirement established pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) may not be expended in any way that would cause their disqualification as a federally allowable maintenance-of-effort expenditure.

6. Section 11.00 of this act shall apply to contracts entered into for the development and implementation of the Consortium IV, Interim Statewide Automated Welfare System, Los Angeles Eligibility, Automated Determination, Evaluation, and Reporting, and Welfare Client Data Systems consortia of the Statewide Automated Welfare System.

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7. Funds appropriated in this item for the management, including, as needed, procurement, design, development, testing, implementation, and oversight, of the following projects shall be transferred to Item 0530-001-9732 upon order of the Department of Finance:
   (a) Statewide Automated Welfare System (SAWS)
   (b) Electronic Benefit Transfer (EBT)
   (c) Statewide Fingerprint Imaging System (SFIS)

5180-141-0890—For local assistance, Department of Social Services, for payment to Item 5180-141-0001, payable from the Federal Trust Fund..... 569,817,000

Provisions:

1. Provisions 2, 3, 4, 6, and 7 of Item 5180-141-0001 also apply to this item.

5180-151-0001—For local assistance, Department of Social Services ..... ~~789,281,000~~ *764,894,000*

Schedule:

(1) 25.30-Children and Adult Services and Licensing..... ~~2,165,743,000~~ *2,221,743,000*
(2) 25.35-Special Programs ..... 21,601,000
(3) Reimbursements.....–92,408,000
(4) Amount payable from the Child Health and Safety Fund (Item 5180-151-0279) ..... –615,000
(5) Amount payable from the State Children's Trust Fund (Item 5180-151-0803)..... –2,679,000
(6) Amount payable from the Federal Trust Fund (Item 5180-151-0890) ..... ~~–1,301,811,000~~ *–1,382,198,000*
(7) Amount payable from the Child Welfare Services Program Improvement Fund (Item 5180-151-8023)..... –550,000

Provisions:

1. Provision 1 of Item 5180-101-0001 also applies to this item.
2. Notwithstanding Chapter 1 (commencing with Section 18000) of Part 6 of Division 9 of the Welfare and Institutions Code, a loan not to exceed

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$50,000,000 shall be made available from the General Fund from funds not otherwise appropriated, to cover the federal share of costs of a program(s) when the federal funds have not been received by this state prior to the usual time for transmitting that federal share to the counties of this state. That loan from the General Fund shall be repaid when the federal share of costs for the program(s) becomes available.

3. The Department of Finance may authorize the establishment of positions and transfer of amounts from this item to Item 5180-001-0001, in order to allow the state to perform the facilities evaluation function of Community Care Licensing in the event the counties fail to perform that function.

4. Nonfederal funds appropriated in this item which have been budgeted to meet the state's Temporary Assistance for Needy Families maintenance-of-effort requirement established pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) may not be expended in any way that would cause their disqualification as a federally allowable maintenance-of-effort expenditure.

5. The Department of Finance may authorize the establishment of positions and transfer of amounts from this item to Item 5180-001-0001, in order to allow the state to perform the adoptions function in the event that a county notifies the Department of Social Services that it intends to cease performing that function.

6. Of the amount appropriated in this item, $90,715,000 shall be provided to counties to fund additional child welfare service activities and shall be allocated based on child welfare services caseload and county unit costs. However, no county shall receive less than $100,000. These funds shall be expressly targeted for emergency response, family reunification, family maintenance and permanent placement services and shall be used to supplement, and shall not be used to supplant, child welfare services funds. A county is not required to provide a match of the funds received pursuant to this provision if the county appropriates the required full match for the county's

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child welfare services program exclusive of the funds received pursuant to this provision. These funds are available only to counties that have certified that they are fully utilizing the Child Welfare Services/Case Management System (CWS/CMS) or have entered into an agreed-upon plan with the State Department of Social Services outlining the steps that will be taken to achieve full utilization. The department shall reallocate any funds that counties choose not to accept under this provision, to other counties based on the allocation formula specified in this provision.

The department, in collaboration with the County Welfare Directors Association and representatives from labor groups representing social workers, shall develop the definition of full utilization of the CWS/CMS, the method for measuring full utilization, the process for the state and counties to work together to move counties toward full utilization, and measurements of progress toward full utilization.

7. The Department of Social Services shall consult with the counties, children's advocates, and current and former foster youth in the development and implementation of permanency and youth services initiatives.

8. Funds appropriated in this item for the management, including, as needed, procurement, design, development, testing, implementation, and oversight, of the Child Welfare Services/Case Management System (CWS/CMS) project shall be transferred to Item 0530-001-9732 upon order of the Department of Finance.

5180-151-0279—For local assistance, Department of Social Services, for payment to Item 5180-151-0001, payable from the Child Health and Safety Fund ..... 615,000

5180-151-0803—For local assistance, Department of Social Services, payable from the State Children's Trust Fund..... 2,679,000

5180-151-0890—For local assistance, Department of Social Services, for payment to Item 5180-151-0001, payable from the Federal Trust Fund ..... ~~1,301,811,000~~ *1,382,198,000*

Provisions:

1. Provisions 1, 3, 5, 6, and 8 of Item 5180-151-0001 also apply to this item.

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|---|---|
| 5180-151-8023—For local assistance, Department of Social Services, payable from the Child Welfare Services Program Improvement Fund..... | 550,000 |

5180-402—The Director of Finance is authorized to approve transfers of $407,642,000 from the federal Temporary Assistance for Needy Families (TANF) block grant to the Child Care and Development Fund (CCDF) administered by the State Department of Education, and the entire amount so transferred shall be used for CalWORKs local assistance Stage 2 child care. The moneys transferred to the Department of Education shall be used only for direct services to Stage 2 child care recipients, and the Department of Education shall use other existing funds available for child care quality expenditures to meet the 4 percent quality requirement of federal law associated with CCDF expenditures. Prior to any fund transfers from TANF to the CCDF, the Department of Education shall certify that the transfer will not require additional quality expenditures beyond the existing expenditures. Should additional quality expenditures be required as a result of a transfer pursuant to this provision, these transfers shall become TANF funds and shall not be transferred to the CCDF. In the event of a TANF transfer pursuant to this item, the Department of Education shall comply with existing TANF and CalWORKs regulations and reporting requirements.

Provisions:

1. Upon request from the State Department of Education, and upon approval by the Director of Finance, the State Department of Social Services is authorized to transfer up to $10,000,000 from the federal Temporary Assistance to Needy Families (TANF) block grant to the Social Services Block Grant (Title XX) pursuant to authorization in the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193). These funds shall be provided to the State Department of Education, to be pooled with moneys in the CCDF, TANF, or both, for the purpose of broadening access to federal Child and Adult Care Food Program benefits for low-income children in proprietary child care centers. The total amount

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to be transferred to the State Department of Education from Title XX and TANF combined shall not exceed $407,642,000. In the event Title XX funds are provided to the State Department of Education pursuant to this provision, the State Department of Education shall comply with all Title XX regulations and reporting requirements. The Department of Finance shall provide written notification to the chairpersons of the fiscal committees of each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee at the time of the transfer.

5180-403—The Director of Finance is authorized to approve transfers not to exceed ~~$166,489,000~~ *$162,976,000* from the federal Temporary Assistance for Needy Families (TANF) block grant to and in augmentation of any program for which TANF funds have been appropriated in this act, only if the request (1) meets all of the conditions set forth in Section 28.00 of this act, or (2) is consistent with Provision 4 of Item 5180-101-0001. Any transfers pursuant to this paragraph shall require the respective legislative notification procedures set forth in Section 28.00 of this act or Provision 4 of Item 5180-101-0001, whichever is applicable.

5180-491—Reappropriation, Department of Social Services. Notwithstanding any other provision of law, the balance of the funds for the appropriations provided in the following citations is reappropriated for expenditure pursuant to Provision 1 and is available for encumbrance or expenditure until June 30, 2006:

0001—General Fund

(1) Item 5180-111-0001, Budget Act of 2004 (Ch. 208, Stats. 2004)

(2) Item 5180-141-0001, Budget Act of 2004 (Ch. 208, Stats. 2004)

(3) Item 5180-151-0001, Budget Act of 2004 (Ch. 208, Stats. 2004)

0890—Federal Trust Fund

(1) Item 5180-111-0890, Budget Act of 2004 (Ch. 208, Stats. 2004)

(2) Item 5180-141-0890, Budget Act of 2004 (Ch. 208, Stats. 2004)

(3) Item 5180-151-0890, Budget Act of 2004 (Ch. 208, Stats. 2004)

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Provisions:

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 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.

5180-492—Reappropriation, Department of Social Services. The amounts specified in the appropriations provided for in the following citations are reappropriated for encumbrance or expenditure pursuant to Provision 1 and shall be available until June 30, 2006:

0890—Federal Trust Fund

(1) Item 5180-151-0890, Budget Act of 2004 (Ch. 208, Stats. 2004)

0803—State Children's Trust Fund

(1) Item 5180-151-0803, Budget Act of 2004 (Ch. 208, Stats. 2004)

Provisions:

1. For the 2004–05 fiscal year, no later than 60 days after the receipt of fourth quarter claims submitted by the counties, the State Department of Social Services, in consultation with the County Welfare Directors Association (CWDA), shall determine the amount of unspent funds allocated to the Cohort 1 counties for approved Child Welfare Services (CWS) improvement activities. Thereafter, notwithstanding any other provision of law, the balance of the appropriations for these improvement activities, as approved by the Department of Finance, shall be reappropriated for transfer to and in augmentation of the corresponding items in this act. In collaboration with the CWDA, the

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funds reappropriated by this provision shall be made available either to further improve outcomes in the nonpilot counties, or to supplement funding for the Cohort 1 counties to ensure their success with implementation of the CWS improvement initiatives.

~~YOUTH AND ADULT CORRECTIONAL AGENCY~~
*CORRECTIONS AND REHABILITATION*

5225-001-0001—For support of the Department of Corrections and Rehabilitation ..... ~~6,628,284,000~~
*6,623,170,000*

Schedule:

(1) 10-Corrections and Rehabilitation Administration .....~~203,491,000~~
*203,126,000*

(2) 15-Corrections Standards Authority ..... 5,596,000

(3) 20-Juvenile Operations .....~~169,099,000~~
*169,098,000*

(4) 21-Juvenile Education, Vocations and Offender Program..... 85,848,000

(5) 22-Juvenile Paroles ..... 35,619,000

(6) 23-Juvenile Healthcare ..... 55,976,000

(7) 25-Adult Corrections and Rehabilitation Operations ..... ~~4,268,316,000~~
*4,270,356,000*

(8) 30-Parole Operations-Adult .....591,195,000

(9) 35-Board of Parole Hearings ..... 78,707,000

(10) 45-Education, Vocations and Offender Program-Adult .....~~246,406,000~~
*238,906,000*

(11) 50-Correctional Health Care Services ..... ~~1,037,010,000~~
*1,037,722,000*

(12) Reimbursements .....–85,316,000

(13) Amount payable from the Corrections Training Fund (Item 5225-001-0170) ..... –2,486,000

(14) Amount payable from the Federal Trust Fund (Item 5225-001-0890). –4,744,000

(15) Amount payable from the Inmate Welfare Fund (Item 5225-001-0917).....–56,433,000

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Provisions:

1. Funds appropriated to accommodate projected adult institutional population levels in excess of those that actually materialize, if any, shall revert to the General Fund, except that the Director of Finance may approve an increase in expenditures that are not related to caseload for the Department of Corrections and Rehabilitation through the redirection of funding that is reasonably believed not to be needed for accommodating projected adult institutional population levels if the approval is made in writing and filed with the Chairperson of the Joint Legislative Budget Committee and the chairperson of each house of the Legislature that considers appropriations not later than 30 days prior to the effective date of the approval, or prior to whatever lesser time the chairperson of the joint committee, or his or her designee, may in each instance determine. All notifications shall include (a) the reason for the proposed redirection of caseload funding to expenditures that are not related to caseload, (b) the approved amount, and (c) the basis of the secretary's determination that the funding is not needed for accommodating projected institutional population levels.
2. Funds appropriated to accommodate projected adult parole population levels in excess of those that actually materialize, if any, shall revert to the General Fund, except that the Director of Finance may approve an increase in expenditures that are not related to caseload for the Department of Corrections and Rehabilitation through the redirection of funding that is reasonably believed not to be needed for accommodating projected adult parole population levels if the approval is made in writing and filed with the Chairperson of the Joint Legislative Budget Committee and the chairperson of each house of the Legislature that considers appropriations not later than 30 days prior to the effective date of the approval, or prior to whatever lesser time the chairperson of the joint committee, or his or her designee, may in each instance determine. All notifications shall include (a) the reason for the proposed redirection of caseload, (b) the approved amount, and (c) the basis of the

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director's determination that the funding is not needed for accommodating projected adult parole population levels.

3. Any funds recovered as a result of audits of locally operated return-to-custody centers shall revert to the General Fund.

4. When contracting with counties for vacant jail beds for any inmate under the jurisdiction of the Secretary of the Department of Corrections and Rehabilitation, the department shall not reimburse counties more than the average amount it costs the state to provide the same services in comparable state institutions. This restriction shall not apply to any existing contract, but shall apply to the extension or renewal of that contract. In addition, the total operational cost of incarcerating state inmates in leased county jail beds (which includes state costs, but is exclusive of one-time and capital outlay costs) shall not exceed the department's average cost for operating comparable institutions.

5. Notwithstanding any other provision of law, but subject to providing 30 days' prior notification to the Joint Legislative Budget Committee, funds appropriated in Schedule (7) or (8), or both, of this item may be transferred to Item 5225-101-0001, Schedule ~~(5)~~ *(7)* , upon order of the Director of Finance, to provide funds for the reimbursement of counties for the cost of holding parole violators in local jail.

6. Notwithstanding any other provision of law, upon approval of the Department of Finance, the Department of Corrections and Rehabilitation may transfer, between Schedules (7), (8), and (11), up to 5 percent of the amounts appropriated in these schedules. Any transfer of funds appropriated in Schedules (7), (8), and (11) exceeding 5 percent may occur not sooner than 30 days after notification thereof to the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the fiscal committees of each house of the Legislature.

7. The Department of Corrections and Rehabilitation shall adjust the number of contracted beds with the State Department of Mental Health necessary to house its offenders as part of its ongoing Coleman compliance effort. This revision shall be

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based on actual and reasonably projected bed usage, and be included in the Governor's Budget population-related request and adjusted in the May Revision as necessary.

8. Not later than 60 days following enactment of this act, and subsequently on February 10 and upon release of the May Revision, the Secretary of Corrections and Rehabilitation shall submit to the Director of Finance the Post Assignment Schedule for each adult institution, reconciled to budgeted authority and consistent with approved programs, along with allotments consistent with the reconciled Post Assignment Schedule for each adult institution.

9. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures in this item in excess of the amount appropriated for purposes of compliance with the Remedial Plan, adopted in response to the decision in Valdivia v. Davis (E.D.Ca. 2002) 206 F.Supp.2d 1068, and for no other purpose. Any authorization shall be based upon data that shall be provided by the Department of Corrections and Rehabilitation on a monthly basis. Information provided by the Division of Adult Parole Operations shall include parole serves and hearing-related workload, including, at a minimum, the number and average duration of parole serves performed, the number of parolees directed into a sanction program prior to a Probable Cause Hearing, and the average time from parole hold to serve, to Probable Cause Hearing, and to Revocation Hearing. Information provided by the Board of Parole Hearings shall include applicable attorney's fees and hearing-related workload, including, at a minimum, the number of hearings and associated time necessary to perform the hearings on a monthly basis. The Director of Finance shall not approve any expenditure unless the approval is made in writing and filed with the Chairperson of the Joint Legislative Budget Committee and the chairperson of the committee in each house of the Legislature that considers appropriations not later than 30 days prior to the effective date of the approval, or prior to whatever lesser time the chairperson of the joint committee, or his or her designee, may determine.

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10. Of the funds appropriated in Schedule (3), $31,000 is provided for payment of energy service contracts in connection with the issuance of Public Works Board Energy Efficiency Revenue Bonds (State Pool Program), Series 1986A.

11. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures in Schedule (3) in excess of the amount appropriated for purposes of funding attorney's fees required by the Farrell v. Allen consent decree. The Director of Finance may not approve any expenditure unless approval is made in writing and filed with the Chairperson of the Joint Legislative Budget Committee and the chairperson of the committee in each house that considers appropriations not later than 30 days prior to the effective date of approval, or prior to whatever lesser time the chairperson of the joint committee, or his or her designee may determine.

~~12. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures in Schedules (3), (4), (5), and (6) in excess of the amount appropriated for purposes of implementing the Medical Care Remedial Plan, Mental Health Remedial Plan, and General Ward Safety and Welfare Remedial Plan that will be submitted to the court during the 2005–06 fiscal year for purposes of compliance with the consent decree in Farrell v. Allen, and for no other purpose. The Director of Finance may not approve any expenditure unless the approval is made in writing and filed with the Chairperson of the Joint Legislative Budget Committee and the chairperson of the committee in each house of the Legislature that considers appropriations not later than 30 days prior to the effective date of approval, or prior to whatever lesser time the chairperson of the joint committee, or his or her designee, may determine. As part of the approval process the Department of Finance shall provide a detailed written justification for the requested funding to the Chairperson of the Joint Legislative Budget Committee and the chairperson of the committee in each house of the Legislature that considers appropriations.~~

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*12.5. It is the intent of the Legislature to provide sufficient funding to implement the Medical Care Remedial Plan, the Mental Health Remedial Plan, and the General Ward Safety and Welfare Remedial Plan, which will be submitted to the court during the 2005–06 fiscal year to comply with the consent decree in Farrell v. Allen (Super. Ct. Alameda County, 2004, No. 03079344). The Legislature hereby directs the Department of Corrections and Rehabilitation to introduce urgency legislation to appropriate the funds necessary to implement these remedial plans. Consistent with this legislation, the Department of Finance shall provide a detailed written justification for the requested funding to the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the committees in each house of the Legislature that consider appropriations.*

13. Of the amount appropriated in Schedule (10), ~~$15,000,000~~ *$7,500,000* shall only be available for expenditure upon approval by the Chairperson of the Joint Legislative Budget Committee of a plan to expend these funds on inmate and parolee programs. The plan submitted to the chairperson shall detail what programs will be implemented or expanded, the basis for the programs selected, and a timetable for implementing or expanding the programs.

14. Of the amount appropriated in this item, $35,036,000 is to fill specified positions held vacant by the Department of Corrections and Rehabilitation in order to achieve salary savings. The Department of Finance will release funds to the department for this purpose only for those vacancies that the department fills during the fiscal year. Any unspent funds appropriated for this purpose shall revert to the General Fund.

15. Quarterly, beginning on October 1, 2005, the Department of Corrections and Rehabilitation shall provide to the fiscal committees of each house of the Legislature and to the Legislative Analyst's Office a report providing an update on the department's progress implementing recent parole reforms. This report shall cover parole program expansions made in the 2003–04 and 2004–05 Budget Acts, including Pre-Release

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Program, Police and Corrections Teams, Transitional Case Management Program for mentally ill parolees, ~~Electronic In-home Detention, Halfway Back~~ *Parole Service Centers* , Substance Abuse Treatment and Control Units, Restitution Program, Substance Abuse Treatment and Recovery, Residential Multi-Service Center, Global Positioning Satellite system, ~~and~~ *the* 12-month discharge policy, and Comprehensive Community Wrap-Around Services Program. This report shall include the following information for each program: (a) identification of progress to date implementing the programs, including identifying the number of program slots, the number of program slots currently filled, and the total number of inmate participants to date in the fiscal year, (b) a comparison of current implementation progress to what is assumed in the current Budget Act and information explaining any shortfalls, (c) a comparison of the current implementation progress to the prior quarterly report, (d) the department's schedule for further program implementation, including the number of slots, location, and date for each, (e) identification of any other significant changes to the programs before the end of the current fiscal year, (f) the estimated implementation costs, ~~and~~ (g) the estimated impact of the programs on the institution and parole populations, including data on parole violations and revocations by program participants occurring in the quarter *, and (h) the department's policy regarding the criteria for placing an inmate or parolee in the program* .

16. In addition to the funds appropriated in this item, the sum of $150,000 is hereby appropriated from the General Fund for the Statewide Offender Management System for the 2005–06 fiscal year. The appropriation made in this provision is not available unless and until the Department of Corrections and Rehabilitation enters into a contract for the development of a Statewide Offender Management System Feasibility Study Report. Upon contract signature, the Department of Finance may authorize expenditures up to the amount appropriated not sooner than 30 days after notification to the chairperson of the budget

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committee in each house of the Legislature and to the Chairperson of the Joint Legislative Budget Committee.

17. In addition to the funds appropriated in this item, the sum of $78,000 is hereby appropriated from the General Fund for the Statewide Offender Management System for the 2005–06 fiscal year. The appropriation made in this provision is not available unless and until the Department of Corrections and Rehabilitation reports its July 2005 through December 2005 Statewide Offenders Management System accomplishments to the chairperson of the budget committee in each house of the Legislature and to the Chairperson of the Joint Legislative Budget Committee. Upon the department's submission of its accomplishments, the Department of Finance may authorize expenditures up to the amount appropriated not sooner than 30 days after notification to the chairperson of the budget committee in each house of the Legislature and to the Chairperson of the Joint Legislative Budget Committee.

18. In addition to the funds appropriated in this item, the sum of $25,000 is hereby appropriated from the General Fund for the Statewide Offender Management System for the 2005–06 fiscal year. The appropriation made in this provision is not available unless and until the Department of Corrections and Rehabilitation reports its January 2006 through March 2006 Statewide Offender Management System accomplishments to the chairperson of the budget committee in each house of the Legislature and to the Chairperson of the Joint Legislative Budget Committee. Upon the department's submission of its accomplishments, the Department of Finance may authorize expenditures up to the amount appropriated not sooner than 30 days after notification to the chairperson of the budget committee in each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee.

19. Beginning July 2005, the Department of Corrections and Rehabilitation shall provide on a quarterly basis to the chairperson of the budget committees in each house of the Legislature and to the Chairperson of the Joint Legislative Budget Committee copies of the monthly status and

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oversight reports submitted to the Department of Finance for any information technology projects in the Department of Corrections and Rehabilitation with a ''high risk'' rating as prescribed in state policy.

20. On or before April 1, 2006, the Department of Finance shall report in writing to the chairperson of the budget committee in each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee of its assessment of the Department of Corrections and Rehabilitation's information technology activities. The assessment shall include, but is not limited to, (a) a review of Department of Corrections and Rehabilitation's information technology project management practices and capabilities compared to Department of Finance's oversight framework, (b) an evaluation of the Department of Corrections and Rehabilitation's ability to implement its current information technology projects within Department of Finance's approved timeframes and costs, and (c) recommendations to the Department of Corrections and Rehabilitation on how to address the assessment's findings. The assessment report shall include Department of Corrections and Rehabilitation's corrective action plan to address the assessment findings.

21. It is the intent of the Legislature that the state provides parolee medications in the most cost-effective manner. In deciding how to purchase parolee medications, the Department of Corrections and Rehabilitation, in consultation with the Department of General Services, shall consider ~~, but not be limited to,~~ contracting with a pharmacy benefit manager ~~and purchasing medications under pharmacy contracts used for prison inmates~~ . The department shall compare the cost of such options and choose the lowest cost options.

22. Of the amount appropriated in this item, $185,000 is for the collection of DNA samples from inmates who arrive in state prison without providing a DNA sample in county jail as required by law. If the number of incoming inmates who provide DNA samples in prison is

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lower than projected, unspent funds appropriated for this purpose shall revert to the General Fund.

23. Not later than February 17, 2006, the Secretary of the Department of Corrections and Rehabilitation shall submit to the chairpersons and vice chairpersons of the Committee on Budget in both houses of the Legislature and to the Legislative Analyst's Office an operating budget for each of the correctional facilities under the control of the department. Specifically, the report shall include: (a) year-end expenditures by program for each institution in 2004–05, (b) allotments and projected expenditures by program for each institution in 2005–06, (c) the number of authorized and vacant positions, estimated overtime budget, estimated benefits budget, and operating expense and equipment budget for each institution, and (d) a list of all capital outlay projects occurring or projected to occur during the 2005–06 fiscal year.

~~24. Of the amount appropriated in this item, $250,000 from the General Fund shall only be available for hiring additional chaplain positions. Any unspent funds shall revert to the General Fund.~~

25. (a) Of the amount appropriated in this item, $1,293,000 is to begin development of a long-term strategy to improve California's juvenile corrections system. These funds shall be expended to hire staff and subject matter experts to develop the details of the programs and policies that will form the basis for the juvenile corrections system.

(b) Beginning July 30, 2005, the Department of Corrections and Rehabilitation shall submit a monthly report to the Legislature that details the status of the program and policy development, including the details of programs and policies being considered.

(c) The Department of Corrections and Rehabilitation shall, by December 1, 2005, submit a report to the Chairperson of the Joint Legislative Budget Committee that provides details on the programs and policies that will form the basis for the juvenile corrections system on a long-term basis. This

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report shall include information on the following: the types of youthful offenders that will be served by the state under this system; the type of treatment programs that will be provided; the education programs that will be provided; a description of the type of staff and facilities that will be needed to support these programs and policies; and a timeline of the proposed implementation of these programs and policies.

(d) In addition to the funds otherwise appropriated in this item, the sum of $1,808,000 is hereby appropriated from the General Fund for the support of the Department of Corrections and Rehabilitation of the 2005–06 fiscal year. These moneys shall not be available until the Legislature approves, in writing, the report submitted pursuant to (c) above. Upon receipt of written approval from the Joint Legislative Budget Committee, the Director of Finance may authorize expenditure of the moneys specified in this provision. Of these funds, up to $899,000 shall be expended for staff and consultants to develop a facilities master plan and begin the initial site selection work consistent with the programs and policies developed and up to $909,000 of these moneys shall be expended to begin the architectural programming and to perform a human resources analysis based upon these programs and policies developed.

*26. Funding appropriated in Schedule (11) that is allocated for the purpose of implementing the Pharmacy Health Care Management System shall not be expended until the Feasibility Study Report (FSR) for this project is approved by the Department of Finance. If the amount approved in the FSR is less than the amount appropriated, the Department of Corrections and Rehabilitation shall only spend the amount approved in the FSR, and any remaining funds shall be returned to the General Fund.*

*27. Notwithstanding any other provision of law, the Department of Corrections and Rehabilitation is not required to competitively bid for health services contracts in cases where contracting expe-*

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*rience or history indicates that only one qualified bid will be received.*

*28. Of the amount appropriated in Schedule (11), $5,700,000 is for interagency agreements with the University of California for services relating to the Inmate Medical Services Program. Any unspent funds for this purpose shall revert to the General Fund.*

*29. (a) It is the intent of the Legislature that the Department of Corrections and Rehabilitation develop a long-term strategy to improve California's juvenile justice system. Commencing September 1, 2005, the Department shall report quarterly to the Legislature on the progress made toward the development of reform plans. Of the amount appropriated in Schedule (1), $1,250,000 shall be available for expenditures related to the preparation of the reform plan no sooner than 30 days after the September 1, 2005, quarterly status report has been submitted to the Joint Legislative Budget Committee.*

*(b) The September 1, 2005, quarterly status report shall include a written description of the department's proposed plan to reform the Department of the Youth Authority and any successor entity, including any related reforms affecting state-local juvenile justice responsibilities. The plan shall include specific objectives, tasks, and timelines, including an examination of whether a state-level juvenile corrections entity is needed and, if so, a description of the following:*

*(i) The population to be served by the state youth correctional system, including commitment offenses, delinquency history, age, gender, medical and mental health condition, risk levels, and any other commitment criteria.*

*(ii) Any proposed changes with respect to eligibility, age, jurisdiction, or length of confinement affecting the institutional population.*

*(iii) Any proposed changes in rejection of commitments.*

*(iv) Any proposed changes in costs charged to counties for commitments.*

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*(c) The December 1, 2005, quarterly status report, shall include a written description of the department's proposed plan for the reform of the Department of the Youth Authority and shall address specific areas of reform by including the following:*

*(i) A gap analysis of the entire juvenile justice system. The analysis shall identify gaps to determine appropriate strategies that youthful offenders are placed appropriately, examine funding and fee strategies, and identify local assessment criteria.*

*(ii) A description of the programs needed to serve the projected offender population, including female wards, in the areas of mental health, sex offender treatment, gang reduction, and special education and developmental disability, and an account of any youth corrections model supporting these programs. The description shall include an outline of proposed staffing and training changes needed to implement any new program design, a discussion of how private providers or contractors may be utilized in the new program design, an overview of the resources needed to implement a new program design, and an explanation of how these proposed reforms relate to and coordinate with the corrective action and timelines required by existing litigation, including Farrell v. Allen (Super. Ct. Alameda County, 2004, No. 03079344) and Wilber v. Allen (Morris v. Harper) (Super. Ct. S.F. City and County, No. 312092).*

*(iii) A state youth corrections facility proposal describing the recommended array, type, and location of state youth corrections facilities in the reformed system, and addressing institutional culture, institution size, unit size, room configuration, program and education space, staffing needs, how discipline will be enforced (for example, use of force, chemicals, and restraints), and*

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*family access to the institutions. The proposal shall identify, to the extent feasible, the proposed status, closure, or conversion of existing youth corrections facilities, and shall include a description of how resources to support the new facility plan will be developed and when new or remodeled facilities are expected to open. The March 1, 2005, quarterly status report shall include a more detailed plan for existing facilities.*

*(iv) A description of parole and postcustodial supervision, management, and aftercare in the reformed state youth corrections system, including the status of any proposed realignment of parole supervision and services to county governments. The description shall include a discussion of the facilities and programs that may be developed to improve aftercare services for wards upon release from custody, proposed changes in parole revocation responsibilities, procedures, or sanctions, and a resource plan for any proposed changes in parole or postcustodial supervision, management, and aftercare.*

*(d) The quarterly reports due March 1, 2006, and June 1, 2006, shall include a written description of the department's progress and continued assessments in the following areas:*

*(i) County and community partnerships for the treatment of wards in custody and parole.*

*(ii) Progress of site and facility assessments, including phaseout and continued use plans of existing facilities.*

*(iii) Architectural requirements for youth, staff, treatment, all support, and related services under the new program model.*

*(iv) Progress on classification development activities, job analysis, and training needs.*

*(v) An outline of proposed performance standards or other accountability*

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*mechanisms for oversight of the reformed system, which shall identify who will be responsible for oversight, and include a plan for processing complaints of wards and their families, and a description of changes in data that will be collected and disseminated in the reformed system with respect to institution and parole populations, institutional programs and conditions, and recidivism.*

*30. (a) Of the amount appropriated in Schedule (1), $500,000 shall be used to contract for a staff training needs assessment that will identify the gap between existing training and new training resulting from changes required by the remedial plans in Farrell v. Allen (Super. Ct. Alameda County, 2004, No. 03079344). On or before March 30, 2006, the Department of Corrections and Rehabilitation shall submit a report to the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the committees in each house of the Legislature that consider appropriations. The report shall detail the findings of the training needs assessment and the resources required to provide any new training.*

*(b) Of the amount appropriated in Schedule (1), $1,000,000 is to pay for (1) the design and development of curricula for the training identified in the training needs assessment, and (2) conducting staff training. The Director of Finance shall not approve the expenditure of these moneys sooner than 30 days after the Legislature receives the report submitted pursuant to subdivision (a), or not sooner than whatever lesser time the Chairperson of the Joint Legislative Budget Committee, or his or her designee, may determine.*

5225-001-0170—For support of the Department of Corrections and Rehabilitation, for payment to Item 5225-001-0001, payable from the Corrections Training Fund ..... 2,486,000

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| 5225-001-0890—For support of the Department of Corrections and Rehabilitation, for payment to Item 5225-001-0001, payable from the Federal Trust Fund | 4,744,000 |
| 5225-001-0917—For support of the Department of Corrections and Rehabilitation, for payment to Item 5225-001-0001, payable from the Inmate Welfare Fund | 56,433,000 |
| 5225-002-0170—For transfer by the Controller, upon order of the Director of Finance, from the Corrections Training Fund, to the General Fund | (9,650,000) |
| 5225-003-0001—For support of Department of Corrections and Rehabilitation, for rental payments on lease-revenue bonds | 288,859,000 |
| Schedule: | |
| (1) Base Rental and Fees ..... 293,749,000 | |
| (2) Insurance ..... 1,738,000 | |
| (3) Reimbursements ..... –6,628,000 | |
| Provisions: | |
| 1. The Controller shall transfer funds appropriated in this item according to a schedule to be provided by the State Public Works Board. The schedule shall be provided on a monthly basis or as otherwise might be needed to ensure debt requirements are met. | |
| 2. This item may contain adjustments pursuant to Section 4.30 that are not currently reflected. Any adjustments to this item shall be reported to the Joint Legislative Budget Committee pursuant to Section 4.30. | |
| 5225-004-0001—For support of the Department of Corrections and Rehabilitation | 530,000 |
| Schedule: | |
| (1) 15-Corrections Standards Authority ..... 1,251,000 | |
| (2) Reimbursements ..... –10,000 | |
| (3) Amount payable from the Federal Trust Fund (Item 5225-004-0890) ..... –711,000 | |
| 5225-004-0890—For support of Department of Corrections and Rehabilitation, for payment to Item 5225-004-0001, payable from the Federal Trust Fund | 711,000 |
| 5225-011-0001—For support of the Department of Corrections and Rehabilitation (Proposition 98) | 45,742,000 |

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Schedule:

(1) 21-Juvenile Education, Vocations and Offender Program..... 45,742,000

5225-101-0001—For local assistance, Department of Corrections and Rehabilitation ..... 255,912,000

Schedule:

(1) 15-Corrections Standards Authority .....202,250,000

(2) 20-Juvenile Operations ..... 78,000

(3) 22-Juvenile ~~Parolees~~ *Paroles* ..... 1,403,000

(4) 25.15.010-Adult Corrections and Rehabilitation Operations— Transportation of Inmates..... 278,000

(5) 25.15.020-Adult Corrections and Rehabilitation Operations—Return to Fugitives..... 2,593,000

(6) 25.50-Adult Corrections and Rehabilitation Operations—County Charges ..... 17,172,000

(7) 30-Parole Operations—Adult..... 32,138,000

Provisions:

1. The amount appropriated in Schedules (4), (5), (6), and (7) is provided for the following purposes:

(a) To pay the transportation costs of prisoners to and between state prisons, including the return of parole violators to prison and for the conveying of persons under provisions of Division 3 (commencing with Section 3000) of the Welfare and Institutions Code and the Western Interstate Corrections Compact (Section 1190 of the Penal Code), in accordance with Section 26749 of the Government Code. Claims filed by local jurisdictions shall be filed within six months after the end of the month in which those transportation costs are incurred. Expenditures shall be charged to either the fiscal year in which the claim is received by the Controller or the fiscal year in which the warrant is issued by the Controller. Claims filed by local jurisdictions directly with the Controller may be paid by the Controller.

(b) To pay the expenses of returning fugitives from justice from outside the state, in accordance with Sections 1389, 1549, and 1557 of the Penal Code. Claims filed by local juris-

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dictions shall be filed within six months after the end of the month in which expenses are incurred. Expenditures shall be charged to either the fiscal year in which the claim is received by the Controller or the fiscal year in which the warrant is issued by the Controller, and any restitution received by the state for those expenses shall be credited to the appropriation of the year in which the Controller's receipt is issued. Claims filed by local jurisdictions directly with the Controller may be paid by the Controller.

(c) To pay county charges, payable under Sections 4700.1, 4750 to 4755, inclusive, and 6005 of the Penal Code. Claims shall be filed by local jurisdictions within six months after the end of the month in which a service is performed by the coroner, a hearing is held on the return of a writ of habeas corpus, the district attorney declines to prosecute a case referred by the Department of Corrections and Rehabilitation, a judgment is rendered for a court hearing or trial, an appeal ruling is rendered for the trial judgment, or an activity is performed as permitted by these sections. Expenditures shall be charged to either the fiscal year in which the claim is received by the Controller or the fiscal year in which the warrant is issued by the Controller. Claims filed by local jurisdictions directly with the Controller may be paid by the Controller.

(d) To reimburse counties for the cost of detaining state parolees pursuant to Section 4016.5 of the Penal Code. Claims shall be filed by local jurisdictions within six months after the end of the month in which the costs are incurred. Claims filed by local jurisdictions may not include booking fees, may not recover detention costs in excess of a rate calculated by the Department of Corrections and Rehabilitation, in conjunction with local law enforcement agencies, and approved by the Director of Finance, and shall be limited to the detention costs for those days on which

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parolees are held subject only to a Department of Corrections and Rehabilitation request pursuant to subdivision (b) of Section 4016.5 of the Penal Code. Expenditures shall be charged to either the fiscal year in which the claim is received by the Department of Corrections and Rehabilitation or the fiscal year in which the warrant is issued.

2. Notwithstanding any other provision of law, upon 30-day prior notification to the Chairperson of the Joint Legislative Budget Committee, funds appropriated in Schedule ~~(5)~~ *(7)* of this item may be transferred to Schedule (7) or (8), or both, of Item 5225-001-0001, upon order of the Director of Finance, to provide funds for the reimbursement of counties for the cost of holding parole violators in local jails or for the auditing or monitoring of local assistance costs.

3. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures in this item in excess of the amount appropriated for the purposes listed in Provision 1 and for no other purpose. The Director of Finance shall not approve any expenditure unless the approval is made in writing and filed with the Chairperson of the Joint Legislative Budget Committee and the chairperson of the committee in each house that considers appropriations no less than 30 days prior to the effective date of the approval, or prior to whatever lesser time the chairperson of the joint committee, or his or her designee, may determine.

4. The amounts appropriated in Schedules (2) and (3) are provided for the following purposes:

(a) To pay the transportation costs of persons committed to the Department of Corrections and Rehabilitation to or between its facilities, including the return of parole violators, provided that expenditures made under this item shall be charged to either the fiscal year in which the claim is received by the Controller or the fiscal year in which the warrant is issued by the Controller. However, claims shall be filed by local jurisdictions within six months after the end of the month in which the costs are incurred.

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| (b) To reimburse counties, pursuant to Section 1776 of the Welfare and Institutions Code, for the cost of the detention of Department of Corrections and Rehabilitation parolees who are detained on alleged parole violations, provided that expenditures made under this item shall be charged to either the fiscal year in which the claim is received by the Controller or the fiscal year in which the warrant is issued by the Controller. However, claims shall be filed by local jurisdictions within six months after the end of the month in which the costs are incurred. | |
| 5225-104-0890—For local assistance, Department of Corrections and Rehabilitation, payable from the Federal Trust Fund ..... | 34,950,000 |
| Schedule: | |
| (1) 15.30.701-Juvenile Justice and Delinquency Prevention..... 7,065,000 | |
| (2) 15.30.703-Community Delinquency Prevention Program..... 5,002,000 | |
| (3) 15.30.705-Juvenile Accountability Incentive..... 21,769,000 | |
| (4) 15.30.706-Juvenile Justice—Project Challenge..... 1,114,000 | |
| Provisions: | |
| 1. Notwithstanding any other provision of law, the Department of Corrections and Rehabilitation may provide advance payment of up to 25 percent of grant funds awarded to community-based, nonprofit organizations, cities, school districts, counties, and other units of local government that have demonstrated cashflow problems according to the criteria set forth by the Department of Corrections and Rehabilitation. | |
| ~~5225-295-0001—For local assistance, Department of Corrections and Rehabilitation, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller.....~~ | ~~1,859,000~~ |
| ~~Schedule:~~ | |
| ~~(1) 98.01.082.091-Prisoner Parental Rights (Ch. 820, Stats. 1991) (CSM-4427).....~~ ~~0~~ | |

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~~(2) 98.01.026.798-Extended Commitment-Youth Authority (Ch. 267, Stats. 1998) (98-TC-13) ..... 0~~

~~(3) 98.01.033.281-Mandates: Victims' Statements—Minors (Ch. 332, Stats. 1981) ..... 0~~

~~(4) 98.01.018.392-Mandates: Domestic Violence Treatment Services (Ch.183, Stats. 1992) (CSM-96-281-01)..... 1,859,000~~

~~Provisions:~~

~~1. Pursuant to Section 17581 of the Government Code, the mandate identified in the appropriation scheduled by this item with an appropriation of $0 and included in the language of this provision is specifically identified by the Legislature for suspension during the 2005–06 fiscal year:~~

~~(1) Prisoner Parental Rights (Ch. 820, Stats. 1991) (CSM-4427).~~

~~(2) Extended Commitment-Youth Authority (Ch. 267, Stats. 1998) (98-TC-13).~~

~~(3) Victims Statements-Minors (Ch. 332, Stats. 1981).~~

~~2. Except as provided in Provision 3, allocations of funds provided in Schedule (4) to the appropriate local entities shall be made by the State Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.~~

~~3. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the State Controller may, upon notifying the Director of Finance in writing, augment those deficient amounts from the unencumbered balance of any other scheduled amounts therein. No order may be issued pursuant to this provision unless written notification of the necessity therefor is provided to the chairperson of the committees in each house of the Legislature which consider appro-~~

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| ~~priations, and the Chairperson of the Joint Legislative Budget Committee or his or her designee.~~ | | |
| 5225-301-0001—For capital outlay, Department of Corrections and Rehabilitation | | 44,714,000 |
| Schedule: | | |
| (1) 60.01.035-Budget Packages and Advance Planning (Juvenile) | 250,000 | |
| (2) 60.01.130-Statewide: Install Fire Protection Sprinkler System—Preliminary plans | 646,000 | |
| (3) 60.26.145-Northern California Youth Correctional Facility: Blast Chiller—Preliminary plans and working drawings | 208,000 | |
| (4) 60.90.010-Minor Projects (Juvenile) | 2,500,000 | |
| (5) 61.01.001-Statewide: Budget Packages and Advance Planning (Adult) | 1,000,000 | |
| (6) 61.01.036-Statewide: Solid Cell Front, Phase I (CMF)—Preliminary plans | 372,000 | |
| (7) 61.01.200-Statewide: Small Management Exercise Yards (CMC, CIM, DVI)—Construction | 2,640,000 | |
| (8) 61.03.023-California Correctional Center, Susanville: Wastewater Treatment Plant Modifications—~~Preliminary plans~~ *Acquisition* | 1,650,000 | |
| (9) 61.06.029-Deuel Vocational Institution, Tracy: Groundwater Treatment/Non-potable Water Distribution System—Working drawings | 1,088,000 | |
| (10) 61.06.030-Duel Vocational Institution, Tracy: New Wastewater Treatment Plant—Preliminary plans | 1,530,000 | |
| (11) 61.10.049-California Men's Colony, San Luis Obispo: Potable Water Distribution System Upgrade—Working drawings | 1,357,000 | |
| (12) 61.14.030-Minor Projects (Adult) | 5,000,000 | |
| (13) 61.23.004-California State Prison, Corcoran: Wastewater Treatment Plant Improvements—Preliminary plans | 290,000 | |

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|---|---|
| (14) 61.30.004-Centinela State Prison, Imperial: Wastewater Treatment Plant Upgrades—Preliminary plans | 440,000 |
| (15) 61.33.003-High Desert State Prison/California Correctional Center, Susanville: Arsenic Removal from Potable Water Supply—Working drawings | 800,000 |
| (16) 61.10.052-California Men's Colony-East, San Luis Obispo: Electrified Fence—Construction | 4,619,000 |
| (17) 61.16.021-Sierra Conservation Center, Jamestown: Effluent Disposal Pipeline—Construction | 11,793,000 |
| (18) 61.16.022-Sierra Conservation Center, Jamestown: Electrified Fence—Construction | 3,745,000 |
| (19) 61.08.049-California Institution for Men, Chino: Solid Cell Fronts-Statewide Project, Phase II of V—Preliminary plans | 600,000 |
| (20) 61.10.036-California Men's Colony, East Facility, San Luis Obispo: High Mast Lighting—Preliminary plans and working drawings | 154,000 |
| (21) 61.14.034-Minor Projects: CIM Security Upgrades—Reception Center Central and East Facilities. | 1,654,000 |
| (22) 61.39.003-Kern Valley State Prison, Kern: Arsenic Removal Water Treatment System—Preliminary plans, working drawings, and construction | 2,378,000 |

Provisions:

1. The funds appropriated in Schedules (1) and (5) are to be allocated by the Department of Corrections and Rehabilitation, upon approval by the Department of Finance to develop design and cost information for new projects for which funds have not been previously appropriated, but for which preliminary plan funds, working drawings funds, or working drawings and construction funds are expected to be included in the 2006–07 or 2007–08 Budget Act, and for which cost estimates or preliminary plans can be developed prior to legislative hearings on the 2006–07 and 2007–08

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| Budget Acts, respectively. These funds may be used for all of the following: budget package development, environmental services, architectural programming, engineering assessments, schematic design, and preliminary plans. The amount appropriated in these items for these purposes is not to be construed as a commitment by the Legislature as to the amount of capital outlay funds it will appropriate in any future year. Before using these funds for preliminary plans, the Department of Corrections and Rehabilitation shall provide a 20-day notification to the Chairperson of the Joint Legislative Budget Committee, the chairpersons of the respective fiscal committee of each house of the Legislature, and the legislative members of the State Public Works Board, discussing the scope, cost, and future implications of the use of funds for preliminary plans. | |
| 2. As used in this appropriation, studies shall include site studies and suitability reports, environmental studies, master planning, architectural programming and schematics. | |
| 3. Notwithstanding any other provision of law, the funds in Schedule (21) may be used to complete construction of security improvements in excess of $400,000. The Department of Corrections and Rehabilitation must report any project savings to the Department of Finance so the savings can be reverted. | |
| 5225-301-0660—For capital outlay, Department of Corrections and Rehabilitation, payable from the Public Buildings Construction Fund..... | 84,069,000 |
| Schedule: | |
| (1) 61.22.004-Chuckawalla Valley State Prison, Blythe: Heating, Ventilation, and Air Conditioning System—Construction..... 28,881,000 | |
| (2) 61.04.040-California Correctional Institution, Tehachapi: Wastewater Treatment Plant Renovation—Working drawings and construction..... 19,715,000 | |
| (3) 61.09.036-California Medical Facility, Vacaville: Mental Health Crisis Beds—Construction..... 7,955,000 | |

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(4) 61.35.007-Salinas Valley State Prison, Soledad: 64 Bed Mental Health Facility—Preliminary plans, working drawings, and construction ..... 27,518,000

Provisions:

1. 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 construction of the project authorized by this item.
2. The State Public Works Board and the Department of Corrections and Rehabilitation may obtain interim financing for the project costs authorized in this item from any appropriate source, including, but not limited to, the Pooled Money Investment Account pursuant to Sections 16312 and 16313 of the Government Code.
3. The State Public Works Board may authorize the augmentation of the cost of construction of the project scheduled in this item pursuant to the board's authority under Section 13332.11 of the Government Code. In addition, the State Public Works 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 construction of the project, the costs of financing a debt service fund, and the cost of issuance of permanent financing for the project. This additional amount may include interest payable on any interim financing obtained.
4. The Department of Corrections and Rehabilitation is authorized and directed to execute and deliver any and all leases, contracts, agreements, or other documents necessary or advisable to consummate the sale of bonds or otherwise effectuate the financing of the scheduled projects.
5. The State Public Works Board shall not be 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 Division 3 of Title 2 of the Government Code).

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This provision does not exempt the Department of Corrections and Rehabilitation from the requirements of the California Environmental Quality Act. This section is declaratory of existing law.

5225-301-0747—For capital outlay, Department of Corrections and Rehabilitation, payable from the 1988 Prison Construction Fund..... 1,308,000

Schedule:

(1) 61.27.002-Wasco State Prison, Wasco: Prescreening Facility at Wastewater Treatment Plant—Construction ..... 1,308,000

5225-301-0751—For capital outlay, Department of Corrections and Rehabilitation, payable from 1990 Prison Construction Bond Fund ..... 925,000

Schedule:

(1) 61.31.002-Pleasant Valley State Prison, Coalinga: Bar Screen, Prelift Station—Construction..... 925,000

5225-403—Of the amount loaned pursuant to Provision 2 of Item 5460-001-0001, Budget Act of 2003 (Ch. 157, Stats. 2003), $4,800,000 will not be required to be repaid.

5225-491—Reappropriation, Department of Corrections and Rehabilitation. The balance of the appropriations provided in the following citations are reappropriated for the purposes in that appropriation and subject to the limitations unless otherwise specified, provided for in the appropriations:

0001—General Fund

(1) Item 5240-301-0001, Budget Act of 2004 (Ch. 208, Stats. 2004)

(2) 61.01.030-Statewide: Evaluation of Mental Health Facilities—Study

(3) 61.06.029-Deuel Vocational Institution, Tracy: Groundwater Treatment/NonPotable Water Distribution System—Preliminary plans

(8) 61.22.004-Chuckawalla Valley State Prison, Blythe: Heating, Ventilation, and Air Conditioning System—Working drawings

(9) 61.33.003-High Desert State Prison/California Correctional Center, Susanville: Arsenic Removal from Potable Water Supply—Preliminary Plans

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0660—Public Building Construction Fund

(2) Item 5240-301-0660, Budget Act of 2003 (Ch. 157, Stats. 2003), as reappropriated in Item 5240-490, Budget Act of 2004 (Ch. 208, Stats. 2004)

(2) 61.09.036-California Medical Facility, Vacaville: Mental Health Crisis Beds—Preliminary plans, working drawings, and construction

5225-492—Reappropriation, Department of Corrections and Rehabilitation. Notwithstanding any other provision of law and for the purposes in the following appropriations, the period to liquidate encumbrances of the following citations are extended to June 30, 2007:

0001—General Fund

(1) Item 5240-301-0001, Budget Act of 2000 (Ch. 52, Stats. 2000)

(29) 61.13.428-California Institute for Women, Frontera: Correctional Treatment Center, Phase II—Construction

0660—Public Building Construction Fund

(1) Item 5240-301-0660, Budget Act of 2001 (Ch. 106, Stats. 2001)

(1) 61.10.047-California Men's Colony, San Luis Obispo: Wastewater Collection Treatment Upgrade—Construction

5225-493—Reappropriation, Department of Corrections and Rehabilitation. The balance of the appropriations provided in the following citations are reappropriated for the purposes provided for in the appropriations and shall be available for encumbrance and expenditure as specified below:

0001—General Fund

(1) Item 5240-001-0001, Budget Act of 2003 (Ch. 157, Stats. 2003), as reappropriated by Item 5240-493 of the Budget Act of 2004 (Ch. 208, Stats. 2004). Any unspent balance is reappropriated only for the purpose of the development of the Statewide Offender Management System and shall be available for expenditure until June 30, 2006. Any of the funds not used for this purpose shall revert to the General Fund.

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0890—Federal Funds

(1) Item 5430-108-0890, Budget Act of 2000 (Ch. 52, Stats. 2000) (Federal Crime Bill)

(2) Item 5430-108-0890, Budget Act of 2001 (Ch. 106, Stats. 2001) (Federal Crime Bill). Any unspent balance is for the purposes provided for in these appropriations and shall be available for encumbrance and expenditure until December 31, 2006.

0917—Inmate Welfare Fund

(1) Item 5240-001-0917, Budget Act of 2003 (Ch. 157, Stats. 2003), as reappropriated by Item 5240-493 of the Budget Act of 2004 (Ch. 208, Stats. 2004). Any unspent balance is reappropriated only for the purpose of the development and implementation of the Inmate Canteen, Restitution, and Banking System and shall be available for expenditure until June 30, 2006. Any of the funds not used for this purpose shall revert to the Inmate Welfare Fund.

5225-494—Reappropriation, Department of Corrections and Rehabilitation. Notwithstanding any other provision of law, the period to liquidate encumbrances of the following ~~citation~~ *citations* shall be available for liquidation until June 30, 2007:

0001—General Fund

(1) Item 5430-104-0001, Budget Act of 2000 (Ch. 52, Stats. 2000)

*(2) Item 5460-101-0001, Budget Act of 2002 (Ch. 379, Stats. 2002)*

EDUCATION

6110-001-0001—For support of Department of Education ..... ~~43,874,000~~ *42,674,000*

Schedule:

(1) 10-Instruction..... ~~55,199,000~~ *56,162,000*

(2) 20-Instructional Support ..... ~~94,819,000~~ *94,176,000*

(3) 30-Special Programs..... ~~50,219,000~~ *50,109,000*

(4) 40-Executive Management and Special Services..... 8,904,000

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(5) 50-State Board of Education..... ~~1,667,000~~
*1,567,000*

(6) 42.01-Department Management and Special Services..... 31,511,000

(7) 42.02-Distributed Department Management and Special Services.....–31,511,000

(8) Reimbursements.....–17,626,000

(9) Amount payable from Federal Trust Fund (Item 6110-001-0890).... ~~–148,675,000~~
*–149,985,000*

(10) Amount payable from Mental Health Services Fund (Item 6110-001-3085) ..... –633,000

Provisions:

1. An amount equal to or greater than the amount appropriated in Schedule (5) shall be available for support of the State Board of Education (SBE) and shall be directed to meet the policy priorities of its members. Of the amount appropriated in this schedule, $130,000 is allocated for statutory oversight of charter schools approved by the SBE. In addition, the State Department of Education is authorized to receive and expend statutory reimbursements of an amount estimated to be $130,000 for purposes of overseeing SBE-approved charter schools.
2. Notwithstanding Section 33190 of the Education Code, or any other provision of law, the State Department of Education shall expend no funds to prepare (a) a statewide summary of student performance on school district proficiency assessments or (b) a compilation of information on private schools with five or fewer pupils.
3. Notwithstanding any other provision of law, of the funds appropriated in this item, $699,000 shall be used to provide technical assistance and administrative support to remaining Healthy Start grantees. The State Department of Education may use these funds to provide grant funding to the Healthy Start Field Office and regional network leads to provide technical assistance and administrative support to Healthy Start grantees.
4. Funds appropriated in this item may be expended or encumbered to make one or more payments under a personal services contract of a visiting edu-

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cator pursuant to Section 19050.8 of the Government Code, a long-term special consultant services contract, or an employment contract between an entity that is not a state agency and a person who is under the direct or daily supervision of a state agency, only if all of the following conditions are met:

(a) The person providing service under the contract provides full financial disclosure to the Fair Political Practices Commission in accordance with the rules and regulations of the commission.

(b) The service provided under the contract does not result in the displacement of any represented civil service employee.

(c) The rate of compensation for salary and health benefits for the person providing service under the contract does not exceed by more than 10 percent the current rate of compensation for salary and health benefits determined by the Department of Personnel Administration for civil service personnel in a comparable position. The payment of any other compensation or any reimbursement for travel or per diem expenses shall be in accordance with the State Administrative Manual and the rules and regulations of the California Victim Compensation and Government Claims Board.

5. The funds appropriated in this item may not be expended for any REACH program.

6. The funds appropriated in this item may not be expended for the development or dissemination of program advisories, including, but not limited to, program advisories on the subject areas of reading, writing, and mathematics, unless explicitly authorized by the State Board of Education.

7. Of the funds appropriated in this item, $206,000 shall be available as matching funds for the Department of Rehabilitation to provide coordinated services to disabled pupils. Expenditure of the funds shall be identified in the memorandum of understanding or other written agreement with the Department of Rehabilitation to ensure an appropriate match to federal vocational rehabilitation funds.

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8. Of the funds appropriated in this item, no less than $3,778,000 is available for support of Child Care Services, including State Preschool and After School Programs pursuant to Chapters 318, 319, and 320 of the Statutes of 1998 (Program 30.10).

9. Of the amount appropriated in this item, $1,627,000 is provided for the sole purpose of funding 13.5 positions and associated operating expenses and equipment costs related to implementation of the Public Schools Accountability Act, as established by Chapter 6.1 (commencing with Section 52050) of Part 28 of the Education Code.

10. Of the funds appropriated in this item, $360,000 is for the purpose of providing the STAR and HSEE programs each with two staff possessing psychometric and test development expertise.

11. Of the funds appropriated in this item, $400,000 is for the purpose of funding two existing positions for the STAR Program and two existing positions for various other testing programs, including the HSEE, and English Language Development Test. These positions previously were funded through Goals 2000.

12. Of the funds appropriated in this item, $150,000 is provided solely for the purpose of funding existing positions from within the State Department of Education, to provide the Curriculum Commission with subject matter specialists.

13. Of the funds appropriated in this item, $200,000 is to contract for a review of proposals submitted by school districts that wish to participate in the Mathematics and Reading Professional Development program. The selection of this contractor shall be subject to the approval of the State Board of Education.

14. Of the funds appropriated in this item, $858,000 shall be available for costs associated with the administration of the High Priority Schools Grant Program pursuant to Chapter 6.1 (commencing with Section 52055.600) of Part 28 of the Education Code and the Immediate Intervention/Underperforming Schools Program pursuant to Chapter 6.1 (commencing with Section 52053) of Part 28 of the Education Code.

15. By October 31, 2005, the State Department of Education shall provide to the Department of Fi-

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nance a file of all charter school ADA and state and local revenue associated with charter school general purpose entitlements as part of the P2 Revenue Limit File. By March 1, 2006, the State Department of Education shall provide to the Department of Finance a file of all charter school ADA and state and local revenue associated with charter school general purpose entitlements as part of the P1 Revenue Limit File. It is the expectation that such reports will be provided annually.

16. On or before April 15, 2006, the State Department of Education (SDE) shall provide to the Department of Finance an electronic file that includes complete district- and county-level state appropriations limit information reported to the SDE. The SDE shall make every effort to ensure that all districts have submitted the necessary information requested on the relevant reporting forms.

17. The State Department of Education shall make information available to the Department of Finance, the Legislative Analyst's Office, and the budget committees of each house of the Legislature by October 31, 2005; March 31, 2006; and May 31, 2006, regarding the amount of Proposition 98 savings estimated to be available for reversion by June 30, 2006.

18. Of the reimbursement funds appropriated in this item, $2,000,000 shall be available to the State Department of Education for nutrition education and physical activity promotion pursuant to an interagency agreement with the State Department of Health Services.

19. The report required by Section 60800 of the Education Code for the physical performance test is not required to be printed and mailed, but shall be compiled and reported electronically.

20. Reimbursement expenditures pursuant to this item resulting from the imposition by the State Department of Education (SDE) of a commercial copyright fee may not be expended sooner than 30 days after the SDE submits to the Department of Finance a legal opinion affirming the authority to impose such fees and the arguments supporting that position against any objections or legal challenges to the fee filed with

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the SDE. Any funds received pursuant to imposition of a commercial copyright fee may only be expended as necessary for outside counsel contingent on a certification of the superintendent of Public Instruction that sufficient expertise is not available within departmental legal staff. The SDE shall not expend greater than $300,000 for such purposes without first notifying the Department of Finance of the necessity thereof, and upon receiving approval in writing.

21. Of the funds appropriated in this item, $2,000,000 is provided on a one-time basis for legal representation from the Attorney General's Office in litigation related to the High School Exit Exam (Chapman, et al. v. CA Department of Education, et al.). The State Department of Education shall provide a report to the Department of Finance and the Legislature detailing the expenditures of these funds and providing an update on this litigation on November 1, 2005, and every four months thereafter, with the final report due on June 30, 2006. The Office of the Attorney General shall provide the State Department of Education any information, including budget and expenditure data, necessary for the State Department of Education to complete its reports to the Department of Finance and the Legislature.

22. Notwithstanding any other provision of law, any unexpended funds appropriated in any prior Budget Act for the purposes of rewriting the Principal Apportionment System shall remain available in the 2005–06 and 2006–07 fiscal years for expenditure for a contract for staff training for, and maintenance of, the new apportionment.

~~23. Of the amount appropriated in Schedule (2), $1,200,000 shall be available to the State Department of Education to administer a pilot project allowing school districts to direct funds to schools with greater flexibility to improve pupil learning.~~

24. Notwithstanding Section 19080.3 of the Government Code, 3.0 positions are established for a ~~three-year~~ *two-year* limited term expiring June 30, 2008, for the purpose of implementing the Mental Health Services Act.

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|---|---|
| 6110-001-0140—For support of the Department of Education, Program 20.10.055-Instructional Support, Environmental Education, payable from the California Environmental License Plate Fund ..... | 42,000 |
| 6110-001-0178—For support of the Department of Education, Program 20.30.003-Instructional Support, Schoolbus Driver Instructor Training, as provided in Section 40070 of the Education Code, payable from the Driver Training Penalty Assessment Fund..... | 1,148,000 |
| 6110-001-0231—For support of Department of Education, Program 20.10.045-Instructional Support, Curriculum Services-Health and Physical Education-Drug Free Schools, payable from the Health Education Account, Cigarette and Tobacco Products Surtax Fund..... | 987,000 |
| 6110-001-0687—For support of Department of Education, for the California State Agency for Donated Food Distribution, Program 30.50-Donated Food Distribution, payable from the Donated Food Revolving Fund ..... | 6,688,000 |
| 6110-001-0890—For support of Department of Education, for payment to Item 6110-001-0001, payable from the Federal Trust Fund ..... | ~~148,675,000~~ *149,985,000* |

Provisions:

1. The funds appropriated in this item include Federal Vocational Education Act funds for the 2004–05 fiscal year to be transferred to community colleges by means of interagency agreements. These funds shall be used by community colleges for the administration of vocational education programs.
2. Of the funds appropriated in this item, $96,000 is available to the Advisory Commission on Special Education for the in-state travel expenses of the commissioners and the secretary to the commission.
3. Of the funds appropriated in this item, $401,000 is available for programs for homeless youth and adults pursuant to the federal McKinney-Vento Homeless Assistance Act. The State Department of Education shall consult with the State Departments of Economic Opportunity, Mental Health, Housing and Community Development, and Economic Development in operating this program.

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4. Of the funds appropriated in this item, up to $364,000 shall be used to provide in-service training for special and regular educators and related persons, including, but not limited to, parents, administrators, and organizations serving severely disabled children. These funds are also to provide up to four positions for this purpose.

5. Of the funds appropriated in this item, $318,000 shall be used to provide training in culturally nonbiased assessment and specialized language skills to special education teachers.

6. Of the amount appropriated in this item, $1,265,000 shall be used for the administration of the federal charter schools program. These activities include monitoring of grant recipients, and increased review and technical assistance support for federal charter school grant applicants and recipients. For the 2005–06 fiscal year, one Education Program Consultant position shall support fiscal issues pertaining to charter schools.

7. (a) Of the funds appropriated in this item, $9,898,000 is from the Child Care and Development Block Grant Fund and is available for support of Child Care Services.

(b) Of the amount appropriated in this item, $530,000 is for 5.5 positions within the State Department of Education (SDE) to address compliance monitoring and overpayments, which may contribute to early detection of fraud. The SDE shall provide information to the Legislature and Department of Finance each year that quantifies provider-by-provider level data, including instances and amounts of overpayments and fraud, as documented by the SDE's compliance monitoring efforts for the prior fiscal year.

(c) As a condition of receiving the resources specified in subparagraph (c) of this provision, it is expected that every alternative payment agency will be audited each year using sufficient sampling of provider records of the following: (i) family fee determinations, (ii) income eligibility, (iii) rate limits, and (iv) basis for hours of care, to determine compliance rates, any instances of misallocation of resources, and the amount of funds expected to be recovered from instances of both potential

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fraud and overpayment when no intent to defraud is suspected. This information will be contained in a separate report for each provider, with a single statewide summary report annually submitted to the Governor and Legislature no later than April 15.

8. Of the funds appropriated in this item, $1,805,000 shall be used for administration of the Enhancing Education Through Technology Grant Program. Of this amount:
   (a) $408,000 is available only for contracted technical support and evaluation services.
9. Of the funds appropriated in this item, $10,140,000 is for dispute resolution services, including mediation and fair hearing services, provided through contract for the Special Education Program.
10. Of the amount provided in this item, $881,000 is provided for staff for the Special Education Focused Monitoring Pilot Program to be established by the State Department of Education for the purpose of monitoring local educational agency compliance with state and federal laws and regulations governing special education.
11. Of the funds appropriated in this item, $125,000 shall be allocated for increased travel costs associated with program reviews conducted by the Special Education Division Focused Monitoring and Technical Assistance Units. Expenditure of these funds is subject to Department of Finance approval of an expenditure plan. The expenditure plan shall include the proposed travel costs associated with focused monitoring and technical assistance provided by the State Department of Education. It shall also include the estimated type and number of reviews to be conducted, and shall provide an estimated average cost per type of review. Annual renewal of this funding is subject to Department of Finance approval of an annual focused monitoring final expenditure report. The report shall be submitted on or before September 30, 2005. It shall provide the total number of reviews conducted each fiscal year, the amount of staff and personnel days and hours associated with each category of review, the

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travel costs associated with the type and number of reviews conducted, and an average cost per type of review.

12. Of the funds appropriated in this item, $120,000 shall be used solely for the administration of the federal advance placement examination fee payment grant program for low-income pupils.

13. Of the funds appropriated in this item, $243,000 shall be available for the preparation, analysis, and production of the annual federal accountability reports, as required by the Carl D. Perkins Vocational Technical Education Act.

14. Of the funds appropriated in this item, $303,000 shall be allocated by the State Department of Education to the California State University, San Bernardino, Center for the Study of Correctional Education, for special education monitoring of and technical assistance for the California Youth Authority pursuant to Chapter 536 of the Statutes of 2001.

15. Of the funds appropriated in this item, not less than $798,000 shall be available for costs associated with the administration of the High Priority Schools Grant Program pursuant to Article 3.5 (commencing with Section 52055.600) of Chapter 6.1 of Part 28 of the Education Code and the Immediate Intervention/Underperforming Schools Program pursuant to Article 3 (commencing with Section 52053) of Chapter 6.1 of Part 28 of the Education Code.

16. Of the funds appropriated in this item, $419,000 shall be available pursuant to Chapter 1020 of the Statutes of 2002 for the development and implementation of corrective action plans and sanctions pursuant to federal law.

17. Of the funds appropriated in this item, $1,414,000 is for administration of the Reading First Program. Of this amount, $873,000 is to redirect 6.0 staff to assist in program administration, and $500,000 is for the State Department of Education to contract for annual evaluations of program effectiveness.

*18.5. Of the amount appropriated in this item, $500,000 shall be transferred to the Legislative Analyst's Office (LAO) for costs of a study*

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*of the distribution of federal and state supplementary funding targeted at the state's economically disadvantaged and English learner students. The LAO shall report the results of this study by November 15, 2006. The report shall recommend any changes necessary to improve the data sources, flexibility, funding formulas, and mechanisms of the state's programs to ensure that state and federal funds are allocated in a way that will improve the academic achievement of English Learners and economically disadvantaged children.*

*For the purposes of conducting the study, the LAO shall convene an interagency workgroup with representatives from the Department of Finance and the State Department of Education, and may use a portion of the total funding provided in this item to seek external technical assistance and expertise as necessary. The LAO shall convene an advisory group including interested state and school district stakeholders, and education finance experts. The study shall include but not be limited to: (a) research on how other, comparable states structure funding for economically disadvantaged and English learner students, (b) quantitative and qualitative data from California districts and schools on their needs for and uses of funding sources designated for economically disadvantaged and English learner students, (c) how the number of English Learners should be measured, (d) how the number of economically disadvantaged students should be measured, and (e) how to define and ensure equitable and predictable funding among districts.*

19. Of the appropriated funds in this item, $668,000 is for the department to continue developing a comprehensive strategy to address data reporting requirements associated with the No Child Left Behind Act of 2001 (P.L. 107-110), and to support 5.0 positions to assist with this task.

20. Of the funds appropriated in this item, $600,000 is provided for the second year of a three-year evaluation of the High Priority Schools Grant Program pursuant to Chapter 42 of the Statutes of 2002.

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21. Of the funds appropriated in this item, $844,000 is to support state operations related to the development of a longitudinal database for the requirements of the No Child Left Behind Act of 2001 (P.L. 107-110). Of this funding, $366,122 is for the development of a Request for Proposals and is contingent upon Department of Finance approval following approval of a Feasibility Study Report.

22. Of the amount appropriated in this item, $1,480,000 in carryover special education funds are available for the state's share of costs in the settlement of Emma C. v. Delaine Eastin et al. (N.D.Cal., No. C96-4179TEH). The State Department of Education shall report by January 1, 2006, to the fiscal committees of the Legislature, the Department of Finance, and the Legislative Analyst's Office on the planned use of the additional special education funds provided to Ravenswood Elementary School District pursuant to this settlement. The report shall also provide the State Department of Education's best estimate of when this supplemental funding will no longer be required by the court. The State Department of Education shall comply with the requirements of Section 948 of the Government Code in any future requests for funds to satisfy this settlement.

23. Of the amount appropriated in this item, $400,000 is available to fund 3.0 positions (2.75 PYs) and associated costs for administering the English Language Development materials program specified in Provision 2 of Item 6110-189-0001. The positions are available on a two-year limited-term basis ending June 30, 2006.

24. Of the amount appropriated in this item, $267,000 shall be used to develop an Internet-based electronic clearinghouse system to improve the availability of parental information documents that are translated into languages other than English. The purpose of this system is to improve the availability of these documents at the local level and reduce the local costs of providing these documents by eliminating duplication of effort in translating standard documents.

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The system shall include an interactive Web portal located on the State Department of Education's Web site, which shall allow local education agencies to submit, locate, and access locally translated parental documents and may include documents that the department is responsible for translating. The funding shall also be used to fund one position to manage the development and maintenance of the Internet clearinghouse site. The addition of an electronic clearinghouse for locally translated documents to the State Department of Education's Web site shall not constitute a new information technology project or increase in funding for an information technology project for purposes of project reporting and oversight.

25. Of the amount appropriated in this item, $832,000 ($600,000 reimbursements and $232,000 federal special education funds) shall be used to fund six positions and implement the provisions of Chapter 914 of the Statutes of 2004 for increased monitoring of nonpublic, nonsectarian schools.

26. Of the amount appropriated in this item, $963,000 in federal special education funds shall be used to augment funding for State Special Schools transportation.

27. Of the funds appropriated in this item, $350,000 shall be for the department to contract for a teacher data system feasibility study. The feasibility study shall: (a) inventory the teacher data elements (name, code, and definition) currently collected by state agencies and county offices of education, (b) identify existing redundancies (two or more agencies collecting the same data) and inefficiencies (agencies collecting data without a specific, meaningful purpose), (c) identify state agencies' and county offices' exist ~~-ing teacher data needs, including specific compliance monitoring requirements and accountability-related performance tracking, (d)~~ *ing teacher data needs for meeting state and federal compliance and reporting requirements, (d)* identify the most cost-effective approach for converting the existing data systems into an integrated, comprehensive, longitudinally linked teacher information system that can yield high-

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quality program evaluations, and (e) estimate the additional one-time and ongoing costs associated with the new system. In developing the associated request for proposals and selecting the vendor, the department shall convene a working group that includes the Department of Finance, the Legislative Analyst's Office, and other interested parties. The study shall be submitted to the Governor and Legislature by March 31, 2006.

~~28. Of the funds appropriated in this item, $200,000 is available for one Education Program Consultant position and additional operating expenses to support workload associated with the conversion of failing schools to charter schools.~~

29. Of the funds appropriated in this item, $443,000 is for 3.0 positions within the State Department of Education for increased monitoring associated with Chapter 493 of the Statutes of 2004.

30. Of the funds appropriated in this item, $2,000,000 from federal Title I funds shall be available for the department to contract for an independent evaluation to determine whether California has met the assessment requirements of the federal No Child Left Behind Act. The expenditure of these funds shall be contingent on approval of an expenditure plan and request for proposal by the State Board of Education and the Department of Finance.

*31. (a) Prior to expenditure of the funds pursuant to subdivision (b), the State Department of Education (SDE) shall build upon preexisting, high-quality translations available from school districts, county offices of education, and other entities that have translated relevant documents, including those identified by the advisory group.*

*(b) Of the funds appropriated in this item, $450,000 is available to the SDE for the cost of translating into languages other than English state prototype documents that it currently provides to school districts to help them comply with parental notification requirements under state and federal law. The SDE shall be required to contract with appropriate translators or translator services to translate these documents. The SDE shall post all documents translated as a result of*

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*the appropriation referenced in this provision on its existing Internet-based electronic clearinghouse system of state- and locally translated parental notification documents.*

*(c) The SDE shall convene a translations advisory group comprised of the following representatives: the Department of Finance, the SDE, the Legislative Analyst's Office, legislative staff, the OSE, relevant organizations, local educational agencies, and limited-English-speaking parents of children in the public K–12 educational system. The purposes of the advisory group shall be the following: (1) to assess and identify gaps in the types of documents being translated and the languages covered by translations, (2) to prioritize vital documents that should be translated, as well as languages of greatest need for translation, and (3) to provide feedback and input to the department, including procedures for translations, quality, dissemination, and outreach. The advisory group shall include no more than ten individuals, with no more than one person from each state level entity.*

6110-001-3085—For support of Department of Education, for payment to Item 6110-001-0001, payable from the Mental Health Services Fund ..... 633,000

Provisions:

1. The funds appropriated in this item are for three ~~3-year~~ *2-year* limited term positions to develop and disseminate training for local education agencies to identify and provide appropriate response and support to students with severe mental illness pursuant to Proposition 63.

6110-001-6036—For support of Department of Education, Program 20.30-Administrative Services to local educational agencies, payable from the 2002 State School Facilities Fund ..... 2,510,000

Provisions:

1. Funds appropriated by this item are for support of the activities of the School Facilities Planning Division and are to be used exclusively for activities related to local school construction, modernization, and schoolsite acquisition.

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6110-003-0001—For support of Department of Education, Program 20.30.020-Instructional Support, Standardized Account Code Structure ..... 1,080,000

Provisions:

1. The funds appropriated in this item shall be used only for the direct costs to administer the Standardized Account Code Structure program, pursuant to Section 42103.3 of the Education Code, to assist any school district or county office of education in financial distress or bankruptcy, to implement the provisions established by Chapter 52 of the Statutes of 2004, to make available standard fiscal, demographic, and performance data to policy decisionmakers, and for indirect costs for those programs at the rate approved by the United States Department of Education.

6110-005-0001—For support of Department of Education, as allocated by the Department of Education to the State Special Schools, Program 10.60.040 ..... 34,205,000

Schedule:

(1) 10.60.040-Instruction..... 34,562,000

(a) 10.60.040.001-School for the Blind, Fremont ..... 5,000,000

(b) 10.60.040.002-School for the Deaf, Fremont .....15,910,000

(c) 10.60.040.003-School for the Deaf, Riverside.....13,652,000

(2) Reimbursements..... –357,000

Provisions:

1. The State Special Schools for the Deaf in Fremont and Riverside and the State Special School for the Blind in Fremont shall provide a four-week extended session.

6110-006-0001—For support of Department of Education (Proposition 98), as allocated by the Department of Education to the State Special Schools..... 42,748,000

Schedule:

(1) 10.60.040-Instruction, State Special Schools..... 48,133,000

(a) 10.60.040.001-School for the Blind, Fremont ..... 6,077,000

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(b) 10.60.040.002-School for the Deaf, Fremont .....16,748,000

(c) 10.60.040.003-School for the Deaf, Riverside.....14,070,000

(d) 10.60.040.007-Diagnostic Centers ...11,238,000

(2) Reimbursements..... –5,385,000

Provisions:

1. On or before September 15 of each year, the superintendent of each State Special School shall report to each school district the number of pupils from that district who are attending a State Special School and the estimated payment due on behalf of the district for those pupils pursuant to Section 59300 of the Education Code. The Controller shall withhold from the State School Fund in the first principal apportionment of that fiscal year the amount due from each school district, as reported to the Controller by the Superintendent of Public Instruction. The amount withheld shall be transferred from the State School Fund to this item. The Superintendent of Public Instruction is authorized to adjust the estimated payments required after the close of the fiscal year by reporting to the Controller the information needed to make the adjustment. The payments by the Controller that result from this yearend adjustment shall be applied to the current year.
2. The State Special Schools for the Deaf in Fremont and Riverside and the State Special School for the Blind in Fremont shall provide a four-week extended session.

6110-007-0001—For support of Department of Education, Program 20.20.010-Instructional Materials Management and Distribution—Curriculum Frameworks and Instructional Materials..... 125,000

Provisions:

1. Funds appropriated by this item shall be used only for direct costs to conduct biennial state adoptions of basic instructional materials pursuant to Section 60200 of the Education Code and for indirect costs for that purpose at the rate approved by the United States Department of Education.

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|---|---|
| 6110-008-0001—For support of Department of Education, as allocated by the Department of Education to the State Special Schools for student transportation allowances, Program 10.60.040 | 1,438,000 |
| Provisions: | |
| 1. Funds appropriated in this item are in lieu of funds that otherwise would be transferred from the General Fund to Section A of the State School Fund in accordance with Sections 14007 and 41301.5 of the Education Code. | |
| 6110-015-0001—For support of Department of Education, Program 20.20.020-Instructional Materials Management and Distribution | 495,000 |
| Provisions: | |
| 1. Funds appropriated in this item are for transfer by the Controller to the State Instructional Materials Fund, for allocation during the 2005–06 fiscal year pursuant to Article 3 (commencing with Section 60240) of Chapter 2 of Part 33 of the Education Code. These funds shall be transferred in amounts claimed by the Department of Education, for direct disbursement by the Department of Education from the State Instructional Materials Fund. | |
| 6110-021-0001—For support, Department of Education, Program 30.20.005-Child Nutrition—Nutrition Education Projects | 72,000 |
| 6110-101-0231—For local assistance, Department of Education, Program 20.10.045-Instructional Support, Curriculum Services—Health and Physical Education—Drug Free Schools, for county offices of education, payable from the Health Education Account, Cigarette and Tobacco Products Surtax Fund | 3,106,000 |
| 6110-101-0349—For local assistance, Department of Education, Program 20.90-Instructional Support, for allocation to the Fiscal Crisis and Management Assistance Team for the purpose of administering the California School Information Services Program (CSIS), payable from the Educational Telecommunication Fund | 5,204,000 |
| Provisions: | |
| 1. Notwithstanding Section 10554 of the Education Code, the Controller shall transfer from the General Fund the actual amount certifed by the Superintendent of Public Instruction as reductions made to apportionments in the 2004–05 fiscal | |

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year for repayments of prior year excess apportionments identified pursuant to audit or audit settlements identified as a result of audit investigations, or inquiries.

2. Of the funds appropriated in this item, $907,000 is to be provided to non-CSIS participating school districts for support of maintenance of individual student identifiers.

3. Of the funds appropriated in this item, $1,000,000 is available for the first year costs of a new cohort and may be combined with any funding remaining from the funds appropriated for the second year costs of the existing cohort.

6110-102-0231—For local assistance, Department of Education, Program 20.10.045-Instructional Support, Curriculum Services Health and Physical Education, Drug Free Schools, for local assistance, payable from the Health Education Account, Cigarette and Tobacco Products Surtax Fund ..... 18,998,000

Provisions:

1. On or before June 1, 2006, the State Department of Education shall report to the Joint Legislative Budget Committee on the amount of Tobacco-Use Prevention Education funds that it intends to transfer from the competitive grades 9–12 program to the formula grades 4–8 program in the 2005–06 fiscal year.

6110-102-0890—For local assistance, Department of Education, Program 20.60.038-Instructional Support, Learn and Serve America Program, payable from the Federal Trust Fund ..... 2,056,000

6110-103-0001—For local assistance, Department of Education (Proposition 98), Program 10.10.001.005-School Apportionments for transfer to Section A of the State School Fund, for the purposes of Section 8152 of the Education Code..... 10,972,000

Provisions:

1. Notwithstanding Section 8154 of the Education Code, or any other provision of law, the funds appropriated in this item shall be the only funds available for and allocated by the Superintendent of Public Instruction for the apprenticeship programs operated by school districts and county offices of education.

2. Notwithstanding Section 8152 of the Education Code, each 60-minute hour of teaching time devoted to each indentured apprentice enrolled in

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and attending classes of related and supplemental instruction as provided under Section 3074 of the Labor Code shall be reimbursed at the rate of $4.86 per hour. For purposes of this provision, each hour of teaching time may include up to 10 minutes for passing time and breaks.

3. No school district or county office of education shall use funds allocated pursuant to this item to offer any new or expanded apprenticeship program unless the program has been approved by the Superintendent of Public Instruction.

4. The Superintendent of Public Instruction shall report to the Department of Finance and the Legislature not later than February 1, 2006, on the amount of funds expended for and the hours of related and supplemental instruction offered in the apprenticeship program during the 2004–05 fiscal year, with information to be provided by the school district, county office of education, program sponsor, and trade. Expenditure information shall distinguish between direct and indirect costs, including administrative costs funded for the State Department of Education, school districts, and county offices of education. In addition, the report shall identify the hours of related and supplemental instruction proposed for the 2004–05 and 2005–06 fiscal years by the school district, county office of education, program sponsor, and trade. As a condition of receiving funds for the apprenticeship programs, school districts, and county offices of education and regional occupational centers and programs shall report to the Superintendent of Public Instruction the information necessary for the completion of this report.

5. Notwithstanding Article 8 (commencing with Section 8150) of Chapter 1 of Part 6 of the Education Code, or any other provision of law, the total number of hours eligible for state reimbursement in apprenticeship programs operated by school districts and county offices of education shall be limited to an amount equal to the amount of the total appropriation made in this item divided by the hourly rate specified in Provision 2.

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The Superintendent of Public Instruction shall have the authority to determine which apprenticeship programs and which hours offered in those programs, are eligible for reimbursement.

6. Of the funds appropriated in this item, $528,000 is provided to increase the number of participants in the program.

7. An additional $6,227,000 in expenditures for this item has been deferred until the 2006–07 fiscal year.

6110-103-0890—For local assistance, Department of Education, Program 41.20.030.003-Robert C. Byrd Honors Scholarship Program, payable from the Federal Trust Fund ..... 5,166,000

6110-104-0001—For local assistance, Department of Education (Proposition 98), Program 10.10.011-School Apportionments—Remedial Supplemental Instruction Programs, for transfer to Section A of the State School Fund, for supplemental instruction and remedial programs ..... ~~291,431,000~~ *205,131,000*

Schedule:

(1) 10.10.011.008-School Apportionments, for Supplemental Instruction, Remedial, Grades 7–12 for the purposes of Section 37252 of the Education Code ..... 165,222,600

(2) 10.10.011.009-School Apportionments, for Supplemental Instruction, Retained, or Recommended for Retention, Grades 2–9, for the purposes of Section 37252.2 of the Education Code, as applicable ..... 39,908,400

~~(3) 10.10.011.010-School Apportionments, for Supplemental Instruction, Low STAR, or at-risk, Grades 2–6, for the purposes of Section 37252.8 of the Education Code, as applicable ..... 15,534,000~~

~~(4) 10.10.011.011-School Apportionments, for Supplemental Instruction, Core Academic, Grades K–12, for the purposes of Section 37253 of the Education Code ..... 70,766,000~~

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Provisions:

1. Notwithstanding any other provision of law, for the 2005–06 fiscal year the Superintendent of Public Instruction shall allocate a minimum of $7,871 for supplemental summer school programs in each school district for which the prior fiscal year enrollment was less than 500 and that, in the 2005–06 fiscal year, offers at least 1,500 hours of supplemental summer school instruction. A small school district, as described above, that offers less than 1,500 hours of supplemental summer school offerings shall receive a proportionate reduction in its allocation. For the purpose of this provision, supplemental summer school programs shall be defined as programs authorized under paragraph (2) of subdivision (f) of Section 42239 of the Education Code as it read on July 1, 1999.
2. Notwithstanding any other provision of law, for the 2005–06 fiscal year, the maximum reimbursement to a school district or charter school for the program listed in Schedule (4) shall not exceed 5 percent of the district or charter school's enrollment multiplied by 120 hours, multiplied by the hourly rate for the 2005–06 fiscal year.
4. Notwithstanding any other provision of law, the rate of reimbursement shall be $3.73 per hour of supplemental instruction.
5. Notwithstanding any other provision of law, if the funds in this item are insufficient to fund otherwise valid claims, the superintendent shall adjust the rates to conform to available funds.
6. Of the funds appropriated in this item, $8,325,000 is for the purpose of providing a cost-of-living adjustment of 4.23 percent. Additionally, $1,348,000 is for the purpose of providing for increases in average daily attendance at a rate of 0.69 percent for supplemental instruction and remedial programs, in lieu of the amount that would otherwise be provided pursuant to any other provision of law.
7. ~~Funds contained in Schedules (1) and (2) of this item shall first be used to offset any state-mandated reimbursable costs that may otherwise be claimed through the state mandates reimbursement process of implementing Sections 37252~~

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~~and 37252.2 of the Education Code. Local education agencies accepting funding from these schedules shall reduce their estimated and actual mandate reimbursement claims by the amount of funding provided to them from these schedules.~~

*7.5. The funding appropriated in this item shall be considered offsetting revenues within the meaning of subdivision (e) of Section 17556 of the Government Code for any reimbursable mandated cost claim for implementing Section 37252.2 of the Education Code. Local educational agencies accepting funding from this item shall reduce their estimated and actual mandate reimbursement claims by the amount of funding provided to them from this item.*

8. Notwithstanding any other provision of law, an additional $63,391,000 in expenditures for this item has been deferred until the 2006–07 fiscal year.

6110-105-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund for the purposes of Article 1 (commencing with Section 52300) of Chapter 9 of Part 28 of the Education Code ..... 381,044,000

Schedule:

(1) 10.10.004-Instruction Program—School Apportionments, Regional Occupational Centers and Programs .....388,361,000

(2) Reimbursements..... –7,317,000

Provisions:

1. Notwithstanding any other provision of law, the funds appropriated in this item are for transfer by the Controller to Section A of the State School Fund, in lieu of the amount that otherwise would be appropriated for transfer from the General Fund in the State Treasury to Section A of the State School Fund for the 2005–06 fiscal year pursuant to Sections 14002 and 14004 of the Education Code, in an amount as needed for apportionment pursuant to Article 1 (commencing with Section 52300) of Chapter 9 of Part 28 of the Education Code.

2. Funds appropriated in this item shall be apportioned by the Superintendent of Public Instruction

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pursuant to Article 1.5 (commencing with Section 52335) of Chapter 9 of Part 28 of the Education Code.

3. Because Chapter 482 of the Statutes of 1984 was chaptered after Chapter 268 of the Statutes of 1984, the Legislature's intent regarding the eligibility of regional occupational centers and programs for incentive funding for a longer instructional year under Section 46200 of the Education Code was not carried out. It is the intent of the Legislature that regional occupational centers and programs not be eligible for that incentive funding.

Notwithstanding any other provision of law, the funds appropriated in this item may not be expended for the purposes of providing or continuing incentive funding for a longer instructional year pursuant to Section 46200 of the Education Code.

4. Notwithstanding any other provision of law, funds appropriated in this item for average daily attendance (ADA) generated by participants in welfare-to-work activities under the CalWORKs program established in Article 3.2 (commencing with Section 11320) of Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions Code may be appropriated on an advance basis to local education agencies based on anticipated units of ADA if a prior application for this additional ADA funding has been approved by the Superintendent of Public Instruction.

5. Of the amount appropriated in this item $1,161,000 is to fund remedial education services for participants in welfare-to-work activities under the CalWORKs program.

6. Of the funds appropriated in this item, $9,337,000 is provided for increases in average daily attendance at a rate of 2.62 percent. If growth funds are insufficient, the State Department of Education may adjust the per-pupil growth rates to conform to available funds. Additionally, $15,464,000 is for the purpose of providing a cost-of-living adjustment at a rate of 4.23 percent.

7. An additional $39,630,000 in expenditures for this item has been deferred until the 2006–07 fiscal year.

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| 6110-107-0001—For local assistance, Department of Education (Proposition 98), Program 10.10-County Offices of Education Fiscal Oversight | | 10,549,000 |
| Schedule: | | |
| (1) 10.10.002-COE Oversight | 5,268,000 | |
| (2) 10.10.005-FCMAT | 2,729,000 | |
| (3) 10.10.012-FCMAT: CSIS | 250,000 | |
| (4) 10.10.013-Audit Appeal Panel | 55,000 | |
| (5) 10.10.015-Interim Reporting | 1,050,000 | |
| (6) 10.10.016-Staff Development | 1,197,000 | |

Provisions:

1. The funds appropriated in Schedule (1) of this item are for the purposes provided in paragraph (1) of subdivision (a) of Section 29 of Chapter 1213 of the Statutes of 1991 and subsequent legislation.
2. Funds contained in Schedule (1) may be used for activities, including, but 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 the Secretary for Education.

~~3. Funds contained in Schedule (1) shall first be used to offset any state-mandated reimbursable costs that may otherwise be claimed implementing Sections 42100, 42127, 42127.5, 42127.6, 42128, and 42131 of the Education Code, and Section 3540.2 of the Government Code.~~

*3.5. The funding appropriated in this item shall be considered offsetting revenues within the meaning of subdivision (e) of Section 17556 of the Government Code for any reimbursable mandated cost claim for school district and county office of education fiscal accountability reporting. Local educational agencies accepting funding from this item shall reduce their estimated*

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*and actual mandate reimbursement claims by the amount of funding provided to them from this item.*

4. Of the funds appropriated in Schedule (2) of this item:
   (a) $2,061,000 shall be allocated by the Controller directly to a county office of education, selected pursuant to subdivision (a) of Section 42127.8 of the Education Code to oversee Fiscal Crisis and Management Assistance Team (FCMAT) responsibilities with respect to these funds, to meet the costs of participation under Section 42127.8 of the Education Code.
   (b) $250,000 shall be available to develop and implement the activities of regional teams of fiscal experts to assist districts in fiscal distress.
   (c) $418,000 shall be allocated to FCMAT for the purpose of providing, through computer technology, financial and demographic information that is interactive and immediately accessible to all local education agencies to assist them in their decisionmaking process. To ensure a completely integrated system, this computer information should be developed in collaboration with the State Department of Education, and should be compatible with the hardware and software of the State Department of Education, so that this information may also assist state-level policymakers in making comparable standardized financial information available to the local education agencies and the public.
5. Of the funds appropriated in Schedule (3) of this item, $250,000 shall be available to the FCMAT to pay for project management services for CSIS. These funds shall be used to supplement and not supplant other CSIS funds available for project management services.
6. Of the funds appropriated in Schedule (5) of this item, $150,000 shall be available for no more than a 25 percent state reimbursement to county offices of education for fiscal oversight of school districts with audit exceptions, districts with qualified or negative interim reports, districts that may be unable to meet financial obligations for the current

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or subsequent fiscal years, or districts with disapproved budgets.

7. Up to $900,000 of the funds appropriated in Schedule (5) may also be used to fully reimburse county office of education activities for extraordinary costs of audits, examinations, or reviews of district budgets in cases where fraud, misappropriation of funds or other illegal fiscal practices require COE review, pursuant to Section 2 of Chapter 620 of the Statutes of 2001. The State Board of Education may request any county superintendent of schools to initiate such an audit, examination, or review for any ~~school~~ *charter school or all-charter district* for which the board has oversight responsibility. Allocation of the funds shall be administered by FCMAT on a reimbursement basis. All reimbursements shall be subject to the approval of both the Department of Finance and the State Department of Education.

8. The amount appropriated in Schedule (5) of this item shall remain available for expenditure for the 2005–06 and 2006–07 fiscal years. Any unexpended balance as of September 1, 2006, ~~from the 2005–06 fiscal year or any prior fiscal year~~ shall be available through July 30, 2007, for the following, in order of descending priority:

~~(a) Any review or audit requested jointly by the State Department of Education and the Department of Finance to be conducted by a county superintendent of schools.~~

~~(b)~~

*(a)* Regional assistance teams developed pursuant to Provision 4(b) of this item.

~~(c)~~

*(b)* Staff development pursuant to Provision 11 of this item.

9. Notwithstanding Section 26.00, the funds appropriated in this item shall be allocated in accordance with the above schedule unless a revision to the allocations contained herein has been approved by the Department of Finance. The Department of Finance may not authorize any such revision sooner than 30 days after notification in writing of the necessity therefor to the chairperson of the committee in each house that considers appropriations and the Chairperson of the Joint Legislative Budget Committee, or not sooner than

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whatever lesser time the chairperson of the joint committee, or his or her designee, may in each instance determine.

10. The funds appropriated in Schedule (4) of this item are for the additional staff and resources needed for FCMAT to ensure that timely resolution of audit findings is achieved pursuant to the directives of Education Code Section 41344.

11. Of the funds appropriated in Schedule (6) of this item, $854,000 is for the purpose of providing staff development to local education agency school finance and business personnel, as provided in Section 42127.8 of the Education Code. The funds appropriated in Schedule (6) shall be allocated by the Controller directly to a county office of education selected pursuant to subdivision (a) of Section 42127.8 of the Education Code to oversee FCMAT's responsibilities with respect to these funds. $343,000 of the funds appropriated in Schedule (6) is for the purpose of providing training that shall be developed and facilitated pursuant to Section 42127.8 of the Education Code to increase school district and school-level capacity to implement and manage site-based budgeting and decisionmaking governance structures.

12. Notwithstanding any other provision of law, funds appropriated in Schedules (1), (2), (4), (5), and (6), of this item to a county office of education, selected pursuant to subdivision (a) of Section 42127.8 of the Education Code to oversee FCMAT responsibilities, shall be allocated by the State Controller directly to that county office of education as soon as possible but no later than 60 days after the enactment of the Budget Act. Funds appropriated in this item shall not be subject to grant allocation or review processes on the part of the State Department of Education nor the Superintendent of Public Instruction. The county office of education that receives these funds shall annually provide a report detailing past year expenditures, identifying the local education agencies (LEA) assisted with these funds and a summary of progress for each. Additionally, the report shall identify a plan for the proposed uses of the allocations in this item, identifying estimated expenditures for each LEA

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anticipated to be served. This report shall be submitted to the Department of Education and to the Department of Finance by October 1, 2005.

6110-111-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Home to School Transportation, pursuant to Article 10 (commencing with Section 41850) of Chapter 5 of Part 24 of the Education Code and Small School District Transportation, pursuant to Article 4.5 (commencing with Section 42290) of Chapter 7 of Part 24 of the Education Code ..... 516,171,000

Schedule:

(1) 10.10.006-Pupil Transportation .....511,225,000

(2) 10.10.008-Small School District Bus Replacement ..... 4,946,000

Provisions:

1. Of the funds appropriated in this item, $3,394,000 is for the purpose of providing an adjustment for increases in average daily attendance at a rate of 0.69 percent. If funds for growth are insufficient, the State Department of Education may adjust the per-pupil growth rates to conform to available funds. Additionally, $20,948,000 is for the purpose of providing a cost-of-living adjustment (COLA) at a rate of 4.23 percent.
2. An additional $52,583,000 in expenditures for this item has been deferred until the 2006–07 fiscal year.

6110-112-0890—For local assistance, Department of Education, Program 20.60.036-Public Charter Schools, payable from the Federal Trust Fund..... ~~29,652,000~~ *29,852,000*

Provisions:

1. Of the funds appropriated in this item, an amount of up to $422,000 may be transferred to Item 6110-001-0890 to be used for state operations purposes relating to federal charter school grants.
2. Of the funds appropriated in this item, ~~$5,800,000~~ *$6,000,000* is provided in one-time carryover funds ~~. The State Department of Education shall give priority for these funds to failing schools that convert to charter schools.~~ *, that are available to support the existing program.*

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| 6110-113-0001—For local assistance, Department of Education (Proposition 98), for purposes of California's pupil testing program | 85,864,000 |

Schedule:

| | |
|---|---|
| (1) 20.70.030.005-Assessment Review and Reporting | 2,313,000 |
| (2) 20.70.030.006-STAR Program | 63,946,000 |
| (3) 20.70.030.007-English Language Development Assessment | 11,437,000 |
| (4) 20.70.030.008-High School Exit Examination | 6,761,000 |
| (5) 20.70.030.015-California High School Proficiency Exam | 1,020,000 |
| (6) 20.70.030.016-Test Development: STAR Exam | 1,407,000 |
| (7) Reimbursements | −1,020,000 |

Provisions:

1. The funds appropriated in this item shall be for the pupil testing programs authorized by Chapter 5 (commencing with Section 60600), Chapter 7 (commencing with Section 60810), and Chapter 9 (commencing with Section 60850) of Part 33 of the Education Code.
2. The funds appropriated in Schedule (2) include funds for primary language tests administered pursuant to Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 of the Education Code.
3. The funds appropriated in Schedule (3) shall be available for approved contract costs and apportionment costs for administration of an English Language development test meeting the requirements of Chapter 7 (commencing with Section 60810) of Part 33 of the Education Code. A total of $9,813,000 is provided as incentive funding of $5 per pupil for district apportionments for the English Language Development Test. As a condition of receiving these funds, school districts must agree to provide information determined to be necessary to comply with the data collection and reporting requirements of the No Child Left Behind Act of 2001 (P.L. 107-110) regarding English language learners by the State Department of Education with approval by the State Board of Education.

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4. The funds appropriated in Schedule (4) include funds for approved contract costs and apportionment costs for the administration of the HSEE pursuant to Chapter 9 (commencing with Section 60850) of Part 33 of the Education Code.
5. The funds appropriated in Schedule (6) shall be available for test item development for the STAR Program during the 2005–06 fiscal year. The test items developed with these funds shall make progress in aligning this exam with the State Board of Education-approved academic content standards and in ensuring that this exam is valid and reliable as measured by industry standards.
6. It is the intent of the Legislature that the State Department of Education develop a plan to streamline existing programs to eliminate duplicative tests and minimize the instructional time lost to test administration. The State Department of Education shall ensure that all statewide tests meet industry standards for validity and reliability.
7. The State Board of Education shall annually establish the amount of funding to be apportioned to school districts for the High School Exit Examination. The amount of funding to be apportioned per test shall not be valid without the approval of the Department of Finance.
8. Funds provided in Schedules (2), (3), and (4) shall first be used to offset any state-mandated reimbursable costs *within the meaning of Section 17556 of the Government Code,* that otherwise may be claimed through the state mandates reimbursement process for the Standardized Testing and Reporting Program, the California English Language Development Test, and the ~~California~~ High School Exit ~~Exam~~ *Examination* , respectively. Local ~~education~~ *educational* agencies accepting funding from these schedules shall reduce their estimated and actual mandate reimbursement claims by the amount of funding provided to them from these schedules.
9. Notwithstanding any other provision of law, any changes that result in additional costs to the assessments funded pursuant to this item shall not be valid without prior approval by the Department of Finance and the State Board of Education.

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| 6110-113-0890—For local assistance, Department of Education-Title VI Flexibility and Accountability, payable from the Federal Trust Fund..... | ~~32,028,000~~ *32,678,000* |
| Schedule: | |
| ~~(1) 20.60.030.004-Instructional Support: NCLB Adequate Yearly Progress Reporting.....~~ | ~~0~~ |
| *(1.5) 20.60.030.005-Instructional Support: Alternative Assessment Development.....* | *650,000* |
| (2) 20.60.030.030-Instructional Support: Alternative Schools Accountability Model..... | 775,000 |
| (3) 20.070.030.005-Instructional Support: Assessment Review and Reporting..... | 600,000 |
| (4) 20.70.030.006-Instructional Support: STAR Program..... | 2,180,000 |
| (5) 20.70.030.007-Instructional Support: English Language Development Test..... | 11,556,000 |
| (6) 20.70.030.008-Instructional Support: High School Exit Examination..... | 8,121,000 |
| (7) 20.70.030.016-Instructional Support: Test Development—STAR Examination..... | 535,000 |
| (8) 20.70.030.022-Instructional Support: High School Exit Examination Workbooks..... | 2,500,000 |
| (9) 20.70.030.026-Instructional Support: Primary Language Test Development..... | 3,000,000 |
| (10) 20.070.030.029-Instructional Support: High School Exit Examination: Evaluation of Instruction... | 261,000 |
| (11) 20.070.030.031-Instructional Support: CELDT-Vertical Scaling Project..... | 300,000 |
| (12) 20.70.030.032-Instructional Support: California Alternate Performance Assessment..... | 2,200,000 |
| Provisions: | |
| 1. Funds appropriated in Schedule (2) are provided for the continued development of the Alternative Schools Accountability Model to include alterna- | |

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tive schools within the state's system of accountability.

2. Funds appropriated in Schedule (4) are provided for approved contract and district apportionment costs related to the Standardized Testing and Reporting Program. Of this amount, $1.334 million is for the planning and development of science tests.

3. Funds appropriated in Schedule (6) are provided for approved contract and district apportionment costs related to the High School Exit Examination.

4. The funds appropriated in Schedule (5) shall be available for approved contract costs for administration of the California English Language Development Test, consistent with the requirements of Chapter 7 (commencing with Section 60810) of Part 33 of the Education Code.

5. Funds appropriated in Schedule (8) are for the printing and distribution of the High School Exit Examination Workbooks.

6. Funds appropriated in Schedule (12) are for approved contract costs and district apportionments of $5 per pupil for the California Alternate Performance Assessment.

7. Funds appropriated in Schedule (10) are for an evaluation of instruction in the standards covered by the High School Exit Examination in order to determine the progress of middle schools and high schools in implementing instruction and curriculum aligned to those standards. The Department of Finance may transfer funds provided pursuant to this provision to Item 6110-001-0890.

8. Funds appropriated in Schedule (11) are to produce a vertical scale for the California English Language Development Test to allow a more accurate system of holding schools accountable for improving English proficiency among English language learners. The Department of Finance may transfer funds provided pursuant to this provision to Item 6110-001-0890.

9. Funds appropriated in Schedule (3) are for providing local educational agencies information regarding federal requirements associated with assessments.

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10. Funds provided in Schedules (4), (5), (6), *(9),* and (12) shall first be used to offset any state-mandated reimbursable cost *, within the meaning of subdivision (e) of Section 17556 of the Government Code,* that otherwise may be claimed through the state mandates reimbursement process for the Standardized Testing and Reporting Program, the California English Language Development Test, the California High School Exit Examination, and the California Alternate Performance Assessment ~~, respectively~~ . Local educational agencies accepting funding from these schedules shall reduce their estimated and actual mandate reimbursement claims by the amount of funding provided to them from these schedules.

11. The funds appropriated in Schedule (7) shall be available for test item development for the STAR Program during the 2005–06 fiscal year. The test items developed with these funds shall make progress in aligning this exam with academic content standards approved by the State Board of Education and in ensuring that this exam is valid and reliable as measured to industry standards.

12. The funds appropriated in Schedule (9) are for the development and administration of primary language tests aligned to state-adopted academic content standards, pursuant to Chapter 233 of the Statutes of 2004, in grade order starting with the second grade.

14. Notwithstanding any other provision of law, any changes that result in additional costs to the assessments funded pursuant to this item shall not be valid without prior approval by the Department of Finance and the State Board of Education.

15. Of the funds appropriated in Schedule (5), $1,400,000 is available for the development, pursuant to legislation effective on or before January 1, 2006, of reading and writing assessments for English language learners in Kindergarten and Grade 1 to comply with the federal No Child Left Behind Act of 2001 (P.L. 107-100) which requires assessments of English proficiency to include an assessment of progress in attaining English reading and writing skills.

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| *16. The funds appropriated in Schedule (1.5) are available pending approval of an expenditure plan to be submitted by the State Department of Education to the Legislature and the Department of Finance specifying the use of these funds for the development of an alternative assessment for students not presently tested at grade level, pursuant to federal guidelines.* | |
| 6110-117-0001—For local assistance, State Department of Education, Program 10.70-Vocational Education, in lieu of the amount that otherwise would be appropriated pursuant to subdivision (b) of Section 19632 of the Business and Professions Code..... | 514,000 |
| Provisions: | |
| 1. Of the funds appropriated by this item, $50,000 shall be available to support the California Association of Student Councils. | |
| 6110-119-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 20.40.060-Educational Services for Foster Youth pursuant to Chapter 11.3 (commencing with Section 42920) of Part 24 of Division 3 of Title 2 of the Education Code ..... | 9,495,000 |
| Provisions: | |
| 1. Of the funds appropriated in this item, $62,000 is to provide an adjustment for increases in average daily attendance at a rate of 0.69 percent. If growth funds are insufficient, the State Department of Education may adjust the per-pupil growth rate to conform to the available funds. Additionally, $385,000 is to provide a cost-of-living adjustment at a rate of 4.23 percent. | |
| 6110-119-0890—For local assistance, Department of Education, for Program 10.30.060.002—Title I Program for Neglected and Delinquent Children, payable from the Federal Trust Fund..... | 3,208,000 |
| 6110-122-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 20.40.090-Specialized Secondary Programs, pursuant to Chapter 6 (commencing with Section 58800) of Part 31 of the Education Code ..... | 5,573,000 |

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Provisions:

1. Of the funds appropriated in this item, $1,500,000 shall be allocated to Specialized Secondary Programs established pursuant to Chapter 6 (commencing with Section 58800) of Part 31 of the Education Code prior to the 1991–92 fiscal year that operate in conjunction with the California State University.
2. Of the funds appropriated in this item, $37,000 is to provide an adjustment for increases in average daily attendance at a rate of 0.69 percent. If growth funds are insufficient, the State Department of Education may adjust the per-pupil growth rate to conform to available funds. Additionally, $226,000 is to provide a cost-of-living adjustment at a rate of 4.23 percent.

6110-123-0001—For local assistance, Department of Education (Proposition 98), for implementation of the Public Schools Accountability Act, pursuant to Chapter 6.1 (commencing with Section 52050) of Part 28 of the Education Code ..... 249,209,000

Schedule:

(1) 20.60.030.031-Immediate Intervention/Underperforming Schools Program..... 7,519,000

(2) 20.60.030.034-High Priority Schools.....238,689,000

(3) 20.60.030.036-Corrective Actions .. 3,001,000

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 (commencing with Section 52053) of Chapter 6.1 of Part 28 of the Education Code. These funds are to fund implementation grants for the third cohort of schools that received planning grants under the program during the 2001–02 fiscal year.
2. (a) Funds appropriated in Schedule (2) are provided solely for the purpose of implementing the High Priority Schools Grant Program pursuant to Article 3.5 (commencing with Section 52055.600) of Chapter 6.1 of Part 28 of the Education Code. Of these funds, up to $60,000,000 shall be available to fund a second cohort of schools under the program, and $10,000,000 or whatever greater or lesser

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amount is necessary, shall be available to support schools working with school assistance and intervention teams or schools subject to state sanctions by the Superintendent of Public Instruction as part of the High Priority Schools Grant Program.

(b) Funds for a second cohort shall not be released until legislation is enacted authorizing that cohort and clarifying the criteria and timeframes for participating schools to exit the program. Funds for sanctions shall be contingent upon legislation defining those sanctions and authorizing the allocation of funding for that purpose.

3. Pursuant to Chapter 1020, Statutes of 2002, the funds appropriated in Schedule (3) shall, upon approval by the State Board of Education, be available to support schools working with School Assistance and Intervention Teams or schools subject to state or federal sanctions by the Superintendent of Public Instruction as part of the Immediate Intervention/Underperforming Schools Program or No Child Left Behind Act of 2001 (P.L. 107-110). To the extent necessary to fully fund the Immediate Intervention/Underperforming Schools Program and School Assistance and Intervention Teams, the Department of Finance may transfer funds between Schedule (1) and Schedule (3) of this item.

6110-123-0890—For local assistance, Department of Education, payable from the Federal Trust Fund..... ~~51,329,000~~ *65,141,000*

Schedule:

(1) 20.60.030.035-Innovative Programs, Title V-ESEA..... 21,302,000

(2) 20.60.030.038-Comprehensive School Reform Program..... ~~30,027,000~~ *43,839,000*

Provisions:

1. Of the funds appropriated in Schedule (1) of this item, the State Department of Education may allocate up to $15.2 million to qualified applications received in response to the Request for Applications released by the State Department of Education in December 2003. For the remaining balance of these funds, the State Department of Education shall award grants in the following pri-

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ority order to qualified applications from schools that neither are receiving nor have *ever* received funding from the High Priority Schools Grant Program, the Immediate Intervention/Underperforming Schools Program, or the Comprehensive School Reform Program: (a) schools in federal program improvement in districts that have either 15 or more schools in federal program improvement or in which 55 percent or more of the schools are in federal program improvement, (b) schools in federal program improvement, ~~and~~ *then* (c) any other eligible schools in *Academic Performance Index (API)* deciles 1 through 5, inclusive. Within each of these categories, schools having the lowest ~~Academic Performance Index~~ *API* scores shall have priority. Funding shall be provided at a rate of $200 per pupil, with each qualified applicant receiving a minimum grant of $50,000, plus an additional 10 percent of the award amount for district support. In accordance with Section 52055.600 of the Education Code, to the extent that a school receiving a new Comprehensive School Reform Program grant also participates in a new cohort of the High Priority Schools Grant Program, funds for the Comprehensive School Reform Program shall count against that school's High Priority Schools Grant. Funding for the second and third years is contingent upon California receiving sufficient funding from the federal government to continue providing grants. If the State Department of Education does not receive sufficient qualified applications, any remaining funding may be used to provide second year grants to qualified applicants.

6110-124-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 10.80.010-Gifted and Talented Pupil Program established pursuant to Chapter 8 (commencing with Section 52200) of Part 28 of the Education Code ..... 46,197,000

Provisions:

1. An additional $4,294,000 in expenditures for this purpose has been deferred to the 2006–07 fiscal year.
2. Of the funds appropriated in this item, $304,000 is for the purpose of providing an adjustment for increases in average daily attendance at a rate of

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0.69 percent. Additionally, $1,875,000 is for the purpose of providing a cost-of-living adjustment at a rate of 4.23 percent.

6110-125-0001—For local assistance, Department of Education (Proposition 98), for English Language Learners Program 20.10.006 ..... ~~57,721,000~~ *57,720,000*

Provisions:

1. Of the funds appropriated in this item, $379,000 is to provide an adjustment for increases in average daily attendance at a rate of 0.69 percent. If growth funds are insufficient, the State Department of Education may adjust the per-pupil growth rate to conform to available funds. Additionally, $2,342,000 is to provide a cost-of-living adjustment at a rate of 4.23 percent.

6110-125-0890—For local assistance, Department of Education ..... ~~275,759,000~~ *294,959,000*

Schedule:

(1) 10.30.010-Title I, Migrant Education..... ~~125,261,000~~ *144,461,000*

(2) 10.40.030.004-Refugee Children School Impact Grant ..... 2,050,000

(3) 20.10.004-Title III, Language Acquisition .....148,448,000

Provisions:

1. Of the funds appropriated in Schedule (1) of this item, the State Department of Education shall use no less than $6,500,000 and up to $7,100,000 for the California Mini-Corps Program.

6110-126-0890—For local assistance, Department of Education, Program 20.60.290-Instructional Support, Title I, Part B of the Elementary and Secondary Education Act (Reading First Program) payable from the Federal Trust Fund..... ~~145,435,000~~ *151,924,000*

Provisions:

1. The funds appropriated in this item are provided pursuant to Article 1 (commencing with Section 51700) of Chapter 5 of Part 28 of the Education Code.

~~2. Of the funds appropriated in this item, $13,635,000 is available for the third year of a three year grant for bilingual programs pursuant to Section 51701 of the Education Code. If this~~

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~~funding is insufficient to fully fund the approved districts with these programs in a third round of Reading First grant approvals, first priority for available Reading First base funding shall be the approved districts with bilingual programs. The State Board of Education shall ensure parity in the duration and level of funding between grants for bilingual classrooms operating under Section 310 of the Education Code and grants for nonbilingual classrooms.~~

~~3. The State Board of Education shall be required to seek legislative approval of any changes to the Reading First Program that exceed or modify program components authorized in Article 1 (commencing with Section 51700) of Chapter 5 of Part 28 of the Education Code, including any extension of the grant period beyond three years. Reading First funds appropriated in this item may be used to provide student instruction pursuant to subparagraph (E) of paragraph (3) of subdivision (c) of Section 51700 of the Education Code.~~

~~4. Of the funds appropriated in this item, some funding shall be available for a new cohort of Reading First grants during the 2005–06 fiscal year.~~

*2. Of the funds reflected in this item, $6,489,000 is carryover funding from prior years.*

*3. Of the funds appropriated in this item, $6,650,000 shall be available for Reading First's statewide and regional infrastructure, including its six Regional Technical Assistance Centers.*

*4. The funds appropriated in this item may be used to extend Round 1 and Round 2 grants for a fourth year for nonbilingual classrooms and for a third year for bilingual (waivered) classrooms. School districts receiving fourth-year grant extensions shall retain the per-teacher funding level provided for in their original grants and may give priority for services to currently unfunded schools. It is the intent of the Legislature that there be parity in duration and level of funding among grantees except for reasons related to demonstration of sufficient progress. By May 1, 2006, the State Department of Education, working with and on behalf of participating school districts, shall provide the Legislature with total annual Reading First expenditures for each schoolsite for 2004–05 and 2005–06.*

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*5. Of the funds appropriated in this item, $20,671,000 shall be used for second-year grants for Round 3 grantees.*

*6. Carryover funds appropriated in this item shall be used to fund currently unfunded school districts. School districts previously applying for but denied funding and still eligible may submit improved applications as part of this round of funding. The funding level per teacher for this round shall be $6,500, though school districts, pursuant to paragraph (3) of subdivision (c) of Section 51700 of the Education Code, may seek joint approval from the State Department of Education (SDE) and Department of Finance to receive up to $8,000 per teacher. By May 1, 2006, the SDE shall provide the Legislature with all of the following: (a) the number of school districts applying for new grants, (b) the number of school districts receiving new grants, (c) the number of K–3 teachers funded, (d) the number of K–12 special education teachers served, (e) the average per-teacher grant amount, and (f) the total amount expended for new grants.*

*7. Prior to September 1, 2005, the State Department of Education (SDE) shall convene an advisory group to assist it in implementing the Reading First program in waivered classrooms. The advisory group shall be comprised of: (a) teachers of waivered classrooms participating in the Reading First Program as recommended by superintendents of school districts participating in Reading First, (b) academic experts in second-language acquisition, and (c) academic experts in reading who have knowledge of both formats of the Reading/Language Arts programs and expertise in Spanish language arts or the development of Spanish language arts assessment. The advisory groups shall assist the SDE in the following: (a) revising and implementing Reading First assessments for waivered classrooms, such that the assessments are comparable to and as rigorous as all of the assessments developed for the English-language Reading First program, and (b) developing and implementing training for teachers and coaches in all of the approved alternative format instructional teacher materials. By March 1, 2006, the SDE shall submit a report to the Legis-*

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*lature detailing the improvements made in this area. It is the intent of the Legislature that no funding shall be provided to support this advisory committee.*

*8. By May 1, 2006, the State Department of Education (SDE) shall provide the Legislature with the following: (a) the number and percentage of all K–12 special education teachers in Reading First schools receiving Reading First professional development for each year, 2001–02 through 2005–06, and (b) the number and percentage of all K–12 special education classes in Reading First schools that have appropriate reading materials purchased using the state's instructional materials program as set forth in Article 3 (commencing with Section 60240) of Chapter 2 of Part 33 of the Education Code.*

*9. Changes to the Reading First program that exceed or modify program components as set forth in Article 1 (commencing with Section 51700) of Chapter 5 of Part 28 of the Education Code, including any extension of the grant period beyond four years, require implementing legislation.*

6110-128-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 10.30.070-Economic Impact Aid ..... 586,865,000

Schedule:

(1) 10.30.070.001-Article 2 (commencing with Section 54020) of Chapter 1 of Part 29 of Division 4 of Title 2 of the Education Code .....410,803,300

(2) 10.30.070.020-Sections 54031 and 54033 of the Education Code, and Article 4 (commencing with Section 54040) of Chapter 1 of Part 29 of Division 4 of Title 2 of the Education Code .....176,061,700

Provisions:

1. If the funds appropriated in this item are insufficient to fully fund the allocations under Article 4 (commencing with Section 54040) of Chapter 1 of Part 29 of Division 4 of Title 2 of the Education Code, the Superintendent of Public Instruction shall prorate the allocations made pursuant to that article to reflect the amount of funding available.

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2. Of the funds appropriated in this item, $26,812,000 is for the purpose of providing an adjustment for increases in average daily attendance at a rate of 5 percent. If growth funds are insufficient, the State Department of Education may adjust the per-pupil growth rates to conform to available funds. Additionally, $23,817,000 is to provide a cost-of-living adjustment at a rate of 4.23 percent.

6110-130-0001—For local assistance, Department of Education, Program 20.60.100-Advancement Via Individual Determination ..... 9,035,000

Provisions:

1. Of the funds appropriated, $1,300,000 is available for administration of the Advancement Via Individual Determination (AVID) centers.

~~6110-135-0890—For local assistance, Department of Education-No Child Left Behind Act carryover funds, payable from the Federal Trust Fund ..... 81,517,000~~

~~Provisions:~~

~~1. Funds appropriated in this item include: (a) $24,300,000 from the Title I Basic Program; (b) $19,200,000 from the Migrant Education Program; (c) $17,237,000 in Title I School Improvement funds; (d) $13,812,000 from the Comprehensive School Reform Program; (e) $6,489,000 from the Reading First Program; and (f) $479,000 from the Education of Limited English Pupils Program. These funds shall be available pursuant to legislation enacted during the 2005–06 Regular Session.~~

6110-136-0890—For local assistance, Department of Education, payable from the Federal Trust Fund..... ~~1,803,145,000~~ *1,846,724,000*

Schedule:

(1) 10.30.060-Title I-ESEA ..... ~~1,725,185,000~~ *1,751,527,000*

(2) 10.30.065-McKinney-Vento Homeless Children Education..... 8,720,000

(3) 10.30.080-Title I-School Improvement..... ~~69,240,000~~ *86,477,000*

Provisions:

1. In administering the accountability system required by this item, the State Department of Education shall align the forms, processes, and pro-

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cedures required of local educational agencies in a manner that they may be utilized for the purposes of implementing the Public Schools Accountability Act, as established by Chapter 6.1 (commencing with Section 52050) of Part 28 of the Education Code, so that duplication of effort is minimized at the local level.

2. Of the funds appropriated in Schedule (3) of this item, $10,000,000 shall be available for use by the State Department of Education for the purposes of the Statewide System of School Support established by Article 4.2 (commencing with Section 52059) of Chapter 6.1 of Part 28 of the Education Code.

3. Of the funds appropriated in Schedule (3) of this item, up to $10,000,000 shall be made available to support school assistance and intervention teams that enter into a contract with a school pursuant to subdivision (a) of Section 52055.51 of the Education Code. These funds shall be allocated in the amount of $75,000 for each school assistance and intervention team assigned to an elementary or middle school, and $100,000 for each team assigned to a high school. The State Department of Education and Department of Finance may approve applications with justification for a total funding level of $125,000.

4. Of the funds appropriated in Schedule (3) of this item, up to $20,000,000 shall be made available to provide $150 per pupil for each pupil in a school that is managed in accordance with paragraph (3) of subdivision (b) of Section 52055.5 of the Education Code or that contracts with a school assistance and intervention team pursuant to subdivision (a) of Section 52055.51 of the Education Code.

5. Of the funds appropriated in Schedule (3), ~~$29,240,000~~ *$46,477,000* shall be available pursuant to Article 3.1 (commencing with Section 52055.57) of Chapter 6.1 of Part 28 of the Education Code, for Title I district accountability.

6. Of the funds appropriated in Schedule (2), $500,000 is available as a one-time carryover from prior years.

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|---|---|
| 6110-137-0001—For local assistance, Department of Education, (Proposition 98), for transfer to Section A of the State School Fund, Program 20.60.260—Instructional Support, Mathematics and Reading Professional Development Program ..... | 31,728,000 |
| Provisions: | |
| 1. The funds appropriated in this item shall be for allocation to local education agencies that participate in the Mathematics and Reading Professional Development Program established pursuant to Article 3 (commencing with Section 99230) of Chapter 5 of Part 65 of the Education Code. | |
| 2. Within 30 days of the enactment of this act, the Superintendent of Public Instruction shall calculate the percentage of teachers eligible for funding based on the funds appropriated in this item. Prior to notifying local education agencies of this percentage, the Superintendent of Public Instruction shall submit the calculation to the Department of Finance for verification. | |
| 6110-137-0890—For local assistance, Department of Education, Program 20.10.005-Rural and Low Income Schools Grant, payable from the Federal Trust Fund ..... | 1,377,000 |
| 6110-139-0001—For local assistance, Department of Education (Proposition 98), Program 10.10-School Apportionments, Pupil Residency Verification ..... | 176,000 |
| Provisions: | |
| 1. Funds appropriated in this item are for the purpose of assisting school districts that are adjacent to the international border with their pupil residency verification, consistent with the intent of Section 48204.6 of the Education Code. | |
| ~~2. Funds contained in this item shall first be used to offset any state-mandated reimbursable costs that may otherwise be claimed for implementing Sections 48204.5 and 48204.6 of the Education Code.~~ | |
| *2. The funds appropriated in this item shall be considered offsetting revenues within the meaning of subdivision (e) of Section 17556 of the Government Code for any reimbursable mandated cost claim for pupil residency verification and appeals. Local educational agencies accepting funding from this item shall reduce their estimated and actual mandate reimbursement claims by the amount of funding provided to them from this item.* | |

| Item | Amount |
|---|---|
| 6110-140-0001—For local assistance, Department of Education, (Proposition 98), Program 20-Instructional Support | 4,549,000 |
| Schedule: | |
| (1) 20.80.001-Student Friendly Services | 500,000 |
| (2) 20.90.001.020-California School Information Services Administration | 3,899,000 |
| (3) 20.90.001.030-California School Information Services Administration Independent Project Oversight | 150,000 |

Provisions:

1. The Superintendent of Public Instruction shall allocate the funds appropriated in Schedule (1) of this item for the Student Friendly Services program.
2. The funds appropriated in Schedule (2) in this item shall be for allocation to the Fiscal Crisis and Management Assistance Team for costs associated with administration of the CSIS project.
3. The Superintendent of Public Instruction shall allocate the funds appropriated in Schedule (3) to the Sacramento County Office of Education, which shall use the funds to contract for independent project oversight of the California School Information Services (CSIS) program. The independent project oversight shall include the submission of quarterly project reports on the progress of the CSIS program to the Legislature, the Department of Finance, the Superintendent of Public Instruction, the State Board of Education, the Governor, the Legislative Analyst's Office, and the Fiscal Crisis and Management Assistance Team for the duration of the program implementation. These reports shall include, but not be limited to, information on 1) CSIS capacity for additional district cohorts, 2) readiness of self-identified districts for participation in new CSIS cohort, 3) CSIS operations budget, and 4) CSIS readiness to implement additional phases of state reporting and records transfer.

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|---|---|---|
| 6110-144-0001—For local assistance, Department of Education (Proposition 98), Program 20.60.270-Principal Training Program pursuant to Article 4.6 (commencing with Section 44510) of Chapter 3 of Part 25 of the Education Code ..... | | 5,000,000 |
| 6110-151-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 10.30.050 and Program 10.30.051-American Indian Education ..... | | 4,698,000 |
| Schedule: | | |
| (1) 10.30.050-American Indian Education Centers established pursuant to Article 6 (commencing with Section 33380) of Chapter 3 of Part 20 of Division 2 of Title 2 of the Education Code ..... | 4,100,000 | |
| (2) 10.30.051-American Indian Early Childhood Education Program established pursuant to Chapter 6.5 (commencing with Section 52060) of Part 28 of the Education Code . | 598,000 | |
| Provisions: | | |
| 1. Of the amount appropriated in this item, $31,000 is to provide an adjustment for increases in average daily attendance at a rate of 0.69 percent. If the amount needed to fund growth is insufficient, the State Department of Education may adjust the per-pupil growth rate to reflect the available funds. Additionally, $191,000 is to provide a cost-of-living adjustment (COLA) at a rate of 4.23 percent. | | |
| 6110-152-0001—For local assistance, Department of Education, Program 10.30.050-American Indian Education Centers pursuant to Article 6 (commencing with Section 33380) of Chapter 3 of Part 20 of the Education Code ..... | | 376,000 |
| 6110-156-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, for allocation by the Superintendent of Public Instruction to school districts, county offices of education, and other agencies for the purposes of Proposition 98 educational programs funded by this item, in lieu of the amount that otherwise would be appropriated pursuant to statute.... | | 602,054,000 |

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Schedule:

(1) 10.50.010.001-Adult Education.....602,054,000

(2) 10.50.010.008-Remedial education services for participants in the CalWORKs program..... 8,739,000

(3) Reimbursements-CalWORKs..... –8,739,000

Provisions:

1. Credit for participating in adult education classes or programs may be generated by a special day class pupil only for days in which the pupil has met the minimum day requirements set forth in Section 46141 of the Education Code.

2. The funds appropriated in Schedule (2) constitute the funding for both remedial education and job training services for participants in the CalWORKs program (Article 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. 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.

3. Providers receiving funds under this item for adult basic education, English as a Second Language, and English as a Second Language-Citizenship for legal permanent residents, shall, to the extent possible, grant priority for services to immigrants facing the loss of federal benefits under the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996. Citizenship and naturalization preparation services funded by this item shall include, to the extent consistent with applicable federal law, all of the following: (a) outreach services; (b) assessment of skills; (c) instruction and curriculum development; (d) professional development; (e) citizenship testing; (f) naturalization preparation and assistance; and (g) regional and state coordination and program evaluation.

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4. The funds appropriated in Schedule (2) of this item shall be subject to the following:
   (a) The funds shall be used only for educational activities for welfare recipient students and those in transition off of welfare. The education activities shall be limited to those designed to increase self-sufficiency, job training, and work. These funds shall be used to supplement and not supplant existing funds and services provided for welfare recipient students and those in transition off of welfare.
   (b) Notwithstanding any other provision of law, each local educational agency's individual cap for adult education and regional occupational center and programs (ROC/Ps), average daily attendance shall not be increased as a result of the appropriations made by this section.
   (c) Funds may be claimed by local educational agencies for services provided to welfare recipient students and those in transition off of welfare pursuant to this section only if all of the following occur:
      (1) Each local educational agency has met the terms of the interagency agreement between the State Department of Education and the Department of Social Services pursuant to Provision 2 of this item.
      (2) Each local educational agency has fully claimed its respective adult education or ROC/Ps average daily attendance cap for the current year.
      (3) Each local educational agency has claimed the maximum allowable funds available under the interagency agreement pursuant to Provision 2 of this item.
   (d) Each local educational agency shall be reimbursed at the same rate as it would otherwise receive for services provided pursuant to this item or pursuant to Item 6110-105-0001 of Section 2.00 of this act, and shall comply with the program requirements for adult education pursuant to Chapter 10 (commencing with Section 52500) of Part 28 of the Education Code, and ROC/Ps requirements pursuant to

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Article 1 (commencing with Section 52300) of, and Article 1.5 (commencing with Section 52335) of, Chapter 9 of, Part 28 of the Education Code, respectively.

(e) Notwithstanding any other provision of law, funds appropriated in this section for average daily attendance (ADA) generated by participants in the CalWORKs program may be apportioned on an advance basis to local educational agencies based on anticipated units of ADA if a prior application for this additional ADA funding has been approved by the Superintendent of Public Instruction.

(f) The Legislature finds the need for good information on the role of local educational agencies in providing services to individuals who are eligible for or recipients of CalWORKs assistance. This information includes the extent to which local educational programs serve public assistance recipients and the impact these services have on the recipients' ability to find jobs and become self-supporting.

(g) The State Department of Education shall develop a data and accountability system to obtain information on education and job training services provided through state-funded adult education programs and regional occupational centers and programs. The system shall collect information on (1) program funding levels and sources; (2) characteristics of participants; and (3) pupil and program outcomes. The department shall work with the Department of Finance and Legislative Analyst in determining the specific data elements of the system and shall meet all information technology reporting requirements of the Department of Finance.

(h) As a condition of receiving funds provided in Schedule (2) of this item or any General Fund appropriation made to the State Department of Education specifically for education and training services to welfare recipient students and those in transition off of welfare, local adult education programs and regional occupational centers and programs shall collect

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program and participant data as described in this section and as required by the State Department of Education. The State Department of Education shall require that local providers submit to the state aggregate data for the period July 1, 2005, to June 30, 2006, inclusive.

5. Of the funds appropriated in this item, $14,088,000 is provided for increases in average daily attendance at a rate of 2.50 percent. If growth funds are insufficient, the State Department of Education may adjust the per-pupil growth rates to conform to available funds. Additionally, $24,433,000 is for the purpose of providing a cost-of-living adjustment at a rate of 4.23 percent.

6. An additional $45,896,000 in expenditures for this item has been deferred until the 2006–07 fiscal year.

6110-156-0890—For local assistance, Department of Education, Program 10.50.010.001-Adult Education, payable from the Federal Trust Fund..... ~~81,715,000~~ *79,212,000*

Provisions:

1. Under any grant awarded by the State Department of Education under this item to a qualifying community-based organization to provide adult basic education in English as a Second Language and English as a Second Language-Citizenship classes, the department shall make an initial payment to the organization of 25 percent of the amount of the grant. In order to qualify for an advance payment, a community-based organization shall submit an expenditure plan and shall guarantee that appropriate standards of educational quality and fiscal accountability are maintained. In addition, reimbursement of claims shall be distributed on a quarterly basis. The State Department of Education shall withhold 10 percent of the final payment of a grant as described in this provision until all claims for that community-based organization have been submitted for final payment.

2. (a) Notwithstanding any other provision of law, all nonlocal educational agencies (Non-LEA) receiving greater than $300,000 pursuant to

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this item shall submit an annual organizational audit, as specified, to the State Department of Education, Office of External Audits.

All audits shall be performed by one of the following: (1) a certified public accountant possessing a valid license to practice within California; (2) a member of the State Department of Education's staff of auditors; or (3) in-house auditors, if the entity receiving funds pursuant to this item is a public agency, and if the public agency has internal staff that performs auditing functions and meets the tests of independence found in Standards for Audits of Governmental Organization, Programs, Activities and Functions issued by the Comptroller General of the United States.

The audit shall be in accordance with State Department of Education audit guidelines and Office of Management and Budget, Circular No. A-133, Audits of Institutions of Higher Education and Other Non-Profit Institutions.

Non-LEA entities receiving funds pursuant to this item shall submit the annual audit no later than six months from the end of the agency fiscal year. If, for any reason, the contract is terminated during the contract period, the auditor shall cover the period from the beginning of the contract through the date of termination.

Non-LEA entities receiving funds pursuant to this item shall be held liable for all State Department of Education costs incurred in obtaining an independent audit if the contractor fails to produce or submit an acceptable audit.

(b) Notwithstanding any other provision of law, the State Department of Education shall annually submit to the Governor, Joint Legislative Budget Committee, and Joint Legislative Audit Committee limited scope audit reports of all subrecipients it is responsible for monitoring that receive between $25,000 and $300,000 of federal awards, and that do not have an organization-wide audit performed. These limited scope audits shall be conducted in accordance with the State Department of Education audit

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guidelines and Office of Management and Budget, Circular No. A-133. The State Department of Education may charge audit costs to applicable federal awards, as authorized by OMB, Circular No. A-133 Section 230(b)(2).

The limited scope audits shall include agreed-upon procedures engagements conducted in accordance with either AICPA generally accepted auditing standards or attestation standards, and address one or more of the following types of compliance requirements: allowed or unallowed activities; allowable costs and cost principles; eligibility; matching; level of effort; earmarking; and reporting.

The State Department of Education shall contract for the limited scope audits with a certified public accountant possessing a valid license to practice within the state or with an independent auditor.

3. On or before March 1, 2006, the State Department of Education shall report to the appropriate subcommittees of the Assembly Budget Committee and the Senate Budget and Fiscal Review Committee on the following aspects of Title II of the federal Workforce Investment Act: (a) the makeup of those adult education providers that applied for competitive grants under Title II and those that obtained grants, by size, geographic location, and type (school ~~district~~ *districts* , community colleges, community-based organizations, other local entities); (b) the extent to which participating programs were able to meet planned performance targets; and (c) a breakdown of the types of courses (ESL, ~~ESL Citizenship~~ *ESL-Citizenship* , ABE, ASE) included in the performance targets of participating agencies. It is the intent of the Legislature that the Legislature and State Department of Education utilize the information provided pursuant to this provision to (a) evaluate whether any changes need to be made to improve the implementation of the accountability-based funding system under Title II and (b) evaluate the feasibility of any future expansion of the accountability-based funding system using state funds.

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4. The State Department of Education shall continue to ensure that outcome measures for Department of Mental Health and Department of Developmental Services clients are set at a level where these clients will continue to be eligible for adult education services in the 2005–06 fiscal year and beyond to the full extent authorized under federal law. The State Department of Education shall also consult with the Department of Mental Health, Department of Developmental Services, and Department of Finance for this purpose.

6110-158-0001—For local assistance, Department of Education (Proposition 98), for transfer by the Controller to Section A of the State School Fund in lieu of the amount that otherwise would be appropriated pursuant to Section 41841.5 of the Education Code, Program 10.50.010.002-Adults in Correctional Facilities ..... 15,322,000

Provisions:

1. Notwithstanding Section 41841.5 of the Education Code, or any other provision of law, the amount appropriated in this item and any amount allocated for this program in this act shall be the only funds available for allocation by the Superintendent of Public Instruction to school districts or county offices of education for the Adults in Correctional Facilities program.
2. Notwithstanding Section 41841.5 of the Education Code, or any other provision of law, the amount appropriated in this item shall be allocated based upon prior year rather than current year expenditures.
3. Notwithstanding any other provision of law, funding distributed to each local educational agency (LEA) for reimbursement of services provided in the 2004–05 fiscal year for the Adults in Correctional Facilities program shall be limited to the amount received by the agency for services provided in the 2003–04 fiscal year. Funding shall be reduced or eliminated, as appropriate, for any LEA that reduces or eliminates services provided under this program in the 2004–05 fiscal year, as compared to the level of services provided in the 2003–04 fiscal year. Any funds remaining as a result of those decreased levels of service shall be

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allocated to provide support for new programs in accordance with Section 41841.8 of the Education Code.

4. Notwithstanding any other provision of law, funds appropriated by this item for growth in average daily attendance first shall be allocated to programs that are funded for 20 units or less of average daily attendance, up to a maximum of 20 additional units of average daily attendance per program.

5. Of the funds appropriated in this item, $365,000 is provided for increases in average daily attendance at a rate of 2.50 percent. If growth funds are insufficient, the State Department of Education may adjust the per-pupil growth rates to conform to available funds. Additionally, $361,000 is for the purpose of providing a cost-of-living adjustment at a rate of 2.41 percent.

6110-161-0001—For local assistance, Department of Education (Proposition 98), Program 10.60-Special Education Programs for Exceptional Children..... 2,894,790,000

Schedule:

(1) 10.60.050.003-Special education instruction ..... 2,831,196,000

(2) 10.60.050.080-Early Education Program for Individuals with Exceptional Needs ..... 77,989,000

(3) Reimbursements for Early Education Program, Part C .....–14,395,000

Provisions:

1. Funds appropriated by this item are for transfer by the Controller to Section A of the State School Fund, in lieu of the amount that otherwise would be appropriated for transfer from the General Fund in the State Treasury to Section A of the State School Fund for the 2005–06 fiscal year pursuant to Sections 14002 and 41301 of the Education Code, for apportionment pursuant to Part 30 (commencing with Section 56000) of the Education Code, superseding all prior law.

2. Of the funds appropriated in Schedule (1) of this item, ~~$11,448,000~~ *$11,428,000* , plus any COLA, shall be available for the purchase, repair, and inventory maintenance of specialized books, materials, and equipment for pupils with low-incidence disabilities, as defined in Section 56026.5 of the Education Code.

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3. Of the funds appropriated in Schedule (1) of this item, ~~$8,842,000~~ *$8,826,000* , plus any COLA, shall be available for the purposes of vocational training and job placement for special education pupils through Project Workability I pursuant to Article 3 (commencing with Section 56470) of Chapter 4.5 of Part 30 of the Education Code. As a condition of receiving these funds, each local educational agency shall certify that the amount of nonfederal resources, exclusive of funds received pursuant to this provision, devoted to the provision of vocational education for special education pupils shall be maintained at or above the level provided in the 1984–85 fiscal year. The Superintendent of Public Instruction may waive this requirement for local educational agencies that demonstrate that the requirement would impose a severe hardship.
4. Of the funds appropriated in Schedule (1) of this item, $4,612,000, plus any COLA, shall be available for regional occupational centers and programs that serve pupils having disabilities, and $77,055,000, plus any COLA, shall be available for regionalized program specialist services, $1,807,000, plus any COLA, for small special education local plan areas (SELPAs) pursuant to Section 56836.24 of the Education Code.
5. Of the funds appropriated in Schedule (1), $1,000,000 is provided for extraordinary costs associated with single placements in nonpublic, nonsectarian schools, pursuant to Section 56836.21 of the Education Code.
6. Of the funds appropriated in Schedule (1), a total of ~~$179,489,000~~ *$183,196,000* , plus any COLA, is available to fund the costs of children placed in licensed children's institutions who attend nonpublic schools based on the funding formula authorized in Chapter 914 of the Statutes of 2004.
7. Of the amount appropriated in Schedule (2) of this item, $514,000, plus any COLA, shall be available for infant program growth units (ages birth–two years). Funds for infant units shall be allocated pursuant to Provision 11 of this item,

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with the following average number of pupils per unit:

(a) For special classes and centers—16.

(b) For resource specialist programs—24.

(c) For designated instructional services—16.

8. Notwithstanding any other provision of law, early education programs for infants and toddlers shall be offered for 200 days. Funds appropriated in Schedule (2) shall be allocated by the State Department of Education for the 2005–06 fiscal year to those programs receiving allocations for instructional units pursuant to Section 56432 of the Education Code for the Early Education Program for Individuals with Exceptional Needs operated pursuant to Chapter 4.4 (commencing with Section 56425) of Part 30 of the Education Code, based on computing 200-day entitlements. Notwithstanding any other provision of law, funds in Schedule (2) shall be used only for the purposes specified in Provisions 10 and 11 of this item.

9. Notwithstanding any other provision of law, state funds appropriated in Schedule (2) of this item in excess of the amount necessary to fund the deficited entitlements pursuant to Section 56432 of the Education Code and Provision 10 of this item shall be available for allocation by the State Department of Education to local educational agencies for the operation of programs serving solely low-incidence infants and toddlers pursuant to Title 14 (commencing with Section 95000) of the Government Code. These funds shall be allocated to each local educational agency for each solely low-incidence child through age two in excess of the number of solely low-incidence children through age two served by the local educational agency during the 1992–93 fiscal year and reported on the April 1993 pupil count. These funds shall only be allocated if the amount of reimbursement received from the State Department of Developmental Services is insufficient to fully fund the costs of operating the Early Intervention Program, as authorized by Title 14 (commencing with Section 95000) of the Government Code.

10. The State Department of Education, through coordination with the SELPAs, shall ensure local interagency coordination and collaboration in the provision of early intervention services, in-

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cluding local training activities, child-find activities, public awareness, and the family resource center activities.

11. Funds appropriated in this item, unless otherwise specified, are available for the sole purpose of funding 2005–06 special education program costs and shall not be used to fund any prior year adjustments, claims or costs.

12. Of the amount provided in Schedule (1), $162,000, plus any COLA, shall be available to fully fund the declining enrollment of necessary small SELPAs pursuant to Chapter 551 of the Statutes of 2001.

13. Pursuant to Section 56427 of the Education Code, of the funds appropriated in Schedule (1) of this item, up to $2,324,000 may be used to provide funding for infant programs, and may be used for those programs that do not qualify for funding pursuant to Section 56432 of the Education Code.

14. Of the funds appropriated in Schedule (1) of this item, $29,478,000 shall be allocated to local educational agencies for the purposes of Project Workability I.

15. Of the funds appropriated in Schedule (1) of this item, $1,700,000 shall be used to provide specialized services to pupils with low-incidence disabilities, as defined in Section 56026.5 of the Education Code.

16. Of the funds appropriated in Schedule (1) of this item, up to $1,117,000 shall be used for a personnel development program. This program shall include state-sponsored staff development for special education personnel to have the necessary content knowledge and skills to serve children with disabilities. This funding may include training and services targeting special education teachers and related service personnel that teach core academic or multiple subjects to meet the applicable special education requirements of the Individuals with Disabilities Education Improvement Act of 2004.

17. Of the funds appropriated in Schedule (1) of this item, up to $200,000 shall be used for research and training in cross-cultural assessments.

18. Of the amount specified in Schedule (1) of this item, $31,000,000 shall be used to provide men-

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tal health services required by an individual education plan pursuant to the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) and pursuant to Chapter 493 of the Statutes of 2004.

19. Of the amount provided in Schedule (1), ~~$162,716,000~~ *$121,896,000* is provided for a COLA at a rate of 4.23 percent.

20. Of the amount provided in Schedule (2), $3,165,000 is provided for a COLA at a rate of 4.23 percent.

21. Of the amount specified in Schedule (1) of this item, ~~$39,235,000 shall be appro-~~ *$12,800,000 shall be allocated to each SELPA based upon an equal amount per ADA and added to each SELPA's base funding as determined pursuant to Chapter 854, Statutes of 1997.* ~~priated 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 2005–06 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, the remaining amount shall be allocated pursuant to Section 56836.158 of the Education Code.~~

~~22. Pursuant to Chapter 493 of the Statutes of 2004, of the funds appropriated in Schedule (1) of this item, $4,000,000 shall be used to contract for the provision of mental health services that are provided during the 2005–06 fiscal year and that are included within an individual education program pursuant to the federal Individuals with Disabilities Education Act (IDEA) of 2004.~~

*22. Of the amount appropriated in this item, $1,480,000 is available for the state's share of costs in the settlement of Emma C. v. Delaine Eastin, et al. (N.D. Cal. No. C96-4179TEH). The State Department of Education shall report by January 1, 2006, to the fiscal committees of both houses of the Legislature, the Department of Fi-*

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*nance, and the Legislative Analyst's Office on the planned use of the additional special education funds provided to the Ravenswood Elementary School District pursuant to this settlement. The report shall also provide the State Department of Education's best estimate of when this supplemental funding will no longer be required by the court. The State Department of Education shall comply with the requirements of Section 948 of the Government Code in any further request for funds to satisfy this settlement.*

*23. Of the funds appropriated in this item, $2,500,000 shall be allocated directly to special education local plan areas for a personnel development program that meets the highly qualified teacher requirements and ensures that all personnel necessary to carry out this part are appropriately and adequately prepared, subject to the requirements of paragraph (14) of subdivision (a) of Section 612 of the Individuals with Disabilities Education Act of 2004 (IDEA), and Section 2122 of the Elementary and Secondary Education Act of 1965. The local in-service program shall include a parent training component and may include a staff training component, and may include a special education teacher component for special education service personnel and paraprofessionals, consistent with state certification and licensing requirements. Use of these funds shall be described in the local plans. These funds may be used to provide training in alternative dispute resolution and the local mediation of disputes. All programs are to include evaluation components.*

*24. Of the amount appropriated in Schedule (1), $52,620,000 is available for the 2005–06 fiscal year on a one-time basis. Local educational agencies shall use these funds for one-time purposes, including, but not limited to, the following: to assist students with disabilities pass the California High School Exit Examination, instructional materials, or other one-time expenditures for students with disabilities.*

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|---|---|
| 6110-161-0890—For local assistance, Department of Education, payable from the Federal Trust Fund, Program 10.60-Special Education Programs for Exceptional Children | ~~1,149,585,000~~ *1,149,044,000* |
| Schedule: | |
| (1) 10.60.050.012-Local Agency Entitlements, IDEA Special Education | 970,398,000 |
| (2) 10.60.050.013-State Agency Entitlements, IDEA Special Education | ~~3,115,000~~ *2,152,000* |
| (3) 10.60.050.015-IDEA, Local Entitlements, Preschool Program | 59,240,000 |
| (4) 10.60.050.021-IDEA, ~~Capacity Building, Special Education~~ *State Level Activities* | 73,220,000 |
| (5) 10.60.050.030-P.L. 99-457, Preschool Grant Program | 39,161,000 |
| (6) 10.60.050.031-IDEA, State Improvement Grant, Special Education | 2,079,000 |
| (7) 10.60.050.032-IDEA, Family Empowerment Centers | ~~2,372,000~~ *2,794,000* |

Provisions:

1. If the funds for Part B of the federal Individuals with Disabilities Education Act that are actually received by the state exceed $1,132,573,000, at least 95 percent of the funds received in excess of that amount shall be allocated for local entitlements and to state agencies with approved local plans. Up to 5 percent of the amount received in excess of $1,132,573,000 may be used for state administrative expenses upon approval of the Department of Finance. If the funds for Part B of the federal Individuals with Disabilities Education Act that are actually received by the state are less than $1,132,573,000, the reduction shall be taken in other state level activities.
2. The funds appropriated in Schedule (2) shall be distributed to state-operated programs serving disabled children from 3 to 21 years of age, inclusive. In accordance with federal law, the funds appropriated in Schedules (1) and (2) shall be distributed to local and state agencies on the basis of

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the federal Individuals with Disabilities Education Act permanent formula.

3. Of the funds appropriated in Schedule (4) of this item, $2,500,000 shall be allocated directly to special education local plan areas for a personnel development program that meets the highly qualified teacher requirements and ensures that all personnel necessary to carry out this part are appropriately and adequately prepared, subject to the requirements of Section 612 (a)(14) of the Individuals with Disabilities Education Improvement Act of 2004 and Section 2122 of the Elementary and Secondary Education Act of 1965. The local in-service programs shall include a parent training component and may include a staff training component, and may include a special education teacher component for special education service personnel and paraprofessionals, consistent with state certification and licensing requirements. Use of these funds shall be described in the local plans. These funds may be used to provide training in alternative dispute resolution and the local mediation of disputes. All programs are to include evaluation components.

4. Of the funds appropriated in Schedule (4) of this item, up to $300,000 shall be used to develop and test procedures, materials, and training for alternative dispute resolution in special education.

5. Of the funds appropriated by Schedule (5) for the Preschool Grant Program, $1,228,000 shall be used for in-service training and shall include a parent training component and may, in addition, include a staff training program. These funds may be used to provide training in alternative dispute resolution and the local mediation of disputes. This program shall include state-sponsored and local components.

6. Of the funds appropriated in this item, $1,420,000 is available for local assistance grants for the Quality Assurance and Focused Monitoring Pilot Program to monitor local educational agency compliance with state and federal laws and regulations governing special education. This funding level is to be used to continue the facilitated reviews and, to the extent consistent with the key performance indicators developed by the State

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Department of Education, these activities focus on local educational agencies identified by the United States Department of Education's Office of Special Education Programs.

7. The funds appropriated in Schedule (7) shall be used for the purposes of Family Empowerment Centers on Disabilities pursuant to Chapter 690 of the Statutes of 2001.

8. Notwithstanding the notification requirements listed in subdivision (d) of Section 26.00, the Department of Finance is authorized to approve intraschedule transfers of funds within this item submitted by the State Department of Education for the purposes of ensuring that special education funding provided in this item is appropriated in accordance with the statutory funding formula required by federal IDEA and the special education funding formula required pursuant to Chapter 7.2 (commencing with Section 56836) of Part 30 of the Education Code, without waiting 30 days, but shall provide a notice to the Legislature each time a transfer occurs.

~~9. Pursuant to Chapter 493 of the Statutes of 2004, of the funds appropriated in Schedule (4) of this item, $65,000,000 shall be used to contract for mental health services provided during the 2005–06 fiscal year that are included within an individualized education program pursuant to the federal Individuals with Disabilities Education Improvement Act of 2004.~~

*9. Of the funds appropriated in Schedule (4) of this item, $69,000,000 shall be used exclusively to support mental health services that are provided during the 2005–06 fiscal year by county mental health agencies pursuant to Chapter 26.5 (commencing with Section 7570) of Division 7 of the Government Code and that are included within an individualized education program pursuant to the federal Individuals with Disabilities Education Act. Each county office of education receiving these funds shall contract, on behalf of special education local planning areas in their county, with the county mental health agency to provide specified mental health services. This funding shall be considered offsetting revenues within the*

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*meaning of subdivision (e) of Section 17556 of the Government Code for any reimbursable mandated cost claim for provision of the mental health services provided in 2005–06. Amounts allocated to each county office of education shall reflect the share of the $69,000,000 in federal special education funds provided to that county in 2004–05 for mental health services provided pursuant to Chapter 26.5 (commencing with Section 7570) of Division 7 of the Government Code.*

*10. Of the amount appropriated in Schedule (1) of this item, $58,377,000 represents the increase in the local assistance portion of the federal grant in 2005–06. These funds have been passed through to be used by each SELPA for discretionary purposes.*

6110-166-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 10.70.070-Vocational Education, for the purpose of Article 5 (commencing with Section 54690) of Chapter 9 of Part 29 of the Education Code, Partnership Academies Program..... 22,999,000

Provisions:

1. If there are any funds in this item that are not allocated for planning or operational grants, the State Department of Education may allocate those remaining funds as one-time grants to state-funded partnership academies to be used for one-time purposes.

6110-166-0890—For local assistance, Department of Education, Program 10.70-Vocational Education, payable from the Federal Trust Fund..... 137,822,000

Provisions:

1. The funds appropriated in this item include federal Vocational Education Act funds for the 2005–06 fiscal year to be transferred to the community colleges by means of interagency agreements for the purpose of funding vocational education programs in community colleges.
2. The State Board of Education and the Board of Governors of the California Community Colleges shall target funds appropriated by this item to provide services to persons participating in welfare-to-work activities under the CalWORKs program.

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3. The Superintendent of Public Instruction shall report, not later than February 1 of each year, to the Joint Legislative Budget Committee and the Director of Finance, describing the amount of carryover funds from this item, reasons for the carryover, and plans to reduce the amount of carryover.
4. Of the funds appropriated in this item, $7,578,000 is a one-time carryover available for the support of additional vocational education instructional activities. These funds shall be used during the 2005–06 academic year to support additional alignment and articulation of K–12 tech prep programs with local community college economic development *and vocational education* programs in an effort to incorporate greater participation of K–12 students in sequenced, industry-driven coursework that leads to meaningful employment in today's high-tech, high-demand, and emerging technology areas of industry employment.

6110-167-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 10.70-Agricultural Vocational Education Incentive Program established pursuant to Article 7.5 (commencing with Section 52460) of Chapter 9 of Part 28 of the Education Code ..... 4,711,000

Provisions:

1. As a condition of receiving funds appropriated in this item, a school district shall certify to the Superintendent of Public Instruction both of the following:
   (a) Agricultural Vocational Education Incentive Program funds shall be expended for the items identified in its application, except that, in items of expenditure classification 4000, only the total cost of expenses shall be required and itemization shall not be required.
   (b) The school district shall provide at least 50 percent of the cost of the items and costs from expenditure classification 4000, as identified in its application, from other funding sources. Nothing in this provision shall be construed to limit the authority of the Superintendent of Public Instruction to waive the local matching requirement established by subdivision (b) of Section 52461.5 of the Education Code.

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2. Of the funds appropriated in this item, $45,000 is provided for increases in average daily attendance at a rate of 1.00 percent. Additionally, $191,000 is for the purpose of providing a cost-of-living adjustment at a rate of 4.23 percent.

~~6110-177-0001—For local assistance, Department of Education (Proposition 98), Program 20.10.035.002-Instructional Support—Arts Work Grant Program... 6,000,000~~

~~Provisions:~~

~~1. The funds appropriated in this item shall be used for arts education programs conducted by local education agencies pursuant to guidelines developed by the State Department of Education and approved by the State Board of Education, as authorized by Chapter 5.1 (commencing with Section 8820) of Part 6 of the Education Code.~~

6110-180-0890—For local assistance, Department of Education, Program 20.10.025-Educational Technology, payable from the Federal Trust Fund ..... 63,753,000

Provisions:

1. Of the funds appropriated in this item, $31,140,000 is for allocation to school districts that are awarded formula grants pursuant to the federal Enhancing Education Through Technology Grant Program.
2. Of the funds appropriated in this item, $31,140,000 is available for competitive grants pursuant to Chapter 8.9 (commencing with Section 52295.10) of Part 28 of the Education Code and the requirements of the federal Enhancing Education Through Technology Grant Program—including the eligibility criteria established in federal law to target local educational agencies with high numbers or percentages of children from families with incomes below the poverty line and one or more schools either qualifying for federal school improvement or demonstrating substantial technology needs.
3. Of the funds appropriated in this item, $1,473,000 is available for the California Technology Assistance Project (CTAP) to provide federally required technical assistance and to help districts apply for and take full advantage of the federal Enhancing Education Through Technology grants.

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|---|---|
| 6110-181-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund Program 20.10.025-Educational Technology programs funded pursuant to Article 15 (commencing with Section 51870) of Chapter 5 of Part 28 and Chapter 3.34 (commencing with Section 44730) of Part 25 of the Education Code ..... | 16,069,000 |
| Provisions: | |
| 1. Of the funds appropriated in this item, $106,000 is for the purpose of providing an adjustment for increases in average daily attendance at a rate of 0.69 percent. If growth funds are insufficient, the State Department of Education may adjust the per-pupil growth rates to conform to available funds. | |
| 2. Of the funds appropriated in this item, $652,000 is for the purpose of providing a cost-of-living adjustment (COLA) at a rate of 4.23 percent. | |
| 6110-181-0140—For local assistance, Department of Education, payable from the California Environmental License Plate Fund ..... | 360,000 |
| Schedule: | |
| (1) 20.10.055-Environmental Education..... 548,000 | |
| (2) Reimbursements..... −188,000 | |
| 6110-182-0001—For local assistance, Department of Education (Proposition 98), Program 20.20.030-K–12 High Speed Network ..... | 0 |
| Provisions: | |
| 2. $21,025,000 of unexpended funds originally provided for Internet connectivity and network infrastructure for grades K–12 schools and county offices of education from the following appropriations are available for allocation to the Imperial County Office of Education to continue management and operation of the K–12 high speed Internet network during the 2005–06 fiscal year: Item 6440-001-0001, Schedule (a), Provision 44 of Chapter 52, Statutes of 2000; Item 6440-001-0001, Schedule (1), Provision 24 of Chapter 106, Statutes of 2001; Item 6440-001-0001, Schedule (1), Provision 24 of Chapter 379, Statutes of 2002; Item 6440-001-0001, Schedule (1), Provision 22 of Chapter 157, Statutes of 2003; Item | |

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6110-182-0001, Chapter 208, Statutes of 2004. Of these unexpended funds, the Imperial County Office of Education consortium may use up to $1,221,000 to administer and support the program. The program shall be governed pursuant to legislation enacted for this purpose on or before January 1, 2006, during the 2005–06 Regular Session.

3. Prior to the expenditure of funds referenced in Provision 2, the Joint Legislative Audit Committee (JLAC) shall conduct an audit of the K–12 High Speed Network. The audit shall identify prior-year funds that remain available for the project and determine whether the state owns the network (which would affect the network's future development and use). The JLAC audit also shall include an assessment of: (a) the quality of project oversight, (b) the reasonableness of CENIC's existing cost allocation methodology, and (c) the appropriateness of the contracts entered into by state agencies transferring funds to CENIC.

6110-183-0890—For local assistance, Department of Education, Instructional Support—Safe and Drug Free Schools and Communities Act of 1994 (P.L. 103-382), payable from the Federal Trust Fund ..... 41,078,000

Schedule:

(1) 20.10.045-Health and Physical Education, Drug Free Schools ..... 41,078,000

Provisions:

1. Local educational agencies shall give priority in the expenditure of the funds appropriated by this item to create comprehensive drug and violence prevention programs that promote school safety, reduce the use of drugs, and create learning environments that are free of alcohol and guns and that support academic achievement for all pupils. In addition to preventing drug and alcohol use, prevention programs will respond to the crisis of violence in our schools by addressing the need to prevent serious crime, violence, and discipline problems. The Superintendent of Public Instruction shall (a) notify local educational agencies of this policy, and (b) incorporate the policy into the department's compliance review procedures.

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6110-188-0001—For local assistance, Department of Education (Proposition 98), Program 10.10-School Apportionments Deferred Maintenance, for transfer to the State School Deferred Maintenance Fund ..... 267,909,000

Provisions:

1. The funds appropriated in this item shall be transferred to the State School Deferred Maintenance Fund and are available for funding applications received by the Department of General Services, Office of Public School Construction for the purpose of payments to school districts for deferred maintenance projects pursuant to Section 17584 of the Education Code.

6110-189-0001—For local assistance, Department of Education (Proposition 98), for transfer to State Instructional Materials Fund pursuant to Article 3 (commencing with Section 60240) of Chapter 2 of Part 33 of Division 4 of Title 2 of the Education Code ..... ~~380,966,000~~ *360,966,000*

Schedule:

(1) 20.20.020.005-Instructional Materials Block Grant.....~~380,966,000~~ *360,966,000*

Provisions:

1. The funds in this item shall be allocated to school districts to purchase standards-aligned instructional materials.

6110-190-0001—For local assistance, Department of Education (Proposition 98), Program 10.10-School Apportionments, Community Day Schools ..... 42,215,000

Provisions:

1. The funds appropriated in this item are for transfer to Section A of the State School Fund to reimburse costs incurred pursuant to Chapter 974 of the Statutes of 1995 as amended by Chapter 847 of the Statutes of 1998.
2. Funds appropriated in this item shall not be available for the purposes of Section 41972 of the Education Code.
3. Of the funds appropriated in this item, $1,713,000 is for the purpose of providing a cost-of-living adjustment (COLA) at a rate of 4.23 percent to community day schools in lieu of the amount that would otherwise be provided pursuant to subdivision (b) of Section 42238.1 of the Education Code.

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4. An additional $4,751,000 in expenditures for this item has been deferred until the 2006–07 fiscal year.

*6110-191-0001—For local assistance, Department of Education (Proposition 98), Supplemental Instructional Materials for English Learners..... 20,000,000*

*Provisions:*

*1. The funds appropriated in this item shall be available to provide supplemental instructional materials specifically for English language learners in kindergarten and grades 1 to 12, inclusive. The purpose of these materials will be to accelerate pupils as rapidly as possible towards grade level proficiency. These funds shall be available for encumbrance by local educational agencies until June 30, 2007. The funds shall be used to purchase supplemental materials that are designed to help English language learners become proficient in reading, writing, and speaking English. These materials may only be used in addition to the standards-aligned materials adopted by the State Board of Education pursuant to Section 60605 of the Education Code.*

*2. Local educational agencies shall be eligible for apportionment funding of up to $25 per pupil, based on the most recently certified language census number of English language learners in kindergarten and grades 1 to 12, inclusive, to purchase any materials that the State Department of Education verifies and the State Board of Education approves are substantially correlated to identified state standards adopted pursuant to Section 60811 of the Education Code, as applied in the standards adopted pursuant to Section 60605 of the Education Code. Funding may be provided only for the number of pupils that the local educational agency certifies it will purchase materials for pursuant to Provision 5. Local educational agencies shall return to the state any funds allocated pursuant to this provision that are not expended for the purchase of materials pursuant to this provision.*

*3. The State Department of Education shall use the correlation matrix that it developed during the 2004–05 fiscal year to determine if the instructional materials correlate to the standards adopted by the State Board of Education.*

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*4. Prior to submission of materials to the State Department of Education for verification that the materials correlate to identified standards, publishers shall be required to submit standards maps to the department and any requesting local educational agency so that the department and the local educational agency can determine the extent to which each item, if purchased separately, or set of instructional materials for English language learners are correlated to the standards adopted by the State Board of Education.*

*The standards maps shall be filled out using the most recent format approved by the State Board of Education. The contents for the standards map will be the correlation matrix as described in Provision 3.*

*5. As a condition of the receipt of funds appropriated in this item, local educational agencies that elect to participate shall do both of the following: (a) no later than September 15, 2006, submit an intent to purchase, specifying the title, ISBN number, grade levels, type, and publisher of the materials they intend to purchase, and the number of pupils for which materials will be purchased; and (b) certify that materials they intend to purchase are substantially correlated to support the identified state standards and adopted materials, and shall submit this certification to the State Department of Education. Participating districts shall not be required to locally certify materials if the materials have already been found to be substantially correlated with standards by the State Department of Education and the State Board of Education.*

*6. After a local educational agency notifies the State Department of Education that it intends to purchase materials, the department may select and train panels of teachers and educators to verify the standards maps provided by the publishers and examine the materials for legal and social compliance. The department shall also provide an appeals process to allow due process review of discrepancies of findings in the verification process. The department's verification shall not constitute a state adoption of instructional materials pursuant to Section 60200 of the Education Code. The department shall give first priority in verify-*

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*ing correlation to identified state standards to those materials that are most commonly cited in districts' intents to purchase provided pursuant to Provision 5. The department shall submit its verification results to the State Board of Education for approval and the State Board of Education shall approve or disapprove the materials at the next regularly scheduled meeting after receipt of the department's verification, in accordance with public notification requirements. The department shall only be required to review materials that it has not already reviewed during the 2005 calendar year.*

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 ..... 29,635,000

Schedule:

(1) 20.60.070-Instructional Support: Bilingual Teacher Training Assistance Program..... 1,951,000

(2) 20.60.060-Instructional Support: Teacher Peer Review..... 27,318,000

(3) 20.60.110-Instructional Support: Improving School Effectiveness-Reader Services for Blind Teachers ..... 366,000

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 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 Division 4 of Title 2 of the Education Code.

2.5. Of the funds appropriated in Schedule (1) of this item, $13,000 is provided for increases in average daily attendance at a rate of 0.69 percent. If growth funds are insufficient, the State Depart-

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ment of Education may adjust the per-pupil growth rates to conform to available funds. Additionally, $79,000 is for the purpose of providing a cost-of-living adjustment at a rate of 4.23 percent.

3. The funds appropriated in Schedule (2) shall be allocated in accordance with Article 4.5 (commencing with Section 44500) of Chapter 3 of Part 25 of Division 3 of Title 2 of the Education Code. Funds appropriated in Schedule (2) include $180,000 for the purpose of making adjustments for increases in average daily attendance at a rate of 0.69 percent. If growth funds are insufficient, the State Department of Education may adjust the per-pupil growth rates to conform to available funds. Additionally, $1,109,000 is for the purpose of providing a cost-of-living adjustment at a rate of 4.23 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 Reader Services for Blind Teachers, for transfer to the Reader Employment Fund established by Section 45371 of the Education Code for the purposes of Section 44925 of the Education Code.
5. Of the funds appropriated in Schedule (3) of this item, $2,000 is provided for increases in average daily attendance at a rate of 0.69 percent. If growth funds are insufficient, the State Department of Education may adjust the per-pupil growth rates to conform to available funds. Additionally, $15,000 is for the purpose of providing a cost-of-living adjustment at a rate of 4.23 percent.

6110-193-0890—For local assistance, Department of Education, Program 20.60-Instructional Support, Title II, Part B of the Elementary and Secondary Education Act (Mathematics and Science Partnership Grants) payable from the Federal Trust Fund .. 24,278,000

6110-195-0001—For local assistance, Department of Education (Proposition 98), Program 20.60.140-Staff Development: Teacher improvement, Teacher Incentives National Board Certification ..... 7,535,000

Provisions:

1. The funds appropriated in this item shall be for the purpose of providing incentive grants to teachers with certification by the National Board for Professional Teaching Standards that are teaching

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in low-performing schools pursuant to Article 13 (commencing with Section 44395) of Chapter 2 of Part 25 of the Education Code.

6110-195-0890—For local assistance, Department of Education, Program 20.60-Instructional Support, Title II, Part A of the Elementary and Secondary Education Act (Teacher and Principal Training and Recruiting Fund), payable from the Federal Trust Fund ..... 328,331,000

Schedule:

(1) 20.60.280-Improving Teacher Quality Local Grants.....322,427,000

(2) 20.60.270-Principal Training Program..... 1,554,000

(3) 20.60.190.300-California Subject Matter Projects ..... 4,350,000

Provisions:

1. The funds appropriated in Schedule (2) of this item shall be for the Principal Training Program authorized pursuant to Article 4.6 (commencing with Section 44510) of Chapter 3 of Part 25 of the Education Code.
2. The funds appropriated in Schedule (3) of this item shall be for transfer to the University of California, which shall use the funds for the Science Subject Matter Projects.
3. Of the funds appropriated in Schedule (1), $80,000 is appropriated as a one-time carryover available from prior years.

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 any other statute ..... 1,220,860,000

Schedule:

(1) 30.10.010-Special Program, Child Development, Preschool Education ..... 325,377,000

(1.5) 30.10.020-Child Care Services ..... 1,760,515,000

| Item | Amount |
|---|---|
| (a) 30.10.020.001-Special Program, Child Development, General Child Development Programs.. | 633,594,000 |
| (b) 30.10.020.002-Special Program, Child Development, Community College Match—Required Center ... | 3,294,000 |
| (c) 30.10.020.004-Special Program, Child Development, Migrant Day Care ..... | 33,746,000 |
| (d) 30.10.020.007-Special Program, Child Development, Alternative Payment Program..... | 205,976,000 |
| (e) 30.10.020.011-Special Program, Child Development, Alternative Payment Program—Stage 2.. | 410,910,000 |
| (f) 30.10.020.012-Special Program, Child Development, Alternative Payment Program—Stage 3 Setaside ..... | 331,357,000 |
| (g) 30.10.020.008-Special Program, Child Development, Resource and Referral..... | 16,844,000 |
| (h) 30.10.020.009-Special Program, Child Development, Campus Child Care Tax Bailout ..... | 5,923,000 |

| Item | | Amount |
|---|---|---|
| (i) 30.10.020.015-Special Program, Child Development, Extended Day Care | 30,238,000 | |
| (j) 30.10.020.096-Special Program, Child Development, Allowance for Handicapped | 1,618,000 | |
| (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 | 73,115,000 | |
| (m) 30.10.020.911-Special Program, Child Development, Centralized Eligibility List | 7,900,000 | |
| (n) 30.10.020.920-Special Program, Child Development, Local Planning Councils | 5,750,000 | |
| (3) 30.10.020.908-Special Program, Child Development, Cost-of-Living Adjustments | | 54,664,000 |
| (4) 30.10.020.909-Special Program, Child Development, Growth Adjustments | | 29,860,000 |
| (5) Amount payable from the Federal Trust Fund (Item 6110-196-0890) | | –949,556,000 |

Provisions:

1. Notwithstanding Section 8278 of the Education Code, funds available for expenditure pursuant to

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that section shall be expended in the 2005–06 fiscal year pursuant to the following schedule:

(a) $4,000,000 or whatever lesser or greater amount is necessary for accounts payable pursuant to paragraph (1) of subdivision (b) of Section 8278 of the Education Code.

(b) $82,298,000 shall be available for CalWORKs Stage 2 child care.

(c) The Controller shall establish an account entitled Section 8278 Expenditures in 2004 in Item 6110-196-0001, Program 30.10.060. Any unexpended General Fund balances as of June 30, 2005, or subsequent abatements, from those amounts listed in Schedules (1), (1.5)(a), (1.5)(b), (1.5)(c), (1.5)(d), (1.5)(g), (1.5)(h), (1.5)(i), (1.5)(j), (1.5)(k), (1.5)(*l*), and (1.5)(n) 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 and as specified in this provision.

2. (a) Notwithstanding any other provision of law, alternative payment child care programs shall be subject to the rate ceilings established in the Regional Market Rate Survey of California child care and development providers for provider payments. The State Department of Education (SDE) shall utilize a federal fund contract, to be awarded through a competitive bid process, to conduct a market rate survey. A summary report and analyses of changes in mean and ceiling rates, adjustment factors, and region rates shall be forwarded to the Department of Finance along with the mean and ceiling rates. The contract shall also provide resources sufficient for the contractor 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

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shall be utilized by the SDE and the 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, the funds appropriated in this item for the cost of licensed child care services provided through alternative payment or voucher programs including those provided under Article 3 (commencing with Section 8220) and Article 15.5 (commencing with Section 8350) of Chapter 2 of Part 6 of the Education Code shall be used only to reimburse child care costs up to the 85th percentile of the rates charged by providers offering the same type of child care for the same age child in that region.

3. The funds appropriated in *Schedule (1.5)(h) of* 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.

4. Notwithstanding any other provision of law, 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 14 of Item 6870-101-0001.

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5. Funds in Schedule ~~(1.5)(a)~~ *(1.5)(1)* shall be reserved for activities to improve the quality and availability of child care, pursuant to the following:

(a) $2,067,000 is for the schoolage care and resource and referral earmark.

(b) $11,656,000 is for the infant and toddler earmark and shall be used for increasing the supply of quality child care for infants and toddlers.

(c) $12,780,000 in one-time federal funding shall be used for child care and development quality expenditures identified by the department.

~~No funds shall be expended pursuant to this paragraph until the SDE provides an expenditure and implementation plan with timelines to the Departments of Finance and Social Services. The plan shall be submitted no later than November 1, 2005. It is intended that the SDE work with both agencies in the development of the plan.~~

(d) From the remaining funds, the following amounts shall be allocated for the following purposes: $4,000,000 to train former CalWORKs recipients as child care teachers; $2,700,000 for contracting with the Department of Social Services for increased inspections of child care facilities; $1,200,000 for Trustline registration workload (Chapter 3.35 (commencing with Section 1596.60) of Division 2 of the Health and Safety Code); $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; and $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.

(e) As required by federal law, the SDE shall develop an expenditure plan that sets forth the final priorities and the reasons therefor if the final priorities are different from those approved in response to the reporting requirement contained in Provision 7(g) of Item 6110-196-0001 of Section 2.00 of the Budget Act of 2004 (Ch. 208, Stats. 2004). This plan

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shall be submitted to the Department of Finance by January 1, 2006, and funds shall not be encumbered prior to approval of the plan by the Department of Finance. The SDE 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.

(f) $15,000,000 from the General Fund shall be for child care worker recruitment and retention programs as specified by Chapter 547 of the Statutes of 2000.

6. (a) The State Department of Education (SDE) shall conduct monthly analyses of CalWORKs Stage 2 and Stage 3 caseloads and expenditures and adjust agency contract maximum reimbursement amounts and allocations as necessary to ensure funds are distributed proportionally to need. The SDE shall share monthly caseload analyses with the Department of Social Services (DSS).

(b) The SDE shall provide quarterly reports on the sufficiency of funding for Stage 2 and Stage 3 to DSS. The SDE 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.

(c) Any request from the Temporary Assistance to Needy Families (TANF) 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

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overall CalWORKs caseloads and related child care needs.

(d) By September 15, 2005, and March 15, 2006, the SDE shall ensure that detailed caseload and expenditure data, through the most recent period for Stage 2 and Stage 3 Setaside along with all relevant assumptions, is provided to DSS to facilitate budget development. 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 2007–08 fiscal year as well as local attrition experience. DSS shall utilize data provided by the department, including key variables from the prior fiscal year and the first two months of the 2005–06 fiscal year, to provide coordinated estimates in November 2005 for each of the three stages of care for preparation of the 2006–07 Governor's Budget, and shall utilize data from at least the first two quarters of the 2005–06 fiscal year, and any additional monthly data as they become available for preparation of the 2006 May Revision. DSS shall share its assumptions and methodology with SDE in the preparation of the 2006–07 Governor's Budget.

(e) As deemed necessary by the ~~department~~ *SDE* for counties where there is more than one Alternative Payment Program participating in CalWORKs child care programs, 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 ~~department~~ *SDE* may adjust these allocations at any time for providers deemed by the ~~department~~ *SDE* 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.

(f) The ~~department~~ *SDE* shall coordinate with the DSS to identify annual general subsidized

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child care program expenditures for TANF-eligible children. The ~~department~~ *SDE* shall modify existing reporting forms as necessary to capture this data.

(g) The SDE shall provide to the DSS, upon request, access to the information and data elements necessary to comply with federal reporting requirements and any other information deemed necessary to improve estimation of child care budgeting needs.

7. Notwithstanding any other provision of law, the funds in Schedule (1.5)(f) are reserved exclusively for continuing child care for *the following:* (a) 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 8353 of the Education Code, respectively, but still meet eligibility requirements for receipt of subsidized child care services; and (b) 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.

9. 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.

10. Administrative and support services allowances for the Alternative Payment, Stage 2, and Stage 3 Setaside child care programs funded through Schedules (1.5)(d), (1.5)(e), and (1.5)(f) of this item, shall be limited to no more than 23.4568 percent of the direct cost-of-care payments to child care providers.

11. Notwithstanding Section 26.00 of this act, the funds appropriated in Schedule (3) of this item, for child development cost-of-living adjustments, are for allocation among Schedules (1), (1.5)(a), (1.5)(b), (1.5)(c), (1.5)(d), (1.5)(g),

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(1.5)(h), (1.5)(i), (1.5)(j), and (1.5)(n) within this item. Funds shall not be allocated to programs prior to approval of a budget revision by the Department of Finance. After allocation of the 2005–06 COLA, the maximum standard reimbursement rate shall not exceed $30.04 per day for General Child Care programs and $19.17 per day for State Preschool Programs. Furthermore, the Community College Match, the Migrant Child Care, and the Cal-SAFE 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.

12. Notwithstanding Section 26.00 of this act, the funds appropriated in Schedule (4) of this item, for child development growth adjustments, are for allocation among Schedules (1), (1.5)(a), (1.5)(b), (1.5)(c), (1.5)(d), (1.5)(i), and (1.5)(j) within this item. Funds shall not be allocated to programs prior to approval of a budget revision by the Department of Finance.

*13. Notwithstanding any other provision of law, the income eligibility limits pursuant to subdivision (a) of Section 8263.1 of the Education Code used in the 2004–05 fiscal year shall remain in effect for the 2005–06 fiscal year.*

14. Notwithstanding any other provision of law, the Superintendent of Public Instruction may, upon request by a program that is earning the full grant amount, waive the funding caps for core grants for elementary, middle, and junior high school students to allow expenditure of any uncommitted funds that are available to enable those programs to create additional slots for 11- and 12-year-old pupils and their eligible younger siblings redirected from state-funded and federally funded subsidized child care programs pursuant to Section 8263.4 of the Education Code.

15. Notwithstanding any other provision of law, the federal funds in Schedule (1.5)(m) are ~~reserved~~ *appropriated* exclusively for developing and maintaining a Centralized Eligibility List in each county *pursuant to Section 8227 of the Education Code* . ~~Each Centralized Eligibility List shall be divided into two parts. The first part will be for eligibility for families with a gross~~

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~~monthly income below the level at which family fees begin to be charged and will be on a "first come, first served" basis. Eligibility for families with a gross monthly income at or above the level at which family fees begin to be charged will be based on lowest income served first, as currently occurs.~~ By November 1, 2005, the State Department of Education shall provide a status report on implementing eligibility lists in each county, which shall include, but is not limited to, the cost and expected implementation date for each county.

16. Funds made available in Provision 7(d) of Item 6110-196-0001 of Section 2.00 of the Budget Act of 2002 (Ch. 379, Stats. 2002) for the purpose of providing outreach to exempt providers shall continue to be available until June 30, 2006.

6110-196-0890—For local assistance, Department of Education, payable from the Federal Trust Fund..... 949,556,000

Provisions:

1. Notwithstanding any other provision of law, the funds appropriated in this item, to the extent permissible under federal law, are subject to Section 8262 of the Education Code.
2. The funds appropriated in this item include the federal Child Care and Development Block Grant and are contingent upon receipt of that federal grant.
3. Of the funds appropriated in this item, ~~$349,923,000~~ *$407,642,000* is from the transfer of funds *, pursuant to Item 5180-402,* from the federal Temporary Assistance for Needy Families (TANF) Block Grant administered by the State Department of Social Services to the federal Child Care and Development Block Grant for Stage 2 child care. This amount may be increased by transfer from the TANF reserve pursuant to Item 5180-403 of this act, except that funds may not be first transferred to the Child Care and Development Block Grant if those transfers result in an increase to the federal quality requirements beyond the level currently budgeted for quality activities.

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4. Of the funds appropriated in this item, $29,615,000 is available on a one-time basis for Stage 2 from federal Child Care and Development Block Grant funds appropriated prior to the 2005 federal fiscal year. Of these funds, $1,415,000 is provided for Stage 2 and $28,200,000 is provided for Stage 3.

5. Of the funds appropriated in this item, $12,780,000 is available on a one-time basis for quality projects from federal Child Care and Development Block Grant funds appropriated prior to the 2005 federal fiscal year.

6110-197-0890—For local assistance, Department of Education, payable from the Federal Trust Fund, 21st Century Community Learning Centers Program ..... ~~208,937,000~~ *180,937,000*

Schedule:

(1) 30.10.080-Special Program, Child Development, 21st Century Community Learning Centers Program.....~~208,937,000~~ *180,937,000*

Provisions:

1. (a) It is the intent of the Legislature that the department give significant weight in rating applications, reallocations of available funding and in approving use of grant carryover amounts to the level of student participation and cost per student served. Approval of use of carryover funds from year to year for programs receiving grants shall ensure that additional participation be required so as to not increase the cost per student served in the fiscal year in which grant funds are expended. The department shall also track cost per student planned versus actually achieved and actively ensure that each grant maximizes student participation in relation to the level of the annual grant or shall reduce grant amounts accordingly in subsequent years.

(b) The department shall provide an annual report to the Legislature and Department of Finance by November 1 of each year that identifies by cohort for the previous fiscal year

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each high school program funded, the amount of the annual grant and actual funds expended, the numbers of students served and planned to be served, and the average cost per student per day. If the average cost per student per day exceeds $10 per day, the department shall provide specific reasons why the costs are justified and cannot be reduced. In calculating cost per student per day, the department shall not count attendance unless the student is under the direct supervision of after school program staff funded through the grant. Additionally, the department shall calculate cost per day on the basis of the equivalent of a three-hour day for 180 days per school year. The department shall also identify for each program, as applicable, if the attendance of students is restricted to any particular subgroup of students at the school in which the program is located. If such restrictions exist, the department shall provide an explanation of the circumstances and necessity therefor.

2. The State Department of Education shall provide a report to the Legislature and the Department of Finance by October 1, 2005, identifying how funds appropriated in Provision 5(b) of Item 6110-197-0890 in the Budget Act of 2004 (Ch. 208, Stats. 2004) were allocated.

3. Notwithstanding any other provision of law, the Superintendent of Public Instruction may, upon request by a program that is earning the full grant amount, waive the funding caps for core grants for elementary, middle, and junior high schools to enable those programs to create additional slots for 11- and 12-year-old pupils and their eligible younger siblings redirected from state-funded and federally funded subsidized child care programs pursuant to Section 8263.4 of the Education Code.

4. Of the amount appropriated in this item, ~~$73,000,000~~ *$45,000,000* is carryover of one-time program savings and is available on a one-time basis pursuant to legislation effective on or before January 1, 2006.

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*5. Notwithstanding any other provision of law, the State Department of Education may increase or decrease the award amount of any grantee based upon either or both of the following: (a) a change in the maximum school site grant caps enacted through legislation effective on or before January 1, 2006, and (b) the historical earning pattern of the grantee. The department shall issue revised grant award letters within 75 days of the enactment of the 2005–06 Budget Act or the effective date of the aforementioned legislation, whichever is later.*

6110-198-0001—For local assistance, Department of Education (Proposition 98), for transfer by the Controller to Section A of the State School Fund, for allocation to school districts and county offices of education, in lieu of the amount that otherwise would be appropriated pursuant to statute..... 52,996,000

Schedule:

(1) 20.60.220-CalSAFE Academic and Supportive Services..... 14,385,140

(2) 30.10.020-CalSAFE Child Care..... 24,509,250

(3) 20.60.221-All Services for Nonconverting Pregnant Minors Programs ..... 14,101,610

Provisions:

1. Notwithstanding any other provision of law, a school district or county superintendent of schools operating, by October 1, 1999, a School Age Parent and Infant Development Program pursuant to Article 17 (commencing with Section 8390) of Chapter 2 of Part 6 of, a Pregnant Minors Program pursuant to Chapter 6 (commencing with Section 8900) of Part 6 of, and Section 2551.3 of, or a Pregnant and Lactating Students Program pursuant to Sections 49553 and 49559 of, the Education Code, or any combination thereof, that chooses to participate in the CalSAFE program shall have priority for CalSAFE program funding for an amount up to the dollar amount provided under those provisions in the fiscal year prior to participation in the CalSAFE program, provided an application is submitted and approved.

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2. The amounts *appropriated* in Schedules (1), (2), and (3) of this item are based on estimates of the amounts required by existing programs for operation of CalSAFE programs in 2005–06. By October 31, 2005, the Department of Education shall submit to the Department of Finance current expenditure data for 2004–05 and 2005–06 showing each agency's allocation and supporting detail including average daily attendance and child care attendance and enrollment data. The State Department of Education shall also provide estimates of average daily attendance and child care to be provided in the 2006–07 fiscal ~~year~~ . *year.*

3. ~~Schedule (3) above is~~ *Funds appropriated in Schedule (3) are available* to provide funding for all child care, as well as both academic and supportive services for programs choosing to retain their Pregnant Minors Program revenue limit. Notwithstanding any other provision of law, the State Department of Education shall compute allocations to these agencies using the respective agencies' 1998–99 Pregnant Minors Program revenue limits. Further, notwithstanding any other provision of law, programs which choose to retain their Pregnant Minors Program revenue limit rather than convert to the CalSAFE revenue limit must provide child care within the revenue limit funding for children of students comprising base year average daily attendance. To the extent additional units of average daily attendance are authorized by the department for growth for these agencies, academic and supportive services reimbursement for such growth shall be computed using the new CalSAFE revenue limit. Growth funding for the child care component shall be equal to the proportionate share of total child care costs for the specific agency's program as determined by dividing the authorized growth in student average daily attendance by the total authorized average daily attendance.

4. Of the funds appropriated in this item, $348,000 is for the purpose of providing an adjustment for increases in average daily attendance at a rate of 0.69 percent, and $2,151,000 is for the purpose of providing a cost-of-living adjustment at a rate of 4.23 percent.

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6110-200-0001—For local assistance, Department of Education (Proposition 98), Healthy Start Support Services for Children Act..... 2,000,000

6110-201-0001—For local assistance, Department of Education (Proposition 98)..... 1,017,000

Schedule:

(1) 30.20.010-Child Nutrition Programs ..... 1,017,000

Provisions:

1. Notwithstanding any other provision of law, the amount appropriated in this item is for the purpose of providing grants to school districts and county superintendents of schools during the 2005–06 school year for school breakfast program startup grants pursuant to Section 49550.3 of the Education Code, and for nonconcurring expenses incurred by a school district or county office of education in initiating or expanding a Summer Food Service Program for children pursuant to Section 49547.5 of the Education Code following criteria developed by the State Department of Education.
2. Of the amount appropriated in this item, $7,000 is for the purpose of providing an adjustment for increases in average daily attendance at a rate of 0.69 percent.

6110-201-0890—For local assistance, Department of Education, Program 30.20-Child Nutrition, payable from the Federal Trust Fund..... 1,616,804,000

Schedule:

(1) 30.20.010-Child Nutrition Programs..... 1,594,354,000

(2) 30.20.040-Summer Food Service Program..... 22,450,000

6110-202-0001—For local assistance, Department of Education ..... 10,986,000

Schedule:

(1) 30.20.010-Child Nutrition Programs ..... 10,986,000

Provisions:

1. Funds appropriated in Schedule (1) of this item are for child nutrition programs pursuant to Section 41311 of the Education Code. Claims for re-

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imbursement of meals pursuant to this appropriation shall be submitted no later than September 30, 2006, to be eligible for reimbursement.

2. Notwithstanding any other provision of law, except as provided in this provision, funds appropriated in Schedule (1) of this item shall be available for allocation in accordance with Section 49536 of the Education Code, except that the allocation shall not be made based on all meals served, but based on the number of meals that are served and that qualify as free or reduced-price meals in accordance with Sections 49501, 49550, and 49552 of the Education Code.

3. Of the funds appropriated in this item, $446,000 is for the purpose of providing a cost-of-living adjustment at a rate of 4.23 percent.

6110-203-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 30.20.010-Child Nutrition Programs, established pursuant to Sections 41311, 49501, 49536, 49550, 49552, and 49559 of the Education Code ..... 85,263,000

Schedule:

(1) 30.20.010-Child Nutrition Programs ..... 85,605,000

(2) Reimbursements ..... –342,000

Provisions:

1. Funds appropriated in Schedule (1) of this item shall be allocated pursuant to Section 41311 of the Education Code. Claims for reimbursement of meals pursuant to this allocation shall be submitted by school districts on or before September 30, 2006, to be eligible for reimbursement.

2. Notwithstanding any other provision of law and except as otherwise provided in these provisions, funds designated for child nutrition programs in Schedule (1) of this item shall be allocated in accordance with Section 49536 of the Education Code; however, the allocation shall be based not on all meals served, but on the number of meals that are served and that qualify as free or reduced-price meals in accordance with Sections 49501, 49550, and 49552 of the Education Code.

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4. Of the funds appropriated in this item, $3,460,000 is for the purpose of providing a cost-of-living adjustment at a rate of 4.23 percent.

6110-208-0001—For local assistance, Department of Education (Proposition 98), Program 20, for allocation to the Center for Civic Education..... 250,000

Provisions:

1. The funds appropriated in this item are for the purpose of implementing a middle school and junior high school civic education program.

6110-209-0001—For local assistance, State Department of Education (Proposition 98), Program 10.10.090.002-Teacher Dismissal Apportionments, for transfer to Section A of the State School Fund and allocation by the Controller for payment of claims received pursuant to Section 44944 of the Education Code ..... 43,000

Provisions:

1. Of the funds appropriated in this item, $2,000 is for the purpose of providing a cost-of-living adjustment at a rate of 4.23 percent.

6110-211-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 20.60.036 for Categorical Programs for charter schools..... 62,158,000

Provisions:

1. Funds appropriated in this item are for the charter school categorical block grant. The State Department of Education shall distribute ~~base~~ block grant funds ~~contingent upon the passage of conforming legislation~~ *pursuant to legislation enacted* during the 2005–06 Regular Session that is effective on or before January 1, 2006 *, and that designates which categorical programs are to be included or excluded from the block grant* .
2. The Department of Education shall provide an estimate of average daily attendance expected to be claimed for this item for the 2006–07 fiscal year to the Department of Finance and the Legislative Analyst's Office by October 1, 2005, for use in developing the 2006–07 Governor's Budget. The Department of Education shall provide an update of the estimate by March 31, 2006, for preparation of the May Revision.

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3. An additional $5,947,000 in expenditures for this item has been deferred until the 2006–07 fiscal year.

6110-224-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Year-Round School Grant Program established pursuant to Article 3 (commencing with Section 42260) of Chapter 7 of Part 24 of the Education Code ..... 88,312,000

Schedule:

(1) 10.10.950.002-Operations grants.... 88,312,000

Provisions:

1. The following provisions govern funds appropriated for the Year-Round School Grant Program (Art. 3 (commencing with Sec. 42260), Ch. 7, Pt. 24, Ed. C.):

(a) Applications for year-round school grants pursuant to Section 42263 of the Education Code shall be received annually by the Superintendent of Public Instruction no later than September 1 of the year for which payment is sought; applications received after that date may not be processed. If the funds available for a fiscal year are insufficient to fully fund all eligible grants pursuant to Section 42263 of the Education Code, the superintendent shall at that time provide all approved claims with a prorated share of the funds made available for those grants pursuant to this item.

6110-228-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund for allocation by the Controller, School Safety ..... 52,537,000

Schedule:

(1) 20.60.020.011-School Safety Block Grants ..... 52,537,000

Provisions:

1. Of the funds appropriated in Schedule (1), $52,438,000 is available to fund block grants for middle and junior high schools and high schools that serve grades 8 to 12, inclusive, pursuant to Article 3.6 (commencing with Section 32228) and Article 3.8 (commencing with Section 32239.5)

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of Chapter 2 of Part 19 of the Education Code. An additional $38.6 million in expenditures for this purpose has been deferred to the 2006–07 fiscal year.

2. Of the $38.6 million deferred from this item, $1 million shall be made available for county offices of education pursuant to Article 3.6 (commencing with Section 32228) of Chapter 2 of Part 19 of the Education Code.

3. Of the funds appropriated in this item, $345,000 is for the purpose of providing an adjustment for increases in average daily attendance at a rate of 0.69 percent. Additionally, $2,132,000 is for the purpose of providing a cost-of-living adjustment at a rate of 4.23 percent.

~~4. The funds contained in this item shall first be used to offset any state-mandated reimbursable costs that may otherwise be claimed for the state mandates reimbursable process of implementing Chapter 996, Statutes of 1999. Local~~

*4. The funds appropriated in this item shall be considered offsetting revenues within the meaning of subdivision (e) of Section 17556 of the Government Code for any reimbursable mandated cost claim for Emergency Procedures. Local* education agencies accepting funding from this item shall reduce their estimated and actual mandate reimbursement claims by the amount of funding provided to them from this item.

5. An additional $36,894,000 in expenditures for this item has been deferred until the 2006–07 fiscal year.

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 Division 4 of Title 2 of the Education Code ..... 110,185,000

Provisions:

1. Schools participating in this program shall receive a per-pupil rate of $192 pursuant to Section 52086 of the Education Code, based on a cost-of-living adjustment at a rate of 4.23 percent.

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6110-234-0001—For local assistance, Department of Education (Proposition 98), Program 10.25, for transfer by the Controller to Section A of the State School Fund, for allocation by the Superintendent of Public Instruction for the Class Size Reduction Program pursuant to Chapter 6.10 (commencing with Section 52120) of Part 28 of the Education Code..... 1,676,285,000

Provisions:

1. Schools participating in Option One shall receive a per-pupil rate of $967. Schools participating in Option Two shall receive a per-pupil rate of $484. These rates are based on a cost-of-living adjustment at a rate of 4.23 percent.

6110-240-0001—For local assistance, Department of Education (Proposition 98)..... 2,789,000

Schedule:

(1) 10.80.030-Instruction: International Baccalaureate Diploma Program... 1,162,000

(2) 20.70-Instructional Support: Assessments..... 1,627,000

Provisions:

1. The funds appropriated in Schedule (1) of this item shall be for the International Baccalaureate Diploma Program authorized by Chapter 12.5 (commencing with Section 52920) of Part 28 of the Education Code.
2. The funds appropriated in Schedule (2) of this item shall be for grants for Advanced Placement examination fees as authorized by Chapter 8.3 (commencing with Section 52244) of Part 28 of the Education Code.
3. Of the funds appropriated in this item, $19,000 is for the purpose of providing an adjustment for increases in average daily attendance at a rate of 0.69 percent. Additionally, $113,000 is for the purpose of providing a cost-of-living adjustment at a rate of 4.23 percent.

6110-240-0890—For local assistance, Department of Education, Program 20.70.010-Instructional Support: Advanced Placement Fee Waiver, payable from the Federal Trust Fund..... 3,736,000

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Provisions:

1. Funding shall be used to fully satisfy the demand for advanced placement examination fee reimbursements for low-income pupils. Any funding remaining after the demand for advanced placement exam fee reimbursements has been fully satisfied may be used on a one-time basis for pre-advanced placement activities as specified under the conditions of the federal grant application through which these funds were authorized. Use of funding for this alternative purpose shall not create nor imply any continuing obligation to fund the alternative activities beyond the 2005–06 fis cal year.

6110-242-0001—For local assistance, Department of Education (Proposition 98), Program 20.60.106..... 33,000

Provisions:

1. Funds appropriated in this item are for allocation to the California Association of Student Councils to expand student leadership activities.

6110-243-0001—For local assistance, Department of Education (Proposition 98), for transfer by the Controller to Section A of the State School Fund for allocation by the Superintendent of Public Instruction for the unscheduled Pupil Retention Block Grant pursuant to Article 2 of Chapter 3.2 (commencing with Section 41505) of the Education Code..... ~~86,957,000~~ *193,257,000*

Provisions:

1. Of the funds appropriated in this item, $1,139,000 is for the purpose of providing an adjustment for increases in average daily attendance at a rate of 0.69 percent. Additionally, $7,031,000 is for the purpose of providing a cost-of-living adjustment at a rate of 4.23 percent.
2. Notwithstanding any other provision of law, an additional $26,726,000 in expenditures for this item has been deferred until the 2006–07 fiscal year.
3. *Notwithstanding any other provision of law, of the funds appropriated in this item, $20,000,000 shall be available to help eligible pupils pass the California High School Exit Examination (CAHSEE).*
   *(a) An eligible pupil is a pupil who is required to pass the CAHSEE in order to receive a diploma in 2006 and who has failed one or both parts of that examination.*

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*(b) The Superintendent of Public Instruction shall rank schools on the basis of the percentage of eligible pupils. The superintendent may give priority to schools with the highest percentage of pupils who have failed both parts of the examination.*

*(c) The superintendent shall apportion $1,000 per eligible pupil to schools identified pursuant to subdivision (b) in the order determined by the superintendent until the funds are exhausted.*

*(d) The funds apportioned pursuant to this provision shall be used to provide the services allowed under the Pupil Retention Block Grant or other intensive instruction and services designed to help eligible pupils pass the CAHSEE. The intensive instruction and services may be provided during the regular school day and may include, but are not limited to the following: hiring additional teachers; purchasing, scoring, and reviewing diagnostic assessments; designing instruction to meet specific needs of eligible pupils; teacher training; and individual or small group instruction.*

*(e) As a condition of receipt of these funds the school shall ensure that (i) each eligible pupil receives an appropriate diagnostic assessment to identify that pupil's areas of need and (ii) each pupil receives intensive instruction and services based upon the diagnostic assessment.*

6110-244-0001—For local assistance, Department of Education (Proposition 98), Program 20.60 for transfer by the Controller to Section A of the State School Fund, for allocation by the Superintendent of Public Instruction for the Teacher Credentialing Block Grant..... 87,850,000

Provisions:

1. 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

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used to serve second-year holders of preliminary teaching credentials.

2. If funds are insufficient to service all second-year holders of preliminary teaching credentials, the State Department of Education shall prorate the funds to conform to the amount remaining in this item, consistent with Provision 1 of this item.

3. Of the funds appropriated in this item, $3,283,000 is provided for a cost-of-living adjustment at a rate of 4.23 percent.

4. Of the funds appropriated in this item, $3,675,000 is for the purpose of providing an adjustment for an increase in the number of eligible teachers.

6110-245-0001—For local assistance, Department of Education (Proposition 98), Program 20.60 for transfer by the Controller to Section A of the State School Fund, for allocation by the Superintendent of Public Instruction for the Professional Development Block Grant..... 249,321,000

Provisions:

1. Of the funds appropriated in this item, $14,000 is for the purpose of providing for increases in enrollment at a rate of 0.69 percent. If growth funds are insufficient, the State Department of Education may adjust the per-participant growth rates to conform to available funds. Additionally, $10,192,000 is for the purpose of providing a cost-of-living adjustment at a rate of 4.23 percent.

~~2. All professional development opportunities offered shall be aligned to state academic content standards and the curriculum frameworks.~~

6110-246-0001—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 for the unscheduled Targeted Instructional Improvement Block Grant pursuant to Article 6 of Chapter 3.2 (commencing with Section 41540) of the Education Code..... 876,162,000

Provisions:

1. Of the funds appropriated in this item, $5,760,000 is for the purpose of providing an adjustment for increases in average daily attendance at a rate of 0.69 percent. Additionally, $35,558,000 is for the purpose of providing a cost-of-living adjustment at a rate of 4.23 percent.

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2. Notwithstanding any other provision of law, an additional $100,118,000 in expenditures for this item has been deferred until the 2006–07 fiscal year.

6110-247-0001—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 for the unscheduled School and Library Improvement Block Grant pursuant to Article 7 of Chapter 3.2 (commencing with Section 41570) of the Education Code ..... 422,421,000

Provisions:

1. Of the funds appropriated in this item, $2,777,000 is for the purpose of providing an adjustment for increases in average daily attendance at a rate of 0.69 percent. Additionally, $17,143,000 is for the purpose of providing a cost-of-living adjustment at a rate of 4.23 percent.

6110-248-0001—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 for the unscheduled School Safety Consolidated Competitive Grant pursuant to Article 3 of Chapter 3.2 (commencing with Section 41510) of the Education Code ..... 16,381,000

Provisions:

1. Of the funds appropriated in this item, $108,000 is for the purpose of providing an adjustment for increases in average daily attendance at a rate of 0.69 percent. Additionally, $665,000 is for the purpose of providing a cost-of-living adjustment at a rate of 4.23 percent.
2. The funds contained in this item shall first be used to offset any state-mandated reimbursable costs that may otherwise be claimed for the state mandates reimbursable process of implementing Chapter 996, Statutes of 1999 (commencing with Section 35294.1 of the Education Code). Local education agencies accepting funding from this item shall reduce their estimated and actual mandate reimbursement claims by the amount of funding provided to them from this item.

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|---|---|---|
| ~~6110-255-0001—For local assistance, Department of Education (Proposition 98)~~ | | ~~1,790,800,000~~ |
| ~~6110-256-0001—For local assistance, Department of Education-California High School Exit Exam Assistance (Proposition 98)~~ | | ~~21,025,000~~ |
| ~~Provisions:~~ | | |
| ~~1. The funds appropriated in this item are for the purpose of providing assistance to students with passing the California High School Exit Examination. These funds shall be available pursuant to legislation effective on or before January 1, 2006.~~ | | |
| 6110-295-0001—For local assistance, Department of Education (Proposition 98), for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the cost of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller | | 40,000 |
| Schedule: | | |
| (1) 98.01.003.677-Annual Parent Notification (Ch. 36, Stats. 1977, et al.) (CSM 4445, 4453, 4461, 4462, 4474, 4488, 97-TC-24, 99-TC-09, 00-TC-12) | 1,000 | |
| (2) 98.01.009.894-Caregiver Affidavits (Ch. 98, Stats. 1994) (CSM 4497). | 1,000 | |
| (3) 98.01.016.193-Intradistrict Attendance (Ch. 161, Stats. 1993) (CSM 4454) | 1,000 | |
| (4) 98.01.048.675-Mandate Reimbursement Process (Ch. 486, Stats. 1975) (CSM 4485) | 1,000 | |
| (5) 98.01.049.801-Graduation Requirements (Ch. 498, Stats. 1983) (CSM 4435) | 1,000 | |
| (6) 98.01.049.802-Notification of Truancy (Ch. 498, Stats. 1983) (CSM 4133) | 1,000 | |
| (7) 98.01.049.803-Pupil Suspensions, Expulsions, Expulsion Appeals (Ch. 498, Stats. 1983 et al.) (CSM 4456, 4455, 4463) | 1,000 | |
| (8) 98.01.064.186-Open Meetings Act (Ch. 641, Stats. 1986) (CSM 4257) | 1,000 | |

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|---|---|
| (9) 98.01.078.192-Charter Schools (Ch. 781, Stats. 1992) (CSM 4437)..... | 1,000 |
| (10) 98.01.078.395-Investment Reports (Ch. 783, Stats. 1995) (96-358-02)..... | 0 |
| (11) 98.01.079.980-PERS Death Benefits (Ch. 799, Stats. 1980)..... | 1,000 |
| (12) 98.01.081.891-AIDS Prevention Instruction (Ch. 818, Stats. 1991) (CSM 4422)..... | 1,000 |
| (13) 98.01.096.175-Collective Bargaining (Ch. 961, Stats. 1975) (CSM 4425, 97-TC-08) ..... | 1,000 |
| (14) 98.01.096.577-Pupil Health Screenings (Ch. 1208, Stats. 1976) (CSM 4440)..... | 1,000 |
| (15) 98.01.097.595-Physical Performance Tests (Ch. 975, Stats. 1995) (96-365-01)..... | 1,000 |
| (16) 98.01.101.184-Juvenile Court Notices II (Ch. 1011, Stats. 1984; Ch. 1423, Stats. 1984) (CSM 4475).... | 1,000 |
| (17) 98.01.110.784-Removal of Chemicals (Ch. 1107, Stats. 1984) (CSM 4211, 4298) ..... | 1,000 |
| (18) 98.01.111.789-Law Enforcement Agency Notifications (Ch. 1117, Stats. 1989) (CSM 4505, 4505-2). | 1,000 |
| (19) 98.01.117.677-Immunization Records (Ch. 1176, Stats. 1977) (SB 90-120)..... | 1,000 |
| (20) 98.01.118.475-Habitual Truants (Ch. 1184, Stats. 1975) (CSM 4487, 4487-A) ..... | 1,000 |
| (21) 98.01.125.375-Expulsion Transcripts (Ch. 1253, Stats. 1975)..... | 1,000 |
| (22) 98.01.130.689-Notification to Teachers of Public Expulsion (Ch. 1306, Stats. 1989) (CSM 4452)..... | 1,000 |
| (23) 98.01.134.780-Scoliosis Screening (Ch. 1347, Stats. 1980) (CSM 4195)..... | 1,000 |
| (24) 98.01.139.874-PERS Unused Sick Leave Credit (Ch. 1398, Stats. 1974)..... | 1,000 |

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|---|---|
| (25) 98.01.146.389-School Accountability Report Cards (Ch. 1463, Stats. 1989) (97-TC-21) ..... | 1,000 |
| (26) 98.01.165.984-Emergency Procedures (Ch. 1659, Stats. 1984) (CSM 4241)..... | 1,000 |
| (27) 98.01.030.995-Pupil Residency Verification and Appeals (Ch. 309, Stats. 1995) (96-348-01) ..... | 1,000 |
| (28) 98.01.058.897-Criminal Background Checks (Ch. 588, Stats. 1997) (97-TC-16)..... | 1,000 |
| (29) 98.01.041.095-School Crimes Reporting II (Ch. 759, Stats. 1992 and Ch. 410, Stats. 1995) (CSM 4387, 97-TC-03)..... | 0 |
| (30) 98.01.083.194-School Bus Safety I and II (Ch. 624, Stats. 1992; Ch. 831, Stats. 1994; Ch. 739, Stats. 1997) (97-TC-22)..... | 0 |
| (31) 98.01.046.576-Peace Officers Procedural Bill of Rights (Ch. 465, Stats. 1976) (CSM 4499) ..... | 1,000 |
| (32) 98.01.361.977-Financial and Compliance Audits (Ch. 36, Stats. 1977) (CSM 4498, 4498-A) ..... | 1,000 |
| (33) 98.01.064.097-Physical Education Reports (Ch. 640, Stats. 1997) (98-TC-08) ..... | 1,000 |
| (34) 98.01.112.096-Health Benefits for Survivors of Peace Officers and Firefighters (Ch. 1120, Stats. 1996) (97-TC-25) ..... | 1,000 |
| (35) 98.01.091.787-County Office of Education Fiscal Accountability Reporting (Ch. 917, Stats. 1987) (97-TC-20) ..... | 1,000 |
| (36) 98.01.010.081-School District Fiscal Accountability Reporting (Ch. 100, Stats. 1981) (97-TC-19)..... | 1,000 |
| (37) 98.01.087.585-Photographic Record of Evidence (Ch. 875, Stats. 1985) (98-TC-07) ..... | 1,000 |
| (38) 98.01.012.693-Law Enforcement Sexual Harassment Training (Ch. 126, Stats. 1993) (97-TC-07)..... | 0 |

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|---|---|
| (39) 98.01.078.495-County Treasury Oversight Committee (Ch. 784, Stats. 1995) (96-365-03) ..... | 0 |
| (40) 98.01.073.697-Comprehensive School Safety Plans (Ch. 736, Stats. 1997) (98-TC-01, 99-TC-10)..... | 1,000 |
| (41) 98.01.124.992-Threats Against Peace Officers (Ch. 1249, Stats. 1992)..... | 1,000 |
| (42) 98.01.032.578-Immunization Records—Hepatitis B (Ch. 325, Stats. 1978; Ch. 435, Stats. 1979 (98-TC-05) ..... | 1,000 |
| (43) 98.01.119.280-School District Reorganization (Ch. 1192, Stats. 1980; Ch. 1186, Stats. 1994) (98-TC-24) ..... | 1,000 |
| (44) 98.01.003.498-Charter Schools II (Ch. 34, Stats. 1998; Ch. 673, Stats. 1998) (99-TC-03) ..... | 1,000 |
| (45) 98.01.059.498-Criminal Background Checks II (Ch. 594, Stats. 1998; Ch. 840, Stats. 1998, Ch. 78, Stats. 1999) (00-TC-05) ..... | 1,000 |
| *(46) 98.01.117.096-Grand Jury Proceedings (Ch. 1170, Stats. 1996, et al.) (98-TC-27) .....* | *0* |

Provisions:

1. Except as provided in Provisions 2 and 3 of this item, allocations of funds shall be made by the Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior year claims may be paid from this item. Funds appropriated by this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.
2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the State Controller may, upon approval of the Director of Finance in writing, augment those deficient

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amounts from the unencumbered balance of any other scheduled amounts therein. No order may be issued pursuant to this provision unless written notification of the necessity therefore is provided to the chairperson of the committee in each house, which considers appropriations, and the Chairperson of the Joint Legislative Budget Committee or his or her designee.

3. Notwithstanding any other provision of law, the funds appropriated in Schedules (11) and (24) are for transfer to the Public Employees' Retirement System for reimbursement of costs incurred pursuant to Chapter 1398 of the Statutes of 1974 or Chapter 799 of the Statutes of 1980.

4. Pursuant to Section 17581.5 of the Government Code, mandates identified in the appropriation schedule of this item with an appropriation of $0 and included in the language of this provision are specifically identified by the Legislature for suspension during the 2005–06 fiscal year:

(10) 98.01.078.395-Investment Reports (Ch. 783, Stats. 1995) (96-358-02).

(29) School Crimes Reporting II (Ch. 759, Stats. 1992; Ch. 410, Stats. 1995) (CSM 4387, 97-TC-03).

(30) School Bus Safety I and II (Ch. 624, Stats. 1992; Ch. 831, Stats. 1994; Ch. 739, Stats. 1997) (97-TC-22).

(38) 98.01.012.693-Law Enforcement Sexual Harassment Training (Ch. 126, Stats. 1993) (97-TC-07).

(39) 98.01.078.495-County Treasury Oversight Committee (Ch. 784, Stats. 1995) (96-365-03).

*(46) 98.01.117.096-Grand Jury Proceedings (Ch. 1170, Stats. 1996, et al.) (98-TC-27).*

5. The Controller shall not make any payment from this item to reimburse community college districts for claimed costs of state-mandated education programs. Reimbursements to community college districts for education mandates shall be paid from the appropriate item within the community colleges' budget.

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|---|---|---|
| 6110-301-0001—For capital outlay, Department of Education, State Special Schools and Services Division. | | 470,000 |
| Schedule: | | |
| California School for the Deaf, Fremont: | | |
| (1) 80.75.092-Student Waiting Area Shelters—Preliminary plans, working drawings, and construction | 470,000 | |
| 6110-301-0660—For capital outlay, Department of Education, payable from the Public Buildings Construction Fund | | 17,866,000 |
| Schedule: | | |
| California School for the Deaf, Riverside: | | |
| (.5) 80.80.030-Multipurpose/Activity Center—Construction | 1,303,000 | |
| (1) 80.80.050-Career and Technical Education Complex and Service Yard—Preliminary plans, working drawings, construction, and equipment | ~~17,866,000~~ *16,563,000* | |

Provisions:

1. 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, construction, and equipping of the project authorized by this item.
2. The State Public Works Board and the State Department of Education may obtain interim financing for the project costs authorized in this item from any appropriate source including, but not limited to, the Pooled Money Investment Account pursuant to Sections 16312 and 16313 of the Government Code.
3. The State Public Works Board may authorize the augmentation of the cost of design, construction, and equipping of the project scheduled in this item pursuant to the board's authority under Section 13332.11 of the Government Code. In addition, the State Public Works 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 construction of the project, the costs of financing a debt service fund, and the cost of is-

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suance of permanent financing for the project. This additional amount may include interest payable on any interim financing obtained.

4. This department is authorized and directed to execute and deliver any and all leases, contracts, agreements or other documents necessary or advisable to consummate the sale of bonds or otherwise effectuate the financing of the scheduled project.

5. The State Public Works Board shall not itself be 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 Division 3 of Title 2 of the Government Code). This section does not exempt this department from the requirements of the California Environmental Quality Act. This section is declarative of existing law.

6. Notwithstanding any other provision of law, the funds appropriated in this item shall be available for expenditure until June 30, 2009. In addition, the balance of funds appropriated for construction in this item that has not been allocated, through fund transfer or approval to bid, by the Department of Finance on or before June 30, 2007, shall revert as of the date to the fund from which the appropriation was made.

6110-401—For maintenance of accounting records by the Controller's office and the Department of Education or any other agency maintaining such records, appropriations made in this act for agency 6110 (Department of Education) are to be recorded under agency 6100 (Department of Education).

6110-402—Notwithstanding any provision of law to the contrary, no funds appropriated in this act, or by any act enacted prior to the enactment of this act, shall be, in the absence of a court order, deemed appropriated or available for expenditure for purposes of claims for vocational education average daily attendance arising from Section 46140 of the Education Code as it read prior to the enactment of Chapter 1230 of the Statutes of 1977.

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6110-485—Reappropriation (Proposition 98), Department of Education. The sum of $134,616,000 is hereby reappropriated from the Proposition 98 Reversion Account, for the following purposes:

0001—General Fund

(1) $100,000,000 to the School Facilities Program for the purpose of funding the School Facilities Emergency Repair Account as required by Chapter 899 of the Statutes of 2004.

(2) $10,000,000 to the State Department of Education for the purpose of funding CalWORKs Stage 3 child care.

(3) $6,385,000 to the State Department of Education, for payment of Sunnyvale Desegregation claims and interest owed through the 1991–92 fiscal year. The funding shall not be provided for payment of claims and interest and shall be reverted to the General Fund if an appropriation is included in a claims bill for this purpose during the 2005–06 Regular Session.

(4) $1,050,000 on a one-time basis to the State Department of Education for the purpose of funding a pilot program to provide training for School Business Officers.

(5) $354,000 to the State Department of Education, for transfer by the Controller to Section A of the State School Fund, for payment of prior year child nutrition claims of $335,000 in 2003–04, $17,000 in 2000–01, and $2,000 in 1999–00 fiscal years.

(6) $2,227,000, on a one-time basis, to the State Department of Education to cover start-up costs associated with the new California English Language Development Test contract.

(7) $9,000,000 to the State Department of Education, on a one-time basis, for the Charter School Facility Grant Program.

~~(8) $5,600,000 to the State Department of Education, on a one-time basis, for a school-site budgeting program.~~

Provisions:

1. The funds specified in Schedule (7) shall be used to provide grants to charter schools that operate in low-income attendance areas for facilities-related expenses pursuant to Section 3 of Chapter ~~892 of the Statutes of 2001. These funds shall only be available if new matching federal grant funds are~~

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~~appropriated to the California School Finance Authority and are made available to fund facility costs incurred by charter schools in the 2004–05 and 2005–06 fiscal years as proposed in the May Revision in Item 0985-101-0890. No~~ *892 of the Statutes of 2001. No* charter school receiving funds under this program shall receive funding in excess of 75 percent of annual lease costs through this program or any other source of funding provided in this or any other act.

~~2. The funds specified in Schedule (8) shall be used to provide grants to school districts that participate in a pilot project allowing school districts to direct funds to schools with greater flexibility to improve pupil learning, and are to be allocated pursuant to conforming legislation passed during the 2005–06 Regular Session and effective on or before January 1, 2006.~~

6110-490—Reappropriation, Department of Education. The balances of the appropriations provided for in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided for in the appropriation:

0660—Public Building Construction Fund

(1) Item 6110-301-0660, Budget Act of 2003 (Ch. 157, Stats. 2003), as reappropriated by Item 6110-490, Budget Act of 2004 (Ch. 208, Stats. 2004)

California School for the Deaf, Riverside:

(1) 80.80.030-Multipurpose/Activity Center—Construction and equipment

6110-494—Reappropriation, Department of Education. Notwithstanding any other provision of law, the following specified balances are reappropriated from the following citations, for the purposes specified, and shall be available for encumbrance and expenditure until June 30, 2006:

Provisions:

1. Notwithstanding Section 8278 of the Education Code, $6,380,000 of the remaining General Fund balance of the amount appropriated in Schedule (1.5)(f) for CalWORKs Stage 3 child care in Item 6110-196-0001 of the Budget Act of 2004 (Ch. 208, Stats. 2004) shall be available only for expenditure for CalWORKs Stage 3 during the 2005–06 fiscal year.

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2. Notwithstanding Section 8278 of the Education Code, $14,958,000 of the remaining General Fund balance of the amount appropriated in Schedule (1.5)(f) for CalWORKs Stage 3 child care in Item 6110-196-0001 of the Budget Act of 2003 (Ch. 157, Stats. 2003), shall be available only for expenditure for CalWORKs Stage 3 during the 2005–06 fiscal year.
3. $4,050,000 of the unliquidated federal fund balance appropriated in Item 6110-196-0890 as included in Schedule (1.5)(f) of Item 6110-196-0001 of Section 2.00 of the Budget Act of 2003 (Ch. 157, Stats. 2003), shall be available only for expenditure for CalWORKs Stage 3 during the 2005–06 fiscal year.
4. Notwithstanding Section 8278 of the Education Code, $35,676,000 of the remaining unallocated General Fund balance of the amount appropriated in Item 6110-196-0001 of Section 2.00 of the Budget Act of 2004 (Ch. 208, Stats. 2004), with the exception of Schedules (1.5)(e) and (1.5)(f) for CalWORKs child care programs, shall only be available for expenditure for CalWORKs Stage 2 during the 2005–06 fiscal year.
5. Notwithstanding Section 8278 of the Education Code, $6,836,000 of the remaining General Fund balance of the amount appropriated in Schedule (2) (e) for CalWORKs Stage 2 child care in Item 6110-196-0001 of Section 2.00 of the Budget Act of 2002 (Ch. 379, Stats. 2002) shall be available only for expenditure for CalWORKs Stage 2 during the 2005–06 fiscal year.
6. Notwithstanding Section 8278 of the Education Code, $121,000 of the remaining General Fund balance of the amount appropriated in Schedule (2) (f) for CalWORKs Stage 3 child care in Item 6110-196-0001 of Section 2.00 of the Budget Act of 2002 (Ch. 379, Stats. 2002), shall be available only for expenditure for CalWORKs Stage 3 during the 2005–06 fiscal year.
7. Notwithstanding Section 8278 of the Education Code, $9,752,000 of the remaining General Fund balance of the amount appropriated in Schedule (1.5) (e) for CalWORKs Stage 2 child care in Item 6110-196-0001 of Section 2.00 of the Budget Act

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of 2003 (Ch. 157, Stats. 2003), shall be available only for expenditure for CalWORKs Stage 2 during the 2005–06 fiscal year.

8. $7,998,000 of the unliquidated federal fund balance appropriated in Item 6110-196-0890 as included in Schedule (2) (e) of Item 6110-196-0001 of Section 2.00 of the Budget Act of 2002 (Ch. 379, Stats. 2002), shall be available only for expenditure for CalWORKs Stage 2 during the 2005–06 fiscal year.

9. $1,672,000 of the unliquidated federal fund balance appropriated in Item 6110-196-0890 as included in Schedule (2) (f) of Item 6110-196-0001 of Section 2.00 of the Budget Act of 2002 (Ch. 379, Stats. 2002), shall be available only for expenditure for CalWORKs Stage 3 during the 2005–06 fiscal year.

6110-495—Reversion, Department of Education, Proposition 98. The following amounts shall be reverted to the Proposition 98 Reversion Account by the State Controller within 60 days of enactment of this act:

(1) $1,111,000 or whatever greater or lesser amount reflects the unexpended funds from Item 6110-123-0001, Budget Act of 2003 (Ch. 157, Stats. 2003).

(2) $1,812,000 or whatever lesser or greater amount reflects unexpended funds from Item 6110-126-0001, Budget Act of 2002 (Ch. 379, Stats. 2002).

(3) $21,000 or whatever lesser or greater amount reflects the unexpended funds from Item 6110-156-0001, Budget Act of 2003 (Ch. 157, Stats. 2003).

(4) $211,000 or whatever lesser or greater amount reflects the unexpended funds from Item 6110-166-0001, Budget Act of 2003 (Ch. 157, Stats. 2003).

(5) $50,000 or whatever lesser or greater amount reflects unexpended funds from Item 6110-177-0001, Budget Act of 2003 (Ch. 157, Stats. 2003).

(6) $66,000 or whatever lesser or greater amount reflects the unexpended funds from Item 6110-191-0001, Budget Act of 2002 (Ch. 379, Stats. 2002).

(7) $127,000 or whatever lesser or greater amount reflects the unexpended funds from Item 6110-191-0001, Budget Act of 2003 (Ch. 157, Stats. 2003).

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(8) $545,000 or whatever lesser or greater amount reflects the unexpended funds from Item 6110-195-0001, Budget Act of 2003 (Ch. 157, Stats. 2003).

(9) $24,396,000 or whatever the greater or lesser amount reflects the unencumbered balance of the amount appropriated for child care and development programs in Item 6110-196-0001, Budget Act of 2003 (Ch. 157, Stats. 2003).

(10) $78,000 or whatever lesser or greater amount reflects the unexpended funds from Item 6110-197-0001, Budget Act of 2003 (Ch. 157, Stats. 2003).

(11) $1,030,000 or whatever lesser or greater amount reflects unexpended funds from Item 6110-203-0001, Budget Act of 2004 (Ch. 208, Stats. 2004).

(12) $27,000 or whatever lesser or greater amount reflects the unexpended funds from Item 6110-209-0001, Budget Act of 2003 (Ch. 157, Stats. 2003).

(13) $451,000 or whatever lesser or greater amount reflects the unexpended funds from Item 6110-211-0001, Budget Act of 2002 (Ch. 379, Stats. 2002).

(14) $110,000 or whatever greater or lesser amount reflects the unexpended funds from Schedule (4) of Item 6110-485, Budget Act of 2003 (Ch. 157, Stats. 2003).

(15) $22,000 ~~or whatever lesser or greater amount reflects the unexpended funds~~ from the appropriation made by paragraph (9) of subdivision (a) of Section 83 of Chapter 4 of the Statutes of 2003, First Extraordinary Session.

(16) $4,600,000 or whatever greater or lesser amount reflects unexpended funds from Item 6110-134-0001, Budget Act of 2002 (Ch. 379, Stats. 2002).

(17) $1,013,000 or whatever greater or lesser amount reflects unexpended funds from Item 6110-229-0001, Budget Act of 2002 (Ch. 379, Stats. 2002).

(18) $8,000,000 or whatever greater or lesser amount reflects unexpended funds from paragraph (1) of subdivision (a) of Section 1 of Chapter 101 of the Statutes of 2002.

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(19) $119,000 or whatever lesser or greater amount reflects unexpended funds from Item 6110-201-0001, Budget Act of 2002 (Ch. 379, Stats. 2002).

(20) $701,000 or whatever lesser or greater amount reflects unexpended funds from paragraph (4) of subdivision (a) of Section 50 of Chapter 1167 of the Statutes of 2002.

(21) $3,000,000 or whatever greater or lesser amount reflects unexpended funds from Section 11 of Chapter 10 of the Statutes of 2003, First Extraordinary Session.

(22) $702,000 or whatever lesser or greater amount reflects unexpended funds from Item 6110-235-0001, Budget Act of 2003 (Ch. 157, Stats. 2003).

(23) $1,481,000 or whatever lesser or greater amount reflects the unexpended funds from Item 6110-166-0001, Budget Act of 2002 (Ch. 379, Stats. 2002).

(24) $194,000 or whatever lesser or greater amount reflects the unexpended funds from Item 6110-122-0001, Budget Act of 2002 (Ch. 379, Stats. 2002).

(25) $398,000 or whatever lesser or greater amount reflects the unexpended funds from Item 6110-122-0001, Budget Act of 2003 (Ch. 157, Stats. 2003).

(26) $10,000,000 of the balance in the Child Care Facilities Revolving Fund established pursuant to Section 8278.3 of the Education Code.

(27) $1,981,000 or whatever lesser or greater amount reflects the unexpended funds from Item 6110-166-0001, Budget Act of 2003 (Ch. 157, Stats. 2003).

*(28) $1,300,000 from Item 6110-144-0001, Budget Act of 2003 (Ch. 157, Stats. 2003).*

*(29) $8,726,000 or whatever lesser or greater amount reflects the unexpended funds from paragraph (3) of subdivision (a) of Section 50 of Chapter 1167 of the Statutes of 2002.*

6110-496—Reversion, Department of Education.

Provision:

1. The Superintendent of Public Instruction is hereby authorized to initiate the reversion of ap-

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propriations in cases where the balance available for reversion is less than $50,000, and either of the following applies:

(a) The program in question has expired.

(b) The Superintendent of Public Instruction certifies that the original purpose of the appropriation would not be accomplished by further expenditure.

2. The State Department of Education may periodically review its accounts at the State Controller's office to identify appropriations that meet these criteria. Upon the request of the State Department of Education, the Director of Finance may issue an executive order to revert identified appropriations. The State Controller shall timely revert appropriations identified in the executive order to the fund from which the appropriation was originally made (or a successor fund in the case of an expired fund), or to the Proposition 98 Reserve Account, whichever is appropriate.

6110-497—Reversion, Department of Education. As of June 30, 2005, the balances specified below of the appropriations provided for in the following citations shall revert to the fund from which the appropriation was made:

0001—General Fund

(1) $1,000,000 or whatever greater or lesser amount reflects the unexpended balance as of July 31, 2004, of the appropriation made by subdivision (a) of Section 3 of Chapter 135 of the Statutes of 2001.

6120-011-0001—For support of California State Library, Division of Libraries, and California Library Services Board ..... 10,588,000

Schedule:

| | |
|---|---|
| (1) 10-State Library Services ..... | 13,815,000 |
| (2) 20-Library Development Services .. | 4,145,000 |
| (3) 30-Information Technology Services..... | 942,000 |
| (4) 40.01-Administration..... | 1,702,000 |
| (5) 40.02-Distributed Administration ... | −1,702,000 |
| (6) 97.20.001-Unallocated Reduction... | −170,000 |
| (7) Reimbursements..... | −1,599,000 |
| (8) Amount payable from the Federal Trust Fund (Item 6120-011-0890). | −6,545,000 |

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|---|---|
| Provisions: | |
| 1. Of the amount appropriated in Schedule (1), $76,000 is for repair and maintenance costs of the Library and Courts II Building. | |
| 6120-011-0020—For support of the California State Library, Program 10-State Library Services, for support of the State Law Library, payable from the California State Law Library Special Account ..... | 551,000 |
| Provisions: | |
| 1. The Director of Finance may authorize the augmentation of the total amount available for expenditure under this item in the amount of revenue received by the State Law Library Special Account which is in addition to the revenue appropriated by this item or in the amount of funds unexpended from previous fiscal years, not sooner than 30 days after notification in writing to the chairpersons of the fiscal committees of each house and the Chairperson of the Joint Legislative Budget Committee. | |
| 6120-011-0890—For support of California State Library, for payment to Item 6120-011-0001, payable from the Federal Trust Fund..... | 6,545,000 |
| 6120-011-6000—For support of California State Library, Program 20-Library Development Services-Office of Library Construction (Proposition 14), payable from the California Public Library Construction and Renovation Fund ..... | 2,680,000 |
| 6120-011-6029—For support of California State Library, Program 10-State Library Services-Administration of the California Cultural and Historical Endowment, payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund ..... | 1,649,000 |
| Provisions: | |
| 1. Funds in this item are available for the administration of the California Cultural and Historical Endowment authorized by Chapter 157 of the Statutes of 2003. | |
| 6120-012-0001—For support of the California State Library for rental payments on lease-revenue bonds... | 2,450,000 |
| Schedule: | |
| (1) Base Rental and Fees ..... 2,468,000 | |
| (2) Insurance ..... 24,000 | |
| (3) Reimbursements..... –42,000 | |

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|---|---|
| Provisions: | |
| 1. The Controller shall transfer funds appropriated in this item according to a schedule to be provided by the State Public Works Board. The schedule shall be provided on a monthly basis or as otherwise might be needed to ensure debt requirements are met. | |
| 2. This item may contain adjustments pursuant to Control Section 4.30 that are not currently reflected. Any adjustments to this item shall be reported to the Joint Legislative Budget Committee pursuant to Control Section 4.30. | |
| 6120-013-0001—For support of California State Library, Program 10-State Library Services—Sutro Library Special Repairs Project ..... | 17,000 |
| 6120-150-0001—For local assistance, California State Library, for the California Civil Liberties Public Education Program ..... | 500,000 |
| Provisions: | |
| 1. The funds appropriated in this item shall be used to provide competitive grants pursuant to the provisions of Part 8.5 (commencing with Section 13000) of Division 1 of the Education Code. | |
| 6120-151-0483—For support of the California State Library, Program 20-Library Development Services, for telephonic services authorized by Chapter 654 of the Statutes of 2001, payable from the California Deaf and Disabled Telecommunications Program Administrative Committee Fund..... | 552,000 |
| Provisions: | |
| 1. The funds appropriated in this item shall be used to operate the Telephonic Reading for the Blind Program. Any federal funds received for this purpose shall offset the appropriation in this item. Any remaining funds in this item shall revert to the Deaf and Disabled Telecommunications Program Administrative Committee Fund. | |
| 6120-160-0001—For local assistance, California State Library, Program 20-Library Development Services—California Newspaper Project..... | 240,000 |
| 6120-211-0001—For local assistance, California State Library, Program 20-Library Development Services ..... | 14,342,000 |

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Schedule:

(1) 20.30-Direct Loan and Interlibrary Loan Programs ..... 11,616,000

(2) 20.50-California Library Services Act pursuant to Chapter 4 (commencing with Section 18700) of Part 11 of the Education Code..... 2,726,000

6120-211-0890—For local assistance, California State Library, Program 20-Library Development Services, payable from the Federal Trust Fund..... 12,518,000

6120-213-0001—For local assistance, California State Library, Program 20-Library Development Services-California English Acquisition and Literacy Program ..... 5,064,000

Provisions:

1. Funds in this item are available for the California English Acquisition and Literacy Program pursuant to Section 18736 of the Education Code.

6120-221-0001—For local assistance, California State Library, Program 20-Library Development Services-Public Library Foundation Program..... 14,360,000

Provisions:

1. Notwithstanding any other provision of law, for the 2005–06 fiscal year, the date on or before which the fiscal officer of each public library shall report to the State Librarian the information specified in Section 18023 of the Education Code shall be December 1, 2005.
2. Notwithstanding any other provision of law, for the 2005–06 fiscal year, the date on or before which the Controller shall distribute funds to the fiscal officer of each public library as specified in Section 18026 of the Education Code shall be February 15, 2006.
3. It is the intent of the Legislature that the funds appropriated in this item be allocated consistent with the provisions of Section 18025 of the Education Code.

6120-495—Reversion, California State Library. As of June 30, 2005, the sum specified below of the appropriation provided in the following citation shall revert to the fund from which the appropriation was made:

6029—California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund

(1) $4,685,000 from Item 6120-101-6029, Budget Act of 2003 (Ch. 157, Stats. 2003), as reappro-

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| priated by Item 6120-490, Budget Act of 2004 (Ch. 208, Stats. 2004) | | |
| 6125-001-0001—For support of the Education Audit Appeals Panel | | 1,285,000 |
| Schedule: | | |
| (1) 10-Education Audit Appeals Panel | 1,305,000 | |
| (2) 97.20.001-Unallocated Reduction | –20,000 | |
| 6255-001-0001—For support of California State Summer School for the Arts | | 793,000 |
| Schedule: | | |
| (1) 10-California State Summer School for the Arts | 805,000 | |
| (2) 97.20.001-Unallocated Reduction | –12,000 | |
| 6330-001-0890—For support of the California Occupational Information Coordinating Committee, payable from the Federal Trust Fund | | 325,000 |
| *6360-001-0001—For support of the Commission on Teacher Credentialing* | | *2,700,000* |
| *Schedule:* | | |
| *(1) 10-Standards for Preparation and Licensing of Teachers* | *2,700,000* | |
| 6360-001-0407—For support of the Commission on Teacher Credentialing, payable from the Teacher Credentials Fund | | ~~14,987,000~~ *12,314,000* |
| Schedule: | | |
| (1) 10-Standards for Preparation and Licensing of Teachers | ~~15,063,000~~ *12,390,000* | |
| (2) 10.40.010-Departmental Administration | 4,755,000 | |
| (3) 10.40.020-Distributed Departmental Administration | –4,755,000 | |
| (4) Reimbursements (Cultural Competency Study) | –76,000 | |
| Provisions: | | |
| 1. The amount appropriated in this item may be increased based on increases in credential applications, increases in first-time credential applications requiring fingerprint clearance, unanticipated costs associated with certificate discipline cases, or unanticipated costs of litigation, subject to approval of the Department of Finance, | | |

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not sooner than 30 days after notification in writing to the chairpersons of the fiscal committees of each house and the Chairperson of the Joint Legislative Budget Committee.

3. To ensure the Teacher Credentials Fund reserve remains at a prudent level, the Commission on-Teacher Credentialing shall charge ~~$67.50~~ *no more than $55* for the issuance or renewal of a teaching credential.

4. Of the funds appropriated in Schedule (1) of this item, $366,000 is for maintenance costs of the Teacher Credentialing Service Improvement Project.

5. If the funds available in the Teacher Credentials Fund are insufficient to meet the operational needs of the Commission on Teacher Credentialing, the Department of Finance may authorize a loan to be provided from the Test Development and Administration Account to the Teacher Credentials Fund. The Department of Finance shall notify the Chairperson of the Joint Legislative Budget Committee, or his or her designee, of its intent to request that the Controller transfer the amount projected to be required from the Test Development and Administration Account to the Teacher Credentials Fund. The Controller shall transfer those funds not sooner than 30 days after this notification.

6. The Commission on Teacher Credentialing (CTC) shall submit quarterly reports to the Legislature, the Legislative Analyst's Office, and the Department of Finance on the minimum, maximum, and average number of days taken to process: (a) renewal and university-recommended credentials, (b) out-of-state and special education credentials, (c) service credentials and supplemental authorizations, (d) adult and vocational education certificates and child center permits, (e) emergency permits, and (f) the percentage of renewals and new applications completed online. The report should also include information on the hours of staff time utilized to process the different types of credentials. The quarterly reports shall commence on October 1, 2005, and provide monthly data for July, August, and September. Subsequent reports

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shall include historical data as well as data from the most recent quarter. The CTC shall work to reduce its processing time.

~~7. By January 1, 2006, the CTC shall submit a short report to the Legislature and the Department of Finance identifying at least three feasible options to further reduce processing time that could be implemented in 2005–06. These options may include procedural and statutory changes to CTC's application review process.~~

*8. By November 15, 2005, the Commission on Teacher Credentialing shall submit a detailed proposal to the Department of Finance (DOF), the Joint Legislative Budget Committee, and the chairpersons of the committees in each house of the Legislature that consider appropriations regarding the feasibility of relying on internal legal counsel rather than Attorney General representation at administrative hearings. The proposal shall include a comprehensive description of the option, a review of how it has worked at other state agencies, an explanation of how and when it could be implemented, and a refined estimate of the associated savings. The DOF and the Legislature shall consider this proposal when developing the commission's budget for the 2006–07 fiscal year. (The commission's preliminary estimate of potential savings is $927,000.)*

*9. By November 15, 2005, the Commission on Teacher Credentialing shall submit a detailed proposal to the Department of Finance (DOF), the Joint Legislative Budget Committee, and the chairpersons of the committees in each house of the Legislature that consider appropriations regarding the feasibility of establishing fees for disciplinary reviews and associated disciplinary actions. The proposal shall include a comprehensive description of the option, explain how and when it could be implemented, and identify the associated savings. The DOF and the Legislature shall consider this proposal when developing the commission's budget for the 2006–07 fiscal year. (The commission's preliminary estimate of new revenue is $2,900,000.)*

*10. By December 15, 2005, the Commission on Teacher Credentialing shall report to the Department of Finance, the Joint Legislative Bud-*

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*get Committee, and the chairpersons of the committees in each house of the Legislature that consider appropriations on its efforts to streamline and automate its review of teacher credentials submitted by institutions of higher education as well as child development permits submitted by community colleges. The report shall include a description of the automation efforts the commission has undertaken and an estimate of the resulting number of staff hours freed up for processing other credential applications.*

6360-001-0408—For support of the Commission on Teacher Credentialing, payable from the Test Development and Administration Account, Teacher Credentials Fund..... ~~4,344,000~~ *3,767,000*

Schedule:

(1) 10-Standards for Preparation and Licensing of Teachers ..... ~~4,344,000~~ *3,767,000*

Provisions:

1. The amount appropriated in this item may be increased for unanticipated costs of litigation, or for costs from increases in the number of examinees, subject to approval of the Department of Finance, not sooner than 30 days after notification in writing to the chairpersons of the fiscal committees of each house and the Chairperson of the Joint Legislative Budget Committee.
2. Notwithstanding Section 44234 of the Education Code, funds that are set aside for pending litigation costs shall not be considered part of the reserve of the Teacher Credentials Fund for purposes of subdivision (b) of Section 44234 of the Education Code.
3. If the funds available in the Teacher Credentials Fund are insufficient to meet the operational needs of the Commission on Teacher Credentialing, the Department of Finance may authorize a loan to be provided from the Test Development and Administration Account to the Teacher Credentials Fund. The Department of Finance shall notify the Chairperson of the Joint Legislative Budget Committee, or his or her designee, of its intent to request that the Controller transfer the amount projected to be required from the Test De-

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velopment and Administration Account to the Teacher Credentials Fund. The Controller shall transfer those funds not sooner than 30 days after this notification.

6360-101-0001—For local assistance, Commission on Teacher Credentialing (Proposition 98), Program 10, Standards for Preparation and Licensing of Teachers ..... 31,814,000

Schedule:

(1) 10.20.001-Alternative Certification Program..... 24,923,000

(2) 10.20.002-California School Paraprofessional Teacher Training Program..... 6,583,000

(3) 10.10.001-Teacher Misassignment Monitoring..... 308,000

Provisions:

1. The funds appropriated in Schedule (1) are for school districts and county offices of education participating in the alternative certification programs established pursuant to Article 11 (commencing with Section 44380) of Chapter 2 of Part 25 of the Education Code.

2. The funds appropriated in Schedule (2) are for school districts and county offices of education participating in the California School Paraprofessional Teacher Training Program established pursuant to Article 12 (commencing with Section 44390) of Chapter 2 of Part 25 of the Education Code.

3. The funds appropriated in Schedule (3) shall be used to reimburse county offices of education for costs associated with monitoring public schools and school districts for teacher misassignments. Funds shall be allocated on a basis determined by the commission. Districts and county offices receiving funds for credential monitoring will provide reasonable and necessary information to the commission as a condition of receiving these funds.

6360-495—Reversion, California Commission on Teacher Credentialing. The following amounts shall revert to the Proposition 98 Reversion Account:

(1) $1,034,000 or whatever lesser or greater amount reflects unexpended funds from Schedule (1) of Item 6360-101-0001, Budget Act of 2003 (Ch. 157, Stats. 2003).

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(2) $651,000 or whatever lesser or greater amount reflects unexpended funds from Schedule (2) of Item 6360-101-0001, Budget Act of 2003 (Ch. 157, Stats. 2003).

(3) $489,000 or whatever lesser or greater amount reflects the unexpended funds from Schedule (3) of Item 6360-101-0001, Budget Act of 2003 (Ch. 157, Stats. 2003).

6420-001-0001—For support of California Postsecondary Education Commission ..... 2,059,000

Schedule:

(1) 100000-Personal Services ..... 1,872,000

(2) 300000-Operating Expenses and Equipment ..... 660,000

(3) 555000-Unallocated Reduction ..... –32,000

(4) Reimbursements ..... –3,000

(5) Amount payable from the Federal Trust Fund (Item 6420-001-0890). –438,000

6420-001-0890—For support of California Postsecondary Education Commission, for payment to Item 6420-001-0001, payable from the Federal Trust Fund ..... 438,000

6420-101-0890—For local assistance, California Postsecondary Education Commission, payable from the Federal Trust Fund ..... 8,579,000

Provisions:

1. The funds appropriated in this item are for local assistance activities funded through the No Child Left Behind Act (P.L. 107-110).

6440-001-0001—For support of University of California ..... ~~2,618,386,000~~ *2,617,636,000*

Schedule:

(1) Support ..... ~~2,534,890,000~~ *2,534,140,000*

(2) Charles R. Drew Medical Program. 8,738,000

(3) Acquired Immune Deficiency Syndrome (AIDS) Research ..... 9,214,000

(4) Student Financial Aid ..... 52,199,000

(5) Loan Repayments ..... 5,105,000

(6) San Diego Supercomputer Center .. 3,240,000

(7) Subject Matter Projects ..... 5,000,000

Provisions:

1. The appropriations made in this item are exempt from Section 31.00 of this act.

2. None of the funds appropriated in this item may be expended to initiate major capital outlay

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projects by contract without prior legislative approval, except for cogeneration and energy conservation projects. Exempted projects shall be reported in a manner consistent with the reporting procedures in subdivision (d) of Section 28.00 of this act.

3. The funds appropriated in Schedule (2) are for support of University of California program of clinical health sciences education, research, and public service, conducted in conjunction with the Charles R. Drew University of Medicine and Science, as provided for in Sections 1, 2, and 3 of Chapter 1140 of the Statutes of 1973. Of the amount appropriated, $500,000 is contingent upon the provision by the University of California of an equal amount of matching funds from its own resources. The University of California shall ensure by adequate controls that funds appropriated by Schedule (2) are expended solely for the support of the program identified in that schedule.

4. Of the amount appropriated in Schedule (1), $2,629,957 shall be available for expenditure only for support of the Northern and Southern Occupational Health Centers as established by a contract entered into with the Department of Industrial Relations pursuant to Section 50.8 of the Labor Code.

5. The funds appropriated in Schedule (4) are for support of Program 45, Student Financial Aid, to provide financial aid to needy students attending the University of California, according to the nationally accepted needs analysis methodology.

6. Of the amount appropriated in Schedule (1), $7,462,800 is for payment of energy service contracts in connection with the issuance of Public Works Board Energy Efficiency Revenue Bonds.

7. Of the amount appropriated in Schedule (5), $2,700,000 is for repayment of $25,000,000 borrowed by the University of California for deferred maintenance in the 1994–95 fiscal year. It is the intent of the Legislature to annually provide funds for that repayment purpose through the 2009–10 fiscal year.

8. Of the amount appropriated in Schedule (5), $2,405,000 is for repayment of $25,000,000 borrowed by the University of California for deferred maintenance in the 1995–96 fiscal year. It is the

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|---|---|
| intent of the Legislature to annually provide funds for that repayment purpose through the 2010–11 fiscal year. | |
| ~~9. Of the funds appropriated in Schedule (1), $475,000 shall be expended for the Center for Earthquake Engineering Research, contingent upon the center continuing to receive federal matching funds from the National Science Foundation.~~ | |
| ~~10. Of the funds appropriated in Schedule (1), $385,000 shall be expended for viticulture and enology research contingent upon the receipt of an equal amount of private sector matching funds.~~ | |
| ~~11. Of the funds appropriated in Schedule (1), $18,468,000 is for substance abuse research at the University of California, San Francisco campus in the Neurology Department.~~ | |
| 12. ~~Of the amount appropriated in Schedule (1), $1,609,000 is for the California State Summer School for Math and Science.~~ It is the intent of the Legislature that the University of California report by April 1, 2006, on the outcomes and effectiveness of COSMOS, consistent with the accountability framework developed by the University of California for student academic preparation and education programs in April 2005. | |
| 13. ~~Of the~~ *The* amount appropriated in Schedule (1) ~~,~~ ~~$770,000 shall be~~ *includes funding* for the University of California at Berkeley, Institute for Governmental Studies, to ~~fund~~ *support* the Welfare Policy Research Project, per Article 9.7 (commencing with Section 11526) of Chapter 2 of Part 3 of the Welfare and Institutions Code. | |
| ~~14. Of the amount appropriated in Schedule (1), $770,000 shall be used for lupus research at the University of California at San Francisco.~~ | |
| ~~15. Of the amount appropriated in Schedule (1), $1,539,000 shall be used to expand spinal cord injury research.~~ | |
| ~~16. Of the amount appropriated in Schedule (1), $3,848,000 is to fund the Medical Investigation of Neurodevelopmental Disorders (MIND) Institute, including $3,500,000 for research grants program.~~ | |

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17. Notwithstanding Section 3.00, for the term of the financing, the University of California may use funds appropriated in Schedule (1) for debt services and costs associated with the purchase, renovation, and financing of a facility for the UC-Mexico research and academic programs in Mexico City. The amount to be financed shall not exceed $7,000,000.

18. The funds appropriated in Schedule (7) are for support of the Subject Matter Projects.

21. Of the amount appropriated in Schedule (1), $17,300,000 is appropriated for student academic preparation and education programs (SAPEP) matched with $12,000,000 from existing university resources for a total of $29,300,000 for these programs. The University of California will provide a plan to the Department of Finance and the fiscal committees of the Legislature for expenditure of both state and university funds for SAPEP by September 1, 2005. It is the intent of the Legislature that the university report on the use of state and university funds provided for these programs, including detailed information on the outcomes and effectiveness of academic preparation programs consistent with the accountability framework developed by the University of California in April 2005. The report should be submitted to the fiscal committee of each house of the Legislature by no later than April 1, 2006.

~~22. Of the amount provided in Schedule (1), $750,000 is appropriated for math and science resource centers to improve the quality and supply of science and mathematics teachers, pursuant to legislation enacted in the 2005–06 Regular Session on or before January 1, 2006.~~

23. The amount appropriated in Schedule (1) includes funding for the University of California to enroll 205,976 full-time equivalent (FTE) students (excluding students in nonstate supported summer instruction programs). The Legislature expects the University of California to enroll this number of FTE students during the 2005–06 academic year. The University of California shall report to the Legislature by March 15, 2006, on whether it has met the 2005–06 enrollment goal. This report shall exclude FTE students in non-

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state supported summer instruction programs. If the University of California does not meet its enrollment goal, the Director of Finance shall revert to the General Fund by April 1, 2006, the total amount of enrollment funding associated with the share of the enrollment goal that was not met.

24. Of the amount appropriated in Schedule (1), $300,000 shall be used to support 20 full-time equivalent students in the Program in Medical Education for the Latino Community (PRIME-LC). The primary purpose of this program is to train physicians specifically to serve in underrepresented communities. The University of California shall report to the Legislature by March 15, 2006, on (a) its progress in implementing the PRIME-LC program and (b) the use of the total funds provided for this program from both state and nonstate resources.

*25. Of the funds appropriated in Schedule (1), $31,664,000 shall be expended for the purposes identified in Provisions 12 to 21, inclusive, of Item 6440-001-0001 of Section 2.00 of the Budget Act of 2003 (Ch. 157, Stats. 2003), and shall be allocated in proportion to the amounts designated in those provisions.*

6440-001-0007—For support of University of California, payable from the Breast Cancer Research Account ..... 12,776,000

Provisions:

1. Notwithstanding subdivision (a) of Section 2.00 of this act, the funds appropriated in this item shall be available for expenditure until June 30, 2008.

6440-001-0046—For support of University of California, Institute of Transportation Studies, payable from the Public Transportation Account, State Transportation Fund ..... 980,000

6440-001-0234—For support of the University of California, payable from the Research Account, Cigarette and Tobacco Products Surtax Fund..... 14,253,000

Provisions:

1. The funds appropriated in this item are to be allocated for research regarding tobacco use, with an emphasis on youth and young adults, including, but not limited to, the effects of active and passive smoking, the primary prevention of to-

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bacco use, nicotine addiction and its treatment, the effects of secondhand smoke, and public health issues surrounding tobacco use.

2. Notwithstanding subdivision (a) of Section 2.00 of this act, the funds appropriated in this item are available for expenditure until June 30, 2008.

6440-001-0308—For support of the University of California, payable from the Earthquake Risk Reduction Fund of 1996..... 1,500,000

Provisions:

1. The funds appropriated in this item shall be expended for the Center for Earthquake Engineering Research, contingent upon the center continuing to receive federal matching funds from the National Science Foundation.

6440-001-0321—For support of University of California, payable from the Oil Spill Response Trust Fund..... 1,300,000

Provisions:

1. The funds appropriated in this item shall be available to support the Oiled Wildlife Care Network.

6440-001-0890—For support of University of California, payable from the Federal Trust Fund..... 5,000,000

Provisions:

1. The funds appropriated in this item are for the federal Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP) (20 U.S.C. 1070a-21 et seq.). These funds are provided to the University of California as the fiscal agent for this intersegmental program.

6440-001-0945—For support of the University of California, payable from the California Breast Cancer Research Fund..... 473,000

Provisions:

1. Notwithstanding subdivision (a) of Section 2.00 of this act, the funds appropriated in this item shall be available for expenditure until June 30, 2008.

6440-001-3054—For support of University of California ..... 1,752,000

Provisions:

1. The funds appropriated in this item shall be used to support the analysis of health care-related legislation, in accordance with Chapter 795 of the Statutes of 2002.

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6440-002-0001—For support of University of California ..... (55,000,000)

Provisions:

1. Notwithstanding Section 2.00 of this act, the funds appropriated in this item are not available for expenditure or encumbrance prior to July 1, 2006. Claims for these funds shall be submitted by the University of California on or after July 1, 2006, and before October 1, 2006.
2. No reserve may be established by the Controller for this appropriation before July 1, 2006.

6440-003-0001—For support of the University of California, for payments on lease-purchase bonds..... 144,851,000

Schedule:

(1) Rental, insurance, and administrative payments .....147,367,000

(2) Reimbursements..... −2,516,000

Provisions:

1. The Controller shall transfer funds appropriated in this item according to a schedule to be provided by the State Public Works Board. The schedule shall be provided on a monthly basis or as otherwise needed to ensure debt requirements are met.
2. This item may contain adjustments pursuant to Section 4.30 that are not currently reflected. Any adjustments to this item shall be reported to the Joint Legislative Budget Committee pursuant to Section 4.30.

6440-004-0001—For support of University of California ..... 24,000,000

Provisions:

1. Funds shall be available for planning and startup costs associated with academic programs to be offered in the San Joaquin Valley and planning, startup costs, and ongoing support for the Merced campus, including the following: (a) site studies, infrastructure planning, community planning and development, long-range development plans, environmental studies, and other physical planning activities; (b) academic planning activities, support of academic program offerings prior to the opening of the new campus, and faculty recruitment; (c) the acquisition of instructional materials and equipment; and (d) ongoing operating support for faculty, staff, and other annual operating expense for the new campus.

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2. The University of California may enter into lease agreements with an option to purchase facilities in the Central Valley associated with the Merced campus. The lease agreement with an option to purchase shall be submitted to the Department of Finance for review and concurrence prior to execution of the lease to ensure that the proposed lease is consistent with legislative intent. The submission of the lease shall also include an economic analysis detailing the cost benefit of the project.

6440-005-0001—For support of University of California ..... 4,750,000

Provisions:

1. Notwithstanding any other provision of law, the funds appropriated in this item are available for expenditure without regard to fiscal year. Funds in this item are provided pursuant to subdivision (c) of Section 92901 of the Education Code to support the California Institutes for Science and Innovations.

6440-006-0001—For support of University of California 108,000

Schedule:

(1) Membership Dues: Federal Fiscal Year 2006 ..... 108,000

Provisions:

1. Funds appropriated in this item are to support California's membership in the Western Interstate Commission on Higher Education.

6440-011-0042—For transfer by the Controller from the State Highway Account, State Transportation Fund to the Earthquake Risk Reduction Fund of 1996..... (1,000,000)

6440-301-6041—For capital outlay, University of California, payable from the *2004* Higher Education Capital Outlay Bond ~~of 2004~~ *Fund* ..... 136,456,000

Schedule:

Berkeley Campus:

(1) 99.01.225-Seismic Safety Corrections, Giannini Hall—Preliminary plans..... 1,055,000

(2) 99.01.240-Doe Library Seismic and Program Improvements, Stage 4—Construction..... 30,810,000

Irvine Campus:

(3) 99.09.340-Computer Science Unit 3—Equipment..... 3,025,000

| Item | Amount |
|---|---|
| Los Angeles Campus: | |
| (4) 99.04.265-Life Sciences Replacement Building—Working drawings | 4,740,000 |
| Riverside Campus: | |
| (5) 99.05.200-Environmental Health and Safety Expansion—Preliminary plans and working drawings | 1,000,000 |
| (6) 99.05.205-Student Academic Support Services Building—Preliminary plans and working drawings | 1,650,000 |
| San Diego Campus: | |
| (7) 99.06.330-Biomedical Library Renovation and Addition—Equipment | 695,000 |
| (8) 99.06.340-Student Academic Services Facility—Equipment | 504,000 |
| (9) 99.06.355-Mayer Hall Addition and Renovation—Equipment | 445,000 |
| (10) 99.06.370-Music Building—Construction | 36,125,000 |
| San Francisco Campus: | |
| (11) 99.02.145-Medical Sciences Building Improvements, Phase 2—Construction | 15,319,000 |
| Santa Barbara Campus: | |
| (12) 99.08.120-Snidecor Hall Office Wing Seismic Replacement—Equipment | 405,000 |
| Santa Cruz Campus: | |
| (13) 99.07.130-Humanities and Social Sciences Facility—Equipment | 1,075,000 |
| (14) 99.07.165-McHenry Project—Construction | 33,782,000 |
| (15) 99.07.170-Alterations for Engineering, Phase 3—Construction | 4,161,000 |
| (16) 99.07.175-Digital Arts Facility—Working drawings | 888,000 |
| (17) 99.07.180-Infrastructure Improvements, Phase 1—Preliminary plans | 777,000 |

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Provisions:

1. Identified savings in funds encumbered from this general obligation bond fund for construction contracts for capital outlay projects, remaining after completion of a capital outlay project and upon resolution of all change orders and claims, may be used: (a) to begin working drawings for a project for which preliminary plan funds have been appropriated and the plans have been approved by the State Public Works Board consistent with the scope and cost approved by the Legislature as adjusted for inflation only, (b) to proceed further with the underground tank corrections program, (c) to perform engineering evaluations on buildings that have been identified as potentially in need of seismic retrofitting, (d) to proceed with design and construction of projects to meet requirements under the federal Americans with Disabilities Act of 1990, or (e) to fund minor capital outlay projects.

   No later than March 1 of each year, the University of California shall provide the Legislative Analyst with a progress report showing the identified savings by project, and the purpose for which the identified savings were used.

   No later than November 1 of each year, the University of California shall prepare a report showing (a) the identified savings by project and (b) the purpose for which the identified savings were used. This report shall be submitted to the Chair of the Joint Legislative Budget Committee and to the chairs of the fiscal committees in each house.

2. The funds provided under this item shall be available for expenditure only if the University of California requires the payment of prevailing wage rates by the contractors and subcontractors on all projects in this item and on all other capital outlay projects undertaken by the University of California that are funded using nonstate funds or are otherwise not financed with the funds appropriated in this item. This requirement shall represent a moratorium on granting further exceptions to paying prevailing wage *rates* until June 30, 2006.

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6440-302-0574—For capital outlay, University of California, payable from the 1998 Higher Education Capital Outlay Bond Fund ..... 9,000,000

Schedule:

Los Angeles Campus:

(1) 99.04.265-Life Sciences Replacement Building—Working drawings and construction..... 9,000,000

Provisions:

1. Notwithstanding Section 13332.11 of the Government Code or any other provision of law, the University of California may proceed with any phase of any project identified in the above schedule, including preparation of preliminary plans, working drawings, construction, or equipment purchase, without the need for any further approvals.
2. The University of California shall complete each project identified in the above schedule within the total funding amount specified in the schedule for that project. Notwithstanding Section 13332.11 of the Government Code or any other provision of law, the budget for any project to be funded from this item may be augmented by the University of California within the total appropriation made by this item, in an amount not to exceed 10 percent of the amount appropriated for that project. No funds appropriated in this item for equipment may be used for an augmentation under this provision, or be augmented from any other funds appropriated in this item. This condition does not limit the authority of the University of California to use nonstate funds.
3. The University of California shall complete each project identified in the above schedule without any change to its scope. The scope of a project, in this respect, means the intended purpose of the project as determined by reference to the following elements of the budget request for that project submitted by the University of California to the Department of Finance: (a) the program elements related to project type, and (b) the functional description of spaces required to deliver the academic and supporting programs as approved by the Legislature.
4. Notwithstanding any other provision of law, the appropriation made in this item is available for encumbrance or expenditure during the 2005–06

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and 2006–07 fiscal years, except that the funds appropriated for construction only must be bid during the 2005–06 fiscal year, and are available for expenditure until June 30, 2007, and that the funds appropriated for equipment purposes are available for encumbrance until June 30, 2008. For the purposes of encumbrance, funds appropriated for construction management and project-contingency purposes, as well as any bid savings, shall be deemed to be encumbered at the time a contract for that purpose is awarded; these funds also may be used to initiate consulting contracts necessary for management of the project during the liquidation period. Any savings identified at the completion of the project also may be used during the liquidation period to fund the purposes described in Provision 5.

5. Identified savings in a budget for a capital outlay project, as appropriated in this item, remaining after completion of a capital outlay project and upon resolution of all change orders and claims, may be used without further approval: (a) to augment projects consistent with Provision 2, (b) to proceed further with the underground tank corrections program, (c) to perform engineering evaluations on buildings that have been identified as potentially in need of seismic retrofitting, (d) to proceed with the design and construction of projects to meet requirements under the federal Americans with Disabilities Act of 1990, or (e) to fund minor capital outlay projects.

6. No later than December 1 of each year, the University of California shall submit a report outlining the expenditures for each project of the funds appropriated by this item to the Chairperson of the Joint Legislative Budget Committee, the chairpersons of the fiscal committees of each house of the Legislature, the Legislative Analyst, and the Director of Finance. The report also shall include the following elements: (a) a statement of the identified savings by project, and the purpose for which the identified savings were used; (b) a certification that each project, as proceeding or as completed, has remained within its scope and the amount funded for that project under this item; and (c) an evaluation of the outcome of the project measured against performance criteria.

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6440-302-6028—For capital outlay, University of California, payable from the 2002 Higher Education Capital Outlay Bond Fund ..... 5,802,000

Schedule:

Los Angeles Campus:

(1) 99.04.265-Life Sciences Replacement Building—Working drawings and construction..... 5,802,000

Provisions:

1. Notwithstanding Section 13332.11 of the Government Code or any other provision of law, the University of California may proceed with any phase of any project identified in the above schedule, including preparation of preliminary plans, working drawings, construction, or equipment purchase, without the need for any further approvals.
2. The University of California shall complete each project identified in the above schedule within the total funding amount specified in the schedule for that project. Notwithstanding Section 13332.11 of the Government Code or any other provision of law, the budget for any project to be funded from this item may be augmented by the University of California within the total appropriation made by this item, in an amount not to exceed 10 percent of the amount appropriated for that project. No funds appropriated in this item for equipment may be used for an augmentation under this provision, or be augmented from any other funds appropriated in this item. This condition does not limit the authority of the University of California to use nonstate funds.
3. The University of California shall complete each project identified in the above schedule without any change to its scope. The scope of a project, in this respect, means the intended purpose of the project as determined by reference to the following elements of the budget request for that project submitted by the University of California to the Department of Finance: (a) the program elements related to project type, and (b) the functional description of spaces required to deliver the academic and supporting programs as approved by the Legislature.
4. Notwithstanding any other provision of law, the appropriation made in this item is available for encumbrance or expenditure during the 2005–06

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and 2006–07 fiscal years, except that the funds appropriated for construction only must be bid during the 2005–06 fiscal year, and are available for expenditure until June 30, 2007, and that the funds appropriated for equipment purposes are available for encumbrance until June 30, 2008. For the purposes of encumbrance, funds appropriated for construction management and project-contingency purposes, as well as any bid savings, shall be deemed to be encumbered at the time a contract for that purpose is awarded; these funds also may be used to initiate consulting contracts necessary for management of the project during the liquidation period. Any savings identified at the completion of the project also may be used during the liquidation period to fund the purposes described in Provision 5.

5. Identified savings in a budget for a capital outlay project, as appropriated in this item, remaining after completion of a capital outlay project and upon resolution of all change orders and claims, may be used without further approval: (a) to augment projects consistent with Provision 2, (b) to proceed further with the underground tank corrections program, (c) to perform engineering evaluations on buildings that have been identified as potentially in need of seismic retrofitting, (d) to proceed with the design and construction of projects to meet requirements under the federal Americans with Disabilities Act of 1990, or (e) to fund minor capital outlay projects.

6. No later than December 1 of each year, the University of California shall submit a report outlining the expenditures for each project of the funds appropriated by this item to the Chairperson of the Joint Legislative Budget Committee, the chairpersons of the fiscal committees of each house of the Legislature, the Legislative Analyst, and the Director of Finance. The report also shall include the following elements: (a) a statement of the identified savings by project, and the purpose for which the identified savings were used; (b) a certification that each project, as proceeding or as completed, has remained within its scope and the amount funded for that project under this item; and (c) an evaluation of the outcome of the project measured against performance criteria.

| Item | Amount |
|---|---|
| 6440-302-6041—For capital outlay, University of California, payable from the 2004 Higher Education Capital Outlay Bond Fund | 201,205,000 |
| Schedule: | |
| Davis Campus: | |
| (1) 99.03.315-Electrical Improvements, Phase 3—Working drawings and construction | 10,166,000 |
| (2) 99.03.325-Physical Sciences Expansion—Working drawings and construction | 46,280,000 |
| (3) 99.03.345-Steam Expansion, Phase 1—Working drawings and construction | 10,483,000 |
| Irvine Campus: | |
| (4) 99.09.350-Engineering Unit 3—Construction | 47,347,000 |
| (5) 99.09.355-Social and Behavioral Sciences Building—Preliminary plans and working drawings | 2,850,000 |
| Los Angeles Campus: | |
| (5.5) 99.04.265-Life Sciences Replacement Building—Working drawings and construction | 32,500,000 |
| Riverside Campus: | |
| (6) 99.05.190-Materials and Science and Engineering Building—Construction | 50,549,000 |
| Division of Agriculture and Natural Resources: | |
| (7) 99.10.055-Lindcove Research and Extension Center Laboratory Facility—Preliminary plans, working drawings and construction | 1,030,000 |

Provisions:

1. Notwithstanding Section 13332.11 of the Government Code or any other provision of law, the University of California may proceed with any phase of any project identified in the above schedule, including preparation of preliminary plans, working drawings, construction, or equipment purchase, without the need for any further approvals.
2. The University of California shall complete each project identified in the above schedule within the total funding amount specified in the schedule for that project. Notwithstanding Section 13332.11 of the Government Code or any other provision of law, the budget for any project to be funded from

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this item may be augmented by the University of California within the total appropriation made by this item, in an amount not to exceed 10 percent of the amount appropriated for that project. No funds appropriated in this item for equipment may be used for an augmentation under this provision, or be augmented from any other funds appropriated in this item. This condition does not limit the authority of the University of California to use nonstate funds.

3. The University of California shall complete each project identified in the above schedule without any change to its scope. The scope of a project means, in this respect, the intended purpose of the project as determined by reference to the following elements of the budget request for that project submitted by the University of California to the Department of Finance: (a) the program elements related to project type, and (b) the functional description of spaces required to deliver the academic and supporting programs as approved by the Legislature.

4. Notwithstanding any other provision of law, the appropriation made by this item is available for encumbrance during the 2005–06 and 2006–07 fiscal years, except that the funds appropriated for construction only must be bid during the 2005–06 fiscal year, and are available for expenditure until June 30, 2007, and that the funds appropriated for equipment purposes are available for encumbrance until June 30, 2008. For the purposes of encumbrance funds appropriated for construction management and project contingencies purposes, as well as any bid savings, shall be deemed to be encumbered at the time a contract for that purpose is awarded; these funds also may be used to initiate consulting contracts necessary for management of the project during the liquidation period. Any savings identified at the completion of the project also may be used during the liquidation period to fund the purposes described in Provision 5.

5. Identified savings in a budget for a capital outlay project, as appropriated in this item, remaining after completion of a capital outlay project and upon resolution of all change orders and claims, may be used without further approval: (a) to aug-

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ment projects consistent with Provision 2, (b) to proceed further with the underground tank corrections program, (c) to perform engineering evaluations on buildings that have been identified as potentially in need of seismic retrofitting, (d) to proceed with the design and construction of projects to meet requirements under the federal Americans with Disabilities Act of 1990, or (e) to fund minor capital outlay projects.

6. No later than December 1 of each year, the University of California shall submit a report outlining the expenditure for each project of the funds appropriated by this item to the Chairperson of the Joint Legislative Budget Committee, the chairpersons of the fiscal committees of each house, the Legislative Analyst, and the Director of Finance. The report also shall include the following elements: (a) a statement of the identified savings by project, and the purpose for which the identified savings were used; (b) a certification that each project as proceeding or as completed, has remained within its scope and the amount funded for that project under this item; and (c) an evaluation of the outcome of the project measured against performance criteria.

7. The projects identified in Schedules (4) and (5) of this item may utilize design-build construction consistent with practices, policies, and procedures of the University of California.

6440-401—Identified savings in funds encumbered from Higher Education Capital Outlay Bond Funds of 1986, 1988, 1990, 1992, 1996, 1998, and 2002 for capital outlay projects, remaining after completion of a capital outlay project and upon resolution of all change orders and claims, may be used: (a) to begin working drawings for a project for which preliminary plan funds have been appropriated and the plans have been approved by the State Public Works Board consistent with the scope and cost approved by the Legislature as adjusted for inflation only, (b) to proceed further with the underground tank corrections program, (c) to perform engineering evaluations on buildings that have been identified as potentially in need of seismic retrofitting, (d) to proceed with design and construction of projects to meet require-

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ments under the federal Americans with Disabilities Act, and (e) for identified savings in funds encumbered from the Higher Education Capital Outlay Bond Funds of 1996, 1998, and 2002, to fund minor capital outlay projects.

No later than December 1 of each year, the University of California shall prepare a report showing (a) the identified savings by project and (b) the purpose for which the identified savings were used. This report shall be submitted to the Chairperson of the Joint Legislative Budget Committee and to the chairs of the fiscal committees in each house.

6440-490—Reappropriation, University of California. Notwithstanding any other provision of law, the balances as of June 30, 2005, of the appropriations provided in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided for in the appropriations and shall be available for encumbrance and expenditure until June 30, 2006:

0001—General Fund

(1) Item 6440-001-0001 of Section 2.00 of the Budget Act of 2004 (Ch. 208, Stats. 2004).

Provisions:

1. Of the funds reappropriated in this item from Item 6440-001-0001 of Section 2.00 of the Budget Act of 2004 (Ch. 208, Stats. 2004), $15,000,000 shall be available for deferred maintenance, special repair projects, and the replacement of instructional equipment. As of June 30, 2005, the balance of the funds from that item in excess of $15,000,000 shall revert to the General Fund.
2. The University of California shall report to the Department of Finance and the Joint Legislative Budget Committee the amount of the balance, on June 30, 2005, of Item 6440-001-0001 of Section 2.00 of the Budget Act of 2004 (Ch. 208, Stats. 2004), by September 30, 2005, and the expenditures made pursuant to this item by September 30, 2006.

6440-491—Reappropriation, University of California. Notwithstanding any other provision of law, the balances of the appropriations provided for in the following citations are reappropriated for the purposes

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and subject to the limitations, unless otherwise specified, in those appropriations:

6041—Higher Education Capital Outlay Bond Fund of 2004

(1) Item 6440-301-6041, Budget Act of 2004 (Ch. 208, Stats. 2004)

Davis Campus:

(2) 99.03.305-Robert Mondavi Institute for Wine and Food Science—Construction

(3) 99.03.310-Seismic Corrections, Phase 4—Construction

San Diego Campus:

(13) 99.06.370-Music Building—Working drawings

Merced Campus:

(23) 99.11.035-Logistical Support/Service Facilities—Construction and equipment

6440-495—Reversion, University of California. As of June 30, 2005, the sum of $2,500,000 from the appropriation provided in the following citation shall revert to the balance of the fund from which the appropriation was made:

6041—Higher Education Capital Outlay Bond of 2004 Los Angeles Campus:

(1) Item 6440-301-6041, Budget Act of 2004 (Ch. 208, Stats. 2004)

(6) 99.04.320-CHS South Tower Seismic Renovation, Phase A—Working drawings

6600-001-0001—For support of Hastings College of the Law ..... 8,363,000

Provisions:

1. The appropriation made in this item is exempt from Section 31.00 of this act.
2. Of the funds appropriated in this item, $774,000 is for support of Program 40, Student Services, to provide financial aid to needy students attending the Hastings College of the Law, according to the nationally accepted needs analysis methodology.
3. Notwithstanding any other law, funds in this item shall not be expended at a rate in excess of one-twelfth of the total amount in any month of the 2005–06 fiscal year.

6610-001-0001—For support of the California State University ..... ~~2,550,085,250~~ *2,553,835,250*

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Schedule:

(1) Support ..... ~~3,974,663,000~~ *3,978,413,250*

(3) Reimbursements ..... –186,032,000

(4) Amount payable from the Higher Education Fees and Income, CSU Fund (Item 6610-001-0498) .... –1,212,546,000

(5) Amount payable from the *2004* Higher Education Capital Outlay Bond Fund ~~of 2004~~ (Item 6610-001-6041) .....–26,000,000

Provisions:

1. The appropriations made in this item are exempt from Section 31.00 of this act, except as otherwise provided by the applicable sections of the Government Code referred to in Section 31.00.
2. Of the amount appropriated in this item, $350,000 is for transfer to the Affordable Student Housing Revolving Fund for the purpose of subsidizing interest costs in connection with bond financing for construction of affordable student housing at the Fullerton and Hayward campuses in accordance with Article 3 (commencing with Section 90085) of Chapter 8 of Part 55 of the Education Code.
3. Of the amount appropriated in this item, $1,878,000 is for repayment of the $17,000,000 financed for the California State University through a third party for deferred maintenance projects in the 1994–95 fiscal year. It is the intent of the Legislature to annually provide funds for that repayment purpose through the 2009–10 fiscal year.
4. Of the amount appropriated in this item, $2,309,000 is for repayment of the $24,000,000 financed for the California State University through a third party for deferred maintenance projects in the 1995–96 fiscal year. It is the intent of the Legislature to annually provide funds for that repayment purpose through the 2010–11 fiscal year.
5. Of the amount appropriated in this item, $33,785,000 is provided for student financial aid grants. These financial aid funds shall be provided to needy students according to the nationally accepted needs analysis methodology.
8. Of the amount appropriated in Schedule (1), $52,000,000 is provided for student academic

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preparation and student support services programs. The university will provide $45,000,000 and the state will provide $7,000,000 to support the Early Academic Assessment Program, Campus-Based Outreach Programs and the Educational Opportunity Program. It is the intent of the Legislature that the university report on the outcomes and effectiveness of the Early Academic Assessment Program to the fiscal committees of each house of the Legislature no later than March 15, 2006.

~~9. Of the amount provided in Schedule (1), $250,000 is appropriated to enable the California State University (CSU) to work with the University of California (UC) to coordinate the development of curriculum and services for four-year blended credential programs for math and science majors at CSU campuses to complement UC's effort to improve the number and quality of math and science teachers, pursuant to legislation enacted in the 2005–06 Regular Session on or before January 1, 2006.~~

10. The amount appropriated in Schedule (1) includes funding for the California State University to enroll 332,223 full-time equivalent (FTE) students (excluding students in nonstate supported summer instruction programs). The Legislature expects the university to enroll this number of FTE students during the 2005–06 academic year. The university shall provide a preliminary report to the Legislature by March 15, 2006, and a final report by May 1, 2006, on whether it has met the 2005–06 enrollment goal. These reports shall exclude FTE students in nonstate supported summer instruction programs. If the university does not meet its enrollment goal, the Director of Finance shall revert to the General Fund by May 15, 2006, the total amount of enrollment funding associated with the share of the enrollment goal that was not met.

*11. Of the amount appropriated in Schedule (1), $4,000,000 is to support the development of entry-level master's degree programs in nursing, pursuant to Article 8 (commencing with Section 89270) of Chapter 2 of Part 55 of Title 3 of the Education Code.*

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6610-001-0498—For support of the California State University, for payment to Item 6610-001-0001, payable from the Higher Education Fees and Income, CSU Fund ..... 1,212,546,000

Provisions:

1. All funds received in the Higher Education Fees and Income, CSU Fund, that are in excess of the amount appropriated in this item are hereby appropriated in augmentation of this item.

6610-001-0890—For support of the California State University, payable from the Federal Trust Fund ..... 39,789,000

Provisions:

1. All funds deposited in the Federal Trust Fund for the California State University for the purposes of this item and that are in excess of the amount appropriated in this item are hereby appropriated in augmentation of this item and are exempt from Section 28.00 of this act, pursuant to subdivision (a) of Section 89753 of the Education Code.

6610-001-6041—For support of the California State University, for payment to Item 6610-001-0001, payable from the 2004 Higher Education Capital Outlay Bond Fund ..... 26,000,000

6610-002-0001—For support of the California State University for transfer to and in augmentation of Item 6610-001-0001, for the purpose of providing direct costs and administrative overhead expenses for the Assembly, Senate, Executive, and Judicial Fellows programs and the Center for California Studies ..... 3,034,000

Schedule:

| | |
|---|---|
| (1) Center for California Studies—Fellows Program | 610,000 |
| (2) Center for California Studies—Other | 36,500 |
| (3) Assembly Fellows | 597,851 |
| (4) Senate Fellows | 597,851 |
| (5) Executive Fellows | 597,351 |
| (6) Judicial Fellows | 421,659 |
| (7) LegiSchool Project | 116,788 |
| (8) Sacramento Semester Internship Program | 56,000 |

6610-003-0001—For support of the California State University for payments on lease-purchase bonds..... 61,668,000

Schedule:

| | |
|---|---|
| (1) Rental, insurance, and administrative payments | 62,190,000 |
| (2) Reimbursements | −522,000 |

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Provisions:

1. The Controller shall transfer funds appropriated in this item according to a schedule to be provided by the State Public Works Board. The schedule shall be provided on a monthly basis or as otherwise needed to ensure debt requirements are met.
2. This item may contain adjustments pursuant to Section 4.30 that are not currently reflected. Any adjustments to this item shall be reported to the Joint Legislative Budget Committee pursuant to Section 4.30.

6610-301-6041—For capital outlay, California State University, payable from the 2004 Higher Education Capital Outlay Bond Fund ..... 111,050,000

Schedule:

(1) 06.48.315-Systemwide: Minor Capital Outlay—Preliminary plans, working drawings and construction ..... 16,000,000

(1.5) 06.54.081-Dominguez Hills: Educational Resource Center Addition—Construction..... 34,876,000

(2.5) 06.64.082-Hayward: Student Services Replacement Building—Preliminary plans and working drawings..... 1,651,000

(3) 06.71.107-Long Beach: Seismic Upgrade, Liberal Arts 2, 3, and 4—Preliminary plans, working drawings and construction..... 1,253,000

(3.5) 06.71.110-Long Beach: Peterson Hall 3 Replacement Building—Working drawings..... 2,048,000

(4) 06.98.107-Pomona: Library Addition and Renovation—Working drawings and construction..... 55,222,000

Provisions:

1. Identified savings in funds encumbered from this general obligation bond fund for construction contracts for capital outlay projects, remaining after completion of a capital outlay project and upon resolution of all change orders and claims, may be used prior to the appropriation reversion date: (a) to begin working drawings for a project for which preliminary plans funds have been appropriated and the plans have been approved by the State Public Works Board consistent with the scope and

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cost approved by the Legislature as adjusted for inflation only, (b) to proceed further with the underground tank corrections program, (c) to perform engineering evaluations on buildings that have been identified as potentially in need of seismic retrofitting, or (d) to proceed with design and construction of projects to meet requirements under the federal Americans with Disabilities Act of 1990.

No later than March 1 of each year, the California State University shall provide the Legislative Analyst with a progress report showing the identified savings, by project, and the purpose for which the identified savings were used.

No later than November 1 of each year, the California State University shall prepare a report showing the identified savings, by project, and the purpose for which the identified savings were used. This report shall be submitted to the Chairperson of the Joint Legislative Budget Committee and to the chairpersons of the fiscal committees in each house.

6610-302-6041—For capital outlay, California State University, payable from the 2004 Higher Education Capital Outlay Bond Fund ..... 206,367,000

Schedule:

(1) 06.52.109-Chico: Student Services Center—Equipment..... 2,201,000

(3) 06.56.093-Fresno: Library Addition and Renovation—Working drawings and construction ..... 86,419,000

(4) 06.67.098-Humboldt: Forbes PE Complex Renovation—Working drawings and construction..... 41,488,000

(5) 06.67.100-Humboldt: Mai Kai Land Acquisition—Acquisition ..... 6,000,000

(7) 06.71.111-Long Beach: Library Addition and Renovation—Working drawings and construction..... 31,326,000

(8) 06.73.094-Los Angeles: Science Replacement Building, Wing A—Equipment..... 4,635,000

(9) 06.82.086-Northridge: Performing Arts Center—Preliminary plans.... 1,210,000

(10) 06.80.157-San Diego: Social Sciences/Art Gallery/Parking Structure 8—Equipment..... 3,324,000

| Item | Amount |
|---|---|
| (11) 06.86.115-San Jose: Joint Library, Secondary Effects—Equipment .... | 2,171,000 |
| (12) 06.96.115-San Luis Obispo: Engineering/Architecture Renovation and Replacement, Phase II—Equipment ..... | 5,573,000 |
| (13) 06.68.120-San Marcos: Craven Hall Renovation—Equipment ..... | 527,000 |
| (14) 06.90.085-Sonoma: Darwin Hall—Equipment ..... | 2,221,000 |
| (15) 06.90.086-Sonoma: Music/Faculty Office Building—Construction ..... | 16,247,000 |
| (16) 06.92.064-Stanislaus: Science II (Seismic)—Equipment ..... | 3,025,000 |

Provisions:

1. Notwithstanding Section 13332.11 of the Government Code or any other provision of law, the California State University may proceed with any phase of any project identified in the above schedule, including preparation of preliminary plans, working drawings, construction, or equipment purchase, without the need for any further approvals.
2. The California State University shall complete each project identified in the above schedule within the total funding amount specified in the schedule for that project. Notwithstanding Section 13332.11 of the Government Code or any other provision of law, the budget for any project to be funded from this item may be augmented by the California State University within the total appropriation made by this item, in an amount not to exceed 10 percent of the amount appropriated for that project. No funds appropriated in this item for equipment may be used for an augmentation under this provision, or be augmented from any other funds appropriated in this item. This condition does not limit the authority of the California State University to use nonstate funds for these purposes.
3. The California State University shall complete each project identified in the above schedule without any change to its scope. The scope of a project means, in this respect, the intended purpose of the project as determined by reference to the following elements of the budget request for that project submitted by the California State University to the

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Department of Finance: (a) the program elements related to project type, and (b) the functional description of spaces required to deliver the academic and supporting programs as approved by the Legislature.

4. Identified savings in a budget for a capital outlay project, as appropriated in this item, remaining after completion of a capital outlay project and upon resolution of all change orders and claims, may be used: (a) to begin working drawings for a project for which preliminary plans have been approved by the State Public Works Board consistent with the scope and cost approved by the Legislature as adjusted for inflation only, (b) to proceed further with the underground tank corrections program, (c) to perform engineering evaluations on buildings identified as potentially in need of seismic retrofitting, (d) to proceed with design and construction of projects to meet requirements under the federal Americans with Disabilities Act of 1990, (e) to fund minor capital outlay projects, or (f) to fund feasibility studies for capital outlay.

5. No later than March 1 of each year, the California State University shall submit a report detailing the expenditure for each project of the funds appropriated by this item to the Chairperson of the Joint Legislative Budget Committee, the chairperson of the fiscal committees of each house, the Legislative Analyst, and the Director of Finance. The report shall include the following elements: (a) a statement of the identified savings by project, and the purpose for which the identified savings were used; (b) a certification that each project as proceeding or as completed, has remained within its scope and the amount funded for that project under this item; and (c) an evaluation of the outcome of the project measured against performance criteria.

6. Notwithstanding any other provision of law, the appropriation made in this item is available for encumbrance during the 2005–06 and 2006–07 fiscal years, except that the funds appropriated for construction only must be bid by the 2005–06 fiscal year, and will be available for expenditure ~~through the 2006–07 fiscal year~~ *until June 30, 2007* , and funds appropriated for equipment purposes are available for encumbrance until June

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30, 2008. For the purposes of encumbrance, funds appropriated for construction management and project contingencies purposes, as well as any bid savings, shall be deemed to be encumbered at the time a contract for that purpose is awarded; these funds also may be used to initiate consulting contracts necessary for management of the project during the liquidation period. Any savings identified at the completion of the projects also may be used during the liquidation period to fund the purposes described in subdivisions (a), (b), (c), (d), (e), and (f) of Provision 4.

6610-401—Identified savings in funds encumbered from Higher Education Capital Outlay Bond Funds of 1986, 1988, 1990, 1992, 1996, 1998, and 2002 for capital outlay projects, remaining after completion of a capital outlay project and upon resolution of all change orders and claims, may be used: (a) to begin working drawings for a project for which preliminary plan funds have been appropriated and the plans have been approved by the State Public Works Board consistent with the scope and cost approved by the Legislature as adjusted for inflation only, (b) to proceed further with the underground tank corrections program, (c) to perform engineering evaluations on buildings that have been identified as potentially in need of seismic retrofitting, or (d) to proceed with design and construction of projects to meet requirements under the federal Americans with Disabilities Act.

No later than November 1 of each year, the California State University shall prepare a report showing (a) the identified savings by project and (b) the purpose for which the identified savings were used. This report shall be submitted to the Chairperson of the Joint Legislative Budget Committee and to the chairs of the fiscal committees in each house.

6610-490—Reappropriation, California State University. Notwithstanding any other provision of law, the balances of the appropriations provided in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided for in the appropriations and shall be avail-

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able for encumbrance or expenditure until June 30, 2006:

0001—General Fund

(1) Item 6610-001-0001, Budget Act of 2004 (Ch. 208, Stats. 2004)

Provisions:

1. Of the funds reappropriated in this item from Item 6610-001-0001, Budget Act of 2004 (Ch. 208, Stats. 2004), up to $15,000,000 shall be available for the general support of the California State University. This $15,000,000 limitation applies only to reappropriations generated from systemwide allocations. As of June 30, 2005, the balance generated from systemwide allocations in excess of $15,000,000 shall revert to the General Fund.
2. The California State University shall, by September 30, 2005, report to the Department of Finance and the Joint Legislative Budget Committee the amount of the balance as of June 30, 2005, of Item 6610-001-0001 of the Budget Act of 2004 (Ch. 208, Stats. 2004), and a proposed expenditure plan for that balance. The California State University shall report by September 30, 2006, on the expenditures made pursuant to this item.

0498—Higher Education Fees and Income, CSU Fund

(1) Item 6610-001-0498, Budget Act of 2004 (Ch. 208, Stats. 2004).

6610-493—Reappropriation, California State University. Notwithstanding any other provision of law, the balances of the appropriations provided in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, in those appropriations:

6028—Higher Education Capital Outlay Bond Fund of 2002

(1) Item 6610-301-6028, Budget Act of 2002 (Ch. 379, Stats. 2002)

Humboldt Campus:

(5.5) 06.67.087.202-Humboldt: Behavioral and Social Sciences Phase I—Construction

6610-494—Reappropriation, California State University. Notwithstanding any other provision of law, the following shall be available for liquidation until June 30, 2006:

(1) Item 6610-302-0574, Budget Act of 1999 (Ch. 50, Stats. 1999), as reappropriated by Item 6610-

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492, Budget Act of 2003 (Ch. 157, Stats. 2003), and Item 6610-494, Budget Act of 2004 (Ch. 208, Stats. 2004)

(8) 06.84.098-San Francisco State University: Renovate Hensill Hall (Seismic)—Construction .. 29,166,000

(2) Item 6610-301-0574, Budget Act of 2000 (Ch. 52, Stats. 2000)

(9) 06.73.088-Los Angeles: Telecommunications Infrastructure—Construction ..... 7,521,000

6610-495—Reversion, California State University. As of June 30, 2005, $15,520,000 from the appropriation provided in Schedule (1) of Item 6610-001-0001, Budget Act of 2004 (Ch. 208, Stats. 2004), shall revert to the General Fund, pursuant to Provision 8 of that item.

6870-001-0001—For support of Board of Governors of the California Community Colleges..... 9,231,000

Schedule:

(1) 10-Apportionments..... 853,000

(2) 20-Special Services and Operations ..... 16,270,000

(3) 30.01-Administration..... 4,088,000

(4) 30.02-Administration—Distributed ..... –4,088,000

(5) 97.20.001-Unallocated Reduction... –137,000

(6) Reimbursements..... –7,755,000

Provisions:

1. Funds appropriated in this item may be expended or encumbered to make one or more payments under a personal services contract of a visiting educator pursuant to Section 19050.8 of the Government Code, a long-term special consultant services contract, or an employment contract between an entity that is not a state agency and a person who is under the direct or daily supervision of a state agency, only if all of the following conditions are met:

(a) The person providing service under the contract provides full financial disclosure to the Fair Political Practices Commission in accordance with the rules and regulations of the commission.

(b) The service provided under the contract does not result in the displacement of any represented civil service employee.

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(c) The rate of compensation for salary and health benefits for the person providing service under the contract does not exceed by more than 10 percent the current rate of compensation for salary and health benefits determined by the Department of Personnel Administration for civil service personnel in a comparable position. The payment of any other compensation or any reimbursement for travel or per diem expenses shall be in accordance with the State Administrative Manual and the rules and regulations of the Department of Personnel Administration.

2. Of the amount appropriated in this item, $417,000 is appropriated for four positions to support workload associated with a district-specific accountability program. These positions are contingent upon the enactment of legislation in the 2005–06 Regular Session that establishes a program for district-specific reporting and evaluation of educational outcomes in response to Chapter 581 of the Statutes of 2004. It is intended that the first report for the district-specific accountability system be provided in January 2007, reflecting outcomes from the 2005–06 fiscal year in context as specified in the enacted legislation.

6870-001-0574—For support of Board of Governors of the California Community Colleges, Program 20.40.010-Facilities Planning, payable from the 1998 Higher Education Capital Outlay Bond Fund ..... 1,434,000

6870-001-0909—For support for the Board of Governors of the California Community Colleges, Program 20.30.020-Instructional Improvement and Innovation, payable from the Special Grant Cash Account of the Fund for Instructional Improvement Program ..... 19,000

6870-001-0925—For support of Board of Governors of the California Community Colleges, Program 20.30.050-Economic Development, payable from the California Business Resources and Assistance Innovation Network Fund ..... 15,000

6870-101-0001—For local assistance, Board of Governors of the California Community Colleges (Proposition 98) ..... ~~3,184,215,000~~ *3,153,227,000*

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| Schedule: | |
| (1) 10.10.010-Apportionments ..... | ~~2,493,936,000~~ *2,462,948,000* |
| (2) 10.10.020-Basic Skills and Apprenticeship | 43,453,000 |
| (3) 10.10.030-Growth for Apportionments | 136,709,000 |
| (4) 20.10.005-Student Financial Aid Administration | 51,600,000 |
| (5) 20.10.020-Disabled Students | 91,191,000 |
| (6) 20.10.045-Special Services for CalWORKs Recipients | 34,603,000 |
| (7) 20.10.060-Foster Care Education Program | 4,754,000 |
| (8) 20.10.070-Matriculation | 66,332,000 |
| (9) 20.20.020-Academic Senate for the Community Colleges | 467,000 |
| (10) 20.20.041-Equal Employment Opportunity pursuant to Ch. 1169, Statutes of 2002 | 1,747,000 |
| (11) 20.20.050-Part-time Faculty Health Insurance | 1,000,000 |
| (12) 20.20.051-Part-time Faculty Compensation | 50,828,000 |
| (13) 20.20.055-Part-time Faculty Office Hours | 7,172,000 |
| (14) 20.30.011-Telecommunications and Technology Services | 24,397,000 |
| (15) 20.30.050-Economic Development | 35,790,000 |
| (16) 20.30.070-Transfer Education and Articulation | 1,974,000 |
| (17) 20.40.026-Physical Plant and Instructional Support | 27,345,000 |
| (18) 20.10.010-Extended Opportunity Programs and Services and Special Services | 104,759,000 |
| (19) 20.30.045-Fund for Student Success | 6,158,000 |

Provisions:

1. The funds appropriated in Schedules (1), (2), (3), (4), (5), (6), (7), (8), (10), (11), (12), (13), $22,050,000 in Schedule (14), (15), (17), and (18) are for transfer by the Controller during the 2005–06 fiscal year to Section B of the State School Fund.

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2. The amount appropriated in Schedule (1) reflects the intent of the Legislature to defer $200,000,000 for apportionments to the 2006–07 fiscal year, pursuant to separate legislation enacted for the 2005–06 fiscal year.

3. Notwithstanding any other provision of law or regulation, apportionment funding for community college districts shall be based on the greater of the current year or prior year level of full-time-equivalent students (FTES), consistent with K–12 declining enrollment practices pursuant to Section 42238.5 of the Education Code. Decreases in FTES shall result in a revenue reduction at the district's average level of apportionment funding per FTES and shall be made in the year following the initial year of decrease in FTES.

~~4.5. The amount appropriated in Schedule (1), general apportionment, includes a restored amount of $31,409,000. The Chancellor of the California Community Colleges shall allocate these funds to community college districts in the same amounts that were reduced from each district pursuant to the veto of Partnership for Excellence funds in the 2004–05 fiscal year. The allocation of these funds shall be contingent on the enactment of legislation in the 2005–06 Regular Session that establishes a program for district-specific reporting and evaluation of educational outcomes based on recommendations from the Board of Governors of the California Community Colleges to the Legislature and the Governor in April 2005.~~

*4.7. The amount appropriated in Schedule (1) includes a restored amount of $31,409,000 to encourage district-level accountability efforts. The Chancellor of the California Community Colleges shall allocate these funds to community college districts in the same amounts that were reduced from each district pursuant to budget reductions related to Partnership for Excellence funds in the 2004–05 fiscal year. The allocation of these funds shall be contingent on the enactment of legislation during the 2005–06 Regular Session that establishes a program for district-specific reporting and evaluation of educational outcomes in response to Chapter 581 of the Statutes of 2004. It is intended that*

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*the first report for the district-specific accountability system be provided by March 31, 2007, reflecting outcomes from the 2005–06 fiscal year in context as specified in the enacted legislation. In addition, the chancellor shall provide preliminary data to the Department of Finance and the Legislative Analyst's Office by January 31, 2007.*

5. Of the funds appropriated in Schedule (1), Apportionments:

(a) Up to $100,000 is for a maintenance allowance, pursuant to regulations adopted by the board of governors.

(b) Up to $500,000 is to reimburse colleges for the costs of federal aid repayments related to assessed fees for fee waiver recipients. This reimbursement only applies to students who completely withdraw from college before the census date.

(c) Notwithstanding any other provision of law or regulation, the Chancellor of the California Community Colleges shall not reduce district workload obligations for a lack of a funded cost-of-living adjustment.

*5.5. Of the amount appropriated in Schedule (1), $10,000,000 shall be used to provide additional support for nursing program enrollment and equipment needs.*

*(a) The Board of Governors of the California Community Colleges shall develop a Request for Applications (RFA) to allocate the funds appropriated in this subdivision to community college districts. Criteria for assessing the RFA shall include, but not be limited to, all of the following:*

*(1) The degree to which the funds provided would be used to increase student enrollments in nursing programs, beyond the level of full-time equivalent students (FTES) served in 2004–05.*

*(2) An agreement by the community college district to have either adopted, or initiated a validation study and plan to adopt, the model prerequisites described in the community colleges Reg-*

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*istered Nurse and Licensed Vocational Nurse model prerequisites validation studies.*

*(3) The degree to which funds provided would be used to support infrastructure or equipment needs with the intent of building capacity and increasing the number of nursing students served.*

*(b) On or before March 1, 2006, the Chancellor of the California Community Colleges shall provide the Legislature and the Department of Finance with a report on the allocation of funding. For each district receiving funding under this item, the report shall indicate (1) the amount of funding received, (2) the number of nursing FTES served in 2004–05, and the additional number of nursing FTES to be served with funding provided by this item, (3) the status of the district's efforts to adopt merit-based admissions criteria, and (4) any equipment or infrastructure-related items acquired with the funds appropriated in this item.*

6. Notwithstanding any other provision of law, $30,724,000 of the funds appropriated in Schedule (2) is for allocation to community college districts in the 2005–06 fiscal year for the purposes of funding full-time-equivalent students (FTES) in courses in basic skills, including English-as-a-second-language courses and workforce preparation courses for newly legalized immigrants, to the extent the total FTES claimed by a district for the 2005–06 fiscal year exceeds the level of total FTES funded for that district in the 2005–06 fiscal year. The Chancellor of the California Community Colleges shall develop criteria for allocating these funds.

*6.25. Of the funds appropriated in Schedule (1), $10,000,000 is to increase the noncredit instruction rate.*

*6.5. Of the funds appropriated in Schedule (1), $20,000,000 is for equalization pursuant to this provision, and shall be allocated according to the formula specified in Chapter 216 of the Statutes of 2004. These funds shall not be considered to be Program Improvement funds pursuant to Title 5 regulations.*

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*6.6. It is the intent of the Legislature to provide funding to community colleges for career technical education programs through legislation to be enacted during the 2005–06 Regular Session which is effective on or before January 1, 2006, pursuant to Section 24.50.*

7. Of the funds appropriated in Schedule (2), the funds not required for the 2005–06 fiscal year to meet the demand for the program funded under that schedule shall be made available on a one-time basis for general apportionment under Schedule (1) of this item, provided that no transfer shall occur prior to May 15, 2006.

8. (a) Of the amount appropriated in Schedule (2), up to $12,729,000 shall be available as necessary upon certification by the Chancellor of the California Community Colleges for the purpose of funding community college-related and supplemental instruction pursuant to Section 3074 of the Labor Code as provided in Section 8152 of the Education Code. No community college district shall use funds available under this provision to offer any new apprenticeship training program or the expansion of any existing program unless the new program or expansion has been approved by the chancellor.

(b) Notwithstanding Section 8152 of the Education Code, each 60-minute hour of teaching time devoted to each indentured apprentice enrolled in and attending classes of related and supplemental instruction as provided under Section 3074 of the Labor Code shall be reimbursed at the rate of four dollars and eighty-six cents ($4.86) per hour. For purposes of this provision, each hour of teaching time may include up to 10 minutes for passing time and breaks.

9. Notwithstanding any other provision of law, funds appropriated in Schedule (3) of this item shall only be allocated for growth in full-time-equivalent students (FTES), on a district-by-district basis, as determined by the Chancellor of the California Community Colleges. The chancellor shall not include any FTES from concurrent enrollment in physical education, dance, recreation, study skills, and personal development

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courses and other courses in conflict with existing law for the purpose of calculating a district's three-year overcap adjustment. The board of governors shall implement the criteria required by Provision 5(a) of Item 6870-101-0001 of the Budget Act of 2003 for the allocation of funds appropriated in Schedules (1) and (3), so as to assure that courses related to student needs for transfer, basic skills and vocational/workforce training are accorded the highest priority and are provided to the maximum extent possible within budgeted funds.

10.5. (a) Of the funds appropriated in Schedule (4), not less than $9,291,000 is available to provide $0.91/unit reimbursement to community college districts for the provision of Board of Governors (BOG) fee waiver awards pursuant to paragraph (2) of subdivision (m) of Section 76300 of the Education Code.

(b) Of the funds appropriated in Schedule (4), not less than $5,309,000 is available to provide reimbursement of 2 percent of total waiver value to community college districts for the provision of BOG fee waiver awards pursuant to paragraph (2) of subdivision (m) of Section 76300 of the Education Code.

(c) (1) Of the amount appropriated in Schedule (4), $2,800,000 shall be for a contract with a community college district to conduct a statewide media campaign to promote the general message to prospective students as follows: (1) the California Community Colleges remain affordable; (2) financial aid and tax credits are available to cover enrollment fees and help with books and other costs; and (3) the active encouragement of contact between pupils and local CCC financial aid offices. Any funds used from this source to produce radio, television, or mail campaigns must emphasize the availability of financial aid, the easiest and most reliable method of accessing the aid, a contact telephone number, an In-

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| | ternet address, where applicable, and the physical location of a financial aid office. Any mail campaign must give priority to existing pupils, recent high school graduates, and 12th graders. The outreach and information campaign should target its efforts in high schools, welfare offices, unemployment offices, churches, community centers, and any other location that will most effectively reach low-income and disadvantaged students who must overcome barriers in accessing postsecondary education. The community college district awarded the contract shall consult with the Chancellor of the California Community Colleges and the Student Aid Commission prior to performing any activities to ensure appropriate coordination with any other state efforts in this area and ensure compliance with this provision. | |
| | (2) Of the amount appropriated in Schedule (4), not more than $34,200,000 shall be for direct contact with potential and current financial aid applicants. Each CCC campus shall receive a minimum allocation of $50,000. The remainder of the funding shall be allocated to campuses based upon a formula reflecting full-time-equivalent students (FTES) weighted by a measure of low-income populations as demonstrated by BOG fee waiver program participation within a district. It is the intent of the Legislature, to the extent that funds are provided in this section, that all campuses provide additional staff resources to increase both financial aid participation and student access to low-income and disadvantaged students who must overcome barriers in accessing postsecondary education. Funds may be used for screening current students for possible financial aid eligibility and offer- | |

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ing these students personal assistance in accessing financial aid, providing individual help in multiple languages for families and students in filling out the necessary paperwork to apply for financial aid, and increasing financial aid staff to process additional financial aid forms.

(3) Funds allocated to a community college district for financial aid personnel, outreach determination of financial need, and delivery of student financial aid services shall supplement, and shall not supplant, the level of funds allocated for the administration of student financial aid programs during the 2001–02 fiscal year.

(4) It is the intent of the Legislature that the Chancellor's Office of the California Community Colleges provide the Legislature with a report by no later than April 1, 2006, on the use of the funds allocated pursuant to Provision 10(b), including the distribution of the funds, specific uses of the funds, strategies employed to reach low-income and disadvantaged students potentially eligible for financial aid, and the extent to which districts were successful in increasing the number of students accessing financial aid, particularly the maximum Pell Grant award.

(5) It is the intent of the Legislature that the Chancellor of the California Community Colleges report by September 1, 2005, pursuant to Provision 10(b)(5) of Item 6870-101-0001 of the Budget Act of 2004, on the impact of fee increases and outreach efforts on student headcount and FTES enrollment for the 2003 and 2004 academic years.

11. Of the funds appropriated in Schedule (18), $91,287,000 is for Extended Opportunity Programs and Services (EOPS) in accordance with Article 8 (commencing with Section 69640) of Chapter 2 of Part 42 of the Education Code.

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Funds provided in this item for EOPS shall be available to students on all campuses within the California Community College system, including those students on new campuses or in new districts. $13,495,000 is for funding, at all colleges, the Cooperative Agencies Resources for Education (CARE) program in accordance with Article 4 (commencing with Section 79150) of Chapter 9 of Part 48 of the Education Code. The Board of Governors of the California Community Colleges shall allocate funds on a priority basis and to local programs on the basis of need for student services.

12. Of the funds appropriated in Schedule (19), $6,158,000 is for additional targeted student services, to be expended as follows:

(1) $1,921,000 is for the Puente Project to support up to 75 colleges. These funds are available if matched by $200,000 of private funds and the participating community colleges and University of California campuses maintain their 1995–96 support level for the Puente Project. All funding shall be allocated directly to participating districts in accordance with their participation agreement.

(2) Up to $2,459,000 is for the Mathematics, Engineering and Science Achievement (MESA) Program. For each dollar allocated, the recipient district shall provide one dollar in matching funds.

(3) No less than $1,778,000 is for the Middle College High School Program. With the exception of fully compliant special part-time students at the community colleges pursuant to Sections 48802 and 76001 of the Education Code, student workload based on participation in the Middle College High School Program shall not be eligible for community college state apportionment. Further, no community college state apportionment shall be made available for physical education classes, noncredit classes, nor other courses specified in Provision 9.

13. (a) The funds appropriated in Schedule (5) are for assisting districts in funding the excess direct instructional cost of providing special support services or instruction, or both, to

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disabled students enrolled at community colleges, and for state hospital programs, as mandated by federal law.

(b) Of the amount appropriated in Schedule (5), $3,945,000 shall be used to address deficiencies identified by the federal Office of Civil Rights (OCR), as determined by the Chancellor's Office of the California Community Colleges.

(c) Of the amount appropriated in Schedule (5) at least $943,000 shall be used for support of the High Tech Centers for activities including, but not limited to, training of district employees, staff, and students in the use of specialized computer equipment for the disabled. All High Tech Centers shall meet standards developed by the chancellor's office. Colleges that receive these augmentations shall not supplant existing resources provided to the centers.

(d) Notwithstanding any other provision of law, of the funds appropriated in Schedule (5) of this item, $1,702,000 shall be for state hospital adult education programs at the hospitals served by the Coast, Kern, and West Valley Community College Districts since the 1986–87 fiscal year. If adult education services at any of the three hospitals are not supported by the community colleges in the 2005–06 fiscal year, the associated funds shall, upon order of the Department of Finance, after 30 days' notice to the Chairperson of the Joint Legislative Budget Committee, be transferred to the State Department of Developmental Services (DDS). For any transfer of funds to DDS during the 2005–06 fiscal year, the Proposition 98 base funding levels for community colleges and DDS shall be adjusted accordingly.

14. The funds appropriated in Schedule (6), Special Services for CalWORKs recipients, are for the purpose of assisting welfare recipient students and those in transition off of welfare to achieve long-term self-sufficiency through coordinated student services offered at community colleges, including: workstudy, other educational related work experience, job placement services, child

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care services, and coordination with county welfare offices to determine eligibility and availability of services. All services funded in Schedule (6) shall be for current CalWORKs recipients or prior CalWORKs recipients who are in transition off of cash assistance for no more than two years. Current cash assistance recipients may utilize these services until their initial educational objectives are met. Former recipients in transition off of cash assistance may utilize these services for a period of up to two years after leaving cash assistance subject to the conditions of this provision. These funds shall be used to supplement and not supplant existing funds and services provided for CalWORKs recipients attending community colleges. The Chancellor of the California Community Colleges shall develop an equitable method for allocating funds to all districts and colleges based on the relative numbers of CalWORKs recipients in attendance and shall allocate funds for the following purposes:

(a) Job placement.

(b) Coordination with county welfare offices and other local agencies, including local workforce investment boards.

(c) Curriculum development and redesign.

(d) Child care and workstudy.

(e) Instruction.

(f) Postemployment skills training and related skills.

Of the amount appropriated in Schedule (6) of this item, $15,000,000 shall be for child care and shall not require a district match. For the remaining funds, districts shall, as a condition of receipt of these funds, provide a $1 match for every $1 provided by the state.

Funds utilized for subsidized child care shall be for children of CalWORKs recipients through campus-based centers or parental choice vouchers at rates and with rules consistent with those applied to related programs operated by the State Department of Education in the 2005–06 fiscal year, including eligibility, reimbursement rates, and parental contribution schedules. Subsidized campus child care for CalWORKs recipients may be provided during the period they are en-

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gaged in qualifying state and federal work activities through attainment of their initial education and training plan and for up to three months thereafter or until the end of the academic year, whichever period of time is greater.

Funds utilized for workstudy shall be used solely for payments to employers that currently participate in campus-based workstudy programs or are providing work experiences that are directly related to and in furtherance of student educational programs, provided that those payments may not exceed 75 percent of the wage for the workstudy positions, and the employers shall pay at least 25 percent of the wage for the workstudy position. These funds may be expended only if the total hours of education, employment, and workstudy for the student are sufficient to meet both state and federal minimum requirements for qualifying work-related activities.

Funds may be used to provide credit or noncredit classes for CalWORKs students if a district has committed all of its funded full-time-equivalent students (FTES) and is unable to offer the additional instructional services to meet the demand for CalWORKs students. This determination shall be based on fall enrollment information. Districts shall submit applications to the chancellor's office by October 15 of each year. If the chancellor approves the use of funds for direct instructional workload, the chancellor's office shall submit a report to the Department of Finance and the Joint Legislative Budget Committee by November 15, 2005, that (1) identifies the enrollment of new CalWORKs students, (2) states whether and why additional classes were needed to accommodate the needs of CalWORKs students, and (3) sets forth an expenditure plan for the balance of funds.

As a condition of receipt of the funds appropriated in Schedule (6), by the fourth week following the end of the semester or quarter term commencing in January 2006, each participating community college shall submit to the chancellor's office a report, in the format specified by the chancellor in consultation with the State Department of Social Services, that includes, but is not limited to, the funded components, the num-

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ber of hours of child care provided, the average monthly enrollment of CalWORKs dependents served in child care, the number of workstudy hours provided, the hourly salaries and type of jobs, the number of students being case managed, the short-term programs available, the student participation rates, and other outcome data. It is intended that, to the extent practical, reporting from colleges utilize data gathered for federal reporting requirements at the state and local level. Further, it is intended that the chancellor's office compile the information for annual reports to the Legislature, the Governor, the Legislative Analyst, and the Departments of Finance and Social Services by November 15 of each year.

First priority for expenditures of any funds appropriated in Schedule (6) shall be in support of current CalWORKs recipients. However, if caseloads are insufficient to fully utilize all of the funding in this schedule in a cost beneficial way, it is intended that up to $5,000,000 of the funds subject to local matching requirements may be allocated for providing postemployment services to former CalWORKs recipients who have been off of cash assistance for no longer than two years to assist them in upgrading skills, job retention, and advancement. Allowable services include direct instruction that cannot be funded under available growth funding, child care to support attendance in these classes consistent with this provision, job development and placement services, and career counseling and assessment activities which cannot be funded through other programs. Child care services may only be provided for periods commensurate with a student's need for postemployment training within the two-year transitional period.

Prior to allocation of funds for postemployment services, the chancellor shall first secure the approval of the Department of Finance for the allocations, complete a cumulative report on the outcomes, activities, and cost-effectiveness of the program no later than November 15, 2005, in compliance with the Budget Acts of 1998 (Ch. 324, Stats. 1998) and 1999 (Ch. 50, Stats. 1999) and this act, and shall provide the rationale and justification for the proposed allocation of

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postemployment services to districts for transitional students.

If a district is unable to fully expend its share of child care funds, it may request that the chancellor's office approve a reallocation to other CalWORKs purposes authorized by this provision, subject to all pertinent limitations and district match required for these purposes under this provision.

15. Funds appropriated in Schedule (6) of this item have been budgeted to meet the state's Temporary Assistance for Needy Families maintenance-of-effort requirement pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) and may not be expended in any way that would cause their disqualification as a federally allowable maintenance-of-effort expenditure.

16.5. (a) Funds provided in Schedule (7) shall be allocated to provide foster and relative/kinship care education and training. Districts shall ensure that education and training required by Sections 1529.1 and 1529.2 of the Health and Safety Code and Section 16003 of the Welfare and Institutions Code receive priority. Districts may use any remaining funds for additional parenting skills and training.

(b) Funds provided in Schedule (7) shall be used for foster parent and relative/kinship care provider education training services consistent with the following criteria:

(1) The Chancellor of the California Community Colleges shall use these funds exclusively for foster parent and relative/kinship care provider education and training, as specified by the chancellor in consultation with an advisory committee that includes foster parents, representatives of statewide foster parent organizations, parent and relative/kinship care providers, and representatives from the State Department of Social Services.

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(2) Acceptance of funds under this program shall constitute agreement by the district to comply with such reporting requirements, guidelines, and other conditions for receipt of funding as the chancellor may establish.

(3) Each college plan for foster and relative/kinship care education programs shall include the provision of training to facilitate the development of foster family homes, small family homes, and relative/kinship homes to care for no more than six children who have special mental, emotional, developmental, or physical needs.

(4) The California Department of Social Services shall facilitate the participation of county welfare departments in the foster and relative/kinship care education program.

17. (a) Funds appropriated in Schedule (8) are for the purpose of student matriculation pursuant to Article 1 (commencing with Section 78210) of Chapter 2 of Part 48 of the Education Code.

(b) Of the amount appropriated in Schedule (8), an amount equal to $14,842,670 shall be allocated to community college districts on a one-to-one matching funds basis to provide matriculation services, including, but not limited to, orientation, assessment, and counseling, for students enrolled in designated noncredit classes and programs who may benefit most, as determined by the Chancellor of the California Community Colleges pursuant to Sections 78216 to 78218, inclusive, of the Education Code.

17.5. The funds in Schedule (12) shall be allocated 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 of the California Community Colleges. These funds are to be used to assist districts in making part-time faculty salaries

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more comparable to full-time salaries for similar work, as determined through each district's local collective bargaining process. 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.

18. (a) $9,550,000 of the funds provided in Schedule (14) of this item shall be for the purpose of supporting technical and application innovations and for coordination of activities that serve to maximize the utility of the technology investments of the community college system towards improving learning outcomes. Allocations shall be made by the Chancellor of the California Community Colleges, based on criteria and guidelines as developed by the chancellor, on a competitive basis through the RFA/RFP application process as follows:

(1) $2,000,000, or as much as necessary, shall be available for a statewide digital uplink for the purpose of delivering statewide satellite services to system colleges and districts related to instruction, student support, and administration.

(2) $2,300,000 is for the development and implementation of a systemwide audio bridging and telephony capability of the 4C Net backbone to facilitate collaboration of faculty, students, and staff in instruction, student services, and shared governance activities.

(3) Any remaining funds shall be available for centers to provide regional coordination for technical assistance and planning, cooperative purchase agreements, and faculty and staff development. All other provisions as specified in Provision 17(b)(3) of Item 6870-101-0001 of Section 2.00 of the Budget Act of 1996 (Ch. 162, Stats. 1996) shall apply.

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| (b) $12,500,000 of the funds provided in Schedule (14) shall be available for allocations to districts. It is the intent of the Legislature that these funds be used by colleges to maintain the technology capabilities specified in Provision 21(a) of Item 6870-101-0001 of the Budget Act of 2003 (Ch. 157, Stats. 2003). These funds shall not supplant existing funds used for those purposes, and colleges shall match maintenance and ongoing costs with other funds as provided by Provision 21(a) of Item 6870-101-0001 of the Budget Act of 2003 (Ch. 157, Stats. 2003). | |
| (c) Of the funds provided in Schedule (14), $1,347,000 shall be available for grants to districts to fund California Virtual University distance education centers, for instructing faculty in teaching courses online, and other expenses for conversion of courses for distance education. The funds appropriated in this item shall not supplant existing funds and shall be subject to established fiscal controls, annual reporting and accountability requirements specified by the chancellor. The chancellor shall develop criteria for the allocation of these funds. As a condition of receipt of the funds, colleges are required to submit to the chancellor's office reports in a format specified by the chancellor sufficient to document the value and productivity of this program, including, but not limited to, numbers and nature of courses converted, and the amount of distance education instructional workload services provided as a result of these courses. It is intended that the chancellor's office further develop the reporting criteria for participating colleges and submit that for review along with an annual progress report on program implementation to the Legislative Analyst, Office of the Secretary for Education, and the Department of Finance no later than November 1, 2005, for review and comment. | |

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(d) Of the funds provided in Schedule (14), $1,000,000 is for ongoing support and expansion of the California Partnership for Achieving Student Success Program (CalPASS).

19. Of the funds provided in Schedule (15) for the Economic and Workforce Development Program:

(a) $19,829,170 is allocated for grants for regional business resources assistance and innovation network centers. Each grant awarded to a district for Centers for International Development shall contain sufficient funds, as determined by the Chancellor of the California Community Colleges, for the continued operation of Mexican International Trade Centers.

(b) $5,862,138 is allocated for industry-driven regional education and training collaboratives. These grants shall be made on a competitive basis and the award amounts shall not be restricted to any predetermined limit, but rather shall be funded on their individual merits.

(c) $2,705,000 is allocated for statewide network leadership, organizational development, coordination, information and support services, or other program purposes.

(d) $3,393,692 is available for Job Development Incentive Training programs focused on job creation for public assistance recipients. Any annual savings from this subdivision shall only be available for expenditure for one-time activities listed under subdivision (j) of Section 88531 of the Education Code.

(e) The following provisions apply to the expenditure of funds within subdivisions (a) and (b) above: Funds allocated for centers and regional collaboratives shall seek to maximize the use of state funds for subdivisions (g) to (j), inclusive, of Section 88531 of the Education Code. Funds allocated to districts for purposes of subdivisions (g) and (i) of Section 88531 of the Education Code for performance-based training and student internships shall be matched by a minimum

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| | of $1 of private business and industry funding for each $1 of state funds. Funds allocated for purposes of subdivision (h) of Section 88531 of the Education Code for credit and noncredit instruction may be transferred to Schedule (1) or (3) to facilitate distribution at the chancellor's discretion. Any funds that become available from network centers due to savings, discontinuance, or reduction of amounts shall first be made available for additional allocations in subdivision (b) above to increase the level of subsidized training otherwise available. | |
| | (f) $4,000,000 is allocated to community college districts on a one-time basis for equipment start-up matching costs associated with nursing program expansion funded through reimbursements from WIA. The chancellor shall initiate a competitive Request for Funding Proposals process for the allocation of these funds to local districts. | |
| | (g) Funds allocated by the Board of Governors of the California Community Colleges under this provision may not be used by community college districts to supplant existing courses or contract education offerings. The chancellor shall ensure that funds are spent only for expanded services and shall implement accountability reporting for districts receiving these funds to ensure that training, credit, and noncredit programs remain relevant to business needs. Programs that do not demonstrate continued relevance and support by business shall not be eligible for continued funding. The board of governors shall consider the level of involvement and financial commitments of business and industry as primary factors in making awards. The chancellor shall incorporate grant requirements into its guidelines for audits of Economic Development grants. | |
| | (h) A primary objective of the Economic Development program is to maximize instruction, to prepare students for entry-level jobs, to increase skills of the current workforce, and to stimulate the growth of businesses through training so that more jobs are cre- | |

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ated. As part of the annual report on the performance of the Economic Development program, the chancellor shall provide disaggregated data detailing the funding provided to each economic development regional center and each industry-driven regional education and training collaborative, and to the extent practicable, the total number of hours of contract education services, performance-based training, credit and noncredit instruction, and job placements created as a result of each center and collaborative.

20. (a) Of the funds appropriated in Schedule (16), $589,000 is for Project Assist, $835,000 is for the California Articulation Number (CAN) system, $550,000 is for faculty articulation workshops through fiscal year 2005–06.

(b) Funding provided to community college districts from Schedule (16) is provided to directly offset any mandated costs claimed by community college districts pursuant to Chapter 737 of the Statutes of 2004.

(c) The Chancellor of the California Community Colleges may redirect funding between the program referenced in subdivision (a) not sooner than 30 days from the date of notification to the Joint Legislative Budget Committee of approval by the Department of Finance.

21. The funds appropriated in Schedule (17) are available for the following purposes:

(a) Scheduled maintenance and special repairs of facilities, replacement of instructional equipment, and replacement of library materials. The Chancellor of the California Community Colleges shall allocate funds to districts on the basis of actual reported full-time-equivalent students (FTES), and may establish a minimum allocation per district. As a condition of receiving and expending these funds for maintenance or special repairs, a district shall certify that it will increase its operations and maintenance spending from the 1995–96 fiscal year by the amount it allocates from this appropriation for maintenance and special repairs,

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plus an equal amount to be provided from district discretionary funds. The chancellor may waive all or a portion of the matching requirement based upon a review of a district's financial condition. The question of whether a district has complied with its resolution shall be reviewed under the annual audit of that district. For every $1 a district expends from this appropriation for scheduled maintenance and special repairs, the recipient district shall provide $1 in matching funds. For every $3 a district expends from this appropriation for replacement of instructional equipment or library materials, the recipient district shall provide $1 in matching funds. The funds provided for instructional equipment and library materials shall not be used for personal services costs or operating expenses.

(b) Hazardous substances, abatement, cleanup, and repairs.

(c) Architectural barrier removal projects that meet the requirements of the federal Americans with Disabilities Act of 1990 and seismic retrofit projects limited to $400,000. Districts that receive funds for architectural barrier removal projects shall provide a $1 match for every $1 provided by the state. The amounts in Schedule (17) of this item shall be available for expenditure until June 30, 2007.

22. Pursuant to Sections 69648.5, 78216, and 84850, and subdivision (b) of Section 87108, of the Education Code, the Board of Governors of the California Community Colleges may allocate funds appropriated in Schedules (5), (8), (10), and (18) by grant or contract, or through the apportionment process, to one or more districts for the purpose of providing program evaluation, accountability, monitoring, or program development services, as appropriate under the applicable statute.

6870-101-0909—For local assistance, Board of Governors of the California Community Colleges, payable from the Community College Fund for Instructional Improvement ..... 302,000

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Schedule:

(2) 20.30.022-Instructional Improvement Loans ..... 302,000

6870-101-0925—For local assistance, Board of Governors of the California Community Colleges, Program 20.30.050-Economic Development, payable from California Business Resources and Assistance Innovation Network Fund ..... 15,000

6870-102-0959—For transfer by the Controller, upon order of the Director of Finance, from the Foster Parent Training Fund to the General Fund ..... (3,000,000)

6870-103-0001—For local assistance, Board of Governors of the California Community Colleges (Proposition 98), to allow selected community colleges to make required lease-purchase payments ..... 60,043,000

Schedule:

(1) Rental and administration ..... 60,554,000

(2) Reimbursements ..... –511,000

Provisions:

1. The funds appropriated in this item are for transfer by the Controller to Section B of the State School Fund.
2. The Controller shall transfer funds appropriated in this item according to a schedule to be provided by the State Public Works Board. The schedule shall be provided on a monthly basis or as otherwise needed to ensure debt requirements are met.
3. This item may contain adjustments pursuant to Section 4.30 that are not currently reflected. Any adjustments to this item shall be reported to the Joint Legislative Budget Committee pursuant to Section 4.30.

6870-111-0001—For local assistance, Board of Governors of the California Community Colleges ..... 0

Schedule:

(1) 10.20-CalWORKs Services ..... 8,000,000

(2) 20.10.060-Foster Parent Training ... 6,112,000

(3) 20.30.030-Vocational Education ..... 61,262,000

(3.5) 20.40.010-Facilities Planning ..... 123,000

(4) Reimbursements .....–75,497,000

Provisions:

1. The amounts appropriated in Schedules (1) and (3) of this item are for transfer by the Controller to Section B of the State School Fund.

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2. The funds appropriated in Schedule (1) of this item are to fund additional fixed, variable, and one-time costs for providing support services and instruction for CalWORKs students which include, but are not limited to: job placement and coordination; curriculum development and redesign; child care and workstudy; and instruction. As a condition of receiving funding, colleges are required to submit a plan to the chancellor's office on how the funds will be utilized, which shall be based on collaboration with county welfare offices regarding the services and instruction that are needed for CalWORKs recipients.

3. Of the funds appropriated in Schedule (3), $4,521,000 is one-time carryover available for the support of additional vocational education instructional activities. These funds shall be used during the 2005–06 academic year to support additional alignment and articulation of K–12 tech prep programs with local community college economic development programs in an effort to incorporate greater participation of K–12 pupils in sequenced, industry-driven coursework that leads to meaningful employment in today's high-tech, high-demand, and emerging technology areas of industry employment.

4. The funds appropriated in Schedule (3.5) reflect an interagency agreement between the Chancellor of the California Community Colleges and the State Energy Resources Conservation and Development Commission for the purpose of developing an Interval Meter Pilot Program on selected community college campuses.

~~6870-255-0001—For local assistance, Board of Governors of the California Community Colleges (Proposition 98)..... 209,200,000~~

~~Provisions:~~

~~1. It is the intent of the Legislature that funds be expended in the following manner:~~

~~(a) $27,850,000 for additional enrollment growth.~~

~~(b) $40,000,000 for community college equalization.~~

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~~(c) $30,000,000 for noncredit rate enhancement.~~

~~(d) $23,300,000 for matriculation support.~~

~~(e) $14,000,000 for health services support.~~

~~(f) $9,000,000 for Special Services for CalWORKs recipients.~~

~~(g) $21,754,000 for a cost-of-living adjustment (COLA).~~

~~(h) $10,000,000 for the economic development program.~~

~~(i) $7,100,000 for part-time faculty office hours and health insurance programs.~~

~~(j) $30,000 for the Academic Senate.~~

~~(k) $2,500,000 for professional and staff development.~~

~~(l) $22,500,000 for scheduled maintenance and instructional equipment.~~

~~(m) $475,000 for CALREN Internet access support.~~

~~(n) $691,000 for electronic transcript exchange development.~~

6870-295-0001—For local assistance, Board of Governors of the California Community Colleges (Proposition 98), for reimbursement, in accordance with provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the Controller..... 4,000

Schedule:

(1) 98.01.000.184-Health Fees (Ch. 1, Stats. 1984, 2nd Ex. Sess.) (CSM-4206)..... 1,000

(2) 98.01.090.896-Sex Offenders: Disclosure Requirements (Ch. 908, Stats. 1996) (CSM-97-TC-15) ..... 2,000

(3) 98.01.028.498-Law Enforcement Jurisdiction Agreements (Ch. 284, Stats. 1998) (CSM-98-TC-20) ..... 1,000

Provisions:

1. Allocation of funds appropriated in this item to the appropriate local entities shall be made by the Controller in accordance with the provisions of each statute of executive order that mandates the reimbursement of the costs, and shall be audited

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to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior year claims may be paid from this item. Funds appropriated by this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.

2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the Controller may, upon notifying the Director of Finance in writing, augment those deficient amounts from the unencumbered balance of any other scheduled amounts therein. No order may be issued pursuant to this provision unless written notification of the necessity therefore is provided to the chairperson of the committee in each house, which considers appropriations, and the Chairperson of the Joint Legislative Budget Committee or his or her designee.

6870-301-6028—For capital outlay, Board of Governors of the California Community Colleges, to be allocated by the board of governors to community college districts for expenditure as set forth in the schedule below, payable from the 2002 Higher Education Capital Outlay Bond Fund ..... 5,772,000

Schedule:

Los Angeles Community College District

Los Angeles Trade Technical College

(1) 40.26.704-Building F Structural Repair—Preliminary plans, working drawings, and construction ..... 2,374,000

Santa Barbara Community College District

Santa Barbara City College

(2) 40.53.121-Physical Science Renovation—Construction..... 3,398,000

6870-301-6041—For capital outlay, Board of Governors of the California Community Colleges, to be allocated by the board of governors to community college districts for expenditure as set forth in the schedule below, payable from the 2004 Higher Education Capital Outlay Bond Fund ..... 234,334,000

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| Schedule: | |
| Barstow Community College District | |
| Barstow College | |
| (1) 40.04.103-Student Services Modernization—Preliminary plans, working drawings, and construction | 1,520,000 |
| Butte-Glenn Community College District | |
| Butte College | |
| (2) 40.05.107-Library Renovation and Expansion—Preliminary plans, working drawings, construction, and equipment | 8,402,000 |
| Citrus Community College District | |
| Citrus College | |
| (4) 40.09.123-Vocational Technology Building—Preliminary plans and working drawings | 866,000 |
| Desert Community College District | |
| College of the Desert | |
| (5) 40.10.113-Water and Sewer Infrastructure Replacement—Preliminary plans and working drawings | 232,000 |
| Contra Costa Community College District | |
| Los Medanos College | |
| (6) 40.13.315-Core Building Remodel—Preliminary plans and working drawings | 182,000 |
| El Camino Community College District | |
| El Camino College | |
| (7) 40.14.110-Learning Resource ~~Center—Construction~~ *Center Addition—Construction* and equipment | 8,151,000 |
| Foothill-DeAnza Community College District | |
| DeAnza College | |
| (8) 40.15.106-Performing Arts Center—Preliminary plans, working drawings, construction, and equipment | 4,428,000 |
| Hartnell Community College District | |
| Hartnell East Campus | |
| (9) 40.20.102-Center for Assessment and Lifelong Learning—Construction and equipment | 10,303,000 |

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| Kern Community College District | |
| Porterville College | |
| (10) 40.22.306-Science Modernization—Preliminary plans, working drawings, and construction | 2,605,000 |
| Long Beach Community College District | |
| Long Beach City College Pacific Coast Campus | |
| (11) 40.25.119-Library/Learning Resource Center—Construction and equipment | 5,757,000 |
| Long Beach City College Liberal Arts Campus | |
| (12) 40.25.201-Library/Learning Resource Center Renovation/Addition—Construction and equipment | 13,715,000 |
| Los Angeles Community College District | |
| Los Angeles City College | |
| (13) 40.26.205-Learning Resource Center (Health and Safety)—Equipment | 1,298,000 |
| Los Angeles Harbor College | |
| (14) 40.26.303-Adaptive Physical Education and Physical Education Building Renovation—Construction and equipment | 6,280,000 |
| (15) 40.26.304-Child Development Center—Preliminary plans, working drawings, construction, and equipment | 3,296,000 |
| Los Angeles Mission College | |
| (16) 40.26.412-Health and Physical Education Building—Preliminary plans, working drawings, construction, and equipment | 13,259,000 |
| Los Angeles Pierce College | |
| (17) 40.26.509-Physical Sciences Renovation—Preliminary plans, working drawings, construction, and equipment | 3,785,000 |
| Los Rios Community College District | |
| Cosumnes River College | |
| (18) 40.27.211-Police, Print and Office Building Modernization—Preliminary plans, working drawings and construction | 1,991,000 |

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|---|---|
| Sacramento City College | |
| (19) 40.27.311-North Gym Building Modernization—Preliminary plans, working drawings, and construction | 3,004,000 |
| Folsom Lake College | |
| (20) 40.27.504-Fine Arts Instructional Building—Preliminary plans, working drawings, and construction | 11,434,000 |
| Merced Community College District | |
| Merced College | |
| (21) 40.30.118-Lesher Building Remodel—Preliminary plans, working drawings, construction, and equipment | 2,627,000 |
| Mira Costa Community College District | |
| Mira Costa College | |
| (22) 40.31.109-Horticulture Project—Construction and equipment | 5,838,000 |
| Monterey Peninsula Community College District | |
| Monterey Peninsula College | |
| (23) 40.32.103-Child Development Center—Construction and equipment | 4,117,000 |
| (24) 40.32.105-Library Building Renovation/Conversion—Preliminary plans, working drawings, construction, and equipment | 2,715,000 |
| ~~San~~ *Mt. San* Jacinto Community College District | |
| Menifee Valley Center | |
| (25) 40.34.212-Technology Building—Construction and equipment | 10,775,000 |
| Palo Verde Community College District | |
| Palo Verde College | |
| (26) 40.37.104-Fine and Performing Arts—Preliminary plans and working drawings | 1,071,000 |
| Rancho Santiago Community College District | |
| Santiago Canyon College | |
| (27) 40.41.118-Learning Resource Center—Equipment | 709,000 |
| (28) 40.41.201-Science Building—Equipment | 867,000 |

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| Rio Hondo Community College District | |
| Rio Hondo College | |
| (29) 40.43.106-Applied Technology Building Reconstruction—Preiminary plans and working drawings | 828,000 |
| (30) 40.43.108-Learning Resource/High Technology Center—Construction and equipment | 28,211,000 |
| San Francisco Community College District | |
| Phelan Campus | |
| (31) 40.48.107-Joint Use Instructional Facility—Working drawings | 1,036,000 |
| John Adams Center | |
| (32) 40.48.201-John Adams Modernization—Construction | 23,176,000 |
| San Luis Obispo County Community College District | |
| Cuesta College | |
| (33) 40.51.113-Reconstruct and Add Laboratories—Construction and equipment | 6,812,000 |
| North County Center | |
| (34) 40.51.202-Technology and Trades Complex—Construction and equipment | 7,816,000 |
| San Mateo County Community College District | |
| Cañada College | |
| (35) 40.52.103-Library/Learning Resource Center/Student Services Center—Equipment | 3,360,000 |
| College of San Mateo | |
| (36) 40.52.207-Student Services Consolidation—Equipment | 263,000 |
| Skyline College | |
| (37) 40.52.310-Allied Health Vocational Training Center—Preliminary plans and working drawings | 276,000 |
| (39) 40.53.123-Drama/Music Building Modernization—Preliminary plans and working drawings | 786,000 |

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| Santa Clarita Community College District | |
| College of the Canyons | |
| (40) 40.54.114-Physical Education Addition—Preliminary plans, working drawings, construction, and equipment | 2,954,000 |
| Sierra Joint Community College District | |
| Sierra College | |
| (41) 40.58.107-Construct New Classroom/Labs—Equipment | 2,564,000 |
| Sonoma County Community College District | |
| Santa Rosa Jr. College | |
| (42) 40.61.403-Plover Library Conversion—Construction | 3,050,000 |
| State Center Community College District | |
| Fresno City College | |
| (43) 40.64.108-Student Services Building Remodel—Construction | 3,514,000 |
| Willow International Center | |
| (44) 40.64.500-Academic Facilities and Site Development Phase 1—Equipment | 3,920,000 |
| Ventura County Community College District | |
| Oxnard College | |
| (45) 40.65.206-Warehouse Replacement—Construction and equipment | 1,822,000 |
| Ventura College | |
| (46) 40.65.305-Buildings APP, S, and DP Modernization—Preliminary plans, working drawings, construction, and equipment | 4,075,000 |
| (47) 40.65.306-Communication Building Modernization—Construction and equipment | 1,375,000 |
| Victor Valley Community College District | |
| Victor Valley College | |
| (48) 40.66.116-Seismic Retrofit Auxiliary Gym—Construction and equipment | 3,326,000 |
| West Kern Community College District | |
| Taft College | |
| (49) 40.68.103-Science Modernization—Preliminary plans, working drawings, construction, and equipment | 2,741,000 |

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Yuba Community College District
Yuba College
(50) 40.71.108-Liberal Arts Modernization—Preliminary plans, working drawings, and construction ..... 3,202,000

Provisions:

1. The projects identified in Schedules (1), (2), (8), (10), (15), (16), (17), (18), (19), (20), (21), (24), (40), (46), (49), and (50) are subject to the following:
   (a) Notwithstanding Section 13332.11 of the Government Code, the community college districts shall complete each project identified within the total funding amount specified in the schedule for that project. This condition does not limit the authority of the districts to use nonstate funds to fund or augment these projects with State Public Works Board approval.
   (b) The community college districts shall complete each project identified without any change to its scope. The scope of a project means, in this respect, the intended purpose of the project as determined by reference to the following elements of the budget request for that project submitted by the Board of Governors of the California Community Colleges to the Department of Finance: (1) the program elements related to project type and (2) the functional description of spaces required to deliver the academic and supporting programs as approved by the Legislature.
   (c) Notwithstanding any other provision of law, the appropriation made in this item is available for encumbrance or expenditure during the 2005–06 and 2006–07 fiscal years, except that the funds appropriated for equipment purposes are available for encumbrance or expenditure until June 30, 2008. For the purposes of encumbrance, funds appropriated for construction management and project contingencies purposes, as well as any bid savings, shall be deemed to be encumbered at the time a contract is awarded; these funds also may be used to initiate consulting contracts necessary for management of the project during the liquidation period.

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6870-486—Reappropriation (Proposition 98), Board of Governors of the California Community Colleges. The sum of ~~$37,437,000~~ *$33,000,000* is reappropriated from the Proposition 98 Reversion Account, for the purpose of ~~aligning career-technical education curriculum between K–12 and community colleges in targeted industry-driven programs offered through the Economic Development Program. Funds shall be allocated pursuant to legislation enacted during the 2005–06 regular legislative session and be spent in accordance with the expenditure plan developed by the Chancellor of the California Community Colleges, in conjunction with the Department of Finance and the Office of the Legislative Analyst.~~ *backfilling a projected shortfall in 2004–05 local property tax revenues for community colleges. To the extent that the funding provided for this purpose exceeds the amount necessary to compensate community colleges for the shortfall in local property tax revenues, the remaining funding shall be reappropriated to community colleges to further support equalizing community college apportionment rates.*

6870-490—Reappropriation, Board of Governors of the California Community Colleges. The balances of the appropriations provided in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, in those appropriations:

6028—Higher Education Capital Outlay Bond Fund of 2002

(1) Item 6870-301-6028, Budget Act of 2002 (Ch. 379, Stats. 2002)
Chaffey Community College District
Chaffey College
(7) 40.08.109-Science Building—Construction

(2) Item 6870-301-6028, Budget Act of 2003 (Ch. 157, Stats. 2003), as reappropriated by Item 6870-490, Budget Act of 2004 (Ch. 208, Stats. 2004)
Chaffey Community College District
Chaffey College
(7) 40.08.109-Science Building—Equipment
Compton Community College District
Compton College
(10) 40.12.111-Performing Arts and Recreation Complex—Working drawings

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| Los Angeles Community College District | |
| East Los Angeles College | |
| (32) 40.26.107-Fine and Performing Arts Center—Construction and equipment | |
| Los Angeles Mission College | |
| (34) 40.26.408-Child Development Center—Construction and equipment | |
| Los Angeles Trade Technical College | |
| (36) 40.26.702-Child Development Center—Construction and equipment | |
| Rancho Santiago Community College District | |
| Santiago Canyon College | |
| (55) 40.41.201-Science Building—Working drawings | |
| San Francisco Community College District | |
| Mission Center | |
| (61) 40.48.106-Mission Center Building—Construction and equipment | |
| Santa Barbara Community College District | |
| Santa Barbara City College | |
| (68) 40.53.121-Physical Science Renovation—Working drawings | |
| Shasta-Tehama-Trinity Joint Community College District | |
| Shasta College | |
| (73) 40.57.103-Library Addition—Construction and equipment | |
| West Valley-Mission Community College District | |
| West Valley College | |
| (90) 40.69.105-Campus Technology Center—Working drawings | |
| Mission College | |
| (91) 40.69.208-Main Building Third Floor Reconstruction—Construction and equipment | |
| (3) Item 6870-301-6028, Budget Act of 2004 (Ch. 208, Stats. 2004) | |
| Los Angeles Community College District | |
| Los Angeles Pierce College | |
| (9) 40.26.503-Infrastructure Correction—Construction | |
| Mira Costa Community College District | |
| Mira Costa College | |
| (10) 40.31.110-Creative Arts Building Replacement—Construction | |

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West Valley-Mission Community College District
West Valley College
(16) 40.69.106-Math and Science Replacement—Working drawings
6041—Higher Education Capital Outlay Bond Fund of 2004
(1) Item 6870-301-6041, Budget Act of 2004 (Ch. 208, Stats. 2004)
Chaffey Community College District
Chaffey College
(4) 40.08.112-Health/Physical Science Building Renovation—Working drawings
Compton Community College District
Compton College
(6) 40.12.111-Performing Arts and Recreation Complex—Construction and equipment
Kern Community College District
Porterville College
(18) 40.22.305-Library Expansion—Construction and equipment
Los Angeles Community College District
Los Angeles City College
(23) 40.26.207-Learning Resource Center—Construction
Los Angeles Harbor College
(24) 40.26.302-Applied Technology Building—Construction and equipment
Los Angeles Pierce College
(26) 40.26.505-Child Development Center—Construction and equipment
West Los Angeles College
(27) 40.26.907-Science Complex—Construction and equipment
Los Rios Community College District
American River College
(28) 40.27.104-Fine Arts Modernization—Construction
Palo Verde Community College District
Palo Verde College
(37) 40.37.103-Physical Education Complex—Construction and equipment
Rancho Santiago Community College District
Santiago Canyon College
(38) 40.41.201-Science Building—Construction

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San Francisco Community College District
Chinatown Campus
(44) 40.48.108-Campus Building—Construction and equipment
San Jose-Evergreen Community College District
San Jose City College
(47) 40.50.204-Applied Sciences Center—Construction and equipment
San Luis Obispo Community College District
North County Center
(49) 40.51.201-Learning Resource Center—Construction and equipment
Santa Barbara Community College District
Santa Barbara City College
(53) 40.53.122-High Technology Center—Working drawings
Sonoma County Community College District
Petaluma Center
(58) 40.61.200-Petaluma Center Phase II—Construction and equipment
Ventura County Community College District
Moorpark College
(66) 40.65.111-Reconstruction of Library Building—Construction and equipment
Victor Valley Community College District
Victor Valley College
(69) 40.66.117-Speech/Drama Studio Addition—Construction and equipment
West Kern Community College District
Taft College
(71) 40.68.102-Remodel for Efficiency—Construction and equipment
Yosemite Community College District
Modesto Junior College
(73) 40.70.211-Auditorium Renovation/Expansion—Construction and equipment
Copper Mountain Community College District
Copper Mountain College
(76) 40.72.100-Multi-use Sports Complex—Construction and equipment

6870-495—Reversion, California Community Colleges (Proposition 98). The following amounts shall revert to the Proposition 98 Reversion Account:

(1) $200,000, or whatever greater or lesser amount represents the balance available, from Schedule (26) of Item 6870-101-0001 of Section 2.00 of the Budget Act of 2001 (Ch. 106, Stats. 2001)

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(2) $250,000, or whatever greater or lesser amount represents the balance available, from subparagraph (B) of paragraph (1) of subdivision (a) of Section 34 of Chapter 891 of the Statutes of 2001

6870-496—Reversion, Board of Governors of the California Community Colleges. As of June 30, 2005, the sum of $8,115,000 from the appropriations provided for in the following citations shall revert to the balances of the funds from which the appropriations were made:

6028—2002 Higher Education Capital Outlay Bond Fund

(1) Item 6870-301-6028, Budget Act of 2003 (Ch. 157, Stats. 2003), as reappropriated by Item 6870-490, Budget Act of 2004 (Ch. 208, Stats. 2004)

Mira Costa Community College District

Mira Costa College

(46) 40.31.109-Horticulture Project—Construction and equipment

(2) Item 6870-301-6028, Budget Act of 2004 (Ch. 208, Stats. 2004)

Santa Barbara Community College District

Santa Barbara City College

(14) 40.53.121-Physical Science Renovation—Construction

6041—2004 Higher Education Capital Outlay Bond Fund

(1) Item 6870-301-6041, Budget Act of 2004 (Ch. 208, Stats. 2004)

West Valley-Mission Community College District

West Valley College

(72) 40.69.105-Campus Technology Center—Construction

7980-001-0784—For support of Student Aid Commission, payable from the Student Loan Operating Fund ..... ~~13,394,000~~ *13,494,000*

Schedule:

(1) 15-Financial Aid Grants Program... ~~11,851,000~~ *11,951,000*

(2) 50-California Loan Program ..... 1,789,000

(3) 80.01-Administration and Support Services ..... 3,302,000

(4) 80.02-Distributed Administration and Support Services ..... –3,302,000

(5) Reimbursements ..... –246,000

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Provisions:

1. The funds appropriated in this item shall only be available for the California Student Aid Commission's state operations activities.
2. It is the intent of the Legislature that funding from the Student Loan Operating Fund be used in accordance with federal law.
3. ~~It is the intent of the Legislature to protect the value of EdFUND to the state, students, colleges, and universities. To meet this end, the Student Aid Commission shall be required to provide notice to the Joint Legislative Budget Committee and the Department of Finance 60 days in advance of any proposed action by the Student Aid Commission which would make significant changes to the basic governance, structure, roles, responsibilities, or organizational or managerial leadership of EdFUND. During these 60 days, the Student Aid Commission will actively seek out responses on the proposal from the higher education segments, EdFUND management, and where appropriate, the financial community. The Student Aid Commission shall consider the combined responses of the Joint Legislative Budget Committee, the Department of Finance, the higher education segments, EdFUND management, and the financial community in making its decisions.~~
4. *(a) It is the intent of the Legislature to protect the value of EdFUND to the state, students, and institutions of higher education.*
   *(b) To meet this end, the California Student Aid Commission shall be required to provide notice to the Legislature and the Department of Finance in advance of any proposed action by the Student Aid Commission which would make substantial and significant changes to the governance of EdFUND, such as the composition of the EdFUND Board of Directors and the roles and responsibilities of the EdFUND Board of Directors.*
   *(c) Any changes meeting the requirements in subdivision (b) shall be authorized no sooner than 45 days after notification of the necessity for the change, in writing, to the Joint Legislative Budget Committee and the Department*

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*of Finance. If the Director of Finance or the Joint Legislative Budget Committee notifies the Student Aid Commission regarding issues of concern with any of the proposed changes, the commission shall convene a meeting of appropriate representatives from the commission, EdFUND, the Department of Finance, and the Legislature to resolve those issues.*

*(d) This notification requirement does not apply to the day-to-day operational decisions of the Student Aid Commission, personnel decisions affecting staff, or changes otherwise contained in the annual EdFUND-Student Aid Commission Operating Agreement, as required by paragraph (1) of subdivision (d) of Section 69522 of the Education Code.*

*(e) The Student Aid Commission shall consult with the various stakeholders, including, but not limited to, the Legislature, the Administration, the higher education segments, EdFUND management, and where appropriate, the financial community, prior to determining a course of action on the subjects of significance included in subdivision (b).*

*(f) To further meet the goal set forth in subdivision (a), it is the intent of the Legislature not to approve any legislation that would be necessary to bring about the sale or transfer of the federal loan guarantee to any other entity.*

7980-101-0001—For local assistance, Student Aid Commission..... 752,449,000

Schedule:

(1) 15-Financial Aid Grants Program...838,193,000

(2) Reimbursements ..... –73,161,000

(3) Amount payable from the Federal Trust Fund (Item 7980-101-0890).....–12,583,000

Provisions:

1. Funds appropriated in Schedule (1) are for the purposes of all of the following:

(a) Awards in the Cal Grant Program under Chapter 1.7 (commencing with Section 69430) and Article 3 (commencing with Section 69530) of Chapter 2 of Part 42 of the Education Code.

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(c) Grants under Section 4709 of the Labor Code.

(d) California Student Opportunity and Access Program contract agreements under Article 4 (commencing with Section 69560) of Chapter 2 of Part 42 of the Education Code.

(e) The purchase of loan assumptions under Article 5 (commencing with Section 69612) of Chapter 2 of Part 42 of the Education Code. ~~8,200 warrants shall be issued to California students pursuant to the purchase of loan assumptions. Of this number of warrants, up to 500 shall be issued to students who are enrolled in math and science teacher training programs, pursuant to legislation enacted during the 2005–06 Regular Session, on or before January 1, 2006.~~ *The Student Aid Commission shall issue 8,000 new warrants. The commission shall give first priority for the 300 additional new warrants to individuals training to become math, science, and special education teachers.*

(f) The purchase of loan assumptions under Article 5.5 (commencing with Section 69618) of Chapter 2 of Part 42 of the Education Code.

(g) New and renewal Cal Grant awards.

*(h) The purchase of loan assumptions authorized pursuant to legislation enacted on or before January 1, 2006, establishing a graduate-level nursing loan assumption program. The California Student Aid Commission is hereby authorized to issue 100 loan assumption warrants pursuant to the purchase of loan assumptions.*

2. If federal trust funds for the 2005–06 fiscal year exceed budgeted levels, the funds appropriated shall, to the extent allowable by federal law, be reduced on a dollar-for-dollar basis.

3. Eligibility for moneys appropriated in this item is limited to students who demonstrate financial need according to the nationally accepted needs analysis methodology, who meet other Student Aid Commission eligibility criteria, and whose income or family's gross income does not exceed $80,400 for the purposes of determining recipients for the 2005–06 award year.

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4. Notwithstanding any other provision of law, the maximum award for:
   (c) New recipients attending private and independent institutions shall be $8,322;
   (d) All recipients receiving Cal Grant B access awards shall be $1,551;
   (e) All recipients receiving Cal Grant C tuition and fee awards shall be $2,592; and
   (f) All recipients receiving Cal Grant C book and supply awards shall be $576.
5. Of the funds appropriated in Schedule (1), at least $8,567,000 in reimbursements from the federal Family Education Loan Program, administered by the Student Aid Commission as the State Student Loan Guarantee Agency, is for the purposes of the California Student Opportunity and Access Program to provide financial aid awareness and related outreach, consistent with Article 4 (commencing with Section 69560) of Chapter 2 of Part 42 of the Education Code and Section 1072b of Title 20 of the United States Code.
6. Notwithstanding any other provision of law, the commission may not issue new warrants for the assumption of loans for the Graduate Assumption Program of Loans for Education pursuant to Article 5.5 (commencing with Section 69618) of Chapter 2 of Part 42 of the Education Code.
7. The amount listed in Schedule (2) of this item includes $51,000,000 in one-time funds received from the Student Loan Operating Fund, for expenditure within the Cal Grant Program.

   The General Fund shall be reimbursed for Cal Grant expenditures as follows:
   (a) $35,000,000 no later than 30 days after the 2005–06 Cal Grant fall term advance payments have been issued; and
   (b) $16,000,000 as determined jointly with the Department of Finance to ensure the availability of cash within the Student Loan Operating Fund.

   It is the intent of the Legislature that funding provided by the Student Loan Operating Fund for the Cal Grant programs be short term in nature until such time as the state's fiscal situation improves to allow these programs to be funded wholly or in part by the state General Fund.

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|---|---|
| 8. It is the intent of the Legislature that funding from the Student Loan Operating Fund be used in accordance with federal law. | |
| 7980-101-0890—For local assistance, Student Aid Commission, for payment to Item 7980-101-0001, payable from the Federal Trust Fund ..... | 12,583,000 |
| 7980-495—Reversion, Student Aid Commission. The unencumbered balance as of June 30, ~~2004~~ *2005* , of the appropriation provided in the following citation shall revert to the fund balance of the fund from which the appropriation was made ~~.~~ *:* | |
| 0001—General Fund | |
| (1) Item 7980-101-0001, Budget Act of 2004 (Ch. 208, Stats. 2004) | |
| LABOR AND WORKFORCE DEVELOPMENT AGENCY | |
| 7100-001-0001—For support of Employment Development Department, for payment to Item 7100-001-0870..... | ~~24,242,000~~ *22,679,000* |
| *Provisions:* | |
| *1. Of the amount appropriated in this item, $750,000 is for rural simulator projects, pursuant to Section 9619 of the Unemployment Insurance Code.* | |
| 7100-001-0184—For support of Employment Development Department, for payment to Item 7100-001-0870, payable from the Employment Development Department Benefit Audit Fund ..... | 12,878,000 |
| Provisions: | |
| 1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code. | |
| 7100-001-0185—For support of Employment Development Department, for payment to Item 7100-001-0870, payable from the Employment Development Contingent Fund..... | 75,103,000 |
| Provisions: | |
| 1. Funds appropriated in this item are in lieu of the amounts that otherwise would have been appropriated for administration pursuant to Section 1586 of the Unemployment Insurance Code. | |
| 2. The Director of Finance is authorized to approve expenditures in any amount made necessary by changes in either workload or payments, or any rule or regulation adopted as a result of the enact- | |

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ment of a federal or state law, the adoption of a federal regulation, or following a court decision, during the 2005–06 fiscal year that are within or in excess of amounts appropriated in this act for that year.

3. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

4. Notwithstanding any other provision of law and sections of this act, the Director of the Employment Development Department (EDD) may augment this item by up to $3,000,000 to make interest payments on an Unemployment Fund loan secured to pay Unemployment Insurance (UI) benefits. The EDD will notify the Department of Finance by October 1, 2005, of a planned augmentation by submitting an estimated interest calculation for review. The amount disbursed under this augmentation is limited to actual interest due on an Unemployment Fund loan secured to pay UI benefits. Pursuant to Provision 1 of Item 7100-011-0185, any amount not disbursed for the purpose specified above shall be transferred to the General Fund.

7100-001-0514—For support of Employment Development Department, for payment to Item 7100-001-0870, payable from the Employment Training Fund ..... ~~45,999,000~~ *43,499,000*

Provisions:

1. Upon order of the Director of Finance, funds disencumbered from Employment Training Fund training contracts during the 2005–06 fiscal year that have not reverted as of July 1, 2005, may be appropriated in augmentation of this item.

2. Notwithstanding subparagraph (B) of paragraph (2) of subdivision (a) of Section 10206 of the Unemployment Insurance Code, the Employment Training Panel's administrative costs may exceed 15 percent of the amount appropriated in this item.

*3. Of the amount appropriated in this item, $2,500,000 is designated to fund a health care training program that will be adopted in legislation during the 2005–06 Regular Session.*

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| 7100-001-0588—For support of Employment Development Department, for payment to Item 7100-001-0870, payable from the Unemployment Compensation Disability Fund | ~~213,535,000~~ *214,699,000* |

Provisions:

1. The Employment Development Department shall submit on October 1, 2005, and April 20, 2006, to the Department of Finance for its review and approval, an estimate of expenditures for both the current and budget years, including the assumptions and calculations underlying Employment Development Department projections for expenditures from this item. The Department of Finance shall approve, or modify, the assumptions underlying all estimates within 15 working days of the due date. If the Department of Finance does not approve or modify in writing, the assumptions underlying all estimates within 15 working days of the due date, the Employment Development Department shall consider the assumptions and calculations approved as submitted. If the Department of Finance determines that the estimate of expenditures differs from the amount appropriated by this item, the Director of Finance shall so report to the Legislature. At the time the report is made, the amount of this appropriation shall be adjusted by the difference between this Budget Act appropriation and the approved estimate of the Department of Finance. Revisions reported pursuant to this provision are not subject to Section 28.00 of this act.
2. The Department of Finance is authorized to approve expenditures in those amounts made necessary by changes in either workload or payments, or any rule or regulation adopted as a result of the enactment of a federal or state law, the adoption of a federal regulation, or the following of a court decision, during the 2005–06 fiscal year that are within or in excess of amounts appropriated in this act for that year.

| | |
|---|---|
| 7100-001-0869—For support of state programs under the Workforce Investment Act (WIA), Employment Development Department, payable from the Consolidated Work Program Fund | 154,044,000 |

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Schedule:

(5.5) 61.35-WIA Administration and Program Services ..... 27,910,000

(6) 61.40-WIA Growth Industries..... 3,809,000

(7) 61.50-WIA Industries with a Statewide Need ..... 14,200,000

(8) 61.60-WIA Removing Barriers for Special Needs Populations..... 17,434,000

(9) 61.70-WIA Rapid Response Activities ..... 45,691,000

(10) 62.10-National Emergency Grant Program..... 45,000,000

Provisions:

1. Provision 1 of Item 7100-001-0588 also applies to Schedules (5.5) and (9) of this item.

1.5. For Schedules (6), (7), and (8), the Employment Development Department (EDD) shall submit on October 1, 2005, and April 20, 2006, to the Department of Finance for its review and approval an estimate of expenditures for both the current and budget fiscal years, including the assumptions and calculations underlying the EDD's projections for expenditures from these schedules. To the extent the EDD identifies unspent or receives unanticipated additional federal WIA 15 percent discretionary funds, the Department of Finance may increase expenditure authority for Schedules (6) to (8), inclusive, if the additional funding is consistent with the expenditure plan for WIA discretionary funds in this item and meets the four requirements set forth in subdivision (b) of Section 28.00. No augmentation exceeding two hundred fifty thousand dollars ($250,000) shall be authorized sooner than 30 days after written notification is provided to the chairpersons of the committees in each house of the Legislature that consider the State Budget, and the Chairperson of the Joint Legislative Budget Committee, or sooner than whatever lesser time the Chairperson of the Joint Legislative Budget Committee, or his or her designee, may in each instance determine.

2. The Secretary of Labor and Workforce Development is authorized to transfer up to $500,000 of the funds appropriated in this item to the California Workforce Investment Board, Federal Trust Fund, Item 7120-001-0890, to facilitate the

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implementation and operation of the WIA Program. Any transfer made pursuant to this provision shall be reported in writing to the Department of Finance, the chairpersons of the fiscal committees of each house of the Legislature, and the Chairperson of the Joint Legislative Budget Committee within 30 days of the date of the transfer.

3. Notwithstanding any other provision of law, the Secretary of Labor and Workforce Development is authorized to transfer funds between categories (Schedules (5.5) to (8), inclusive) as included in the schedule to be used for projects. Any transfer made pursuant to this provision shall be reported in writing to the Department of Finance, the chairpersons of the fiscal committees of each house, and the Chairperson of the Joint Legislative Budget Committee within 30 days of the date of the transfer.

7100-001-0870—For support of Employment Development Department, payable from the Unemployment Administration Fund-Federal..... ~~577,283,000~~ *577,319,000*

Schedule:

(1) 10-Employment and Employment Related Services .....~~208,342,000~~ *208,356,000*

(2) 21-Tax Collections and Benefit Payments .....~~644,030,000~~ *647,908,000*

(3) 22-California Unemployment Insurance Appeals Board ..... 78,429,000

(4) 30.01-General Administration ..... 52,494,000

(5) 30.02-Distributed General Administration.....–51,194,000

(6) 50-Employment Training Panel..... ~~40,682,000~~ *38,182,000*

(6.5) 63-Nursing Education Initiative .. ~~5,000,000~~ *750,000*

(7) 97.20.001-Unallocated Reduction... –299,000

(8) Reimbursements.....~~–27,223,000~~ *–27,228,000*

(9) Amount payable from the General Fund (Item 7100-001-0001).....~~–24,242,000~~ *–22,679,000*

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(10) Amount payable from the Employment Development Department Benefit Audit Fund (Item 7100-001-0184) ..... –12,878,000

(11) Amount payable from the Employment Development Contingent Fund (Item 7100-001-0185)..... –75,103,000

(12) Amount payable from the Employment Training Fund (Item 7100-001-0514) ..... ~~–45,999,000~~ *–43,499,000*

(13) Amount payable from the Unemployment Compensation Disability Fund (Item 7100-001-0588) .... ~~–213,535,000~~ *–214,699,000*

(14) Amount payable from the School Employees Fund (Item 7100-001-0908)..... –1,221,000

Provisions:

1. Funds appropriated in this item are in lieu of the amounts that otherwise would have been appropriated pursuant to Section 1555 of the Unemployment Insurance Code.
2. Provision 1 of Item 7100-001-0588 also applies to funds appropriated in this item for the Unemployment Insurance Program.
3. The Secretary for Labor and Workforce Development shall report to the Director of Finance, and the Joint Legislative Budget Committee on the progress of the Underground Economy Enforcement and shall provide justification for its continuance by September 13, 2007.
4. *The Employment Development Department is authorized to use up to 5 percent of the amount appropriated for the Nurse Education Initiative in Items 7100-001-0001 and 7100-001-0514 to offset costs associated with administering the program.*

7100-001-0908—For support of Employment Development Department, for payment to Item 7100-001-0870, payable from the School Employees Fund .... 1,221,000

Provisions:

1. The Department of Finance is authorized to approve expenditures in those amounts made necessary by changes in either workload or payments, or any rule or regulation adopted as a result of the enactment of a federal or state law, the adoption of

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a federal regulation, or the following of a court decision, during the 2005–06 fiscal year that are within or in excess of amounts appropriated in this act for that year.

2. Funds appropriated in this item are in lieu of the amounts that otherwise would have been appropriated for administration pursuant to Section 822 of the Unemployment Insurance Code.

3. Provision 1 of Item 7100-001-0588 also applies to this item.

7100-011-0184—For transfer by the Controller, upon order of the Director of Finance, from the Employment Development Department Benefit Audit Fund, to the General Fund..... (282,000)

Provisions:

1. The unencumbered balance in the Employment Development Department Benefit Audit Fund as of June 30, 2006, shall be transferred to the General Fund.

7100-011-0185—For transfer by the Controller, upon order of the Director of Finance, from the Employment Development Contingent Fund, to the General Fund ..... ~~(7,705,000)~~ *(9,321,000)*

Provisions:

1. Notwithstanding any other provision of law, the State Controller shall transfer to the General Fund the unencumbered balance, as determined by the Director of Finance, in the Employment Development Contingent Fund as of June 30, 2006.

7100-011-0890—For support of Employment Development Department, payable from the Federal Trust Fund, for transfer to the Unemployment Administration Fund—Federal ..... ~~(586,007,000)~~ *(586,043,000)*

7100-021-0890—For support of Employment Development Department, payable from the Federal Trust Fund, for transfer to the Consolidated Work Program Fund..... (154,044,000)

7100-101-0588—For local assistance, Employment Development Department, for Program 21—Tax collections and benefit payments, payable from the Unemployment Compensation Disability Fund ..... 4,109,751,000

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Provisions:

1. The Department of Finance is authorized to approve expenditures in those amounts made necessary by changes in either workload or payments, or any rule or regulation adopted as a result of the enactment of a federal or state law, the adoption of a federal regulation, or the following of a court decision, during the 2005–06 fiscal year that are within or in excess of amounts appropriated in this act for that year.
2. Funds appropriated in this item are in lieu of the amounts that otherwise would have been appropriated pursuant to Section 3012 of the Unemployment Insurance Code.
3. Provision 1 of Item 7100-001-0588 also applies to this item.

7100-101-0869—For local assistance under Workforce Investment Act (WIA), Employment Development Department, Program 61-WIA Program, payable from the Consolidated Work Program Fund..... 334,753,000

Provisions:

1. Provision 1 of Item 7100-001-0588 also applies to this item.

7100-101-0871—For local assistance, Employment Development Department, for Program 21—Tax collections and benefit payments, payable from the Unemployment Fund—Federal ..... 5,831,228,000

Provisions:

1. Funds appropriated in this item are in lieu of the amounts that would have otherwise been appropriated pursuant to Section 1521 of the Unemployment Insurance Code.
2. Provision 1 of Item 7100-001-0588 also applies to this item.

7100-101-0890—For local assistance, Employment Development Department, payable from the Federal Trust Fund, for transfer to the Consolidated Work Program Fund..... (334,753,000)

7100-101-0908—For local assistance, Employment Development Department, for Program 21—Tax collections and benefit payments, payable from the School Employees Fund ..... 138,329,000

Provisions:

1. The Department of Finance is authorized to approve expenditures in those amounts made necessary by changes in either workload or payments, or any rule or regulation adopted as a result of the

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enactment of a federal or state law, the adoption of a federal regulation, or the following of a court decision, during the 2005–06 fiscal year that are within or in excess of amounts appropriated in this act for that year.

2. Funds appropriated in this item are in lieu of the amounts that otherwise would have been appropriated for benefits pursuant to Section 822 of the Unemployment Insurance Code.

3. Provision 1 of Item 7100-001-0588 also applies to this item.

7100-111-0890—For local assistance, Employment Development Department, payable from the Federal Trust Fund, for transfer to the Unemployment Fund—Federal ..... (5,831,228,000)

7100-311-0690—For capital outlay, Employment Development Department. To prevent the loss of funds in the Employment Development Department Building Fund, the unencumbered balances of the funds deposited in the Employment Development Department Building Fund shall be transferred to the Federal Unemployment Fund.

Provisions:

1. The Employment Development Department shall report to the Legislature by September 1, 2006, the amount of funds transferred pursuant to this item.

7120-001-0890—For support of the California Workforce Investment Board, payable from the Federal Trust Fund..... 3,916,000

Schedule:

(1) 10-California Workforce Investment Program ..... 4,781,000

(2) Reimbursements ..... –865,000

Provisions:

1. The secretary of the agency that is responsible for oversight of the Employment Development Department, with the approvals of the California Workforce Investment Board and Department of Finance, and not sooner than 30 days after notification to the Joint Legislative Budget Committee, is authorized to transfer funds appropriated in this item to the Employment Development Department, Consolidated Work Program Fund, Item 7100-001-0869, to facilitate the implementation and operation of the Workforce Investment Act Program.

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|---|---|---|
| 7300-001-0001—For support of Agricultural Labor Relations Board | | 4,904,000 |
| Schedule: | | |
| (1) 10-Board Administration | 2,144,000 | |
| (2) 20-General Counsel Administration | 2,836,000 | |
| (3) 30.01-Administration Services | 255,000 | |
| (4) 30.02-Distributed Administration Services | –255,000 | |
| (5) 97.20.001-Unallocated Reduction | –76,000 | |
| Provisions: | | |
| 1. Notwithstanding any other provision of law, upon approval of the Department of Finance, the State Controller's Office shall reestablish up to 2.0 vacant positions within the Agricultural Labor Relations Board. | | |
| 7350-001-0001—For support of Department of Industrial Relations | | 64,249,000 |
| Schedule: | | |
| (1) 10-Self-Insurance Plans | 3,587,000 | |
| (2) 20-Mediation/Conciliation | 2,261,000 | |
| (3) 30-Division of Workers' Compensation | 154,257,000 | |
| (4) 36-Commission on Health and Safety and Workers' Compensation | 3,139,000 | |
| (5) 40-Division of Occupational Safety and Health | 85,225,000 | |
| (6) 50-Division of Labor Standards Enforcement | 49,983,000 | |
| (7) 60-Division of Apprenticeship Standards | 9,991,000 | |
| (8) 70-Division of Labor Statistics and Research | 3,915,000 | |
| (9) 80-Claims, Wages, and Contingencies | 892,000 | |
| (10) 94.01-Administration | 26,939,000 | |
| (11) 94.02-Distributed Administration | –26,939,000 | |
| (12) 97.20.001-Unallocated Reduction | –955,000 | |
| (13) Reimbursements | –3,632,000 | |
| (14) Amount payable from the Farmworkers Remedial Account (Item 7350-001-0023) | –102,000 | |
| (15) Amount payable from the Cal-OSHA Targeted Inspection and Consultation Fund (Item 7350-001-0096) | –15,279,000 | |

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|---|---|
| (16) Amount payable from the Workers' Compensation Managed Care Fund (Item 7350-001-0132)..... | –387,000 |
| (17) Amount payable from the Industrial Relations Construction Industry Enforcement Fund (Item 7350-001-0216)..... | –56,000 |
| (18) Amount payable from the Workers' Compensation Administration Revolving Fund (Item 7350-001-0223)..... | –154,236,000 |
| (19) Amount payable from the Asbestos Consultant Certification Account (Item 7350-001-0368)..... | –328,000 |
| (20) Amount payable from the Asbestos Training Approval Account (Item 7350-001-0369)..... | –120,000 |
| (21) Amount payable from the Self-Insurance Plans Fund (Item 7350-001-0396)..... | –3,545,000 |
| (22) Amount payable from the Elevator Safety Inspection Account (Item 7350-001-0452)..... | –13,460,000 |
| (23) Amount payable from the Pressure Vessel Inspection Account (Item 7350-001-0453)..... | –3,245,000 |
| (24) Amount payable from the Garment Manufacturers Special Account (Item 7350-001-0481)..... | –200,000 |
| (25) Amount payable from the Uninsured Employers' Account, Uninsured Employers Fund (Item 7350-001-0571)..... | –692,000 |
| (26) Amount payable from the Employment Training Fund (Item 7350-001-0514)..... | –3,143,000 |
| (27) Amount payable from the Federal Trust Fund (Item 7350-001-0890). | –31,583,000 |
| (28) Amount payable from the Industrial Relations Unpaid Wage Fund (Item 7350-001-0913)..... | –4,939,000 |
| (29) Amount payable from the Industrial Relations Unpaid Wage Fund (Section 96.6 of the Labor Code) . | –500,000 |
| (30) Amount payable from the Electrician Certification Fund (Item 7350-001-3002)..... | –2,652,000 |

| Item | Amount |
|---|---|
| (31) Amount payable from the Permanent Amusement Ride Safety Inspection Fund (Item 7350-001-3003) | –1,000,000 |
| (32) Amount payable from the Garment Industry Regulations Fund (Item 7350-001-3004) | –3,362,000 |
| (33) Amount payable from the Apprenticeship Training Contribution Fund (Item 7350-001-3022) | –4,096,000 |
| (34) Amount payable from the Workers' Occupational Safety and Health Education Fund (Item 7350-001-3030) | –1,213,000 |
| (35) Amount payable from the Car Wash Worker Restitution Fund (Item 7350-001-3071) | –80,000 |
| (36) Amount payable from the Car Wash Worker Fund (Item 7350-001-3072) | –160,000 |
| (37) Amount payable from the Worker Safety Bilingual Investigative Support, Enforcement and Training Account (Item 7350-001-8024) | –36,000 |

Provisions:

1. The Secretary of Labor and Workforce Development shall report to the Director of Finance, and the Joint Legislative Budget Committee on the progress of the Underground Economy Enforcement and shall provide justification for its continuance by September 13, 2007.
2. Of the amount provided in Schedule (6), $3,000,000 shall be solely expended for additional field enforcement efforts by the Labor Commissioner and the Bureau of Field Enforcement regarding minimum wage and overtime law compliance in construction, agriculture, garment manufacturing, janitorial, and restaurant employment.
   (a) The Department of Industrial Relations is authorized to establish positions for the additional field enforcement efforts.
   (b) The new funds provided in this item shall be divided equally between urban and rural enforcement efforts.

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|---|---|
| (c) The new enforcement efforts funded by the augmentation to this item shall not be used to supplant funding previously intended by the Division of Labor Standards Enforcement to go into field enforcement activities for this fiscal year. | |
| (d) The department shall provide the Legislature with a description of additional minimum wage and overtime law compliance activities undertaken with this augmentation, as well as an assessment of whether a continued special focus on minimum wage and overtime law compliance is warranted. This update shall be provided during budget hearings. | |
| 7350-001-0023—For support of Department of Industrial Relations, for payment to Item 7350-001-0001, payable from the Farmworkers Remedial Account ..... | 102,000 |
| 7350-001-0096—For support of Department of Industrial Relations, for payment to Item 7350-001-0001, payable from the Cal-OSHA Targeted Inspection and Consultation Fund ..... | 15,279,000 |
| Provisions: | |
| 1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code. | |
| 7350-001-0132—For support of Department of Industrial Relations, for payment to Item 7350-001-0001, payable from the Workers' Compensation Managed Care Fund ..... | 387,000 |
| 7350-001-0216—For support of Department of Industrial Relations, for payment to Item 7350-001-0001, payable from the Industrial Relations Construction Industry Enforcement Fund..... | 56,000 |
| 7350-001-0223—For support of Department of Industrial Relations, for payment to Item 7350-001-0001, payable from the Workers' Compensation Administration Revolving Fund..... | 154,236,000 |
| Provisions: | |
| 1. The Director of Finance may authorize a loan from the General Fund to the Workers' Compensation Administration Revolving Fund, in an amount not to exceed 60 percent of the amount appropriated in this item, provided that: | |
| (a) The loan is to meet cash needs resulting from the delay in receipt of employer assessments to support the Workers' Compensation Ad- | |

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ministration Revolving Fund, the Subsequent Injuries Benefits Trust Fund, and the Uninsured Employers Benefits Trust Fund.

(b) The loan is short term and shall be repaid in two equal installments due on March 31 and June 30 of the fiscal year in which the loan is authorized.

(c) Interest charges may be waived pursuant to subdivision (e) of Section 16314 of the Government Code.

(d) The Director of Finance may not approve the loan unless the approval is made in writing and filed with the Chairperson of the Joint Legislative Budget Committee and the chairperson of the committee in each house that considers appropriations not later than 30 days prior to the effective date of the approval, or not sooner than whatever lesser time the chairperson of the joint committee or his or her designee may determine.

2. Notwithstanding any other provision of law, the funds appropriated in this item may be used to pay workers' compensation benefits for the Subsequent Injuries Program and the Uninsured Employers Program, if either or both of those funds' reserves are insufficient to make the payments. Any expenditures made pursuant to this provision shall be credited to the Workers' Compensation Administration Revolving Fund upon receipt of sufficient revenues.

3. Notwithstanding any other provision of law, upon approval by the Department of Finance, the State Controller shall reestablish up to 274.3 vacant positions within the Department of Industrial Relations for the implementation of workers' compensation reforms enacted in Chapter 6 of the Statutes of 2002, Chapter 639 of the Statutes of 2003, and Chapter 34 of the Statutes of 2004.

7350-001-0368—For support of Department of Industrial Relations, for payment to Item 7350-001-0001, payable from the Asbestos Consultant Certification Account..... 328,000

7350-001-0369—For support of Department of Industrial Relations, for payment to Item 7350-001-0001, payable from the Asbestos Training Approval Account. 120,000

| Item | Amount |
|---|---|
| 7350-001-0396—For support of Department of Industrial Relations, for payment to Item 7350-001-0001, payable from the Self-Insurance Plans Fund | 3,545,000 |
| 7350-001-0452—For support of Department of Industrial Relations, for payment to Item 7350-001-0001, payable from the Elevator Inspection Account | 13,460,000 |
| 7350-001-0453—For support of Department of Industrial Relations, for payment to Item 7350-001-0001, payable from the Pressure Vessel Account | 3,245,000 |
| Provisions: | |
| 1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Government Code Section 13332.18. | |
| 7350-001-0481—For support of Department of Industrial Relations, for payment to Item 7350-001-0001, payable from the Garment Manufacturers Special Account | 200,000 |
| 7350-001-0514—For support of Department of Industrial Relations, for payment to Item 7350-001-0001, payable from the Employment Training Fund | 3,143,000 |
| Provisions: | |
| 1. Notwithstanding Section 1611 of, and Chapter 3.5 (commencing with Section 10200) of Part 1 of Division 3 of, the Unemployment Insurance Code, $3,143,000 from the Employment Training Fund shall be transferred by the State Controller to the Department of Industrial Relations for the support of the Division of Apprenticeship Standards. | |
| 7350-001-0571—For support of Department of Industrial Relations, for payment to Item 7350-001-0001, payable from the Uninsured Employers Fund | 692,000 |
| Provisions: | |
| 1. Notwithstanding any other provision of law, the amount available for expenditure in this appropriation may be used for Underground Economy Enforcement. | |
| 7350-001-0890—For support of Department of Industrial Relations, for payment to Item 7350-001-0001, payable from the Federal Trust Fund | 31,583,000 |
| 7350-001-0913—For support of Department of Industrial Relations, for payment to Item 7350-001-0001, payable from the Industrial Relations Unpaid Wage Fund | 4,939,000 |

| Item | Amount |
|---|---|
| Provisions: | |
| 1. Notwithstanding any other provision of law, funds appropriated by this item shall be expended by the Department of Industrial Relations Division of Labor Standards Enforcement and the Division of Occupational Safety and Health to administer the following: (a) the Targeted Industries Partnership Program to increase enforcement and compliance in the agricultural, garment, and restaurant industries, and (b) the Economic and Employment Enforcement Coalition (Underground Economy Program). | |
| 2. It is the intent of the Legislature that the Targeted Industries Partnership Program result in increased enforcement of, and compliance by, the agricultural, garment, and restaurant industries regarding wages, hours, conditions of employment, licensing, registration, child labor laws and regulations. | |
| 7350-001-3002—For support of Department of Industrial Relations, for payment to Item 7350-001-0001, payable from the Electrician Certification Fund ..... | 2,652,000 |
| 7350-001-3003—For support of Department of Industrial Relations, for payment to Item 7350-001-0001, payable from the Permanent Amusement Ride Safety Inspection Fund ..... | 1,000,000 |
| 7350-001-3004—For support of Department of Industrial Relations, for payment to Item 7350-001-0001, payable from the Garment Industry Regulations Fund.. | 3,362,000 |
| 7350-001-3022—For support of Department of Industrial Relations, for payment to Item 7350-001-0001, payable from the Apprenticeship Training Contribution Fund ..... | 4,096,000 |
| 7350-001-3030—For support of Department of Industrial Relations, for payment to Item 7350-001-0001, payable from the Worker's Occupational Safety and Health Education Fund ..... | 1,213,000 |
| 7350-001-3071—For support of Department of Industrial Relations, for payment to Item 7350-001-0001, payable from the Car Wash Worker Restitution Fund... | 80,000 |
| 7350-001-3072—For support of Department of Industrial Relations, for payment to Item 7350-001-0001, payable from the Car Wash Worker Fund ..... | 160,000 |
| 7350-001-8024—For support of Department of Industrial Relations, for payment to Item 7350-001-0001, payable from the Worker Safety Bilingual Investigative Support, Enforcement, and Training Account..... | 36,000 |

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Provisions:

1. Notwithstanding any other provision of law, upon approval of the Director of Finance, this item may be augmented if revenues become available.

7350-011-0913—For transfer by the Controller, upon order of the Director of Finance, from the Industrial Relations Unpaid Wage Fund to the General Fund.. (1,000)

Provisions:

1. Notwithstanding any other provision of law, the State Controller shall transfer to the General Fund the unencumbered balance, less six months of expenditures, as determined by the Director of Finance, in the Industrial Relations Unpaid Wage Fund as of June 30, 2006.

~~7350-295-0001—For local assistance, Department of Industrial Relations, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller..... 1,852,000~~

~~Schedule:~~

~~(1) 98.01.117.189-Peace Officer's Cancer Presumption (Ch. 1171, Stats. 1989) (CSM-4416)..... 877,000~~

~~(2) 98.01.156.882-Firefighter's Cancer Presumption (Ch. 1568, Stats. 1982) (CSM-4081)..... 975,000~~

~~(3) 98.01.999.002-Structural and wildland firefighter safety clothing and equipment (8 Cal. Code Regs. Secs. 3401 to 3410, incl.) (CSM-4261–4281)..... 0~~

~~(4) 98.01.999.001-Personal alarm devices (8 Cal. Code Regs. Sec. 3401 (c)) (CSM-4087)..... 0~~

~~Provisions:~~

~~1. Except as provided in Provision 2 of this item, allocations of funds appropriated in this item to the appropriate local entities shall be made by the State Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjust-~~

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~~ments to prior year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.~~

~~2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the State Controller may, upon notification of the Director of Finance in writing, augment those deficient amounts from the unencumbered balance of any other scheduled amounts therein. No order may be issued pursuant to this provision unless written notification of the necessity therefor is provided to the chairperson of the committee in each house that considers appropriations and the Chairperson of the Joint Legislative Budget Committee or his or her designee.~~

~~3. Pursuant to Section 17581 of the Government Code, mandates identified in the appropriation schedule of this item with an appropriation of $0 and included in the language of this provision are specifically identified by the Legislature for suspension during the 2005–06 fiscal year:~~

~~(3) Structural and wildland firefighter safety clothing and equipment (8 Cal. Code Regs. Secs. 3401 to 3410, incl.) (CSM-4261-4281).~~

~~(4) Personal alarm devices (8 Cal. Code Regs. Secs. 3401 (e)) (CSM-4087).~~

7350-491—Reappropriation, Department of Industrial Relations. Up to $990,000 of the appropriation provided for in Item 7350-001-0223, Budget Act of 2004 (Ch. 208, Stats. 2004), is reappropriated and shall be available for encumbrance or expenditure until June 30, 2006.

Provisions:

1. Up to 274.3 vacant positions provided to implement workers' compensation reforms abolished pursuant to Section 12439 of the Government Code may be reestablished upon approval by the Department of Finance.

## GENERAL GOVERNMENT

8120-001-0268—For support of Commission on Peace Officer Standards and Training, payable from the Peace Officers' Training Fund ..... 14,145,000

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Schedule:

(1) 10-Standards ..... 5,105,000

(2) 20-Training ..... 29,226,000

(3) 30-Peace Officer Training..... 118,000

(4) 40.01-Administration..... 5,649,000

(5) 40.02-Distributed Administration ... –5,649,000

(6) Reimbursements..... –1,259,000

(7) Amount payable from the Peace Officers' Training Fund (Item 8120-011-0268) .....–17,489,000

(8) Amount payable from the Peace Officers' Training Fund (Item 8120-012-0268) ..... –1,556,000

8120-011-0268—For support of Commission on Peace Officer Standards and Training, for payment to Item 8120-001-0268, payable from the Peace Officers' Training Fund..... 17,489,000

Provisions:

1. Funds appropriated in this item are to be used for contractual services in support of local training programs, pursuant to Section 13503(c) of the Penal Code.
2. Funds may be transferred between this item and Item 8120-101-0268 to meet the needs of local training programs.

8120-012-0268—For support of Commission on Peace Officer Standards and Training, for payment to Item 8120-001-0268, payable from the Peace Officers' Training Fund..... 1,556,000

Provisions:

1. The funds appropriated in this item are to be used for implementation of the ''Tools for Tolerance'' training program for law enforcement personnel operated by the Simon Wiesenthal Center-Museum of Tolerance. Eligibility to receive funds appropriated by this item as reimbursements is limited to law enforcement agencies authorized by law to receive training reimbursements from the Peace Officers' Training Fund. Both sworn officers and nonsworn personnel who have contact with the public shall, at the discretion of the head of the law enforcement agency seeking reimbursement under this provision, be eligible for reimbursement, provided that the Museum of Tolerance gives priority to training sworn officers.

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|---|---|
| 8120-101-0268—For local assistance, Commission on Peace Officer Standards and Training, Program 30, for allocation to cities, counties, and cities and counties pursuant to Section 13523 of the Penal Code, payable from the Peace Officers' Training Fund ..... | 21,382,000 |
| Provisions: | |
| 1. Funds may be transferred between this item and Item 8120-011-0268 to meet the needs of local training programs. | |
| 2. The Director of Finance may authorize the augmentation of the total amount available for expenditure under this item in the amount of revenue received by the Peace Officers' Training Fund that is in addition to the revenue appropriated by this item, not sooner than 30 days after written notification to the chairpersons of the respective fiscal committees and the Chairperson of the Joint Legislative Budget Committee or his or her designee. | |
| 8120-102-0268—For local assistance, Commission on Peace Officer Standards and Training, Program 30, payable from the Peace Officers' Training Fund ..... | 444,000 |
| Provisions: | |
| 1. Funds appropriated in this item are to be used for implementation of the ''Tools for Tolerance'' training program for law enforcement personnel operated by the Simon Wiesenthal Center-Museum of Tolerance. Eligibility to receive funds appropriated by this item as reimbursements is limited to law enforcement agencies authorized by law to receive training reimbursements from the Peace Officers' Training Fund. Both sworn officers and nonsworn personnel who have contact with the public shall, at the discretion of the head of the law enforcement agency seeking reimbursement under this provision, be eligible for reimbursement, provided that the Museum of Tolerance gives priority to training sworn officers. | |
| ~~8120-295-0001—For local assistance, the Commission on Peace Officer Standards and Training, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller~~ ..... | ~~4,509,000~~ |

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~~Schedule:~~

~~(1) 98.01.024.695—Domestic Violence Arrest Policies and Standards (Ch. 246, Stats. 1995) (CSM-96-362-02)..... 4,509,000~~

~~(2) 98.01.012.693—Law Enforcement Sexual Harassment Training (Ch. 126, Stats. 1993) (97-TC-07)..... 0~~

~~(3) 98.01.044.497—Elder Abuse Law Enforcement Training (Ch. 444, Stats. 1997) (98-TC-12)..... 0~~

~~Provisions:~~

~~1. Except as provided in Provision 2, allocations of funds provided in this item to the appropriate local entities shall be made by the State Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandate costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.~~

~~2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the Controller may, upon notifying the Director of Finance in writing, augment those deficient amounts from the unencumbered balance of any other scheduled amounts therein. No order may be issued pursuant to this provision unless written notification of the necessity therefor is provided to the chairperson of the committee in each house which considers appropriations and the Chairperson of the Joint Legislative Budget Committee or his or her designee.~~

~~3. Pursuant to Section 17581 of the Government Code, mandates identified in the appropriation schedule of this item with an appropriation of $0 and included in the language of this provision are specifically identified by the Legislature for suspension during the 2005–06 fiscal year:~~

~~(2) Law Enforcement Sexual Harassment Training (Ch. 126, Stats. 1993) (97-TC-07).~~

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~~(3) Elder Abuse Law Enforcement Training (Ch. 444, Stats. 1997) (98-TC-12).~~

8140-001-0001—For support of State Public Defender.. 11,330,000

Schedule:

(1) 10-State Public Defender..... 11,506,000

(2) 97.20.001-Unallocated Reduction... −176,000

Provisions:

1. Any federal funds received by the Office of the State Public Defender as reimbursements for legal services provided for capital cases shall revert to the unappropriated surplus of the General Fund.

8180-101-0001—For local assistance, payment to local government for costs of homicide trials, for payment by the State Controller..... 4,305,000

Provisions:

1. This item is for payment to counties for costs of homicide trials pursuant to Sections 15201 to 15203, inclusive, of the Government Code, provided that expenditures made under this item shall be charged to the fiscal year in which the warrant is issued by the Controller.
2. The Controller shall reimburse counties for reasonable and necessary expenses incurred pursuant to Section 15202 of the Government Code except that reimbursements to a county shall not exceed: (a) for attorney services, an hourly rate equal to that county's average hourly cost for public defenders, the hourly rate paid to appointed counsel, or the hourly rate charged state agencies by the Attorney General for attorney services, whichever rate is less; (b) for investigators, an hourly rate equal to that county's average hourly cost for county-employed investigators or the hourly rate charged state agencies by the Attorney General for investigators, whichever rate is less; and (c) for expert witnesses, the hourly rate that the county generally pays for these services.
3. All counties that apply for a grant pursuant to this item shall provide the State Controller's Office and the Department of Finance a written summary of any amounts that they received pursuant to this item in a previous fiscal year that were not expended as of June 30, 2006. This summary shall detail the amount of unexpended funds by the fiscal year in which they were received. The summary also shall include a description of the purposes for which the county proposes to use the

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unexpended funds. Applicant counties shall provide this written summary to the State Controller's Office and the Department of Finance no later than June 30, 2006. To ensure compliance with this requirement, the State Controller's Office shall notify counties of this requirement when they submit their applications for funding.

8260-001-0001—For support of California Arts Council ..... 1,153,000

Schedule:

(1) 90-Arts Council ..... 3,274,000
(2) 97.20.001-Unallocated Reduction... –18,000
(3) Reimbursements..... –197,000
(4) Amount payable from the Graphic Design License Plate Account (Item 8260-001-0078) ..... –968,000
(5) Amount payable from the Federal Trust Fund (Item 8260-001-0890). –938,000

8260-001-0078—For support of California Arts Council, for payment to Item 8260-001-0001, payable from the Graphic Design License Plate Account ..... 968,000

8260-001-0890—For support of California Arts Council, for payment to Item 8260-001-0001, payable from the Federal Trust Fund..... 938,000

8320-001-0001—For support of Public Employment Relations Board ..... 5,558,000

Schedule:

(1) 11-Public Employment Relations ... 5,656,000
(2) 97.20.001-Unallocated Reduction... –86,000
(3) Reimbursements..... –12,000

8380-001-0001—For support of Department of Personnel Administration ..... ~~9,337,000~~ *9,669,000*

Schedule:

(1) 10-Policy Operations..... 5,181,000
(2) 20-Labor Relations..... ~~2,866,000~~ *3,198,000*
(3) 25-Legal ..... 5,494,000
(4) 40.01-Administration..... 4,168,000
(5) 40.02-Distributed Administration ... –4,168,000
(6) 54-Benefits Administration ..... 20,392,000
(7) 97.20.001-Unallocated Reduction... –141,000
(8) Reimbursements.....–13,410,000
(9) Amount payable from the Flexelect Benefit Fund (Item 8380-001-0821)..... –1,249,000

| Item | Amount |
|---|---|
| (10) Amount payable from the Deferred Compensation Plan Fund (Item 8380-001-0915) ..... –9,796,000 | |
| Provisions: | |
| ~~1. The Department of Personnel Administration shall report to the appropriate fiscal and policy committees of each house of the Legislature and to the Legislative Analyst by March 1, 2006, the specific positions surveyed in 2005–06 as part of the Department of Personnel Administration's comprehensive salary survey, and the positions that will be surveyed in 2006–07.~~ | |
| *2. Of the funds appropriated in this item, $573,000 shall be used to complete a comprehensive salary survey that includes private and public employers, geographical data, and total compensation. The Department of Personnel Administration shall provide to the appropriate fiscal and policy committess of each house of the Legislature and the Legislative Analyst, within 30 days of completion, each completed salary survey report.* | |
| ~~8380-001-0042—For support of Department of Personnel Administration, payable from State Transportation Fund, State Highway Account.....~~ | ~~145,000~~ |
| ~~Schedule:~~ | |
| ~~(1) 20-Labor Relations..... 145,000~~ | |
| ~~8380-001-0044—For support of Department of Personnel Administration, payable from State Transportation Fund, Motor Vehicle Account.....~~ | ~~96,000~~ |
| ~~Schedule:~~ | |
| ~~(1) 20-Labor Relations..... 96,000~~ | |
| 8380-001-0821—For support of Department of Personnel Administration, for payment to Item 8380-001-0001, payable from the Flexelect Benefit Fund..... | 1,249,000 |
| 8380-001-0915—For support of Department of Personnel Administration, for payment to Item 8380-001-0001, payable from the Deferred Compensation Plan Fund ..... | 9,796,000 |
| 8380-004-0001—For support of Department of Personnel Administration ..... | 23,305,000 |
| Schedule: | |
| (1) 54-Benefits Administration ..... 23,650,000 | |
| (2) 97.20.001-Unallocated Reduction... –345,000 | |

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8380-490—Reappropriation, Department of Personnel Administration. Notwithstanding any other provision of law, as of June 30, 2005, the balance of the appropriation provided in the following citation is reappropriated for purposes provided for in that appropriation and shall be available for encumbrance and expenditure until June 30, 2006:

0367—Indian Gaming Special Distribution Fund

(1) Item 8380-001-0367, Budget Act of 2000 (Ch. 52, Stats. 2000), as reappropriated by Item 8380-490, Budget Act of 2001 (Ch. 106, Stats. 2001), Item 8380-490, Budget Act of 2002 (Ch. 379, Stats. 2002) and Item 8380-490, Budget Act of 2003 (Ch. 157, Stats. 2003), Budget Act of 2004 (Ch. 208, Stats. 2004)

8380-495—Reversion, Department of Personnel Administration. Notwithstanding subdivision (h) of Section 22877 of the Government Code, and as of June 30, 2005, ~~$1,000,000 of~~ the unencumbered balances of the appropriations provided in the following citations shall revert to the balance of the fund from which the appropriation was made:

0001—General Fund

(1) Item 8380-004-0001, Budget Act of 2000 (Ch. 52, Stats. 2000)

(2) Item 8380-004-0001, Budget Act of 2001 (Ch. 106, Stats. 2001)

(3) Item 8380-004-0001, Budget Act of 2002 (Ch. 379, Stats. 2002)

(4) Item 8380-004-0001, Budget Act of 2003 (Ch. 157, Stats. 2003)

8385-001-0001—For support of California Citizens' Compensation Commission, Program 10 ..... 14,000

8500-001-0152—For support of Board of Chiropractic Examiners, payable from the State Board of Chiropractic Examiners Fund ..... 2,636,000

Schedule:

(1) 10-Board of Chiropractic Examiners ..... 2,678,000

(2) Reimbursements ..... –42,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Government Code Section 13332.18.

| Item | | Amount |
|---|---|---|
| 8530-001-0290—For support of Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun, payable from the Board of Pilot Commissioners' Special Fund | | 1,524,000 |
| Schedule: | | |
| (1) 10.01-Support | 631,000 | |
| (2) 10.02-Training | 893,000 | |
| Provisions: | | |
| 1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code. | | |
| 8550-001-0191—For support of California Horse Racing Board, payable from the Fair and Exposition Fund | | 8,477,000 |
| Schedule: | | |
| (1) 10-California Horse Racing Board | 8,747,000 | |
| (2) Amount payable from the Racetrack Security Account, Special Deposit Fund (Item 8550-001-0942) | –270,000 | |
| 8550-001-0942—For support of California Horse Racing Board, for payment to Item 8550-001-0191, payable from the Racetrack Security Account, Special Deposit Fund | | 270,000 |
| 8550-011-0942—Notwithstanding paragraph (1) of subdivision (b) of Section 19641 of the Business and Professions Code, there is hereby transferred to the General Fund the unencumbered balance of the Racetrack Security Account, Special Deposit Fund, as of June 30, 2006 | | (2,000,000) |
| 8570-001-0001—For support of Department of Food and Agriculture | | ~~63,708,000~~ *63,208,000* |
| Schedule: | | |
| (1) 11-Agricultural Plant and Animal, Pest and Disease Prevention | ~~89,980,000~~ *89,480,000* | |
| (2) 21-Marketing, Commodities, and Agricultural Services | ~~34,705,000~~ *23,076,000* | |
| (3) 31-Assistance to Fairs and County Agricultural Activities | 3,332,000 | |
| (4) 41.01-Executive, Management, and Administrative Services | 14,422,000 | |
| (5) 41.02-Distributed Executive, Management, and Administrative Services | –13,237,000 | |

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(6) 97.20.001-Unallocated Reduction... –1,566,000

(7) Reimbursements..... –7,322,000

(8) Amount payable from the Department of Agriculture Account, Department of Agriculture Fund (Item 8570-001-0111).....–15,387,000

(9) Amount payable from the Fair and Exposition Fund (Item 8570-001-0191)..... –3,643,000

(10) Amount payable from the Harbors and Watercraft Revolving Fund (Item 8570-001-0516) ..... –1,241,000

(11) Amount payable from the Agriculture Building Fund (Item 8570-001-0601)..... –1,439,000

(12) Amount payable from the Federal Trust Fund (Item 8570-001-0890).....~~–34,282,000~~
*–22,653,000*

(13) Amount payable from the Agricultural Pest Control Research Account (Item 8570-011-0112) ..... –5,000

(14) Amount payable from the Satellite Wagering Account (Item 8570-012-0192)..... –609,000

Provisions:

1. Funds appropriated to Schedule (1) from Item 8570-001-0111 are in lieu of the appropriation provided by subdivision (b) of Section 224 of the Food and Agricultural Code for emergency detection, eradication, or research of agricultural plant or animal pests or diseases. Notwithstanding provision (c) of Section 224 of the Food and Agricultural Code, any unencumbered balance of these funds shall revert to the General Fund on June 30, 2006. Notwithstanding any other provision of law, up to an additional $800,000 of the funds appropriated pursuant to subdivision (c) of Section 224 of the Food and Agricultural Code shall be available for use by the Department of Food and Agriculture for emergency projects to augment Schedule (1) of this item. The Secretary of Food and Agriculture may expend the funds identified in this provision upon the approval of the Director of Finance. The funds that are so appropriated are not subject to Section 26.00, 28.00, or 28.50 of this act.

Item Amount

2. Funds appropriated from Item 8570-001-0111 are in lieu of the appropriation provided by subdivision (a) of Section 224 of the Food and Agricultural Code. In addition, notwithstanding any other provision of law, of the funds appropriated pursuant to subdivision (c) of Section 224 of the Food and Agricultural Code, $650,000 shall be available for use by the Department of Food and Agriculture for departmental overhead expenses.
3. Notwithstanding any other provision of law, of the funds appropriated pursuant to subdivision (c) of Section 224 of the Food and Agricultural Code, $179,000 shall be available for use by the Department of Food and Agriculture for the County/State Liaison Director. The Secretary of Food and Agriculture may augment Schedule (3) of this item with the approval of the Director of Finance. The funds that are so appropriated are not subject to Section 26.00, 28.00, or 28.50 of this act.
4. New and renewed county work plans for red imported fire ant eradication may include subcontracting relationships with private entities if the county board of supervisors determines by resolution that a subcontracting relationship is both effective and cost-efficient and the secretary finds that approval of the subcontracting relationship will not compromise program goals, such as consistency, authority, accountability, oversight, efficacy, safety, timeliness, and overall program costs.

8570-001-0111—For support of Department of Food and Agriculture, for payment to Item 8570-001-0001, payable from the Department of Agriculture Account, Department of Agriculture Fund ..... 15,387,000

Provisions:

1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Government Code Section 13332.18.

8570-001-0191—For support of Department of Food and Agriculture, for payment to Item 8570-001-0001, payable from the Fair and Exposition Fund..... 3,643,000

8570-001-0516—For support of Department of Food and Agriculture, for payment to Item 8570-001-0001, payable from the Harbors and Watercraft Revolving Fund ..... 1,241,000

| Item | Amount |
|---|---|
| 8570-001-0601—For support of Department of Food and Agriculture, for payment to Item 8570-001-0001, payable from the Agriculture Building Fund..... | 1,439,000 |
| Provisions: | |
| 1. Funds appropriated in this item are in lieu of the appropriation made by Section 624 of the Food and Agricultural Code. | |
| 8570-001-0890—For support of Department of Food and Agriculture, for payment to Item 8570-001-0001, payable from the Federal Trust Fund..... | ~~34,282,000~~ *22,653,000* |
| Provisions: | |
| 1. The Department of Finance may authorize the augmentation of this item in an amount not to exceed a cumulative total of $1,500,000. Any augmentation pursuant to this provision shall be made only if the Department of Food and Agriculture has a valid federal contract or grant. These funds shall not be used for state or federal cooperative fruit fly eradication projects. The augmentations pursuant to this authority are not subject to Section 26.00 or 28.00 of this act. | |
| *2. The Director of Finance may authorize an augmentation of the amount available for activities pursuant to the federal Specialty Crop Block Grant from unexpended funds federally authorized for the program in 2002. The Secretary of Food and Agriculture shall submit a spending plan to the Department of Finance for approval. The spending plan shall include, at a minimum, all of the following: (a) a detailed description and schedule of proposed expenditures by grant recipient, (b) a detailed list of criteria used to award grants and distribute funds, (c) an expenditure timeline for funds, and (d) a detailed description of any proposed hiring of state employees or the use of consulting contracts using Specialty Crop Block Grant funds. No approval of a spending plan by the Department of Finance shall be effective sooner than 30 days following transmittal of the plan to the Chairperson of the Joint Legislative Budget Committee.* | |
| 8570-002-0001—For support of Department of Food and Agriculture, for sterile Medfly release program in the Los Angeles Basin..... | 7,982,000 |

Item Amount

Schedule:

(1) 11-Agricultural Plant and Animal, Pest and Disease Prevention..... 8,105,000

(2) 97.20.001-Unallocated Reduction... −123,000

8570-003-0001—For support of Department of Food and Agriculture, for rental payments on lease-revenue bonds ..... 1,593,000

Schedule:

(1) Base Rental and Fees ..... 1,612,000

(2) Insurance ..... 13,000

(3) Reimbursements..... −32,000

Provisions:

1. The Controller shall transfer funds appropriated in this item according to a schedule to be provided by the State Public Works Board. The schedule shall be provided on a monthly basis or as otherwise might be needed to ensure debt requirements are met.

2. This item may contain adjustments pursuant to Control Section 4.30 that are not currently reflected. Any adjustments to this item shall be reported to the Joint Legislative Budget Committee pursuant to Control Section 4.30.

8570-003-0111—For support of Department of Food and Agriculture, for rental payments on lease-revenue bonds, payable from the Department of Agriculture Account, Department of Agriculture Fund ..... 40,000

Schedule:

(1) Base Rental..... 40,000

Provisions:

1. The Controller shall transfer funds appropriated in this item according to a schedule to be provided by the State Public Works Board. The schedule shall be provided on a monthly basis or as otherwise might be needed to ensure debt requirements are met.

2. This item may contain adjustments pursuant to Control Section 4.30 that are not currently reflected. Any adjustments to this item shall be reported to the Joint Legislative Budget Committee pursuant to Control Section 4.30.

8570-003-0601—For support of Department of Food and Agriculture, for rental payments on lease-revenue bonds, payable from the Agriculture Building Fund ..... 223,000

Item Amount

Schedule:

(1) Base Rental..... 221,000

(2) Insurance ..... 2,000

Provisions:

1. The Controller shall transfer funds appropriated in this item according to a schedule to be provided by the State Public Works Board. The schedule shall be provided on a monthly basis or as otherwise might be needed to ensure debt requirements are met.

2. This item may contain adjustments pursuant to Control Section 4.30 that are not currently reflected. Any adjustments to this item shall be reported to the Joint Legislative Budget Committee pursuant to Control Section 4.30.

8570-004-0001—For transfer by the Controller to the Pierce's Disease Management Account..... 4,341,000

Provisions:

1. Of the funds appropriated in this item, $4,341,000 shall be deposited in the Pierce's Disease Management Account in the Food and Agricultural Fund and shall be available for expenditure without regard to fiscal year for the purpose of combating Pierce's disease and its vectors.

8570-011-0112—For support of Department of Food and Agriculture, for payment to Item 8570-001-0001, payable from the Agricultural Pest Control Research Account ..... 5,000

Provisions:

1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Government Code Section 13332.18.

8570-011-0191—For transfer by the State Controller from the Fair and Exposition Fund to the General Fund, for health benefits for retired employees of district agricultural associations..... (246,000)

8570-011-0890—For transfer by the Controller from the Federal Trust Fund to the Pierce's Disease Management Account ..... 10,995,000

Provisions:

1. The funds appropriated in this item shall be deposited in the Pierce's Disease Management Account in the Food and Agricultural Fund and shall be available for expenditure for the purpose of combating Pierce's disease and its vectors.

Item Amount

2. The Secretary of the Department of Food and Agriculture shall authorize a one-time transfer of two hundred and fifty thousand dollars ($250,000) from the Pierce's Disease Management Account to the University of California's (UC) Cooperative Extension Service for use in making improvements to the Kern County Farm and Home Advisors Program of the Office of the UC Cooperative Extension.

8570-012-0192—For support of Department of Food and Agriculture, for payment to Item 8570-001-0001, payable from the Satellite Wagering Account ..... 609,000

8570-101-0001—For local assistance, Department of Food and Agriculture ..... 5,272,000

Schedule:

(1) 11-Agricultural Plant and Animal, Pest and Disease Prevention ..... 5,272,000

(2) 31-Assistance to Fairs and County Agricultural Activities ..... 1,333,000

(3) Amount payable from the Fair and Exposition Fund (Item 8570-101-0191)..... –950,000

(4) Amount payable from the General Fund (Item 8570-111-0001)..... –383,000

8570-101-0191—For local assistance, Department of Food and Agriculture, for payment to Item 8570-101-0001, payable from the Fair and Exposition Fund ..... 950,000

Provisions:

1. The funds appropriated in this item are for unemployment insurance at local fairs.

2. The funds appropriated in this item are for the contributions, or the cost of benefits in lieu of contributions, payable from the Fair and Exposition Fund to the Unemployment Fund by all entities conducting fairs, including county, district, combined county and district, and citrus fruit fairs receiving funds pursuant to Chapter 4 (commencing with Section 19400) of Division 8 of the Business and Professions Code, as a result of unemployment insurance coverage pursuant to Section 605 of the Unemployment Insurance Code.

8570-102-0001—For local assistance, Department of Food and Agriculture ..... 760,000

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Provisions:

1. The funds appropriated in this item are to be expended for the purposes identified in Chapter 631 of the Statutes of 2004.

8570-111-0001—For local assistance, Department of Food and Agriculture, for payment to Item 8570-101-0001 ..... 383,000

Provisions:

1. The funds appropriated in this item are also available for compensation for services performed for agricultural departments and are to be expended in accordance with the provisions of Sections 2221 to 2224, inclusive, of the Food and Agricultural Code.

~~8570-295-0001—For local assistance, Department of Food and Agriculture, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of existing program mandated by statute or executive order, for disbursement by the State Controller..... 13,900,000~~

~~Schedule:~~

~~(1) 98.01.075.298-Animal Adoption (Ch. 752, Stats. 1998) (98-TC-11). 13,900,000~~

~~Provisions:~~

~~1. Except as provided in Provision 2, allocations of funds provided in this item to the appropriate local entities shall be made by the State Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior-year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.~~

~~2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the State Controller may, upon notifying the Director of Finance in writing, augment those deficient amounts from the unencumbered balance of any other scheduled amounts therein. No order may be issued pursuant to this provision unless written~~

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~~notification of the necessity therefor is provided to the chairperson of the committee in each house which considers appropriations and the Chairperson of the Joint Legislative Budget Committee or his or her designee.~~

*8570-301-0042—For capital outlay, Department of Food and Agriculture, payable from the State Highway Account, State Transportation Fund ..... 5,640,000*

*Schedule:*

*(1) 90.18.001-Relocation: Yermo Agriculture Inspection Station—Acquisition, preliminary plans, and construction ..... 5,640,000*

*8570-301-0660—For capital outlay, Department of Food and Agriculture, payable from the Public Buildings Construction Fund ..... 17,556,000*

*Schedule:*

*(1) 90.18.001-Relocation: Yermo Agriculture Inspection Station—Construction ..... 17,556,000*

*Provisions:*

*1. 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 acquisition, design, and construction of the projects authorized by this item.*

*2. The State Public Works Board and the Department of Food and Agriculture may obtain interim financing for the project costs authorized in this item from any appropriate source, including, but not limited to, the Pooled Money Investment Account pursuant to Sections 16312 and 16313 of the Government Code.*

*3. The State Public Works Board may authorize the augmentation of the costs of acquisition, design, and construction of the projects scheduled in this item pursuant to the board's authority under Section 13332.11 of the Government Code. In addition, the State Public Works 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 construction of the project, the cost of*

Item Amount

*issuance of permanent financing for the project. This additional amount may include interest payable on any interim financing obtained.*

*4. The Department of Food and Agriculture is authorized and directed to execute and deliver any and all leases, contracts, agreements, or other documents necessary or advisable to consummate the financing of the projects authorized in this item.*

*5. The State Public Works Board shall not be 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 Division 3 of Title 2 of the Government Code). This provision does not exempt the Department of Food and Agriculture from the requirements of the California Environmental Quality Act. This provision is intended to be declarative of existing law.*

8570-401—For support of Department of Food and Agriculture: Notwithstanding any other provision of law, $2,900,000 of the funds appropriated pursuant to subdivision (c) of Section 224 of the Food and Agricultural Code shall be allocated to counties in a manner prescribed by the secretary for pest detection/trapping programs. These funds are intended to supplement funds available for pest detection/trapping in Item 8570-101-0001. As a condition of receiving these funds, counties shall not reduce their level of support from any other funds for pest detection/trapping programs. If a county declines to participate in a pest detection/trapping program, or fails to conduct the program to the state's satisfaction, the secretary shall reduce, by the amount that would otherwise be allocated to the county, funds available pursuant to subdivision (c) of Section 224 and other state allocations from Item 8570-101-0001. These funds are hereby appropriated to the Department of Food and Agriculture Item 8570-001-0001 and Item 8570-001-0111 for purposes of operating the pest detection/trapping programs in the counties.

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8570-402—For local assistance, Department of Food and Agriculture: The remaining funds available pursuant to subdivision (c) of Section 224 of the Food and Agricultural Code, after allocation in accordance with Item 8570-401 and Provisions 1 and 2 of Item 8570-001-0001, shall be apportioned to the counties as follows: in relation to each county's expenditures to the total amount expended by all counties for the preceding fiscal year for agricultural programs that are supervised by the department and for pesticide use enforcement programs supervised by the Department of Pesticide Regulation. This item shall not be effective if a later enacted statute amends subdivision (c) of Section 224 of the Food and Agricultural Code.

8570-403—For Department of Food and Agriculture. Notwithstanding any other provision of law, 30 days prior to the Department of Food and Agriculture's entering into interim financing or long-term financing, including bond agreements, pursuant to Article 9 (commencing with Section 19590) of Chapter 4 of Division 8 of the Business and Professions Code, the department shall submit a report to the Chairperson of the Joint Legislative Budget Committee with copies to the Chairpersons of Senate Budget and Fiscal Review Subcommittee No. 2, Assembly Budget Subcommittee No. 3, the Senate Select Committee on Fairs and Rural Issues, the Subcommittee on Fairs and Expositions of the Assembly Committee on Agriculture, and the Department of Finance. The report shall list: (a) proposed individual satellite wagering expansion projects at fairs, (b) costs for constructing, operating, and maintaining individual satellite wagering projects, (c) net revenue projections for individual satellite wagering projects, and (d) projected effect on net Satellite Wagering Account revenue resulting from individual satellite wagering projects and satellite wagering-related projects. Additional notification is not required for financing proposals unless refinancing will result in the expenditure of additional funds, in which case the report shall include the above-requested information relating only to the new debt. Reporting shall be required only for satellite wagering projects that are funded by interim financing or long-term financing, including bond agreements.

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8570-404—Notwithstanding Provision 1 of Item 8570-112-0111, Budget Act of 2002, the $15,000,000 loan authorized, shall be fully repaid to the Agriculture Fund by October 1, 2005. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of the transfer. The Controller shall, within 15 working days of receipt of written notification from the Department of Finance, transfer from the General Fund to the Agriculture Fund the full amount of the loan or increments thereof as requested by the Department of Finance. The Department of Finance shall, within 30 days of receipt of written notification documenting the need of the loan repayment from the Department of Food and Agriculture, provide written notification to the Controller notifying the State Controller of the amount to be transferred from the General Fund to the Agriculture Fund. The Department of Food and Agriculture may request through the Department of Finance an incremental repayment of the loan prior to October 1, 2005. A fee or assessment may not be increased by the Department of Food and Agriculture as a result of the loan.

8570-490—Reappropriation, Department of Food and Agriculture. The balance of the appropriations provided in the following citations is reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided for in the appropriations:

0042—State Highway Account

(1) Item 8570-301-0042, Budget Act of 2002 (Ch. 379, Stats. 2002), as reappropriated by Item 8570-490, Budget Act of 2003 (Ch. 157, Stats. 2003) and Item 8570-490, Budget Act of 2004 (Ch. 208, Stats. 2004)

(1) 90.18.001-Relocation: Yermo Agriculture Inspection Station—Working drawings and construction

8570-496—Reversion, Department of Food and Agriculture. Notwithstanding any other provision of law, the unencumbered balance as of June 30, 2005, of the appropriation provided for in the following citation shall revert to the fund balance of the fund from which the appropriation was made:

0660—Public Buildings Construction Fund

*(.5) Item 8570-301-0660, Budget Act of 2002 (Ch. 379, Stats. 2002), as reappropriated by Item*

| Item | | Amount |
|---|---|---|
| *8570-490, Budget Act of 2003 (Ch. 157, Stats. 2003) and Item 8570-490, Budget Act of 2004 (Ch. 208, Stats. 2004)* | | |
| *(1) 90.18.001-Relocation: Yermo Agriculture Inspection Station—Working drawings and construction* | | |
| (1) Item 8570-301-0660, Budget Act of 2003 (Ch. 157, Stats. 2003), as partially reappropriated by Item 8570-490, Budget Act of 2004 (Ch. 208, Stats. 2004) | | |
| (1) 90.19.010-Hawaii Medfly Rearing Facility—Working drawings and construction | | |
| 8620-001-0001—For support of Fair Political Practices Commission | | 1,911,000 |
| Schedule: | | |
| (1) 10.10-Local enforcement | 714,000 | |
| (2) 10.20-Legal, technical assistance and state enforcement | 1,228,000 | |
| (3) 97.20.001-Unallocated Reduction | –31,000 | |
| 8640-001-0001—For support of Political Reform Act of 1974, the following sums are appropriated to, and in augmentation of, the following agencies and officers for the administration, investigation and regulation of political campaigns, officials, and lobbyists | | 2,520,000 |
| Schedule: | | |
| (1) 10-Secretary of State | 790,000 | |
| For transfer by the State Controller to Item 0890-001-0001 as follows: | | |
| (1) Personal Services | (565,000) | |
| (2) Operating expenses and equipment | (225,000) | |
| (2) 20-Franchise Tax Board | 1,522,000 | |
| For transfer by the State Controller to Item 1730-001-0001 as follows: | | |
| (3) 30-Political Reform Audit | (1,522,000) | |
| (3) 30-Department of Justice | 216,000 | |
| For transfer by the State Controller to Item 0820-001-0001 as follows: | | |
| (7) 40-Criminal Law | (78,000) | |
| (9) 50-Law Enforcement | (138,000) | |
| (4) 40-Fair Political Practices Commission | (3,693,000) | |

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(5) Reimbursements ..... –8,000
For transfer by the State Controller to Item 0890-001-0001

Provisions:

1. The Controller shall transfer funds as specified above, including any allocations made by the Department of Finance, on January 1, 2006.

8660-001-0042—For support of Public Utilities Commission, for payment to Item 8660-001-0462, payable from the State Highway Account, State Transportation Fund ..... 2,538,000

8660-001-0046—For support of Public Utilities Commission, for payment to Item 8660-001-0462, payable from the Public Transportation Account, State Transportation Fund ..... 2,436,000

8660-001-0412—For support of Public Utilities Commission, for payment to Item 8660-001-0462, payable from the Transportation Rate Fund ..... 2,284,000

8660-001-0461—For support of Public Utilities Commission, for payment to Item 8660-001-0462, payable from the Public Utilities Commission Transportation Reimbursement Account ..... ~~8,685,000~~ *8,785,000*

*Provisions:*

*1. Of the amount appropriated in this item, $100,000 shall be used by the Public Utilities Commission to constitute a working group, including experts from the railroad industry, railroad employee groups, the federal government, and public safety and emergency response agencies, in order to provide a report to the Legislature by April 1, 2006, identifying safety problems or concerns and making recommendations for improvement in the following areas:*

*(a) Threats from vandalism or terrorism.*

*(b) Deficiencies in current land use planning affecting rail safety.*

*(c) Deficiencies in rail emergency response.*

8660-001-0462—For support of Public Utilities Commission, payable from the Public Utilities Commission Utilities Reimbursement Account ..... ~~55,524,000~~ *55,824,000*

Schedule:

(1) 10-Regulation of Utilities ..... ~~89,787,000~~ *88,887,000*

(2) 15-Universal Service Telephone Programs ..... 858,035,000

| Item | Amount |
|---|---|
| (3) 20-Regulation of Transportation..... | ~~15,943,000~~ *16,043,000* |
| (4) 30.01-Administration..... | 16,341,000 |
| (5) 30.02-Distributed Administration ... | –16,341,000 |
| (6) Reimbursements..... | ~~–12,632,000~~ *–8,784,000* |
| *(6.5) Reimbursement to the Office of Ratepayer Advocates*..... | *–3,848,000* |
| (7) Amount payable from the State Highway Account, State Transportation Fund (Item 8660-001-0042). | –2,538,000 |
| (8) Amount payable from the Public Transportation Account, State Transportation Fund (Item 8660-001-0046)..... | –2,436,000 |
| (9) Amount payable from the Transportation Rate Fund (Item 8660-001-0412)..... | –2,284,000 |
| (10) Amount payable from the Public Utilities Commission Transportation Reimbursement Account (Item 8660-001-0461) ..... | ~~–8,685,000~~ *–8,785,000* |
| (11) Amount payable from California High-Cost Fund-A Administrative Committee Fund (Item 8660-001-0464)..... | –42,695,000 |
| (12) Amount payable from California High-Cost Fund-B Administrative Committee Fund (Item 8660-001-0470) ..... | –447,114,000 |
| (13) Amount payable from Universal Lifeline Telephone Service Trust Administrative Committee Fund (Item 8660-001-0471)..... | –277,394,000 |
| (14) Amount payable from Deaf and Disabled Telecommunications Program Administrative Committee Fund (Item 8660-001-0483)..... | –69,580,000 |
| (15) Amount payable from Payphone Service Providers Committee Fund (Item 8660-001-0491) ..... | –931,000 |
| (16) Amount payable from California Teleconnect Fund Administrative Committee Fund (Item 8660-001-0493)..... | –20,321,000 |

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(17) Amount payable from the Federal Trust Fund (Item 8660-001-0890). −1,052,000

(18) Amount payable from the Public Utilities Commission Ratepayer Advocate Account (Item 8660-001-3089) ~~−20,579,000~~ *−19,379,000*

Provisions:

1. The Public Utilities Commission shall require any public utility requesting a merger to reimburse the commission for those necessary expenses that the commission incurs in its consideration of the proposed merger.

8660-001-0464—For support of Public Utilities Commission, for payment to Item 8660-001-0462, payable from the California High-Cost Fund-A Administrative Committee Fund ..... 42,695,000

Provisions:

1. Of the amount appropriated in this item, up to $373,000 shall be used by the Public Utilities Commission to fund administrative and staffing costs for the California High-Cost Fund-A Administrative Committee Program.

8660-001-0470—For support of Public Utilities Commission, for payment to Item 8660-001-0462, payable from the California High-Cost Fund-B Administrative Committee Fund ..... 447,114,000

Provisions:

1. Of the amount appropriated in this item, up to $1,304,000 shall be used by the Public Utilities Commission to fund administrative and staffing costs for the California High-Cost Fund-B Administrative Committee Program.

8660-001-0471—For support of Public Utilities Commission, for payment to Item 8660-001-0462, payable from the Universal Lifeline Telephone Service Trust Administrative Committee Fund ..... 277,394,000

Provisions:

1. Of the amount appropriated in this item, up to $1,255,000 shall be used by the Public Utilities Commission to fund administrative and staffing costs for the Universal Lifeline Telephone Service Trust Administrative Committee Program.
2. Of the amount appropriated in this item, up to $6,000,000 shall be used to pay carrier claims from the prior fiscal year.

| Item | Amount |
|---|---|
| 8660-001-0483—For support of Public Utilities Commission, for payment to Item 8660-001-0462, payable from the Deaf and Disabled Telecommunications Program Administrative Committee Fund..... | 69,580,000 |
| Provisions: | |
| 1. Of the amount appropriated in this item, up to $483,000 shall be used by the Public Utilities Commission to fund administrative and staffing costs for the Deaf and Disabled Telecommunications Administrative Committee Program. | |
| 8660-001-0491—For support of Public Utilities Commission, for payment to Item 8660-001-0462, payable from the Payphone Service Providers Committee Fund..... | 931,000 |
| Provisions: | |
| 1. Of the amount appropriated in this item, up to $502,000 shall be used by the Public Utilities Commission to fund administrative and staffing costs for the Payphone Service Providers Committee Program. | |
| 8660-001-0493—For support of Public Utilities Commission, for payment to Item 8660-001-0462, payable from the California Teleconnect Fund Administrative Committee Fund..... | 20,321,000 |
| Provisions: | |
| 1. Of the amount appropriated in this item, up to $68,000 shall be used by the Public Utilities Commission to fund administrative and staffing costs for the California Teleconnect Fund Administrative Committee Program. | |
| 8660-001-0890—For support of Public Utilities Commission, for payment to Item 8660-001-0462, payable from the Federal Trust Fund..... | 1,052,000 |
| 8660-001-3089—For support of the Public Utilities Commission, for payment to Item 8660-001-0462, payable from the Public Utilities Commission Ratepayer Advocate Account ..... | ~~20,579,000~~ *19,379,000* |
| 8660-003-0412—For support of Public Utilities Commission for rental payments on lease-revenue bonds, payable from the Transportation Rate Fund ..... | 151,000 |
| Schedule: | |
| (1) Base Rental..... 151,000 | |
| (2) Insurance ..... 2,000 | |
| (3) Reimbursements..... –2,000 | |

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Provisions:

1. The Controller shall transfer funds appropriated in this item according to a schedule to be provided by the State Public Works Board. The schedule shall be provided on a monthly basis or as otherwise might be needed to ensure debt requirements are met.
2. This item may contain adjustments pursuant to Control Section 4.30 that are not currently reflected. Any adjustments to this item shall be reported to the Joint Legislative Budget Committee pursuant to Control Section 4.30.

8660-003-0461—For support of Public Utilities Commission for rental payments on lease-revenue bonds, payable from the Public Utilities Commission Transportation Reimbursement Account ..... 553,000

Schedule:

(1) Base Rental and Fees ..... 553,000
(2) Insurance ..... 7,000
(3) Reimbursements ..... –7,000

Provisions:

1. The Controller shall transfer funds appropriated in this item according to a schedule to be provided by the State Public Works Board. The schedule shall be provided on a monthly basis or as otherwise may be needed to ensure debt requirements are met.
2. This item may contain adjustments pursuant to Control Section 4.30 that are not currently reflected. Any adjustments to this item shall be reported to the Joint Legislative Budget Committee pursuant to Control Section 4.30.

8660-003-0462—For support of Public Utilities Commission for rental payments on lease-revenue bonds, payable from the Public Utilities Commission Utilities Reimbursement Account ..... 4,334,000

Schedule:

(1) Base Rental and Fees ..... 4,327,000
(2) Insurance ..... 58,000
(3) Reimbursements ..... –51,000

Provisions:

1. The Controller shall transfer funds appropriated in this item according to a schedule to be provided by the State Public Works Board. The schedule shall be provided on a monthly basis or as otherwise may be needed to ensure debt requirements are met.

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2. This item may contain adjustments pursuant to Control Section 4.30 that are not currently reflected. Any adjustments to this item shall be reported to the Joint Legislative Budget Committee pursuant to Control Section 4.30.

8660-011-0462—For transfer by the Controller from the Public Utilities Commission Utilities Reimbursement Account to the Public Utilities Commission Ratepayer Advocate Account, as prescribed by subdivision (f) of Section 309.5 of the Public Utilities Code ..... ~~(20,579,000)~~ *(19,379,000)*

8690-001-0217—For support of Seismic Safety Commission, payable from the Insurance Fund..... 1,022,000

Schedule:

(1) 10-Seismic Safety Commission..... 1,097,000

(2) Reimbursements..... –75,000

8770-001-0462—For support of Electricity Oversight Board, payable from the Public Utilities Commission Utilities Reimbursement Account..... 3,338,000

Schedule:

(1) 30-Administration ..... 3,850,000

(2) Amount payable from the Energy Resources Programs Account (Item 8770-001-0465) ..... –512,000

8770-001-0465—For support of Electricity Oversight Board, for payment to Item 8770-001-0462, payable from the Energy Resources Programs Account ..... 512,000

8780-001-0001—For support of Milton Marks ''Little Hoover'' Commission on California State Government Organization and Economy ..... 941,000

Schedule:

(1) 10-Milton Marks Commission on California State Government Organization and Economy..... 958,000

(2) 97.20.001-Unallocated Reduction... –15,000

(3) Reimbursements..... –2,000

8820-001-0001—For support of Commission on the Status of Women..... 436,000

Schedule:

(1) 10-Administration, Legislation, Research and Information..... 438,000

(3) Reimbursements..... –2,000

8830-001-0001—For support of California Law Revision Commission ..... ~~575,000~~ *685,000*

| Item | Amount |
|---|---|
| Schedule: | |
| (1) 10-Law Revision Commission ..... ~~590,000~~ *700,000* | |
| (2) Reimbursements ..... –15,000 | |
| 8840-001-0001—For support of the California Commission on Uniform State Laws ..... | 149,000 |
| 8855-001-0001—For support of Bureau of State Audits, for transfer to the State Audit Fund ..... | 14,232,000 |
| Schedule: | |
| (1) 10-State Auditor ..... 14,232,000 | |
| 8860-001-0001—For support of Department of Finance ..... | 34,542,000 |
| Schedule: | |
| (1) 10-Annual Financial Plan ..... 19,139,000 | |
| (2) 20-Program and Information System Assessments ..... 15,361,000 | |
| (3) 30-Supportive Data ..... 14,284,000 | |
| (4) 40.01-Administration ..... 5,742,000 | |
| (5) 40.02-Distributed Administration ... –5,742,000 | |
| (6) 97.20.001-Unallocated Reduction... –520,000 | |
| (7) Reimbursements .....–13,722,000 | |
| Provisions: | |

1. The funds appropriated in this item for CALSTARS shall be transferred by the Controller, upon order of the Director of Finance, or made available by the Department of Finance as a reimbursement, to other items and departments for CALSTARS-related activities by the Department of Finance.
2. The funds appropriated in this act for purposes of CALSTARS-related data-processing costs may be transferred between any items in this act by the Controller upon order of the Director of Finance. Any funds so transferred shall be used only for support of CALSTARS-related data-processing costs incurred.
3. Notwithstanding any other provision of law, the Director of Finance may authorize a loan from the General Fund to the Department of Finance for the purpose of meeting operational cashflow obligations for the 2005–06 fiscal year. The loan shall not exceed the estimated amount of uncollected reimbursements for the final quarter of the fiscal year.
4. From the funds appropriated in Schedule 3 for the purpose of evaluating and continuing development and enhancement of the Governor's Budget

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Presentation System (GBPS), the following provisions apply:

(a) From time to time, but no later than December 1 of each year, the Department of Finance shall update the Legislature on anticipated changes to the GBPS. In addition, the Department of Finance shall (1) no later than the approximate same time the Governor's Budget is formally presented in electronic or any other Web-based form, provide printed and bound hard copies of the Governor's Budget and Governor's Budget Summary as follows: to the Legislative Analyst Office—45 copies, the Office of the Legislative Counsel—six copies, offices of the Members of the Legislature—120 copies, and the fiscal committees of the Legislature—60 copies, and (2) no later than four weeks after the Governor's Budget is formally presented in electronic or any other Web-based form, 135 printed and bound hard copies of the Governor's Budget and Governor's Budget Summary shall be provided as follows: two copies to the State Library, to ensure that the State Librarian maintains at least one public copy and one for the permanent research collections, and 133 copies: one copy to each depository public library in the state. Additional copies, either bound or unbound, shall be available for purchase by the public based on the cost of producing the documents requested.

(b) Notwithstanding any other provision of law, the Department of Finance may amend its existing contract with the Web-development firm to augment and continue consulting services until June 30, 2006, for the purpose of providing continuity of services and avoiding delays in producing the Governor's Budget.

5. It is the intent of the Legislature that newly reorganized departmental entities maintain effective systems of internal accounting and administrative control as an integral part of their management practices. Not less than $1,150,000 in this item shall be used for the purpose of assessing and strengthening the systems of internal accounting and administrative control to minimize fraud, errors, abuse, and waste of government funds within

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any department or agency reorganized in the 2005–06 legislative session. The Department of Finance shall report to the fiscal committees of each house of the Legislature by December 1, 2005, on its preliminary review of the reorganized departmental entities, with a final report due no later than April 15, 2006.

6. Expenditure of funds in this item for the Budget Information System (BIS) is contingent upon submission of an approved Feasibility Study Report for the BIS project to the Legislature and a 45-day review period.

*7. The Department of Finance shall evaluate the current mandates reimbursement process and provide alternatives and suggest improvements to the process to the chairperson of the fiscal committees of each house of the Legislature and to the Chairperson of the Joint Legislative Budget Committee not later than March 1, 2006.*

8885-001-0001—For support of Commission on State Mandates..... 1,629,000

Schedule:

(1) 10-Commission on State Mandates. 1,658,000

(2) 97.20.001-Unallocated Reduction... –29,000

Provisions:

1. In the case where the commission receives one or more county applications for a finding of significant financial distress pursuant to Section 17000.6 of the Welfare and Institutions Code, notwithstanding the provisions of Section 17000.6 of the Welfare and Institutions Code, the time limit imposed on the commission to reach its preliminary and final decisions shall be tolled until such time as the commission has received an appropriation from the Legislature to carry out its duties as prescribed in Section 17000.6 of the Welfare and Institutions Code.

*8885-295-0001—For local assistance for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller for claims for costs incurred in the 2004–05 and 2005–06 fiscal years..... 119,364,000*

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*Schedule:*

*(1) For payment of the following mandate claims for the 2004–05 fiscal years ..... 73,156,000*

*(a) Crime Victim Rights (Ch. 411, Stats. 1995) (CSM-96-358-03)*

*(b) Threats Against Peace Officers (Ch. 1249, Stats. 1992 and Ch. 666, Stats. 1995) (CSM-96-365-02)*

*(c) Child Abduction and Recovery (Ch. 1399, Stats. 1976; Ch. 162, Stats. 1992; and Ch. 988, Stats. 1996) (CSM-4237)*

*(d) Stolen Vehicle Notification (Ch. 337, Stats. 1990) (CSM-4403)*

*(e) Absentee Ballots (Ch. 77, Stats. 1978) (CSM-3713).*

*(f) Permanent Absent Voters (Ch. 1422, Stats. 1982) (CSM-4358)*

*(g) Voter Registration Procedures (Ch. 704, Stats. 1975) (04-LM-04)*

*(h) Absentee Ballots II-Tabulation by Precinct (Ch. 697, Stats. 1999) (00-TC-08)*

*(i) Brendan McGuire Act (Ch. 391, Stats. 1988) (CSM-4357)*

*(k) Medi-Cal Beneficiary Death Notices (Ch. 102 and 1163, Stats. 1981) (CSM-4032)*

*(l) Pacific Beach Safety (Ch. 961, Stats. 1992) (CSM-4432)*

*(m) Perinatal Services (Ch. 1603, Stats. 1990) (CSM-4397)*

*(n) AIDS/Search Warrant (Ch. 1088, Stats. 1988) (CSM-4392)*

*(o) Mentally Retarded Defendants Representation (Ch. 1253, Stats. 1980) (04-LM-12)*

*(p) Judicial Proceedings (Ch. 644, Stats. 1980) (CSM-4366)*

*(q) Conservatorship: Developmentally Disabled Adults (Ch. 1304, Stats. 1980) (04-LM-13)*

*(r) Developmentally Disabled Attorneys Services (Ch. 694, Stats. 1975) (04-LM-03)*

*(s) Coroners Costs (Ch. 498, Stats. 1977) (04-LM-07)*

*(t) Not Guilty by Reason of Insanity II (Ch. 1114, Stats. 1979) (CSM-2753)*

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*(u) Mentally Disordered Offenders' Extended Commitments (Ch. 1038, Stats. 1978) (98-TC-09)*

*(v) Sexually Violent Predators (Ch. 762 and 763, Stats. 1995) (CSM-4509)*

*(w) Mentally Disordered Sex Offenders Recommitments (Ch. 1036, Stats. 1978) (04-LM-09)*

*(x) Domestic Violence Treatment Services (Ch. 183, Stats. 1992) (CSM-96-281-01)*

*(y) Police Officer's Cancer Presumption (Ch. 1171, Stats. 1989) (CSM-4416)*

*(z) Firefighter's Cancer Presumption (Ch. 1568, Stats. 1982) (CSM-4081)*

*(aa) Domestic Violence Arrest Policies (Ch. 246, Stats. 1995) (CSM-96-362-02)*

*(bb) Animal Adoption (Ch. 752, Stats. 1998) (98-TC-11)*

*(cc) Unitary Countywide Tax Rates (Ch. 921, Stats. 1987) (CSM-4355 and CSM-4317)*

*(dd) Senior Citizens Property Tax Deferral (Ch. 1242, Stats. 1977) (CSM-4359)*

*(ee) Allocation of Property Tax Revenues (Ch. 697, Stats. 1992) (CSM-4448)*

*(ff) Photographic Record of Evidence (Ch. 875, Stats. 1985) (98-TC-07)*

*(gg) Rape Victim Counseling (Ch. 999, Stats. 1991) (CSM-4426)*

*(hh) Health Benefits for Survivors-Peace Officers Firefighters (Ch. 1120, Stats. 1996) (97-TC-25)*

*(ii) Open Meetings Act/Brown Act Reform (Ch. 641, Stats. 1986) (CSM-4469 and CSM 4257)*

*(2) For payment of the following mandate claims for the 2005–06 fiscal year..... 46,208,000*

*(a) Crime Victim Rights (Ch. 411, Stats. 1995) (CSM-96-358-03)*

*(b) Threats Against Peace Officers (Ch. 1249, Stats. 1992 and Ch. 666, Stats. 1995) (CSM-96-365-02)*

*(c) Child Abduction and Recovery (Ch. 1399, Stats. 1976; Ch. 162, Stats. 1992; and Ch. 988, Stats. 1996) (CSM-4237)*

*(d) Stolen Vehicle Notification (Ch. 337, Stats. 1990) (CSM-4403)*

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|---|---|
| *(e) Absentee Ballots (Ch. 77, Stats. 1978) (CSM-3713)* | |
| *(f) Permanent Absent Voters (Ch. 1422, Stats. 1982) (CSM-4358)* | |
| *(g) Voter Registration Procedures (Ch. 704, Stats. 1975) (04-LM-04)* | |
| *(h) Absentee Ballots II-Tabulation by Precinct (Ch. 697, Stats. 1999) (00-TC-08)* | |
| *(i) Brendan McGuire Act (Ch. 391, Stats. 1988) (CSM-4357)* | |
| *(j) Medi-Cal Beneficiary Death Notices (Ch. 102 and 1163, Stats. 1981) (CSM-4032)* | |
| *(k) Pacific Beach Safety (Ch. 961, Stats. 1992) (CSM-4432)* | |
| *(l) Perinatal Services (Ch. 1603, Stats. 1990) (CSM-4397)* | |
| *(m) AIDS/Search Warrant (Ch. 1088, Stats. 1988) (CSM-4392)* | |
| *(n) Mentally Retarded Defendants Representation (Ch. 1253, Stats. 1980) (04-LM-12)* | |
| *(o) Judicial Proceedings (Ch. 644, Stats. 1980) (CSM-4366)* | |
| *(p) Conservatorship: Developmentally Disabled Adults (Ch. 1304, Stats. 1980) (04-LM-13)* | |
| *(q) Developmentally Disabled Attorneys Services (Ch. 694, Stats. 1975) (04-LM-03)* | |
| *(r) Coroners Costs (Ch. 498, Stats. 1977) (04-LM-07)* | |
| *(s) Not Guilty by Reason of Insanity II (Ch. 1114, Stats. 1979) (CSM-2753)* | |
| *(t) Mentally Disordered Offenders' Extended Commitments (Ch. 1038, Stats. 1978) (98-TC-09)* | |
| *(u) Sexually Violent Predators (Ch. 762 and 763, Stats. 1995) (CSM-4509)* | |
| *(v) Mentally Disordered Sex Offenders Recommitments (Ch. 1036, Stats. 1978) (04-LM-09)* | |
| *(w) Domestic Violence Treatment Services (Ch. 183, Stats. 1992) (CSM-96-281-01)* | |
| *(x) Police Officer's Cancer Presumption (Ch. 1171, Stats. 1989) (CSM-4416)* | |
| *(y) Firefighter's Cancer Presumption (Ch. 1568, Stats. 1982) (CSM-4081)* | |

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|---|---|
| *(z) Domestic Violence Arrest Policies (Ch. 246, Stats. 1995) (CSM-96-362-02)* | |
| *(aa) Animal Adoption (Ch. 752, Stats. 1998) (98-TC-11)* | |
| *(bb) Unitary Countywide Tax Rates (Ch. 921, Stats. 1987) (CSM-4355 and CSM-4317)* | |
| *(cc) Senior Citizens Property Tax Deferral (Ch. 1242, Stats. 1977) (CSM-4359)* | |
| *(dd) Allocation of Property Tax Revenues (Ch. 697, Stats. 1992) (CSM-4448)* | |
| *(ee) Photographic Record of Evidence (Ch. 875, Stats. 1985) (98-TC-07)* | |
| *(ff) Rape Victim Counseling (Ch. 999, Stats. 1991) (CSM-4426)* | |
| *(gg) Health Benefits for Survivors-Peace Officers Firefighters (Ch. 1120, Stats. 1996) (97-TC-25)* | |
| *(3) Pursuant to the provisions of Section 17581 of the Government Code, the mandates identified in the following schedule are specifically identified by the Legislature for suspension during the 2005–06 fiscal year.....* | *0* |
| *(a) Grand Jury Proceedings (Ch. 1170, Stats. 1996) (98-TC-27)* | |
| *(b) Sex Crime Confidentiality (Ch. 36, Stats. 1994, 1st Ex. Sess.) (98-TC-21)* | |
| *(c) Deaf Teletype Equipment (Ch. 1032, Stats. 1980) (04-LM-11)* | |
| *(d) Sex Offenders: Disclosure by Law Enforcement Officers (Ch. 908 and 909, Stats. 1996) (97-TC-15)* | |
| *(e) Missing Persons Report (Ch. 1456, Stats. 1988, and Ch. 59, Stats. 1993) (CSM-4255, CSM-4484, and CSM-4368)* | |
| *(g) Presidential Primaries (Ch. 18, Stats. 1999) (99-TC-04)* | |
| *(h) Handicapped Voter Access Information (Ch. 494, Stats. 1979) (CSM-4363)* | |
| *(i) Substandard Housing (Ch. 238, Stats. 1974) (CSM-4303)* | |
| *(j) Adult Felony Restitution (Ch. 1123, Stats. 1977) (04-LM-08)* | |
| *(k) Airport Land Use Commissions/Plans (Ch. 644, Stats. 1994) (CSM-4507)* | |

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*(m) Very High Fire Hazard Severity Zones (Ch. 1188, Stats. 1992) (97-TC-13)*

*(n) Local Coastal Plans (Ch. 1330, Stats. 1976) (CSM-4431)*

*(o) SIDS Training for Peace Officers (Ch. 1111, Stats. 1989) (CSM-4412)*

*(p) SIDS: Contacts by Local Health Officers (Ch. 268, Stats. 1991) (CSM-4424)*

*(q) SIDS Autopsies (Ch. 955, Stats. 1989) (CSM-4393)*

*(r) Inmate AIDS Testing (Ch. 1597, Stats. 1988) (CSM-4369)*

*(s) SIDS Notices (Ch. 453, Stats. 1974) (04-LM-01)*

*(t) Guardianship/Conservatorship Filings (Ch. 1357, Stats. 1976) (04-LM-15)*

*(x) Victims' Statements-Minors (Ch. 332, Stats. 1981) (04-LM-14)*

*(y) Extended Commitment, Youth Authority (Ch. 267, Stats. 1998) (98-TC-13)*

*(z) Prisoner Parental Rights (Ch. 820, Stats. 1991) (CSM-4427)*

*(aa) Structural and wildland firefighter safety clothing and equipment (8 Cal. Code Regs. 3401 to 3410, incl.) (CSM-4261–4281)*

*(bb) Personal Alarm Devices (8 Cal. Code Regs. 3401(c)) (CSM-4087)*

*(cc) Law Enforcement Sexual Harassment Training (Ch. 126, Stats. 1993) (97-TC-07)*

*(dd) Elder Abuse, Law Enforcement Training (Ch. 444, Stats. 1997) (98-TC-12)*

*(ee) Redevelopment Agencies (Ch. 39, Stats. 1998) (88-TC-06)*

*(ff) Mandate Reimbursement Process (Ch. 486, Stats. 1975) (CSM-4485)*

*(gg) Filipino Employee Surveys (Ch. 845, Stats. 1978) (CSM-2142)*

*(hh) Domestic Violence Information (Ch. 1609, Stats. 1984) (CSM-4222)*

*(ii) Pocket Masks (Ch. 1334, Stats. 1987) (CSM-4291)*

*Provisions:*

*1. The mandate identified in the following schedule is specifically identified by the Legislature for de-*

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*ferral of payment for costs incurred during the 2004–05 and 2005–06 fiscal years:*

*(a) Public Safety Officers' Procedural Bill of Rights (PSOPBR) (Ch. 675, Stats. 1990) (CSM-4499)*

*2. If the amount in Schedule (1) is insufficient to pay claims for costs incurred to carry out the cited state mandates in the 2004–05 fiscal year, the State Controller shall notify the Director of Finance of the amount of the deficiency and, with the approval of the director, augment the amount in Schedule (1) from the unencumbered balance of Schedule (2) to pay those claims. If the Controller determines that excess funds will remain available from Schedule (1) after all 2004–05 claims are paid, then the Controller, with the approval of the director, may augment the amount in Schedule (2) from the unencumbered balance of the amount provided in Schedule (1). The director shall notify the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the fiscal committees in each house of the Legislature prior to authorizing any augmentation pursuant to this provision.*

*3. Allocations of funds provided in this item to the appropriate local entities shall be made by the Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.*

*8885-295-0042—For local assistance, Department of Transportation, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller ..... 0*

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*Schedule:*

*(1) 98.01.064-Airport Land Use Commission/Plans (Ch. 644, Stats. 1994) (CSM-4507)..... 0*

*Provisions:*

*1. Allocations of funds provided in this item to the appropriate local entities shall be made by the State Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.*

*2. Pursuant to Section 17581 of the Government Code, mandates identified in the appropriation schedule of this item with an appropriation of $0 and included in the language of this provision are specifically identified by the Legislature for suspension during the 2005–06 fiscal year:*

*(1) Airport Land Use Commissions/Plans (Ch. 644, Stats. 1994) (CSM-4507)*

*8885-295-0044—For local assistance, Department of Motor Vehicles, payable from the Motor Vehicle Account, State Transportation Fund, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller. 1,506,000*

*Schedule:*

*(1) 98.00.146.089-Administrative License Suspension, Per Se (Ch. 1460, Stats. 1989) (98-TC-16)..... 1,506,000*

*Provisions:*

*1. Allocations of funds provided in this item to the appropriate local entities shall be made by the State Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the man-*

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|---|---|---|
| *dated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.* | | |
| *8885-295-0106—For local assistance, Department of Pesticide Regulation, payable from the Department of Pesticide Regulation Fund for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller* ..... | | *157,000* |
| *Schedule:* | | |
| *(1) 98.01.120.089-Pesticide Use Reports (Ch. 1200, Stats. 1989) (CSM-4420)*..... | *157,000* | |
| *Provisions:* | | |
| *1. Allocations of funds provided in this item to the appropriate local entities shall be made by the State Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.* | | |
| 8910-001-0001—For support of Office of Administrative Law ..... | | ~~2,205,000~~ *2,429,000* |
| Schedule: | | |
| (1) 10-Regulatory Oversight..... | ~~2,540,000~~ *2,764,000* | |
| (2) 97.20.001-Unallocated Reduction... | –37,000 | |
| (3) Reimbursements..... | –298,000 | |

| Item | | Amount |
|---|---|---|
| 8940-001-0001—For support of Military Department.... | | 33,352,000 |
| Schedule: | | |
| (1) 10-Army National Guard..... | 58,652,000 | |
| (2) 20-Air National Guard ..... | 19,246,000 | |
| (3) 30.01-Office of the Adjutant General..... | 9,190,000 | |
| (4) 30.02-Distributed Office of the Adjutant General ..... | –9,190,000 | |
| (5) 35-Military Support to Civil Authority ..... | 7,483,000 | |
| (6) 40-Military Retirement ..... | 3,190,000 | |
| (7) 50-California Cadet Corps ..... | 434,000 | |
| (8) 55-California State Military Reserve..... | 256,000 | |
| (9) 65-California National Guard Youth Programs ..... | 13,181,000 | |
| (10) 97.20.001-Unallocated Reduction. | –494,000 | |
| (11) Reimbursements ..... | –8,453,000 | |
| (12) Amount payable from the Armory Discretionary Improvement Account (Item 8940-001-0485)..... | –150,000 | |
| (13) Amount payable from the Federal Trust Fund (Item 8940-001-0890) ..... | –59,993,000 | |

Provisions:

1. No expenditures shall be made from the funds appropriated in this item as a substitution for personnel, equipment, facilities, or other assistance, or for any portion thereof, that, in the absence of the expenditure, or of this appropriation, would be available to the Adjutant General of the State Military Forces, the California State Military, or the California State Military Reserve from the federal government.
2. The funds appropriated in Schedule (6) shall be for military retirements, in accordance with Sections 228 and 256 of the Military and Veterans Code.

8940-001-0485—For support of Military Department, for payment to Item 8940-001-0001, payable from the Armory Discretionary Improvement Account..... 150,000

Provisions:

1. No expenditures shall be made from this appropriation until sufficient revenues or income from

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armories have been deposited into the State Treasury to the credit of the General Fund pursuant to subdivision (c) of Section 431 of the Military and Veterans Code.

8940-001-0604—For support of Military Department, payable from the Armory Fund ..... 5,200,000

Schedule:

(1) 10-Army National Guard ..... 5,200,000

Provisions:

1. The amount appropriated in this item shall be available for encumbrance during the 2005–06 and 2006–07 fiscal years.

8940-001-0890—For support of Military Department, for payment to Item 8940-001-0001, payable from the Federal Trust Fund ..... 59,993,000

8940-002-0001—For transfer by the Controller to the Armory Fund ..... 3,000,000

8940-101-0001—For local assistance of Military Department..... 190,000

Schedule:

(1) 30.01-Office of the Adjutant General..... 190,000

Provisions:

1. Funds appropriated in this item are for benefit payments related to the California National Guard Surviving Spouses and Children Relief Act of 2004 pursuant to Section 850 of the Military and Veterans Code.

8940-101-8022—For local assistance of Military Department, payable from the California Military Family Relief Fund ..... 250,000

Schedule:

(1) 30.01-Office of the Adjutant General..... 250,000

Provisions:

1. Funds appropriated in this item are for benefit payments related to the California Military Family Relief Fund pursuant to Article 1.5 (commencing with Section 18705) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code.

8940-301-0001—For capital outlay, Military Department..... 3,484,000

Schedule:

(1) 70.85.010-Roseville: Armory Additions and Renovations—Construction ..... 3,052,000

(2) 70.90.004-Minor Projects ..... 432,000

| Item | | Amount |
|---|---|---|
| 8940-301-0890—For capital outlay, Military Department, payable from the Federal Trust Fund | | 4,220,000 |
| Schedule: | | |
| (1) 70.68.015-Camp San Luis Obispo: Organizational Maintenance Shop—Working drawings | 189,000 | |
| (2) 70.68.035-Camp San Luis Obispo: Consolidated Dining Hall—Working drawings | 233,000 | |
| (3) 70.85.010-Roseville: Armory Additions and Renovations—Construction | 2,941,000 | |
| (4) 70.90.004-Minor Projects | 857,000 | |
| 8955-001-0001—For support of Department of Veterans Affairs | | 6,295,000 |
| Schedule: | | |
| (1) 10-Farm and Home Loans to Veterans | 1,886,000 | |
| (2) 20-Veterans Claims and Rights | 2,458,000 | |
| (3) 30-Care of Sick and Disabled Veterans | 4,362,000 | |
| (4) 50.01-General Administration | 5,938,000 | |
| (5) 50.02-Distributed General Administration | –5,938,000 | |
| (6) Reimbursements | –417,000 | |
| (7) Amount payable from the Veterans Service Office Fund (Item 8955-001-0083) | –44,000 | |
| (8) Amount payable from the Veterans' Farm and Home Building Fund of 1943 (Item 8955-001-0592) | –1,886,000 | |
| (9) Amount payable from the Federal Trust Fund (Item 8955-001-0890). | –64,000 | |
| 8955-001-0083—For support of Department of Veterans Affairs, for payment to Item 8955-001-0001, payable from the Veterans Service Office Fund | | 44,000 |
| 8955-001-0238—For support of Department of Veterans Affairs, Veterans Cemetery Perpetual Maintenance Fund | | 51,000 |
| Schedule: | | |
| (1) 20-Veterans Claims and Rights | 51,000 | |
| 8955-001-0592—For support of Department of Veterans Affairs, for payment to Item 8955-001-0001, payable from the Veterans' Farm and Home Building Fund of 1943 | | 1,886,000 |
| 8955-001-0701—For support of Department of Veterans Affairs, payable from the Veterans' Home Fund | | 178,000 |

| Item | Amount |
|---|---|
| 8955-001-0890—For support of Veterans Home of California-Barstow, for payment to Item 8955-001-0001, payable from the Federal Trust Fund..... | 64,000 |
| 8955-101-0001—For local assistance, Department of Veterans Affairs, for contribution to counties toward compensation and expenses of county veterans services offices, to be expended in accordance with Section 972 and following of the Military and Veterans Code ..... | 2,350,000 |
| Schedule: | |
| (1) 20-Veterans Claims and Rights..... 3,188,000 | |
| (2) Reimbursements..... –838,000 | |
| 8955-101-0083—For local assistance, Department of Veterans Affairs, county veterans services offices, payable from the Veterans Service Office Fund ..... | 554,000 |
| 8960-001-0001—For support of Veterans Home of California—Yountville ..... | 38,926,000 |
| Schedule: | |
| (1) 30-Care of Sick and Disabled Veterans..... 71,186,000 | |
| (2) Reimbursements.....–17,872,000 | |
| (3) Amount payable from the Federal Trust Fund (Item 8960-001-0890).–14,388,000 | |
| Provisions: | |
| 1. The Director of Finance may authorize a loan from the General Fund, in an amount not to exceed the level of reimbursements appropriated in Schedule (2) to the Veterans Home of California, provided that: | |
| (a) The loan is to meet cash needs resulting from the delay in receipt of reimbursements for medical services provided. | |
| (b) The loan is short term, and shall be repaid within six months. | |
| (c) Interest charges may be waived pursuant to subdivision (e) of Section 16314 of the Government Code. | |
| (d) The Director of Finance may not approve the loan unless the approval is made in writing and filed with the Chairperson of the Joint Legislative Budget Committee and the chairperson of the committee in each house that considers appropriations not later than 30 days prior to the effective date of the approval, or not sooner than whatever lesser time the chairperson of the joint committee or his or her designee may determine. | |

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2. At the end of the six-month term of the loan, the Department of Finance shall notify the Chairperson of the Joint Legislative Budget Committee whether the Veterans Home of California has repaid the loan made pursuant to subdivision (d) of Provision 1. If the department notifies the Legislature that the Veterans Home of California cannot repay the loan within the six-month loan period, it shall identify a payment schedule for full payment of the loan.

3. Of the funds appropriated in Schedule (1), the amount of $500,000 is available for special projects that provide a direct benefit to the members of the Veterans Home of California at Yountville, including the maintenance of facilities used by members and the public. The Allied Council at the Veterans Home of California may submit special project requests to the administrator for consideration. After consultation with the Allied Council, a budget for expenditure of these funds shall be approved by the administrator, and the Secretary of Veterans Affairs.

8960-001-0890—For support of Veterans Home of California—Yountville, for payment to Item 8960-001-0001, payable from the Federal Trust Fund..... 14,388,000

8960-301-0001—For capital outlay, Department of Veterans Affairs, Veterans Home of Yountville ..... 862,000

Schedule:

~~80.20.045-Minor~~

*(1) 80.20.045-Minor* Projects ..... 862,000

8965-001-0001—For support of the Veterans Home of California at Barstow..... 7,227,000

Schedule:

(1) 30-Care of Sick and Disabled Veterans..... 10,533,000

(2) Reimbursements..... −1,468,000

(3) Amount payable from the Federal Trust Fund (Item 8965-001-0890). −1,838,000

Provisions:

1. The Director of Finance may authorize a loan from the General Fund in an amount not to exceed the level of reimbursements appropriated in Schedule (2) to the Veterans Home of California, provided that the following conditions are met:

(a) The loan is to meet cash needs resulting from the delay in receipt of reimbursements for medical services provided.

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(b) The loan is for a short term, to be repaid within six months.

(c) Interest charges may be waived pursuant to subdivision (e) of Section 16314 of the Government Code.

(d) Approval by the Director of Finance shall be in writing and filed with the Chairperson of the Joint Legislative Budget Committee and the chairperson of the committee in each house of the Legislature that considers appropriations not later than 30 days prior to the effective date of the approval, or not sooner than whatever lesser time the chairperson of the joint committee or his or her designee may determine.

2. At the end of the six-month term of the loan, the Department of Finance shall notify the Chairperson of the Joint Legislative Budget Committee whether the Veterans Home of California has repaid the loan made pursuant to subdivision (d) of Provision 1. If the department notifies the Legislature that the Veterans Home of California cannot repay the loan within the six-month loan period, it shall identify a payment schedule for full payment of the loan.

8965-001-0890—For support of the Veterans Home of California at Barstow, for payments to Item 8965-001-0001, payable from the Federal Trust Fund..... 1,838,000

8965-003-0001—For support of the Veterans Home of California at Barstow for rental payments on lease revenue bonds ..... 1,174,000

Schedule:

(1) Base Rental and Fees ..... 1,208,000

(2) Insurance ..... 146,000

(3) Reimbursements..... –180,000

Provisions:

1. The Controller shall transfer funds appropriated in this item according to a schedule to be provided by the State Public Works Board. The schedule shall be provided on a monthly basis or as otherwise might be needed to ensure debt requirements are met.

8966-001-0001—For support of the Veterans Home of California-Chula Vista ..... 11,164,000

Schedule:

(1) 30-Care of Sick and Disabled Veterans..... 23,077,000

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(2) Reimbursements..... –6,329,000

(3) Amount payable from the Federal Trust Fund (Item 8966-001-0890). –5,584,000

Provisions:

1. The Director of Finance may authorize a loan from the General Fund, in an amount not to exceed the level of reimbursements appropriated in Schedule (2), to the Veterans Home of California, provided that all of the following conditions are satisfied:

(a) The loan is to meet cash needs resulting from the delay in receipt of reimbursements for medical services provided.

(b) The loan is short term, and shall be repaid within six months.

(c) Interest charges may be waived pursuant to subdivision (e) of Section 16314 of the Government Code.

(d) The Director of Finance may not approve the loan unless the approval is made in writing and filed with the Chairperson of the Joint Legislative Budget Committee and the chairperson of the committee in each house that considers appropriations not later than 30 days prior to the effective date of the approval, unless the chairperson of the joint committee or his or her designee permits a lesser time.

2. At the end of the six-month term of the loan, the Department of Finance shall notify the Chairperson of the Joint Legislative Budget Committee whether the Veterans Home of California has repaid the loan made pursuant to Provision 1. If the department notifies the Legislature that the Veterans Home of California cannot repay the loan within the six-month loan period, it shall identify a payment schedule for full payment of the loan.

8966-001-0890—For support of the Veterans Home of California at Chula Vista, for payment to Item 8966-001-0001, payable from the Federal Trust Fund..... 5,584,000

8966-003-0001—For support of the Veterans Home of California at Chula Vista for rental payments on lease-revenue bonds..... 0

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Schedule:

(1) Base Rental and Fees ..... 1,389,000

(2) Insurance ..... 29,000

(3) Reimbursements ..... –1,418,000

Provisions:

1. The Controller shall transfer funds appropriated in this item according to a schedule to be provided by the State Public Works Board. The schedule shall be provided on a monthly basis or as otherwise might be needed to ensure debt requirements are met.

9100-101-0001—For local assistance, Tax Relief..... 675,415,000

Schedule:

*(.5) 10-Senior Citizens' Property Tax Assistance..... 40,555,000*

(1) 20-Senior Citizens' Property Tax Deferral Program ..... 11,900,000

(2) 30-Senior Citizen Renters' Tax Assistance.....143,299,000

(3) 50-Homeowners' Property Tax Relief .....440,000,000

(4) 60-Subventions for Open Space..... 39,661,000

~~(5) 10-Senior Citizens' Property Tax Assistance..... 40,555,000~~

Provisions:

1. Schedule (1) is for property tax postponement and assistance to claimants in accordance with the Senior Citizens Property Tax Assistance and Postponement Law, as set forth in Part 10.5 (commencing with Section 20501) of Division 2 of the Revenue and Taxation Code. The appropriation made by this schedule shall be in lieu of the appropriation for the same purpose contained in Section 16100 of the Government Code.

2. Schedule (2) is for property tax assistance to renter claimants in accordance with the Senior Citizens Property Tax Assistance and Postponement Law, as set forth in Part 10.5 (commencing with Section 20501) of Division 2 of the Revenue and Taxation Code. Any unexpended balance in Schedule (2) may be used to make payments to senior citizen homeowner claimants under Schedule (5).

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3. Schedule (3) is for reimbursement to local taxing authorities for revenue lost by reason of the homeowners' property tax exemption granted pursuant to subdivision (k) of Section 3 of Article XIII of the California Constitution. The appropriation made by this schedule shall be in lieu of the appropriation required pursuant to Section 25 of Article XIII of the California Constitution and the appropriation for the same purposes contained in Section 16100 or 16120 of the Government Code.
4. Schedule (4) is for providing reimbursement to local taxing authorities for revenue lost by reason of the assessment of open-space lands under Sections 423, 423.3, 423.4, and 423.5 of the Revenue and Taxation Code, and in accordance with Chapter 3 (commencing with Section 16140) of Part 1 of Division 4 of Title 2 of the Government Code. The appropriation made by this schedule shall be in lieu of the appropriation for the same purpose contained in Section 16100 or 16140 of the Government Code.
5. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures ~~for Schedules (1), (2), (3), (4), and (5) in~~ *for Schedules (.5), (1), (2), (3), and (4) in* excess of or less than the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the committee, or his or her designee, may in each instance determine.
6. Schedule ~~(5)~~ *(.5)* is for property tax assistance to homeowner claimants in accordance with the Senior Citizens Property Tax Assistance and Postponement Law (Part 10.5 (commencing with Section 20501) of Division 2 of the Revenue and Taxation Code). Any unexpended balance in Schedule ~~(5)~~ *(.5)* may be used to make payments to senior citizen renter claimants under Schedule (2).

| Item | | Amount |
|---|---|---|
| ~~9100-295-0001—For local assistance, Tax Relief, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller.....~~ | | ~~658,000~~ |
| ~~Schedule:~~ | | |
| ~~(1) 98.01.124.277-Senior Citizens' Property Tax Deferral Program (Ch. 1242, Stats. 1977) (CSM-4359).....~~ | ~~238,000~~ | |
| ~~(2) 98.01.092.187-Countywide Tax Rates (Ch. 921, Stats. 1987) (CSM-4355 and CSM-4317) .....~~ | ~~135,000~~ | |
| ~~(3) 98.01.069.792-Allocation of Property Tax Revenue (Ch. 697, Stats. 1992) (00-TC-03).....~~ | ~~285,000~~ | |
| ~~(4) 98.01.003.998-Redevelopment Agencies (Ch. 39, Stats. 1998) (99-TC-06) .....~~ | ~~0~~ | |

~~Provisions:~~

~~1. Except as provided in Provision 2 of this item, allocations of funds provided in this item to the appropriate local entities shall be made by the State Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.~~

~~2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the State Controller may, upon notifying the Director of Finance in writing, augment those deficient amounts from the unencumbered balance of any other scheduled amounts therein. No order may be issued pursuant to this provision unless written notification of the necessity therefor is provided to the chairperson of the committee in each house~~

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~~which considers appropriations and the Chairperson of the Joint Legislative Budget Committee or his or her designee.~~

~~3. Pursuant to Section 17581 of the Government Code, the mandates identified in the appropriation schedule of this item with an appropriation of $0 and included in the language of this provision are specifically identified by the Legislature for suspension during the 2005–06 fiscal year:~~

~~(4) Redevelopment Agencies (Ch. 39, Stats. 1998) (99-TC-06)~~

9210-101-0001—For local assistance, Local Government Financing ..... 200,000,000

Provisions:

1. For allocation by the Controller to local jurisdictions for public safety as determined by the Director of Finance pursuant to Chapter 6.7 (commencing with Section 30061) of Division 3 of Title 3 of the Government Code.
2. Notwithstanding any other provision of law, the funds appropriated in this item shall be available for expenditure until June 30, 2007. These funds shall be used to supplement and not supplant existing services.

9210-105-0001—For local assistance, Local Government Financing, Property Tax Administration Grant Program ..... 60,000,000

Provisions:

1. For allocation by the Controller to counties, as determined by the Department of Finance, pursuant to Chapter 6 (commencing with Section 95.35) of Division 1 of the Revenue and Taxation Code.

9210-106-0001—For transfer by the Controller*, upon order of the Director of Finance,* to the Gap Repayment Fund..... ~~593,415,000~~ *25,000,000*

Provisions:

~~1. For transfer by the State Controller to the Gap Repayment fund in accordance with Section 10754.11 of the Revenue and Taxation Code, for repayment of the Vehicle License Fee gap loan amounts owed to cities, counties, and cities and counties.~~

*1. Funds appropriated in this item may be allocated by the Director of Finance to the State Controller as follows: (a) for transfer to the Gap Repayment Fund in accordance with Section 10754.11 of the*

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*Revenue and Taxation Code, for advance payment of the Vehicle License Fee gap loan amounts owed to cities, counties, and cities and counties, pursuant to that section, and (b) subventions to cities and special districts for reimbursement of fees paid to counties pursuant to Section 29550 of the Government Code. Allocation shall be based on the director's determination that a particular financial hardship exists in the local government entity, necessitating early repayment of the Vehicle License Fee gap loan, reimbursement for costs of booking fees, or both. The director shall notify the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the fiscal committees in each house of the Legislature within 30 days of approval of any allocations under this item.*

~~9210-295-0001—For local assistance, Local Government Financing, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the State Controller ..... 2,708,000~~

~~Schedule:~~

~~(1) 98.01.048.675-Mandate Reimbursement Process (Ch. 486, Stats. 1975) (CSM-4485)..... 0~~

~~(2) 98.01.064.186-Open Meetings Act (Ch. 641, Stats. 1986) (CSM-4469, CSM-4257) ..... 2,000,000~~

~~(3) 98.01.099.991-Rape Victim Counseling Ctr. Notices (Ch. 999, Stats. 1991) (CSM-4426)..... 187,000~~

~~(4) 98.01.087.585-Photographic Record Evidence (Ch. 875, Stats. 1985) (98-TC-07)..... 300,000~~

~~(5) 98.01.112.096-Health Benefits for Survivors/Peace Officers and Firefighters (Ch. 1120, Stats. 1996) (97-TC-25) ..... 221,000~~

~~(6) 98.01.084.578-Filipino Employee Surveys (Ch. 845, Stats. 1978) (CSM-2142)..... 0~~

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~~(7) 98.01.160.984-Domestic Violence Information (Ch. 1609, Stats. 1984) (CSM-4222)..... 0~~

~~(8) 98.01.133.487-CPR Pocket Masks (Ch. 1334, Stats. 1987) (CSM-4291)..... 0~~

~~Provisions:~~

~~1. Except as provided in Provision 2 of this item, allocations of funds provided in this item to the appropriate local entities shall be made by the State Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.~~

~~2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the State Controller may, upon notifying the Director of Finance in writing, augment those deficient amounts from the unencumbered balance of any other scheduled amounts therein. No order may be issued pursuant to this provision unless written notification of the necessity therefor is provided to the chairperson of the committee in each house which considers appropriations and the Chairperson of the Joint Legislative Budget Committee or his or her designee.~~

~~3. Pursuant to Section 17581 of the Government Code, mandates identified in the appropriation schedule of this item with an appropriation of $0 and included in the language of this provision are specifically identified by the Legislature for suspension during the 2005–06 fiscal year:~~

~~(1) Mandate Reimbursement Process (Ch. 486, Stats. 1975) (CSM-4485)~~

~~(4) Photographic Record Evidence (Ch. 875, Stats. 1985) (98-TC-07)~~

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~~(6) Filipino Employee Surveys (Ch. 845, Stats. 1978) (CSM-2142)~~

~~(7) Domestic Violence Information (Ch. 1609, Stats. 1984) (CSM-4222)~~

~~(8) CPR Pocket Masks (Ch. 1334, Stats. 1987) (CSM-4291)~~

9612-001-0001—For allocation by the Department of Finance to the trustee of the Golden State Tobacco Securitization Corporation, for payment of debt service on the Enhanced Tobacco Settlement Asset-Backed Bonds and operating expenses of the Golden State Tobacco Securitization Corporation in accordance with Section 63049.1 of the Government Code..... 1,000

Provisions:

1. Notwithstanding any other provision of law, upon certification by the Golden State Tobacco *Securitization* Corporation, the Department of Finance may authorize expenditures of up to $200,000,000 in excess of the amount appropriated in this item for the payment of debt service on the Enhanced Tobacco Settlement Asset-Backed Bonds and the payment of operating expenses of the Golden State Tobacco Securitization Corporation in the event tobacco settlement revenues and certain other available amounts are insufficient to pay the costs of debt service and operating costs for the 12 months following such certification. The Department of Finance shall provide 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 not more than 30 days after such authorization.

9620-001-0001—For payment of interest on General Fund loans, upon order of the Director of Finance, for any General Fund loan..... 30,000,000

Provisions:

1. The Director of Finance, the Controller, and the State Treasurer shall satisfy any need of the General Fund for borrowed funds in a manner consistent with the Legislature's objective of conducting General Fund borrowing in a manner that best meets the state's interest. The state fiscal officers may, among other factors, take into consideration the costs of external versus internal borrowings and potential impact on other borrowings of the state.

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2. In the event that interest expenses related to internal borrowing exceed the amount appropriated by this item, there is hereby appropriated any amount necessary to pay the interest. Funds appropriated by this item shall not be expended prior to 30 days after the Department of Finance notifies the Joint Legislative Budget Committee of the amounts necessary or not sooner than such lesser time as the Chairperson of the Joint Legislative Budget Committee may determine.
3. In the event that Revenue Anticipation Warrants are issued, there is hereby appropriated any amount necessary, in excess of the amount appropriated by this item, to pay the expenses incurred by the Controller, Treasurer, Attorney General, and the Department of Finance in providing for the preparation, sale, issuance, advertising, legal services, credit enhancement, liquidity facility, or any other act which, as approved by the Department of Finance, is necessary for such issuance. Funds appropriated by this item shall not be expended prior to 30 days after the Department of Finance notifies the Joint Legislative Budget Committee of the amounts necessary or not sooner than such lesser time as the Chairperson of the Joint Legislative Budget Committee may determine.

9620-002-0001—For payment of interest on General Fund loans, upon order of the Director of Finance, for any General Fund loan repaid in the 2005–06 fiscal year from loans made previously ..... ~~10,325,000~~ *9,817,000*

Provisions:

1. In the event that interest expenses related to internal borrowing exceed the amount appropriated by this item, there is hereby appropriated any amount necessary to pay the interest.
2. The Director of Finance shall notify, in writing, the Chairperson of the Joint Legislative Budget Committee within 30 days of ordering the repayment of any loan included within the provisions of this item.

| Item | Amount |
|---|---|
| 9625-001-0001—For interest payments to the federal government arising from the federal Cash Management Improvement Act of 1990 ..... | 6,500,000 |
| Provisions: | |
| 1. Expenditures from the funds appropriated by this item shall be made by the Controller, subject to the approval of the Department of Finance, and shall be charged to the fiscal year in which the disbursement is issued. | |
| 2. In the event that expenditures for interest payments to the federal government arising from the federal Cash Management Improvement Act of 1990 exceed the amount appropriated by this item, the Director of Finance may allocate an additional amount not to exceed $10,000,000 over the amount appropriated by this item. This allocation shall be made no sooner than 30 days after notification to the Chairperson of the Joint Legislative Budget Committee and the chairperson of the fiscal committees in each house. | |
| 9625-001-0042—For interest payments to the federal government arising from the federal Cash Management Improvement Act of 1990, payable from the State Highway Account, State Transportation Fund. | 500,000 |
| Provisions: | |
| 1. Provision 1 of Item 9625-001-0001 also applies to this item. | |
| 2. In the event that expenditures for interest payments to the federal government arising from the Cash Management Improvement Act of 1990 exceed the amount appropriated by this item, the Director of Finance may allocate an additional amount not to exceed $1,000,000 over the amount appropriated by this item. This allocation shall be made no sooner than 30 days after notification to the Chairperson of the Joint Legislative Budget Committee and the chairperson of the fiscal committees in each house. | |
| 9625-001-0494—For interest payments to the federal government arising from the federal Cash Management Improvement Act of 1990, payable from the appropriate special fund..... | 1,000 |

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Provisions:

1. Provision 1 of Item 9625-001-0001 and Provision 2 of Item 9625-001-0042 also apply to this item.

9625-001-0988—For interest payments to the federal government arising from the federal Cash Management Improvement Act of 1990, payable from the appropriate nongovernmental cost fund ..... 1,000

Provisions:

1. Provision 1 of Item 9625-001-0001 and Provision 2 of Item 9625-001-0042 also apply to this item.

9650-001-0001—For support of Health and Dental Benefits for Annuitants. For the state's contribution for the cost of a health benefits plan and dental care premiums, for annuitants and other employees, in accordance with Sections 22820, 22879, 22881, 22883, and 22953 of the Government Code, which cost is not chargeable to any other appropriation..... 895,197,000

Schedule:

(1) Health benefit premiums .....836,259,000

(2) Dental care premiums ..... 58,938,000

Provisions:

1. The maximum transfer amounts specified in subdivision (c) of Section 26.00 of this act do not apply to this item.
2. Notwithstanding Section 22844 of the Government Code or any other provision of law, annuitants and their family members who were employed by the California State University, and who become eligible for Part A and Part B of Medicare during the 2005–06 fiscal year, shall not be enrolled in a basic health benefits plan during the 2005–06 fiscal year. If the annuitant or family member is enrolled in Part A and Part B of Medicare, he or she may enroll in a supplement to the Medicare plan. This provision does not apply to employees and family members who are specifically excluded from enrollment in a supplement to the Medicare plan by federal law or regulation.
3. The maximum monthly contribution for an annuitant's health benefits plan shall be $362 for a single enrollee, $679 for an enrollee and one dependent, and $858 for an enrollee and two or more dependents.

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9670-001-0001—For equity claims before the California Victim Compensation and Government Claims Board and for settlements and judgments in cases in which the state is represented by the Department of Justice for the administration and payment of tort liability claims, settlements, compromises and judgments against the state, its officers, servants and employees of state agencies, departments, boards, bureaus or commissions supported from the General Fund, for expenditure by the Department of Justice, subject to approval of the Department of Finance in its discretion..... 0

Provisions:

1. There is hereby appropriated from each fund, other than the General Fund, an amount sufficient for payment of tort liability claims, settlements, compromises, and judgments against the state, its officers, servants and employees of state agencies, departments, boards, bureaus, or commissions arising from activities supported from that fund. No expenditure from any appropriation from a fund other than the General Fund for payment of tort liability claims, settlements, compromises, and judgments shall be made unless approved by the Department of Finance in its discretion.
2. Expenditures made under this item shall be charged to the fiscal year in which the warrant is issued by the State Controller.
3. Payment under this item is limited in amount to claims, settlements, compromises, and judgments which do not exceed $70,000, exclusive of interest, and no payment from this item exceeding that amount shall be approved by the Department of Finance or made by the Department of Justice.
4. No payment shall be approved by the Department of Finance or made by the Department of Justice from this item except in full and final satisfaction of the claim, settlement, compromise, or judgment upon which the payment is based.
5. Funding for the payment of tort liability claims, settlements, compromises, and judgments which require the approval of the Director of Finance shall first be considered from within the affected agency, department, board, bureau, or commission's existing budgeted resources. Payment pursuant to this item (from funds other than the General Fund) shall be made only after the affected

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agency, department, board, bureau, or commission has demonstrated to the Department of Finance that insufficient funds are available for payment of all or a portion of the claim.

9670-401—For maintenance of accounting records by the State Controller's office or any other agency maintaining these records, appropriations made in this act for Organization Code 9670 (Equity Claims of California Victim Compensation and Government Claims Board and Settlements and Judgments by Department of Justice) are to be recorded under Organization Code 9671 (Equity Claims of California Victim Compensation and Government Claims Board) and Organization Code 9672 (Settlements and Judgments by Department of Justice).

9800-001-0001—For Augmentation for Employee Compensation ..... 162,863,000

~~(1) 20.01-Bargaining Unit 1 ..... 370,000~~
~~(2) 20.02-Bargaining Unit 2 ..... 41,000~~
~~(3) 20.03-Bargaining Unit 3 ..... 55,000~~
~~(4) 20.04-Bargaining Unit 4 ..... 288,000~~
~~(5) 20.05-Bargaining Unit 5 ..... 0~~
~~(6) 20.06-Bargaining Unit 6 ..... 64,866,000~~
~~(7) 20.07-Bargaining Unit 7 ..... 59,000~~
~~(8) 20.08-Bargaining Unit 8 ..... 8,846,000~~
~~(9) 20.09-Bargaining Unit 9 ..... 2,511,000~~
~~(10) 20.10-Bargaining Unit 10 ..... 15,000~~
~~(11) 20.11-Bargaining Unit 11 ..... 6,000~~
~~(12) 20.12-Bargaining Unit 12 ..... 3,921,000~~
~~(13) 20.13-Bargaining Unit 13 ..... 19,000~~
~~(14) 20.14-Bargaining Unit 14 ..... 2,000~~
~~(15) 20.15-Bargaining Unit 15 ..... 82,000~~
~~(16) 20.16-Bargaining Unit 16 ..... 37,000~~
~~(17) 20.17-Bargaining Unit 17 ..... 101,000~~
~~(18) 20.18-Bargaining Unit 18 ..... 24,944,000~~
~~(19) 20.19-Bargaining Unit 19 ..... 84,000~~
~~(20) 20.20-Bargaining Unit 20 ..... 25,000~~
~~(21) 20.21-Bargaining Unit 21 ..... 7,000~~
~~(22) 20.22-Excluded Employees ..... 59,472,000~~

*Schedule:*

*(.5) 500000-Unscheduled ..... 165,751,000*

(23) 97.20.001-Unallocated Reduction. –2,888,000

Provisions:

1. The amount appropriated in this item shall not be construed to control or influence collective bargaining between the state employer and employee representatives.

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2. The funds appropriated in this item are for employee compensation increases and increases in benefits related thereto, whose compensation or portion thereof, is chargeable to the General Fund, to be allocated by executive order by the Department of Finance to the several state offices, departments, boards, bureaus, commissions, and other state agencies, in augmentation of their respective appropriations or allocations, in accordance with approved memoranda of understanding or, for employees excluded from collective bargaining in accordance with salary and benefit schedules established by the Department of Personnel Administration.

~~3. Notwithstanding Section 26.00, the Department of Finance may transfer amounts between scheduled appropriations in accordance with revised salary and benefit schedules established by the Department of Personnel Administration.~~

9800-001-0494—For Augmentation for Employee Compensation, payable from other unallocated special funds ..... 118,843,000

~~(1) 20.01-Bargaining Unit 1 ..... 568,000~~
~~(2) 20.02-Bargaining Unit 2 ..... 45,000~~
~~(3) 20.03-Bargaining Unit 3 ..... 4,000~~
~~(4) 20.04-Bargaining Unit 4 ..... 331,000~~
~~(5) 20.05-Bargaining Unit 5 ..... 33,774,000~~
~~(6) 20.06-Bargaining Unit 6 ..... 756,000~~
~~(7) 20.07-Bargaining Unit 7 ..... 93,000~~
~~(8) 20.08-Bargaining Unit 8 ..... 1,463,000~~
~~(9) 20.09-Bargaining Unit 9 ..... 61,303,000~~
~~(10) 20.10-Bargaining Unit 10 ..... 49,000~~
~~(11) 20.11-Bargaining Unit 11 ..... 45,000~~
~~(12) 20.12-Bargaining Unit 12 ..... 7,800,000~~
~~(13) 20.13-Bargaining Unit 13 ..... 5,000~~
~~(14) 20.14-Bargaining Unit 14 ..... 9,000~~
~~(15) 20.15-Bargaining Unit 15 ..... 21,000~~
~~(16) 20.16-Bargaining Unit 16 ..... 4,000~~
~~(17) 20.17-Bargaining Unit 17 ..... 13,000~~
~~(18) 20.18-Bargaining Unit 18 ..... 223,000~~
~~(19) 20.19-Bargaining Unit 19 ..... 29,000~~
~~(20) 20.20-Bargaining Unit 20 ..... 5,000~~
~~(21) 20.21-Bargaining Unit 21 ..... 6,000~~
~~(22) 20.22-Excluded Employees ..... 12,297,000~~

Provisions:

1. The amount appropriated in this item shall not be construed to control or influence collective bar-

| Item | Amount |
|---|---|
| gaining between the state employer and employee representatives. | |
| 2. The funds appropriated in this item are for employee compensation increases and increases in benefits related thereto, whose compensation or portion thereof, is chargeable to special funds, to be allocated by executive order by the Department of Finance to the several state offices, departments, boards, bureaus, commissions, and other state agencies, in augmentation of their respective appropriations or allocations, in accordance with approved memoranda of understanding or, for employees excluded from collective bargaining in accordance with salary and benefit schedules established by the Department of Personnel Administration. | |
| ~~3. Notwithstanding Section 26.00, the Department of Finance may transfer amounts between scheduled appropriations in accordance with revised salary and benefit schedules established by the Department of Personnel Administration.~~ | |
| 9800-001-0988—For Augmentation for Employee Compensation, payable from other unallocated nongovernmental cost funds | 7,085,000 |
| ~~(1) 20.01-Bargaining Unit 1 ..... 283,000~~ | |
| ~~(2) 20.02-Bargaining Unit 2 ..... 23,000~~ | |
| ~~(3) 20.03-Bargaining Unit 3 ..... 2,000~~ | |
| ~~(4) 20.04-Bargaining Unit 4 ..... 166,000~~ | |
| ~~(5) 20.05-Bargaining Unit 5 ..... 0~~ | |
| ~~(6) 20.06-Bargaining Unit 6 ..... 350,000~~ | |
| ~~(7) 20.07-Bargaining Unit 7 ..... 47,000~~ | |
| ~~(8) 20.08-Bargaining Unit 8 ..... 682,000~~ | |
| ~~(9) 20.09-Bargaining Unit 9 ..... 101,000~~ | |
| ~~(10) 20.10-Bargaining Unit 10 ..... 19,000~~ | |
| ~~(11) 20.11-Bargaining Unit 11 ..... 23,000~~ | |
| ~~(12) 20.12-Bargaining Unit 12 ..... 68,000~~ | |
| ~~(13) 20.13-Bargaining Unit 13 ..... 2,000~~ | |
| ~~(14) 20.14-Bargaining Unit 14 ..... 5,000~~ | |
| ~~(15) 20.15-Bargaining Unit 15 ..... 10,000~~ | |
| ~~(16) 20.16-Bargaining Unit 16 ..... 2,000~~ | |
| ~~(17) 20.17-Bargaining Unit 17 ..... 6,000~~ | |
| ~~(18) 20.18-Bargaining Unit 18 ..... 29,000~~ | |
| ~~(19) 20.19-Bargaining Unit 19 ..... 15,000~~ | |
| ~~(20) 20.20-Bargaining Unit 20 ..... 2,000~~ | |
| ~~(21) 20.21-Bargaining Unit 21 ..... 3,000~~ | |
| ~~(22) 20.22-Excluded Employees ..... 5,247,000~~ | |

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Provisions:

1. The amount appropriated in this item shall not be construed to control or influence collective bargaining between the state employer and employee representatives.
2. The funds appropriated in this item are for employee compensation increases and increases in benefits related thereto, whose compensation or portion thereof, is chargeable to nongovernmental cost funds, to be allocated by executive order by the Department of Finance to the several state offices, departments, boards, bureaus, commissions, and other state agencies, in augmentation of their respective appropriations or allocations, in accordance with approved memoranda of understanding or, for employees excluded from collective bargaining in accordance with salary and benefit schedules established by the Department of Personnel Administration.
3. ~~Notwithstanding Section 26.00, the Department of Finance may transfer amounts between scheduled appropriations in accordance with revised salary and benefit schedules established by the Department of Personnel Administration.~~

9840-001-0001—For Augmentation for Contingencies or Emergencies ..... 49,236,000

Schedule:

(1) Unscheduled ..... 50,000,000

(2) 555000-Unallocated Reduction ..... –764,000

Provisions:

1. Subject to the conditions set forth in this item, amounts appropriated by this item shall be transferred, upon approval by the Director of Finance, to augment any other General Fund item of appropriation that is made under this act to an agency, department, board, commission, or other state entity. Such a transfer may be made to fund unanticipated expenses to be incurred for the 2005–06 fiscal year under an existing program that is funded by that item of appropriation, but only in a case of actual necessity as determined by the Director of Finance. For purposes of this item, an ''existing program'' is one that is authorized by law.
2. The Director of Finance may not approve a transfer under this item *, nor may any funds appropriated in augmentation of this item be allocated,* to

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fund any of the following: (a) capital outlay, (b) any expense attributable to a prior fiscal year, (c) any expense related to legislation enacted without an appropriation, (d) startup costs of programs not yet authorized by the Legislature, (e) costs that the administration had knowledge of in time to include in the May Revision, ~~or~~ (f) costs that the administration has the discretion to incur or not incur *, (g) any cost associated with a statewide special election, or (h) any costs associated with the June 6, 2006, statewide primary election if funds from Schedule (3) of Item 0890-001-0001 are used to support a statewide special election* .

3. A transfer of funds approved by the Director of Finance under this item shall become effective no sooner than 30 days after the director files written notification thereof with the Chairperson of the Joint Legislative Budget Committee, and the chairpersons of the Senate and Assembly fiscal committees, or no sooner than any lesser time the chairperson of the joint committee or his or her designee may in each instance determine, except for an approval for an emergency expense as defined in Provision 5.

4. Each notification shall include all of the following: (a) the date the recipient state entity reported to the Department of Finance the need to increase its appropriation, (b) the reason for the expense, (c) the transfer amount approved by the Director of Finance, and (d) the basis of the director's determination that the expense is actually needed. Each notification shall also include a determination by the director as to whether the expense was considered in a legislative budget committee and formal action was taken not to approve the expense for the 2005–06 fiscal year. Any increase in a department's appropriation to fund unanticipated expenses shall be approved by the Director of Finance.

5. The Director of Finance may approve a transfer under this item for an emergency expense only if the approval is set forth in a written notification that is filed with the Chairperson of the Joint Legislative Budget Committee, and the chairpersons of the Senate and Assembly fiscal committees, no later than 10 days after the effective date of the approval. Each notification for an emergency ex-

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pense shall state the reason for the expense, the transfer amount approved by the director, and the basis of the director's determination that the expense is an emergency expense. For the purposes of this item, "emergency expense" means an expense incurred in response to conditions of disaster or extreme peril that threaten the immediate health or safety of persons or property in this state.

6. Within 15 days of receipt, the Department of Finance shall provide, to the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the Senate and Assembly fiscal committees, copies of all requests, including any supporting documentation, from any agency, department, board, commission, or other state entity for a transfer under this item. The submission to the Legislature of a copy of such a request does not constitute approval of the request by the Director of Finance. Within 15 days of receipt, the director shall also provide copies to these chairpersons of all other requests received by the Department of Finance from any state agency, department, board, commission, or other state entity ~~for any increase in appropriations that are sought to fund unanticipated expenses to be incurred for the 2005–06 fiscal year.~~ *to fund a contingency or emergency through a supplemental appropriations bill augmenting this item.*

7. For any transfer of funds pursuant to this item, the augmentation of a General Fund item of appropriation shall not exceed the following during any fiscal year:

   (a) ~~20~~ *30* percent of the amount scheduled on that line for those appropriations made by this act that are ~~$2,000,000~~ *$4,000,000* or less.

   ~~(b) $400,000 of the amount scheduled on that line for those appropriations made by this act that are more than $2,000,000 but equal to or less than $4,000,000.~~

   ~~(c) 10~~

   *(b) 20* percent of the amount scheduled on that line for those appropriations made by this act that are more than $4,000,000.

8. The Director of Finance may withhold authorization for the expenditure of funds transferred pursuant to this item until such time as, and to the

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extent that, preliminary estimates of potential unanticipated expenses are verified.

*9. The Director of Finance shall submit any requests for supplemental appropriations in augmentation of this item to the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the fiscal committees in each house of the Legislature. Requests shall include the information and determinations required by Provision 4 excluding subdivision (c), and a determination that requests meet the requirements of Provision 2.*

9840-001-0494—For Augmentation for Contingencies or Emergencies, payable from unallocated special funds ..... 15,000,000

Provisions:

1. Provisions 1, 2, 3, 4, 5, 6, 7, ~~and 8~~ *8, and 9* of Item 9840-001-0001 also apply to this item, except references to General Fund appropriations shall instead refer to special fund appropriations.
2. For the Augmentation for Contingencies or Emergencies, payable from special funds, there are appropriated from each special fund sums necessary to meet contingencies or emergencies, to be expended only on written authorization of the Director of Finance.

9840-001-0988—For Augmentation for Contingencies or Emergencies, payable from unallocated nongovernmental cost funds ..... 15,000,000

Provisions:

1. Provisions 1, 2, 3, 4, 5, 6, 7, ~~and 8~~ *8, and 9* of Item 9840-001-0001 also apply to this item, except references to General Fund appropriations shall instead refer to nongovernmental cost fund appropriations.
2. For Augmentation for Contingencies or Emergencies, payable from nongovernmental cost funds, there is appropriated from each nongovernmental cost fund that is subject to control or limited by this act, sums necessary to meet contingencies or emergencies, to be expended only on written authorization of the Director of Finance.

9850-011-0001—For Augmentation for Contingencies or Emergencies (Loans) ..... (2,500,000)

Provisions:

1. This appropriation is for loans that may be made to state agencies which derive their support from the General Fund or from sources other than the

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General Fund, upon terms and conditions for repayment as may be prescribed by the Department of Finance. Any sum so loaned shall, if ordered by the Department of Finance, be transferred by the State Controller to the fund from which the support of the agency is derived.

2. No loan shall be made which requires repayment from a future legislative appropriation.

3. Authorizations for loans shall become effective no sooner than 30 days after notification in writing to the Joint Legislative Budget Committee, or no sooner than a lesser time which the committee, or its designee, may in each instance determine, except that this limit shall not apply if the Director of Finance states in writing to the Chairperson of the Joint Legislative Budget Committee the necessity and urgency for the loan which, in the judgment of the director, makes prior approval impractical.

4. Within 10 days after approval, the Director of Finance shall file with the Joint Legislative Budget Committee copies of all executive orders for loans stating the reasons for, and the amount of, all of these authorizations.

9860-301-0001—For capital outlay planning and studies funding (10.10.010) ..... 1,000,000

Provisions:

1. The funds appropriated in this item are to be allocated by the Department of Finance to state agencies to develop design and cost information for new projects for which funds have not been appropriated previously, but which are anticipated to be included in the 2006–07 or 2007–08 Governor's Budget or 2007–08 five-year capital outlay plans. The amount appropriated in this item shall not be construed as a commitment by the Legislature as to the amount of capital outlay funds it will appropriate in any future fiscal year.

## GENERAL SECTIONS
## STATEWIDE

SEC. 3.00. Whenever herein an appropriation is made for support, it shall include salaries and all other proper expenses, including repairs and equipment, incurred in connection with the institution, department, board, bureau, commission, officer, employee, or other agency for which the appropriation is made.

Each item appropriating funds for salaries and wages includes the additional funds necessary to continue the payment of the amount of salaries in effect on June 30, 2005, for the state officers whose salaries are specified by statute.

Whenever herein an appropriation is made for capital outlay, it shall include acquisition of land or other real property, major construction, improvements, equipment, designs, working plans, specifications, repairs, and equipment necessary in connection with a construction or improvement project.

Whenever herein any item of appropriation contains provisions for acquisition of land or other real property, it shall include all necessary expenses in connection with the acquisition of the property.

Whenever herein an appropriation is made in accordance with a schedule set forth after the appropriation, the expenditures from that item for each category, program, or project included in the schedule shall be limited to the amount specified for that category, program, or project, except as otherwise provided in this act. Each schedule is a restriction or limitation upon the expenditure of the respective appropriation made by this act, does not itself appropriate any money, and is not itself an item of appropriation.

As used in this act in reference to the schedules ''category,'' ''program,'' or ''project'' means a class of expenditure such as, but not limited to:

(a) ''Personal services,'' which shall include all expenditures for payment of officers and employees of the state, including: salaries and wages, workers' compensation, compensation paid to employees on approved leave of absence on account of sickness, unemployment compensation benefits, insurance premiums for workers' compensation coverage, industrial disability leave and payments, nonindustrial disability benefits and payments, the state's contributions to the Public Employees' Retirement Fund, the Teachers' Retirement Fund, the University of California Retirement Fund to provide for that portion of retirement costs to be provided for Hastings College of the Law in Item 6600-001-0001 of this Budget Act, the Old Age and Survivors' Insurance Revolving Fund, the Public Employees' Contingency Reserve Fund, and the state's cost of health benefits plans; but shall not include compensation of independent contractors rendering personal services to the state under contract.

(b) ''Operating expenses and equipment,'' which shall include all expenditures for purchase of materials, supplies, equipment, services (other than services of state officers and employees), departmental services (services provided by other organizational units within a department, including indirect distributed costs), and all other proper expenses.

(c) ''Preliminary plans'' are defined as a site plan, architectural floor plans, elevations, outline specifications, and a cost estimate. For each

utility, site development, conversion and remodeling project, the drawings shall be sufficiently descriptive to accurately convey the location, scope, cost, and the nature of the improvement being proposed.

(d) ''Working drawings'' are defined as a complete set of plans and specifications showing and describing all phases of a project, architectural, structural, mechanical, electrical, civil engineering, and landscaping systems to the degree necessary for the purposes of accurate bidding by contractors and for the use of artisans in constructing the project. All necessary professional fees and administrative service costs are included in the preparation of these drawings.

(e) ''Construction,'' when used in connection with a capital outlay project, shall include all such related things as fixtures, installed equipment, auxiliary facilities, contingencies, project construction, management, administration and associated costs.

(f) ''Minor projects'' include planning, working drawings, construction, improvements, and equipment projects not specifically set forth in the schedule.

(g) ''Programs'' include all expenditures, regardless of category, required to carry out the objectives of the named activity.

For the purpose of further interpreting the meaning of the words, terms and phrases, and uniform codes used in the schedules, reference is hereby made to those documents entitled, ''State of California Governor's Budget for 2005–06,'' submitted by the Governor to the Legislature at the 2005 portion of the 2005–06 Regular Session, the uniform accounting system prescribed by the Department of Finance under the provisions of Section 13300 of the Government Code and following, the Uniform Codes Manual, and the appropriate portions thereof. The Department of Finance shall establish interpretations necessary to carry out the provisions of this section and shall furnish the same to the Controller and to every state agency to which appropriations are made under this act.

SEC. 3.50. Whenever an appropriation is made in this act for support or other expenses for an institution, department, board, bureau, commission, officer, employee, or other agency, the following shall be charged to the appropriation from which salaries and wages are paid: workers' compensation, compensation paid to employees on approved leave of absence on account of sickness, unemployment compensation benefits, industrial disability leave and payments, nonindustrial disability benefits and payments, the administrative costs of the Merit Award Program provided by Section 19823 of the Government Code, the state's contribution to the Public Employees' Retirement Fund as provided by Sections 20822 and 20824 of the Government Code, the state's contribution to the Teachers' Retirement Fund as provided by Sections 22950, 22951, and 23000 of the Education Code, the state's contribution to the Old Age and Survivors' Insurance Revolving Fund as provided by Sections 20862 and 20863 of the Government Code, the state's contribution to the Old Age and Survivors' Insurance Revolving Fund for payment of hospital insurance taxes imposed by the Internal

Revenue Code, the state's contribution to the Public Employees' Contingency Reserve Fund, the state's contribution for the cost of health benefits plans as provided by Sections 22871, 22881 and 22883(b) of the Government Code, and the state's contribution for costs of other employee benefits and the administrative costs associated with the provision of benefits established by any state agency legally authorized to negotiate and set salary and benefit levels.

As of the effective date of this act, the state's contributions as provided by Sections 22871, 22881 and 22883(b) of the Government Code and for costs of any other employee benefits and the administrative costs associated with the provisions of these benefits established by any state agency legally authorized to negotiate and set salary and benefit levels for any month shall be charged to the same appropriations used for payment of salaries and wages from which the employee premium contributions for such month are deducted.

The appropriations made by Sections 20822, 20824, 22871, 22881 and 22883(b) of the Government Code and by Sections 22950, 22951, and 23000 of the Education Code, shall continue to be available for expenditure, and shall be charged for any expenditure that is not chargeable to an appropriation for support or other expenses as provided in this section. This transfer may be chargeable to such appropriation for a previous fiscal year if there are no funds available from that fiscal year.

The Controller may transfer to the State Payroll Revolving Fund the contributions required by Sections 20822, 20824, 22871, 22881 and 22883(b) of the Government Code, contributions required for payment of the hospital insurance tax, and upon certification by the Board of Administration of the Public Employees' Retirement System as required by Section 20826 of the Government Code, may transfer from the State Payroll Revolving Fund to the Public Employees' Retirement Fund and the Old Age and Survivors' Insurance Revolving Fund the amounts of contributions.

SEC. 3.60. (a) Notwithstanding any other provision of law, the employers' retirement contributions for the 2005–06 fiscal year that are chargeable to an appropriation made in this act, with respect to each state officer and employee who is a member of the California Public Employees' Retirement System (CalPERS) and who is in that employment or office, including university members as provided by Section 20751 of the Government Code, shall be the percentage of salaries and wages by state member category as follows:

| | |
|---|---|
| Miscellaneous, First Tier | ~~15.94%~~ *15.942%* |
| Miscellaneous, Second Tier | 15.890% |
| State Industrial | 17.147% |
| State Safety | 19.026% |
| Highway Patrol | 26.396% |
| Peace Officer/Firefighter | 23.563% |

The Director of Finance may adjust amounts in any appropriation item, or in any category thereof, in this act as a result of changes from amounts budgeted for employer contribution for 2005–06 fiscal year retirement benefits to achieve the percentages specified in this subdivision.

(b) Notwithstanding any other provision of law, the Director of Finance shall require retirement contributions computed pursuant to subdivision (a) to be offset by the Controller with surplus funds in the Public Employees' Retirement Fund, employer surplus asset accounts.

(c) Notwithstanding any other provision of law, for purposes of calculating the ''appropriations subject to limitation'' as defined in Section 8 of Article XIII B of the California Constitution, the appropriations in this act shall be deemed to be the amounts remaining after the adjustments required by subdivisions (a) and (b) are made.

SEC. 4.01. (a) Notwithstanding any other provision of law, the Director of Finance shall reduce items of appropriation in this act to reflect savings achieved pursuant to the Alternate Retirement Program (Chapter 214, Statutes of 2004). These reductions shall not apply to the University of California, California State University, the Legislature or the judicial branch.

(b) Notwithstanding any other provision of law, the Director of Finance shall reduce items of appropriation in this act to reflect savings achieved through reforms in employee compensation, subject to memoranda of understanding negotiated with bargaining units and ratified by the Legislature. These reductions shall apply to all agencies and departments whose employees are subject to collective bargaining agreements negotiated by the Department of Personnel Administration or are excluded employees as defined in Government Code Section 3527.

(c) The Director of Finance shall report to the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the committees of each house that consider appropriations not more than 30 days after the reductions are made pursuant to this section. The report shall list reductions by department and agency.

(d) Nothing within this section shall be interpreted to confer any authority upon the Director of Finance to modify or eliminate any other provision of existing law.

SEC. 4.10. No later than December 10, 2005, the Director of Finance shall report to the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the fiscal committees of each house the reductions made pursuant to the unallocated reductions included in this act. The report shall include the following: each specific reduction by department, agency, and program; whether the reduction is one-time or ongoing; its programmatic effects; the number and description of positions affected; and any other description necessary to fully disclose the reduction's impact.

SEC. 4.11. All new positions approved in this act shall be established effective July 1, 2005, unless otherwise approved by the Department of Finance. Before the end of each month, the State Control-

ler's office shall provide to the Department of Finance a listing of each new position approved by this act that will be abolished pursuant to Government Code Section 12439 as a result of the position being vacant for six consecutive pay periods at the end of the immediately preceding month. The report provided by the State Controller's office shall include the department, division, position classification, position number and the date the position was established.

SEC. 4.20. (a) Notwithstanding any other provision of law, the employer's contributions to the Public Employees' Contingency Reserve Fund, as required by Section 22885 of the Government Code, shall be 0.300 percent of the gross health insurance premiums paid by the employer and employee for administrative expenses. The Director of Finance may, not sooner than 30 days after notification to the Joint Legislative Budget Committee, adjust the rate to ensure a three-month reserve in the Public Employees' Contingency Reserve Fund.

SEC. 4.30. (a) Notwithstanding any other provision of law, the Director of Finance may adjust amounts in appropriation items for rental payments on lease-purchase and lease-revenue bonds, or in any category thereof including fees, insurance, and reimbursements in this act as a result of changes from amounts budgeted for the costs for the 2005–06 fiscal year.

(b) Notwithstanding any other provision of law, the allocation may be made from funds appropriated for this purpose or from any other funds legally available for this purpose.

(c) Within 30 days of making any adjustment pursuant to this section, the Department of Finance shall report the adjustment in writing to the Joint Legislative Budget Committee.

SEC. 4.80. (a) In the event bonds authorized for issuance by the State Public Works Board are not sold and interim financing costs have been incurred, departments that have incurred those costs shall commit a sufficient portion of their support appropriations to repay the interim financing costs.

SEC. 4.90. Notwithstanding any other provision of law, the Department of Finance may transfer any funds previously transferred from the General Fund to the Architectural Revolving Fund back to the General Fund.

SEC. 4.95. Notwithstanding any other provision of law, the Department of Finance may transfer any funds previously transferred from the General Fund to the Inmate Construction Revolving Account back to the General Fund.

SEC. 5.25. (a) Payment of the attorney's fees specified in paragraphs (1) and (2) arising from actions in state courts against the state, its officers, and officers and employees of state agencies, departments, boards, bureaus, or commissions, shall be paid from items of appropriation in this act that support the state operations of the affected agency, department, board, bureau, or commission:

(1) State court actions filed pursuant to Section 1021.5 of the Code of Civil Procedure, the ''private attorney general'' doctrine, or the ''substantial benefit'' doctrine.

(2) Writ of mandate actions filed pursuant to Section 10962 of the Welfare and Institutions Code.

(b) Expenditures pursuant to subdivision (a) shall be made by the Controller, subject to the approval of the Director of Finance, and shall be charged to the fiscal year in which the disbursement is issued.

(c) A payment shall not be made by the Controller for expenditures pursuant to subdivision (a) except in full and final satisfaction of the claim, settlement, compromise, or judgment for attorney's fees incurred in connection with a single action.

(d) The Director of Finance shall notify the Chairperson of the Joint Legislative Budget Committee, the Chairperson of the Senate Committee on Budget and Fiscal Review, and the Chairperson of the Assembly Budget Committee pursuant to Items 9840-001-0001, 9840-001-0494, and 9840-001-0988 of Section 2.00 when there are insufficient funds appropriated in this act in support of the state operations of the affected agency, department, board, bureau, or commission to satisfy the claim completely.

SEC. 5.40. (a) It is the intent of the Legislature that all amounts appropriated by this act to the following departments to implement the CALFED Bay-Delta Program shall be available for expenditure in accordance with the schedule of expenditures for the CALFED Bay-Delta Program, broken down by program element, as set forth in Item 3870 of the Supplemental Report to this act:

(1) Item 0540—Secretary for Resources

(2) Item 3480—Department of Conservation

(3) Item 3540—Department of Forestry and Fire Protection

(4) Item 3560—State Lands Commission

(5) Item 3600—Department of Fish and Game

(6) Item 3640—Wildlife Conservation Board

(7) Item 3760—State Coastal Conservancy

(8) Item 3820—San Francisco Bay Conservation and Development Commission

(9) Item 3860—Department of Water Resources

(10) Item 3870—California Bay-Delta Authority

(11) Item 3940—State Water Resources Control Board

(12) Item 8570—Department of Food and Agriculture

(b) The amounts appropriated by this act to implement the CALFED Bay-Delta Program shall be available only for projects, activities, and purposes that are consistent with the CALFED Record of Decision, including the accompanying environmental impact statement/environmental impact report previously certified by the state lead agency pursuant to Division 13 (commencing with Section 21000) of the Public Resources Code.

(c) The amounts appropriated from accounts established under Division 24 (commencing with Section 78500) and Division 26 (com-

mencing with Section 79000) of the Water Code shall be limited to the purposes provided for by those provisions.

(d) Notwithstanding Sections 26.00 and 28.50 of this act, the Director of Finance may, pursuant to a request by an affected agency specified in subdivision (a) of this section seeking the transfer and the California Bay-Delta Authority, or pursuant to a joint request of these agencies where more than one agency is affected, authorize a transfer of an amount that exceeds $200,000 from an amount available for expenditure in one scheduled program element to one or more of the other scheduled elements. Any transfer may be authorized pursuant to this provision not sooner than 30 days after notification in writing of the transfer is provided to the chairpersons of the fiscal committees in each house of the Legislature and the Chairpersons of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the Chairpersons of the Joint Legislative Budget Committee, or his or her designee, may in each instance determine. The notification to the Legislature shall specify the justification for the transfer.

*SEC. 5.45. (a) The Department of Finance shall provide information to the Legislature on resources bond funds for the CALFED program contained in the base budget at the time the Governor's budget is submitted to the Legislature. Information provided should include the amount of bond funds, the source of bond funds, and the activities and positions supported by the funds.*

*(b) The Department of Finance shall annually submit budget change proposals to the Legislature for CALFED-related local assistance and capital outlay expenditures supported by resources bond funds.*

SEC. 6.00. No more than $100,000 of the funds appropriated for support purposes under Section 2.00 or any other sections of this act may be encumbered for preliminary plans, working drawings, or construction of any project for the alteration of a state facility unless the Director of Finance determines that the proposed alteration is critical and that it is necessary to proceed using funds appropriated for support purposes. Any approved critical project costing more than $100,000 shall be reported to the Chairperson of the Joint Legislative Budget Committee or his or her designee, not less than 30 days prior to requesting bids for the project. The report shall detail those factors that make the project so critical that it must proceed using support funds. No project described by this section may cost more than $400,000.

SEC. 8.00. (a) Notwithstanding Section 28.00 of this act, any amounts received from the federal government for the purposes of funding antiterrorism costs in the state that exceed the current appropriation of federal funds for that purpose, are hereby appropriated. These federal funds shall be allocated upon order of the Director of Finance to state departments for state or local assistance purposes or directly to local governments to address high-priority needs for costs of funding antiterrorism incurred in the 2004–05 fiscal year and ongoing or new costs for the 2005–06 fiscal year.

(b) Allocations made to state departments may be used to offset expenditures paid or to be paid from other funding sources. Allocations made for the purpose of an offset shall be applied as a negative expenditure to the appropriation where the expenditure has, or will be charged.

(c) Allocations pursuant to this section may be authorized not sooner than 30 days after notification, to the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the Chairperson of the Joint Legislative Budget Committee, or his or her designee, may in each instance determine.

SEC. 8.50. (a) In making appropriations to state agencies that are eligible for federal programs, it is the intent and understanding of the Legislature that applications made by the agencies for federal funds under federal programs shall be for the maximum amount allowable under federal law. Therefore, any amounts received from the federal government are hereby appropriated from federal funds for expenditure or for transfer to, and disbursement from, the State Treasury fund established for the purpose of receiving the federal assistance subject to any provisions of this act that apply to the expenditure of these funds, including Section 28.00 of this act.

(b) However, if federal funds for block grant programs assumed by the state or for any item receiving federal funds are reduced by more than 5 percent of the amount appropriated in this act, the Director of Finance shall notify the chairperson of the committee in each house which considers appropriations, and the Chairperson of the Joint Legislative Budget Committee, in writing within 30 days after notification by the federal government that federal funds have been reduced, and shall include an estimate of the amount of the available or anticipated federal funds, the 2005–06 fiscal year expenditures of each program affected by the reduction, the effect of reduced funding on service levels authorized by this act, and a plan of reduced expenditures for each program affected by the reduction. The plan shall be operational on an interim basis for up to 45 days pending legislative review, after which time the plan shall become permanent.

SEC. 8.51. Each state agency shall, by certification to the Controller, identify the account within the Federal Trust Fund when charges are made against any appropriation made herein from the Federal Trust Fund.

SEC. 8.52. (a) The Director of Finance may reduce items of appropriation upon receipt or expenditure of federal trust funds in lieu of the amount appropriated for the same purpose and may make allocations for the purpose of offsetting expenditures. Allocations made for the purpose of offsetting existing expenditures shall be applied as a negative expenditure to the appropriation where the expenditure was charged.

(b) The director shall notify in writing the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the fiscal committees in each house of the Legislature not less than 30 days prior to

the effective date of any adjustments to items of appropriations made pursuant to this section or not sooner than whatever lesser time the Chairperson of the Joint Legislative Budget Committee, or his or her designee, may in each instance determine. The notification shall include, but not be limited to, the basis for the proposed appropriations adjustments, a description of the fiscal assumptions used in making the appropriation adjustments, and any necessary background information regarding the programs to be adjusted. Any expenditure of federal funds for purposes other than offsetting other fund appropriations shall continue to be subject to the provisions of Section 28.00.

SEC. 8.53. It is the intent of the Legislature that reductions to federal funds appropriated in the Budget Bill enacted for each fiscal year, resulting from federal audits, be communicated to the Legislature in a timely manner. Therefore, notwithstanding any other provision of law, an agency, department, or other state entity receiving a final federal audit or deferral letter shall provide a copy of it to the Chairperson of the Joint Legislative Budget Committee within 30 days.

SEC. 9.20. Notwithstanding Section 15860 of the Government Code, the amount of funds expended for administrative costs associated with any appropriation contained in this act for acquisition of property pursuant to the Property Acquisition Law (Part 11 (commencing with Section 15850) of Division 3 of Title 2 of the Government Code) shall be limited to the amount specified for those costs in the Supplemental Report of the Budget Act of 2005. Amounts for administrative costs may be augmented by no more than 5 percent by the State Public Works Board. Notwithstanding the foregoing, any amounts needed for administrative costs associated with acquisition through the condemnation authority of the State Public Works Board shall be provided through augmentation of the affected appropriations as authorized by existing law.

SEC. 9.30. In the event that federal courts issue writs of execution for the levy of state funds and such writs are executed, the State Controller shall so notify the Department of Finance. The Department of Finance shall then notify the State Controller of the specific appropriation or fund to be charged. Federal writs of execution for the levy of state funds may only be charged against appropriations or funds having a direct programmatic link to the circumstances under which the federal writ was issued. If the appropriate department or agency no longer exists, or no linkage can be identified, the federal writ shall be charged to the unappropriated surplus of the General Fund. In the event that an appropriation in the act would have insufficient funding by such a charge, funding augmentations must follow the regular budget processes.

SEC. 9.45. (a) Any state agency, department, board, or commission shall provide notification to the Department of Finance and the Joint Legislative Budget Committee not less than 30 days prior to committing funding from Proposition 40 or Proposition 50, if all of the following criteria apply:

(1) The funds will be used, either directly or through a grant, for the purchase of interests in, or the restoration or rehabilitation of property.

(2) The funds will be used for a grant or project that is not appropriated in statute by name or description.

(3) The total expenditure for the project, including, but not limited to, Proposition 40 or Proposition 50 funds, is in excess of $25 million.

(b) The notification shall include a detailed description of the portion of the project being funded and a detailed description of the whole project. For the purposes of this section, the criteria set forth in subdivision (a) shall apply to both single transactions and cumulative transactions that involve the purchase of properties near or adjacent to each other.

(c) For purchases and grants meeting the criteria set forth in subdivision (a), the state agency, department, board, or commission may take public actions and hold public meetings prior to 30 days following notification only if such actions are expressly approved pending the completion of the 30-day review by the Department of Finance and the Joint Legislative Budget Committee, or not sooner than whatever lesser time the Chairperson of the Joint Legislative Budget Committee, or his or her designee, may in each instance determine. The seller or grantee must be explicitly notified in writing of this condition 10 days prior to any action taken.

SEC. 9.50. For minor capital outlay projects for which, pursuant to Sections 10108 and 10108.5 of the Public Contract Code, the services of the Department of General Services are not required and a state agency or department is authorized to carry out its own project, the amount of the unencumbered balance of the project shall be determined in accordance with Section 14959 of the Government Code. Upon receipt of bids for the project, an estimate of any amount necessary for the completion of the project, including supervision, engineering, and other items, if any, shall be deemed a valid encumbrance and shall be included with any other valid encumbrance in determining the amount of an unencumbered balance.

SEC. 11.00. (a) A state agency to which state funds are appropriated by one or more statutes, including this act, for an information technology project may not enter into, or agree to any contract or any contract amendment, in the 2005–06 fiscal year that results, in the aggregate, in an increase in the budgeted cost of the project exceeding five hundred thousand dollars ($500,000), or 10 percent of the budgeted cost of the project, whichever is less, unless the approval of the Director of Finance is first obtained and written notification of that approval is provided by the department to the Chairperson of the Joint Legislative Budget Committee, and the chairperson of the budget committee of each house of the Legislature, not less than 30 days prior to the effective date of the approval, or not sooner than whatever lesser time the chairperson of the joint committee, or his or her designee, may in each instance determine. Each notification required by this section shall (1) explain the necessity and rationale for the proposed contract

or amendment, (2) identify the cost savings, revenue increase, or other fiscal benefit of the proposed contract or amendment, and (3) identify the funding source for the proposed contract or amendment.

(b) Subdivision (a) does not apply to a resulting increase in the budgeted cost of a project that is less than one hundred thousand dollars ($100,000), or that is funded by an augmentation authorized pursuant to Section 26.00 of this act.

(c) The following definitions apply for the purposes of this section:

(1) ''Budgeted cost of a project'' means the total cost of the project as identified in the most recent feasibility study report, special project report, or equivalent document submitted to the Legislature in connection with its consideration of a bill that appropriated any state funding for that project.

(2) ''State agency'' means each agency of the state that is subject to Article 2 (commencing with Section 13320) of Chapter 3 of Part 3 of, Division 3 of Title 2 of the Government Code except that this control section shall not apply to the University of California, the California State University, the State Compensation Insurance Fund, the community college districts, agencies provided for by Article VI of the California Constitution, or the Legislature.

SEC. 11.05. (a) Whenever an appropriation is made in this act for an information technology project which exceeds the appropriation provided by the Budget Act of 2004 (Ch. 208, Stats. 2004) for that project *or for new projects* and the Department of Finance has not approved the project or its modifications prior ~~June~~ *July* 1, 2005, the increased appropriation is authorized not sooner than ~~45~~ *30* days after the Department of Finance notifies in writing the chairperson of the budget committee in each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee that it has been approved *, or within a lesser time that the Chairperson of the Joint Legislative Budget Committee, or his or her designee, may in each instance determine* . The notification shall include, but is not limited to, the following: (1) a description of the information technology project; (2) the approved project costs for the 2005–06 fiscal year and future fiscal years; and (3) the project's start and implementation dates.

(b) Consistent with state policy, departments are required to provide the information technology project documents to the Legislative Analyst's Office ~~at the same time that the documents are provided to the Department of Finance.~~ .

(c) Information technology projects are exempted from this section if the Department of Finance, prior to June 1, 2005, directed the department responsible for managing the project to provide information technology project documents after the completion of specific project events.

(d) If the amount approved by the Department of Finance is less than the amount appropriated in this act, the department responsible for managing the project may spend only up to the amount approved by the

Department of Finance. Any remaining funds shall revert to the fund of appropriation at the time of project approval.

~~(e) On or before January 10, 2006, the Department of Finance shall report to the chairperson of the budget committee in each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee of its actions to ensure that information technology projects are submitted and approved prior to submission to the Legislature for budget action. The report shall include, but is not limited to, the following: (1) identification of any new procedures it has implemented to ensure departments' compliance to the state's budget and information technology policies; and (2) actions it has taken to ensure that projects are approved prior to submission of budget proposals to the Legislature.~~

~~(f)~~ *(e)* It is the intent of the Legislature that departments follow state policy for requesting and approving new or modified information technology projects. It is the intent of the Legislature that this section not substitute for the submission of funding requests for information technology projects through the annual budget process. This section shall apply only one year. For the Budget Act of 2006, it is the intent of the Legislature to not approve additional funding for new or modified information technology projects that have not been approved *or delegated* by the Department of Finance prior to *or upon* budget submission to the Legislature.

SEC. 11.10. (a) Before a department may enter into or amend a statewide software license agreement not previously approved by the Legislature that obligates state funds in the current year or future years, the Director of Finance shall notify the Legislature whether or not the obligation will result in a net expenditure or savings. A department shall prepare and submit to the Department of Finance a business proposal containing the following elements: installed base analysis, future use (including assumptions for future use), the reason for choosing a statewide license agreement rather than any other procurement method such as a volume purchase agreement, a cost/benefit analysis, a cost allocation methodology, and funding plan. A statewide software license agreement may not be entered into or amended unless the approval of the Director of Finance is first obtained and written notification of that approval is provided by the department to the Chairperson of the Joint Legislative Budget Committee, and the chairperson of the budget committee of each house of the Legislature, not less than 30 days prior to the effective date of the approval, or not sooner than whatever lesser time the chairperson of the joint committee, or his or her designee, may in each instance determine. Each notification required by this section shall:

(1) Explain the necessity and rationale for the proposed agreement.

(2) Identify the cost savings, revenue increase, or other fiscal benefit of the proposed agreement.

(3) Identify the funding source for the proposed agreement.

(b) For purposes of this section, ''statewide software license agreement'' means a software license contract that can be used by multiple

state agencies subject to Article 2 (commencing with Section 13320) of Chapter 3 of Part 3 of, Division 3 of Title 2 of the Government Code except that this control section shall not apply to the University of California, the California State University, the State Compensation Insurance Fund, the community college districts, agencies provided for by Article VI of the California Constitution, or the Legislature.

(c) Subdivision (a) does not apply if the amount of the proposed contract or amendment is less than $1,000,000 in the aggregate.

SEC. 11.11. In order to protect the privacy of state employees and ensure the security of the payment of public funds, all departments, boards, offices, and other agencies and entities of the state shall distribute pay warrants and direct deposit advices to employees in a manner that ensures that personal and confidential information contained on the warrants and direct deposit advices is protected from unauthorized access. The Department of Personnel Administration shall advise all departments, boards, offices, and other agencies and entities of state government of the requirements contained in this section.

SEC. 11.52. Notwithstanding any other provision of law, the State Controller shall transfer to the General Fund the unencumbered balance, as of June 30, 2005, from the Energy and Resources Fund.

SEC. 12.00. For the purposes of Article XIII B of the California Constitution, there is hereby established a state ''appropriations limit'' ~~of sixty-eight billion four hundred seventy-eight million dollars ($68,478,000,000) for the 2005–06 fiscal~~ *of sixty-eight billion eight hundred ninety million dollars ($68,890,000,000) for the 2005–06 fiscal* year.

Any judicial action or proceeding to attack, review, set aside, void, or annul the ''appropriations limit'' for the 2005–06 fiscal year shall be commenced within 45 days of the effective date of this act.

SEC. 12.30. There is hereby appropriated from the General Fund for transfer to the Special Fund for Economic Uncertainties by the Controller, upon order of the Director of Finance, an amount necessary to bring the balance of this special fund up to the amount stated in the 2005–06 Final Change Book for the 2005–06 fiscal year ending balance in the Special Fund for Economic Uncertainties. The amount so transferred shall be reduced by the amount of excess revenues subject to Section 2 of Article XIII B of the California Constitution, as determined by the Director of Finance.

SEC. 12.32. (a) It is the intent of the Legislature that appropriations that are subject to Section 8 of Article XVI of the California Constitution be designated with the wording ''Proposition 98.'' In the event these appropriations are not so designated, they may be designated as such by the Department of Finance, where that designation is consistent with legislative intent, within 30 days after notification in writing of the proposed designation to the chairperson of the committee in each house of the Legislature that considers appropriations and the Chairperson of the Joint Legislative Budget Committee, or within a lesser

time that the chairperson of the joint committee, or his or her designee, determines.

(b) Pursuant to the Proposition 98 funding requirements established in Chapter 2 (commencing with Section 41200) of Part 24 of the Education Code, the total appropriations for Proposition 98 for the 2005–06 fiscal year are ~~$38,815,833,000 or 47.2~~ *$36,590,833,000 or 44.5* percent of total General Fund revenues and transfers subject to the state appropriations limit. General Fund revenues appropriated for school districts are ~~$35,055,566,000 or 42.7~~ *$33,070,754,000 or 40.2* percent of total General Fund revenues and transfers subject to the state appropriations limit. General Fund revenues appropriated for community college districts are ~~$3,653,462,000 or 4.4~~ *$3,413,274,000 or 4.2* percent of total General Fund revenues and transfers subject to the state appropriations limit. General Fund revenues appropriated for other state agencies that provide direct elementary and secondary level education, as defined in Section 41302.5 of the Education Code, are $106,805,000 or 0.1 percent of total General Fund revenues and transfers subject to the state appropriations limit.

SEC. 12.40. (a) Notwithstanding any other provision of law, not more than 10 percent of the amount apportioned to any school district, county office of education, or other educational agency under the programs funded in this act that were funded in Item 6110-230-0001 of Section 2.00 of SB 160 of the 1999–2000 Regular Session, as introduced on January 8, 1999, may be expended by that recipient for the purposes of any other program for which the recipient is eligible for funding under those items, except that the total amount of funding allocated to the recipient under this item that is expended by the recipient for the purposes of any of those programs shall not exceed 115 percent of the amount of state funding allocated pursuant to the appropriations to that recipient for those programs in this act for the 2005–06 fiscal year. Notwithstanding any other provision of law, for the 2005–06 fiscal year, local education agencies may also use this authority to provide the funds necessary to initiate a conflict resolution program pursuant to Chapter 2.5 (commencing with Section 32260) of Part 19 of the Education Code, and to continue to support following the three-to-five year state grant period.

(b) The education programs that are eligible for the flexibility provided in subdivision (a) included the following items: Items 6110-111-0001, 6110-119-0001, 6110-122-0001, 6110-124-0001, 6110-128-0001, 6110-151-0001, 6110-167-0001, 6110-181-0001, 6110-193-0001, 6110-203-0001, 6110-209-0001, and 6110-224-0001 of this act.

(c) As a condition of receiving the funds provided for the programs identified in subdivision (b), local education agencies shall report to the State Department of Education by October 15, 2006, on any amounts shifted between these programs pursuant to the flexibility provided in subdivision (a). The Department of Education shall collect and provide this information to the Joint Legislative Budget Committee, chairs and

vice chairs of the fiscal committees for education of the Legislature and the Department of Finance, by February 1, 2007.

SEC. 12.60. It is the intent of the Legislature that education programs with voluntary participation be funded at statutorily authorized levels. Notwithstanding any other provision of law, the Controller, upon approval of the Director of Finance, shall transfer unobligated funds between any of the following voluntary participation programs to the extent needed to fully fund eligible participation. First priority for allocation of savings shall be given to the CalSAFE program, Item 6110-198-0001. The Department of Finance shall notify the Joint Legislative Budget Committee of any transfers made under this control section. The items between which the Controller may transfer funds pursuant to this section are the following: Items 6110-104-0001, 6110-190-0001, 6110-195-0001, 6110-198-0001, 6110-211-0001, 6110-232-0001, and 6110-234-0001.

SEC. 12.75. The Superintendent of Public Instruction shall reduce by ~~$1,406,000~~ *$1,126,000* funding for basic aid school districts from the Proposition 98 categorical funds appropriated in this act that would otherwise be allocated to basic aid school districts, in accordance with legislation that goes into effect on or before January 1, 2006.

SEC. 13.00. (a) Notwithstanding any other provision of law, expenditures under Item 0160-001-0001 of Section 2.00 of this act or any appropriation in augmentation of that item shall be exempt from Chapter 7 (commencing with Section 11700) of Part 1 of, and Article 2 (commencing with Section 13320) of Chapter 3 of Part 3 of, Division 3 of Title 2 of the Government Code, Division 2 (commencing with Section 1100) of the Public Contract Code, and subdivision (a) of Section 713 of Title 2 of the California Code of Regulations, and may be expended as set forth in the Governor's Budget, or for other purposes, including expenditures for the number of positions in various classifications authorized by the Joint Rules Committee.

(b) Notwithstanding any other provision of law, the unencumbered balances as of June 30, 2006, of the appropriations made by Items 0160-001-0001 and 8840-001-0001 of the Budget Act of 2005 are reappropriated and shall be available for encumbrance until June 30, 2007, for the same programs and purposes for which appropriations for these items have been made by this act.

(c) Notwithstanding any other provision of law, all money that is received as payment for the sale of services or personal property by the agency that has not been taken into consideration in the schedule of Item 0160-001-0001 or is in excess of the amount so taken into consideration is to be credited to that item and is hereby appropriated in augmentation of that item for the same programs and purposes for which appropriations for that item have been made by this act.

(d) Notwithstanding any other provision of law, the Legislative Counsel Bureau may convert or reclassify positions in the bureau, as deemed appropriate by the Legislative Counsel, for inclusion, or redesignation, in the career executive assignment band, to the extent that the

total number of positions in the career executive band in the bureau does not exceed 3 percent of the positions in the bureau. Any position that is converted or reclassified shall not be subject to review or approval by the Department of Personnel Administration or State Personnel Board.

SEC. 14.00. (a) Notwithstanding any other provision of law, if the Director of the Department of Consumer Affairs determines in writing that there is insufficient cash in a special fund under the authority of a board, commission, or bureau of the department to make one or more payments currently due and payable, the director may order the transfer of moneys to that special fund, in the amount necessary to make the payment or payments, as a loan from a special fund under the authority of another board, commission, or bureau of the department. That loan shall be subject to all of the following conditions:

(1) No loan from a special fund shall be made that would interfere with the carrying out of the object for which the special fund was created.

(2) The loan shall be repaid as soon as there is sufficient money in the recipient fund to repay the amount loaned, but no later than a date 18 months after the date of the loan. Interest on the loan shall be paid from the recipient fund at the rate accruing during the loan period to moneys in the Pooled Money Investment Account.

(3) The amount loaned shall not exceed the amount that the appropriate board, commission, or bureau is statutorily authorized at the time of the loan to expend during the 2005–06 fiscal year from the recipient fund.

(4) The terms and conditions of the loan are approved, prior to the transfer of funds, by the Department of Finance pursuant to appropriate fiscal standards.

(b) (1) Notwithstanding any other provision of law, the Department of Consumer Affairs, during the 2005–06 fiscal year, may order the release of moneys from the clearing account in the Consumer Affairs Fund in an amount exceeding the amount advanced to the clearing account from a special fund within the department, as a loan to make one or more payments on behalf of that special fund that are currently due and payable. To the extent that the amount of moneys currently in the clearing account is insufficient to make the payment or payments on behalf of that special fund, the department may transfer additional moneys to the clearing account from any other special fund under the authority of a board, commission, or bureau of the department to include in the loan. A loan made to a special fund under this subdivision shall be subject to all of the following conditions:

(A) The loan shall not be made if it would reduce the amount advanced to the clearing account from another special fund, or the amount contained in that special fund, as applicable, to an extent that would interfere with the carrying out of the object for which that special fund was created.

(B) The loan shall be repaid as soon as there is sufficient money in the recipient fund to repay the amount loaned, but no later than a date 60 days after the date of the loan.

(C) The amount loaned shall not exceed the amount that the appropriate board, commission, or bureau is statutorily authorized at the time of the loan to expend during the 2005–06 fiscal year from the recipient fund.

(2) For purposes of this subdivision, the ''clearing account'' in the Consumer Affairs Fund is the account established in that fund, consisting of moneys advanced from the various special funds within the department, from which the Department of Consumer Affairs pays operating and other expenses of each special fund in an amount ordinarily not exceeding the amount advanced from that special fund.

(c) The Director of the Department of Consumer Affairs shall provide a report by March 1, 2006, on all loans initiated or repayments made pursuant to subdivision (a) or (b) within the preceding 12-month period to the chairperson of the budget committee, and the chairperson of the appropriate legislative oversight committee, of each house of the Legislature.

(d) At least 10 days prior to initiating a loan to be made pursuant to subdivision (a) or (b), the Director of the Department of Consumer Affairs shall provide written notification to the Joint Legislative Budget Committee if either (1) any loan from any one fund exceeds $200,000 or (2) the aggregate amount of loans from any one fund exceeds $200,000.

SEC. 17.00. The Budget Act of 2005 includes ~~$61,787,000~~ *$67,968,000* ~~($16,786,000~~ *($15,899,000* from the General Fund, ~~$40,366,000~~ *$47,434,000* from federal funds, $1,088,000 from special funds, and $3,547,000 from reimbursements) for applicant state agencies, departments, boards, commissions, or other entities of state government in support of federal Health Insurance Portability and Accountability Act (HIPAA) of 1996 activities. These funds are allocated to the following entities:

California Health and Human Services Agency
General Fund.....2,992,000
Reimbursements.....616,000
Public Employees' Retirement System
Special Funds.....223,000
Office of Statewide Health Planning and Development
Special Funds.....102,000
Department of Aging
General Fund.....12,000
Reimbursements.....12,000
Department of Alcohol and Drug Programs
General Fund.....831,000
Reimbursements.....960,000

Department of Health Services
General Fund ..... ~~10,758,000~~
*9,871,000*
Special Funds ..... 508,000
Federal Funds ..... ~~40,320,000~~
*47,388,000*
Managed Risk Medical Insurance Board
General Fund ..... 25,000
Special Funds ..... 30,000
Federal Funds ..... 46,000
Department of Developmental Services
General Fund ..... 968,000
Reimbursements ..... 882,000
Department of Mental Health
General Fund ..... 1,075,000
Reimbursements ..... 1,077,000
Department of Personnel Administration
Special Funds ..... 225,000
Department of Veterans Affairs
General Fund ..... 125,000

SEC. 24.00. For the 2005–06 fiscal year, the donations and oil and mineral revenues from federal lands that are deposited in the State School Fund shall be divided between Section A and Section B of the State School Fund, with 85 percent of these revenues to be credited to Section A of the fund exclusively for regular apportionments for school districts serving pupils in kindergarten or any of grades 1 to 12, inclusive, and 15 percent to Section B of the fund exclusively for community college district regular apportionments. The amounts accruing to the State School Fund under this section shall be disbursed fully before any General Fund transfers to Section A or Section B of the State School Fund are disbursed for regular apportionments.

SEC. 24.03. Notwithstanding any other provision of law, funds appropriated by Section 2.00, Section 8.50, Section 28.00, Section 28.50, or any other provision of this act may not be expended for the support of any program, network, or material, with the exception of instruction to pupils who are identified as deaf or hearing impaired pursuant to 34 C.F.R. 300.7(b) paragraphs (3) and (4), that promotes or uses reading instruction methodologies that emphasize contextual clues in lieu of fluent decoding.

SEC. 24.10. (a) Notwithstanding Section 1464 of the Penal Code or Section 41304 of the Education Code, the first one million one hundred six thousand dollars ($1,106,000) received by the Driver Training Penalty Assessment Fund for the 2005–06 fiscal year shall be available for the purposes of Item 6110-001-0178 of Section 2.00 of this act. The amount retained by the Driver Training Penalty Assessment Fund for the purposes of Item 6110-001-0178 may be adjusted by the Department of Finance for actions pursuant to any control section of this act.

(b) After moneys are retained by the Driver Training Penalty Assessment Fund pursuant to subdivision (a), the Controller shall transfer any remaining balances as follows: $4,121,000 to the Victim Witness Assistance Fund; and $14,000,000 to the Peace Officers' Training Fund. Any remaining unallocated moneys in the Driver Training Penalty Assessment Fund shall be transferred to the General Fund.

SEC. 24.30. Notwithstanding any other provision of law, the Controller, upon order of the Director of Finance, shall transfer rental income received in the 2005–06 fiscal year pursuant to Section 17089 of the Education Code, in an amount determined by the Department of Finance, from the State School Building Aid Fund to the General Fund.

*SEC. 24.50. An amount equal to the amount finally appropriated in Item 6110-191-0001 of Section 2.00 is hereby appropriated from the Proposition 98 Reversion Account to the Chancellor of the California Community Colleges for local assistance for Career and Technical Education Programs pursuant to legislation which is enacted during the 2005–06 Regular Session and which is effective on or before January 1, 2006.*

SEC. 24.60. Each state entity receiving lottery funds shall annually report to the Governor and the Legislature on or before May 15 the amount of lottery funds that the entity received and the purposes for which those funds were expended in the prior fiscal year, including administrative costs. The State Department of Education shall report on behalf of K–12 entities. If applicable, the entity shall also report the amount of lottery funds received on the basis of adult education average daily attendance (ADA) and the amount of lottery funds expended for adult education.

SEC. 24.70. From the funds appropriated to the State Department of Education for local assistance, the department shall ensure that the expenditure of funds allocated to a local educational agency (LEA), through a contract between the department and the LEA or through a grant from the department to the LEA, shall be subject to the LEA's fiscal accountability policies and procedures. If it is necessary for the LEA to establish a separate entity to complete the work scope of the contract or grant, the fiscal accountability policies and procedures for that entity shall be the same as those of the LEA, or amended only with the approval of both the superintendent of schools of the LEA and a fiscal representative of the department designated by the Superintendent of Public Instruction. Further, the department shall have the authority to provide for an audit of the expenditures under the contract or grant between the department and the LEA to verify conformance with appropriate fiscal accountability policies and procedures. The cost of the audit, if required, shall be charged to the audited contract or grant.

SEC. 25.25. Notwithstanding any other provision of law, a sum not to exceed $7,887,000 is appropriated from various special and nongovernmental cost funds to the State Controller for payment of costs to support the replacement of the existing automated human resource/

payroll systems known as the 21st Century Project. The Controller shall assess these funds in sufficient amounts to pay for the authorized 21st Century Project costs that are attributable to such funds pursuant to Government Code Section 12432. Assessments in support of the expenditures for the 21st Century Project shall be made quarterly and the total amount assessed from these funds in the 2005–06 fiscal year shall not exceed the total expenditures incurred by the State Controller for the 21st Century Project that are attributable to those funds in the 2005–06 fiscal year.

SEC. 25.50. Notwithstanding any other provision of law, an amount not to exceed one million six hundred eighty-five thousand dollars ($1,685,000) is hereby appropriated from various funds to the State Controller as specified below for reimbursement of costs for the procurement, development, and implementation of a new Apportionment Payment System:

| | | |
|---|---|---|
| 0046 | Public Transportation Account | $ 17,000 |
| 0062 | Highway Users Tax Account | 525,000 |
| 0064 | Motor Vehicle License Fee Account | 34,000 |
| 0330 | Local Revenue Fund | 417,000 |
| 0877 | DMV Local Agency Collection Fund | 6,000 |
| 0932 | Trial Court Trust Fund | 288,000 |
| 0965 | Timber Tax Fund | 2,000 |
| 0969 | Public Safety Account | 396,000 |
| | Total, All Funds | $1,685,000 |

The Controller shall assess these funds for the costs of the new Apportionment Payment System because apportionment payments in excess of ten million dollars ($10,000,000) are made annually from these funds. Assessments in support of the expenditures for the Apportionment Payment System shall be made monthly, and the total amount assessed from these funds may not exceed the total expenditures incurred by the State Controller for the Apportionment Payment System for the 2005–06 fiscal year.

SEC. 26.00. (a) It is the intent of the Legislature, in enacting this section, to provide flexibility for the administrative approval of intra-schedule transfers within individual items of appropriation in those instances where the transfers are necessary for the efficient and cost-effective implementation of the programs, projects, and functions funded by this act. No transfer shall be authorized under this section to either eliminate any program, project, or function, except when implementation is found to be no longer feasible in light of changing circumstances or new information, or establish any new program, project, or function.

(b) The Director of Finance may, pursuant to a request by the officer, department, division, bureau, board, commission, or other agency to which an appropriation is made by this act, authorize the augmentation of the amount available for expenditure in any schedule set forth for that appropriation, by making a transfer from any of the other designated programs, projects, or functions within the same schedule. No in-

traschedule transfer may be made under this section to fund any capital outlay purpose, regardless of whether budgeted in a capital outlay or a local assistance appropriation. Upon the conclusion of the 2005–06 fiscal year, the Director of Finance shall furnish the chairpersons of the committees in each house of the Legislature that consider appropriations and the Budget, and the Chairperson of the Joint Legislative Budget Committee, with a report on all authorizations given pursuant to this section during that fiscal year.

(c) Intraschedule transfers of the amounts available for expenditure for a program, project, or function designated in any line of any schedule set forth for that appropriation by transfer from any of the other designated programs, projects, or functions within the same schedule shall not exceed, during any fiscal year:

(1) 20 percent of the amount so scheduled on that line for those appropriations made by this act that are $2,000,000 or less.

(2) $400,000 of the amount so scheduled on that line for those appropriations made by this act that are more than $2,000,000 but equal to or less than $4,000,000.

(3) 10 percent of the amount so scheduled on that line for those appropriations made by this act that are more than $4,000,000.

(4) The Department of Transportation Highway Program shall be limited to a schedule change of 10 percent.

(d) Any transfer in excess of $200,000 may be authorized pursuant to this section not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairperson of the committee in each house of the Legislature that considers appropriations and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the Chairperson of the Joint Legislative Budget Committee, or his or her designee, may in each instance determine.

(e) Any transfer in excess of the limitations provided in subdivision (c) may be authorized not sooner than 30 days after notification in writing of the necessity to exceed the limitations is provided to the chairperson of the committee in each house that considers appropriations and the Chairperson of the Joint Legislative Budget Committee or his or her designee, may in each instance determine.

SEC. 28.00. (a) It is the intent of the Legislature in enacting this section to provide flexibility for administrative approval of augmentations for the expenditure of unanticipated federal funds or other nonstate funds in cases that meet the criteria set forth in this section. However, this section does not provide an alternative budget process, and proposals for additional spending ordinarily should be considered in the annual State Budget or other state legislation.

(b) The Director of Finance may authorize the augmentation of the amount available for expenditure for any program, project, or function in the schedule of any appropriation in this act or any additional program, project, or function equal to the amount of any additional, unanticipated funds that he or she estimates will be received by the state during the 2005–06 fiscal year from any agency of local government or the

federal government, or from any other nonstate source, provided that the additional funding meets all of the following requirements:

(1) The funds will be expended for a purpose that is consistent with state law.

(2) The funds are made available to the state under conditions permitting their use only for a specified purpose, and the additional expenditure proposed under this section would apply to that specified funding purpose.

(3) Acceptance of the additional funding does not impose on the state any requirement to commit or expend new state funds for any program or purpose.

(4) The need exists to expend the additional funding during the 2005–06 fiscal year.

(c) The Director of Finance also may reduce any program, project, or function whenever he or she determines that funds to be received will be less than the amount taken into consideration in the schedule.

(d) Any augmentation or reduction that exceeds either (1) two hundred thousand dollars ($200,000) or (2) 10 percent of the amount available for expenditure in the affected program, project, or function may be authorized not sooner than 30 days after notification in writing of the necessity is provided to the chairperson of the committee in each house of the Legislature that considers appropriations, the chairpersons of the committees, and the appropriate subcommittees, in each house that considers the State Budget, and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the Chairperson of the Joint Legislative Budget Committee, or his or her designee, may in each instance determine. With regard to any proposed augmentation, the notification shall state the basis for the determination by the Director of Finance that the augmentation meets each of the requirements set forth in subdivision (b). This notification requirement does not apply to federal funds related to caseload increases in Medi-Cal, California Work Opportunity and Responsibility to Kids (CalWORKs), and Supplemental Security Income/State Supplementary Program (SSI/SSP).

(e) Any personnel action that is dependent on funds subject to this section shall not be effective until after the provisions of this section have been complied with. Any authorization made pursuant to this section shall remain in effect for the period the director may determine in each instance, but in no event after June 30, 2006.

SEC. 28.50. (a) Except as otherwise provided by law, an officer, department, division, bureau, or other agency of the state may expend for the 2005–06 fiscal year all moneys received as reimbursement from another officer, department, division, bureau, or other agency of the state that has not been taken into consideration by this act or any other statute, upon the prior written approval of the Director of Finance. The Department of Finance may also reduce any reimbursement amount and related program, project, or function amount if funds received from

another officer, department, division, bureau, or other agency of the state will be less than the amount taken into consideration in the schedule.

(b) For any expenditure of reimbursements or any transfer for the 2005–06 fiscal year that exceeds two hundred thousand dollars ($200,000), the Director of Finance shall provide notification in writing of any approval granted under this section, not less than 30 days prior to the effective date of that approval, to the chairperson of the committee in each house of the Legislature that considers appropriations, the chairpersons of the committees and the appropriate subcommittees in each house of the Legislature that consider the State Budget, and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the Chairperson of the Joint Legislative Budget Committee, or his or her designee, may in each instance determine. Increases to reimbursements are not reportable under this section if the funding for the other officer, department, division, bureau, or other agency of the state providing the reimbursement has already been approved by the Legislature. These adjustments are considered technical in nature and are authorized in Section 1.50 of this act.

SEC. 29.00. The Department of Finance shall calculate and publish a listing of total personnel-years and estimated salary savings for each department and agency. These listings shall be published by the Department of Finance at the same time as the publication of (a) the Governor's Budget, (b) the May Revision and (c) the Final Change Book.

(a) The listing provided at the time of the publication of the Governor's Budget shall contain estimates of personnel-years for the prior year, current year, and budget year.

(b) The listing provided at the time of publication of the May Revision shall contain estimates of personnel-years proposed for the budget year.

(c) The listing provided at the time of the publication of the Final Change Book shall contain estimates of personnel-years for the budget year just enacted.

SEC. 30.00. Section 13340 of the Government Code is amended to read:

13340. (a) Except as provided in subdivision (b), on and after July 1, 2006, no moneys in any fund that, by any statute other than a Budget Act, are continuously appropriated without regard to fiscal years, may be encumbered unless the Legislature, by statute, specifies that the moneys in the fund are appropriated for encumbrance.

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

(1) The scheduled disbursement of any local sales and use tax proceeds to an entity of local government pursuant to Part 1.5 (commencing with Section 7200) of Division 2 of the Revenue and Taxation Code.

(2) The scheduled disbursement of any transactions and use tax proceeds to an entity of local government pursuant to Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code.

(3) The scheduled disbursement of any funds by a state or local agency or department that issues bonds and administers related programs for which funds are continuously appropriated as of June 30, 2006.

(4) Moneys that are deposited in proprietary or fiduciary funds of the California State University and that are continuously appropriated without regard to fiscal years.

(5) The scheduled disbursement of any motor vehicle license fee revenues to an entity of local government pursuant to the Vehicle License Fee Law (Part 5 (commencing with Section 10701) of Division 2 of the Revenue and Taxation Code).

SEC. 31.00. (a) The appropriations made by this act shall be subject, unless otherwise provided by law, to Section 13320 of, and Article 2.5 (commencing with Section 13332) of Chapter 3 of Part 3 of Division 3 of Title 2 of, the Government Code, requiring expenditures to be made in accordance with the allotments and other provisions of fiscal year budgets approved by the Department of Finance.

(b) The fiscal year budgets shall authorize, in the manner that the Department of Finance shall prescribe, all established positions whose continuance for the year is approved and all new positions. No new position shall be established unless authorized by the Department of Finance on the basis of work program and organization.

(c) The Director of Finance, or his or her authorized designee, shall notify the Chairperson of the Joint Legislative Budget Committee within 30 days of authorizing any position not authorized for that fiscal year by the Legislature or any reclassification to a position with a minimum step per month of six thousand three hundred thirty-four dollars ($6,334) as of July 1, 2005. He or she also shall report all transfers to blanket authorizations and the establishment of any permanent positions out of a blanket authorization.

(d) All positions administratively established pursuant to this section during the 2005–06 fiscal year shall terminate on June 30, 2006, except for those positions that have been (a) included in the Governor's Budget for the 2006–07 fiscal year as proposed new positions, or (b) approved by the Department of Finance and reported to the Legislature after the 2006–07 Governor's Budget submission to the Legislature. The positions identified in (a) and (b) above may be reestablished by the Department of Finance during the 2006–07 fiscal year, provided these positions are shown in the Governor's Budget for the 2007–08 fiscal year as submitted to the Legislature, or in subsequent Department of Finance letters to the Legislature, and provided that these positions do not result in the establishment of positions deleted by the Legislature through the budget process for the 2006–07 fiscal year.

(e) No money in any 2005–06 fiscal year appropriation not appropriated for that purpose may be expended for increases in salary ranges or any other employee compensation action unless the Department of Finance certifies to the salary and other compensation-setting authority, prior to the adoption of the action, that funds are available to pay the increased salary or employee compensation resulting from the action. Prior to certification, the Department of Finance shall determine whether the increase in salary range or employee compensation action will require supplemental funding in the 2006–07 fiscal year. If the Department of Finance determines that supplemental funding will be required, no certification shall be issued unless notification in writing is given by the Department of Finance, at least 30 days before certification is made, to the chairperson of the committee in each house that considers appropriations and the Chairperson of the Joint Legislative Budget Committee, or a lesser time which the chairperson of the joint committee, or his or her designee, determines.

(f) A certification on a payroll claim that expenditures therein are in accordance with current budgetary provisions as approved by the Department of Finance shall be sufficient evidence to the Controller that these expenditures comply with the provisions of this section.

SEC. 32.00. (a) The officers of the various departments, boards, commissions, and institutions, for whose benefit and support appropriations are made in this act, are expressly forbidden to make any expenditures in excess of these appropriations. Any indebtedness attempted to be created against the state in violation of this section shall be null and void, and shall not be allowed by the Controller nor paid out of any state appropriation. Any member of a department, board, commission, or institution who shall vote for any expenditure, or create any indebtedness against the state in excess of the respective appropriations made by this act shall be liable both personally and on his or her official bond for the amount of the indebtedness, to be recovered in any court of competent jurisdiction by the person or persons, firm, or corporation to which the indebtedness is owing.

(b) Subdivision (a) does not apply to the expenditure of moneys to fund continuous appropriations, including appropriations made in the California Constitution, and federal laws mandating the expenditure of funds.

SEC. 33.00. If any item of appropriation in this act is vetoed, eliminated, or reduced by the Governor under Section 10 of Article IV of the California Constitution, while approving portions of this act, such veto, elimination, or reduction shall not affect the other portions of this act, and these other portions of this act, so approved, shall have the same effect in law as if any vetoed or eliminated items of appropriation had not been present in this act, and as if any reduced item of appropriation had not been reduced.

SEC. 33.50. Notwithstanding any other provision of law, the Department of Finance is authorized to periodically reduce amounts in items of appropriation in this act for the 2005–06 fiscal year to reflect

savings resulting from California's Procurement Initiative for the 21st Century. The Director of Finance shall notify the Chairperson of the Joint Legislative Budget Committee at least 30 days prior to reducing any item of appropriation. The notice shall include, but is not limited to: (a) identifying which department received the savings; (b) identifying when and how the savings were achieved; (c) identifying the types of goods and services as to which savings were achieved; and (d) describing the methodology used to calculate the savings.

SEC. 34.00. If any portion of this act is held unconstitutional, that decision shall not affect the validity of any other portion of this act. The Legislature hereby declares that it would have passed this act, and each portion thereof, irrespective of the fact that any other portion be declared unconstitutional.

SEC. 35.50. (a) For purposes of paragraph (1) of subdivision (f) of Section 10, and subdivision (f) of Section 12, of Article IV of the California Constitution, ''General Fund revenues'' means the total resources available to the General Fund for a fiscal year.

(b) For purposes of subdivision (f) of Section 12 of Article IV of the California Constitution, the estimate of General Fund revenues for the 2005–06 fiscal year pursuant to this act, as passed by the Legislature, is ~~$86,879,279,000~~ *$91,178,000,000* .

SEC. 36.00. This act, inasmuch as it provides for appropriations for the usual and current expenses of the state, shall, under the provisions of Section 8 of Article IV of the California Constitution, take effect immediately.

SEC. 37.00. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

This act makes appropriations and contains related provisions for support of state and local government for the 2005–06 fiscal year and provides for capital outlay appropriations in continuance of existing programs and to promote and sustain the economy of the state. It is imperative that these appropriations be made available for expenditure not later than July 1, 2005. It is therefore necessary that this act go into immediate effect.

# INDEX BY BUDGET TITLE

SEC. 99.00. The following provides an index to the appropriations and related provisions of this act, by organization in alphabetical order, with the code number of the affected organization. The organization code is the first four numbers of any item number in this act. For ease of reference, the appropriation items in this act are organized in numerical order, and all of the appropriation items for any one organization are adjacent to one another.


| Department | Organization Code |
|---|---|
| "A" | |
| Administrative Law, Office of | 8910 |
| Aging, Commission on | 4180 |
| Aging, Department of | 4170 |
| Agricultural Labor Relations Board | 7300 |
| Air Resources Board, State | 3900 |
| Alcohol and Drug Programs, Department of | 4200 |
| Alcoholic Beverage Control, Department of | 2100 |
| Alcoholic Beverage Control Appeals Board | 2120 |
| Alternative Energy and Advanced Transportation Financing Authority, California | 0971 |
| Arts Council, California | 8260 |
| Assembly | 0120 |
| Audits, Bureau of State | 8855 |
| "B" | |
| Baldwin Hills Conservancy | 3835 |
| Bay-Delta Authority, California | 3870 |
| Boards. See subject (e.g., Air Resources, Control, etc.) | |
| Boating and Waterways, Department of | 3680 |
| Business, Transportation and Housing, Secretary for | 0520 |
| "C" | |
| Capital Outlay Planning and Studies Funding | 9860 |
| Child Support Services, Department of | 5175 |
| Chiropractic Examiners, Board of | 8500 |
| Citizens' Compensation Commission, California | 8385 |
| Coachella Valley Mountains Conservancy | 3850 |
| Coastal Commission, California | 3720 |
| Coastal Conservancy, State | 3760 |
| Colorado River Board of California | 3460 |

| Department | Organization Code |
|---|---|
| Community Colleges, Board of Governors of the California | 6870 |
| Community Services and Development | 4700 |
| Conservation, Department of | 3480 |
| Conservation Corps, California | 3340 |
| Consumer Affairs-Bureaus, Programs and Divisions, Department of | 1111 |
| Consumer Affairs-Regulatory Boards, Department of. | 1110 |
| Consumer Power and Conservation Financing Authority, California | 8665 |
| Contingencies or Emergencies, Augmentation for | 9840 |
| Contingencies or Emergencies, Loans for | 9850 |
| Contributions to. See subject (e.g., Judges' Retirement, Teachers' Retirement, etc.) | |
| Controller, State | 0840 |
| Corporations, Department of | 2180 |
| Corrections and Rehabilitation, Department of | 5225 |
| Councils. See subject (e.g., Arts, etc.) | |
| "D" | |
| Debt and Investment Advisory Commission, California | 0956 |
| Debt Limit Allocation Committee, California | 0959 |
| Delta Protection Commission | 3840 |
| Department of. See subject (e.g., Corrections, Food and Agriculture, etc.) | |
| Developmental Disabilities, State Council on | 4100 |
| Developmental Services, Department of | 4300 |
| "E" | |
| Education Audit Appeals Panel | 6125 |
| Education, Department of | 6110 |
| Education, Office of the Secretary for | 0558 |
| Electricity Oversight Board | 8770 |
| Emergency Medical Services Authority | 4120 |
| Emergency Services, Office of | 0690 |
| Employee Compensation, Augmentation for | 9800 |
| Employment Development Department | 7100 |
| Energy Resources Conservation and Development Commission | 3360 |
| Environmental Health Hazard Assessment, Office of | 3980 |
| Environmental Protection, Secretary for | 0555 |
| Equalization, State Board of | 0860 |

| Department | Organization Code |
|---|---|
| Equity Claims of California Victim Compensation and Government Claims Board and Settlements and Judgments by Department of Justice | 9670 |
| "F" | |
| Fair Employment and Housing Commission | 1705 |
| Fair Employment and Housing, Department of | 1700 |
| Fair Political Practices Commission | 8620 |
| Finance, Department of | 8860 |
| Financial Institutions, Department of | 2150 |
| Fish and Game, Department of | 3600 |
| Food and Agriculture, Department of | 8570 |
| Forestry and Fire Protection, Department of | 3540 |
| Franchise Tax Board | 1730 |
| "G" | |
| Gambling Control Commission, California | 0855 |
| General Services, Department of | 1760 |
| Golden State Tobacco Securitization Corporation | 9612 |
| Governor's Office | 0500 |
| "H" | |
| Hastings College of the Law | 6600 |
| Health Facilities Financing Authority, California | 0977 |
| Health and Human Services, Secretary for California. | 0530 |
| Health and Dental Benefits for Annuitants | 9650 |
| Health Services, Department of | 4260 |
| High-Speed Rail Authority | 2665 |
| Highway Patrol, Department of the California | 2720 |
| Horse Racing Board, California | 8550 |
| Housing and Community Development, Department of | 2240 |
| "I" | |
| Independent Living Council, State | 5170 |
| Industrial Development Financing Advisory Commission, California | 0965 |
| Industrial Relations, Department of | 7350 |
| Institutions (See Department of Corrections, State Department of Health, etc.) | |
| Inspector General, Office of | 0552 |
| Insurance, Department of | 0845 |

| Department | Organization Code |
|---|---|
| Integrated Waste Management Board, California | 3910 |
| Interest Payments to the Federal Government | 9625 |

"J"

| | |
|---|---|
| Joint Expenses (Legislature) | 0130 |
| Judges' Retirement Fund, Contributions to | 0390 |
| Judicial Performance, Commission on | 0280 |
| Judicial Branch | 0250 |
| Justice, Department of | 0820 |

"L"

| | |
|---|---|
| Lands Commission, State | 3560 |
| Labor and Workforce Development Agency | 0559 |
| Law Revision Commission, California | 8830 |
| Legislative Analyst, Office of the | 0130 |
| Legislative Counsel Bureau | 0160 |
| Legislature (See Assembly, Senate, or Joint Expenses) | |
| Library, California State | 6120 |
| Lieutenant Governor, Office of the | 0750 |
| Local Government Financing | 9210 |
| Lottery Commission, California State | 0850 |

"M"

| | |
|---|---|
| Managed Health Care, Department of | 2400 |
| Managed Risk Medical Insurance Board | 4280 |
| Mandates, Commission on State | 8885 |
| Medical Assistance Commission, California | 4270 |
| Mental Health, Department of | 4440 |
| Military Department | 8940 |
| Milton Marks "Little Hoover" Commission on California State Government Organization and Economy | 8780 |
| Motor Vehicles, Department of | 2740 |

"N"

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|---|---|
| Native American Heritage Commission | 3780 |

"O"

| | |
|---|---|
| Occupational Information Coordinating Committee, California | 6330 |

| Department | Organization Code |
|---|---|
| Office of. See subject (e.g., Emergency Services, Planning and Research, etc.) | |

"P"

| | |
|---|---|
| Parks and Recreation, Department of | 3790 |
| Payment of Interest on General Fund Loans | 9620 |
| Payment to Counties for Costs of Homicide Trials | 8180 |
| Peace Officer Standards and Training, Commission on | 8120 |
| Personnel Administration, Department of | 8380 |
| Personnel Board, State | 1880 |
| Pesticide Regulation, Department of | 3930 |
| Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun, Board of | 8530 |
| Planning and Research, Office of | 0650 |
| Political Reform Act of 1974 | 8640 |
| Postsecondary Education Commission, California | 6420 |
| Public Defender, State | 8140 |
| Public Employees' Retirement System | 1900 |
| Public Employment Relations Board | 8320 |
| Public Utilities Commission | 8660 |

"R"

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|---|---|
| Real Estate, Department of | 2320 |
| Real Estate Appraisers, Office of | 2310 |
| Rehabilitation, Department of | 5160 |
| Resources, Secretary for | 0540 |

"S"

| | |
|---|---|
| San Diego River Conservancy | 3845 |
| San Francisco Bay Conservation and Development Commission | 3820 |
| San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy | 3825 |
| San Joaquin River Conservancy | 3830 |
| Santa Monica Mountains Conservancy | 3810 |
| Scholarshare Investment Board | 0954 |
| School Finance Authority, California | 0985 |
| Science Center, California | 1100 |
| Secretary of State | 0890 |
| Seismic Safety Commission | 8690 |
| Senate | 0110 |
| Sierra Nevada Conservancy | 3855 |
| Social Services, Department of | 5180 |

| Department | Organization Code |
|---|---|
| Special Resources Program | 3110 |
| Special Transportation Programs | 2640 |
| State. See subject (e.g., Controller, Treasurer, etc.) | |
| State and Consumer Services, Secretary for | 0510 |
| State Mandates, Commission on | 8885 |
| Statewide Health Planning and Development, Office of | 4140 |
| Status of Women, Commission on the | 8820 |
| Student Aid Commission | 7980 |
| Summer School for the Arts, California State | 6255 |

"T"

| | |
|---|---|
| Tahoe Conservancy, California | 3125 |
| Tax Credit Allocation Committee, California | 0968 |
| Tax Relief | 9100 |
| Teacher Credentialing, Commission on | 6360 |
| Teachers' Retirement System, State | 1920 |
| Technology Services, Department of | 1955 |
| Toxic Substances Control, Department of | 3960 |
| Traffic Safety, Office of | 2700 |
| Transportation, Department of | 2660 |
| Transportation Commission, California | 2600 |
| Transportation Programs, Special | 2640 |
| Treasurer, State | 0950 |

"U"

| | |
|---|---|
| Uniform State Laws, Commission on | 8840 |
| University, California State | 6610 |
| University of California | 6440 |

"V"

| | |
|---|---|
| Veterans Affairs, Department of | 8955 |
| Veterans' Home of California—Barstow | 8965 |
| Veterans' Home of California—Chula Vista | 8966 |
| Veterans' Home of California—Yountville | 8960 |
| Victim Compensation and Government Claims Board, California | 1870 |

"W"

| | |
|---|---|
| Water Resources, Department of | 3860 |
| Water Resources Control Board, State | 3940 |
| Wildlife Conservation Board | 3640 |
| Workforce Investment Board, California | 7120 |

INDEX FOR CONTROL SECTIONS

SEC. 99.50. The following is an index to the general sections of this act. These sections serve to define terms and identify restrictions concerning the appropriations contained in this act.

1.00 Budget Act Citation
1.50 Intent and Format
2.00 Availability of Appropriations
3.00 Defines Purposes of Appropriations
3.50 Benefit Charges Against Salaries and Wages
3.60 Contribution to Public Employees' Retirement Benefits
4.01 Employee Compensation Savings
4.10 Reporting Requirements for Unallocated Reductions
4.11 Establishing New Positions
4.20 Contribution to Public Employees' Contingency Reserve Fund
4.30 Lease-Revenue Payment Adjustments
4.80 State Public Works Board Interim Financing
4.90 Architectural Revolving Fund Transfer
4.95 Inmate Construction Revolving Account Transfer
5.25 Attorney's Fees
5.40 CALFED Bay-Delta Program
*5.45 CALFED Bond Fund Information*
6.00 Project Alterations Limits
8.00 Anti-Terrorism Federal Reimbursements
8.50 Federal Funds Receipts
8.51 Federal Funds Accounts
8.52 Federal Reimbursements
8.53 Notice of Federal Audits
9.20 Administrative Costs Associated With the Acquisition of Property
9.30 Federal Levy of State Funds
9.45 Proposition 40-Reporting Requirements
9.50 Minor Capital Outlay Projects
11.00 EDP/Information Technology Reporting Requirements
11.05 Unapproved Information Technology Projects Additional Notification Requirements
11.10 Reporting of Statewide Software License Agreements
11.11 Privacy of Information in Pay Stubs
11.52 Transfer of Unencumbered Balance of Various Funds to the General Fund
12.00 State Appropriations Limit (SAL)
12.30 Special Fund for Economic Uncertainties
12.32 Proposition 98 Funding Guarantee
12.40 Mega-Item Flexibility
12.60 Categorical Contingency Transfer Authority for Deficiencies
12.75 Basic Aid Categorical Reduction K–12
13.00 Legislative Counsel Bureau

14.00 Special Fund Loans Between Boards of the Department of Consumer Affairs
17.00 Federal Health Insurance Portability and Accountability Act (HIPAA)
24.00 State School Fund Allocations
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**O**