

AMENDED IN SENATE NOVEMBER 25, 2008

CALIFORNIA LEGISLATURE—2007—08 FOURTH EXTRAORDINARY SESSION

**SENATE BILL**

**No. 7**

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

November 19, 2008

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~~An act relating to the Budget Act of 2008.~~ *An act to amend Items 3910-004-0226, 3910-004-0281, and 3910-007-0387 of Section 2.00 of the Budget Act of 2003 (Chapter 157 of the Statutes of 2003), and to amend Items 0250-001-3066, 0250-012-0001, 0250-101-0001, 0250-101-0932, 0250-102-0556, 0250-111-0001, 0250-112-0001, 0690-102-0001, 0690-102-0597, 0690-113-0001, 1870-012-0214, 2640-101-0046, 2740-001-0044, 2740-001-0064, 3790-001-0001, 3790-001-6051, 4300-101-0001, 5180-111-0001, 5225-101-0001, 6440-001-0001, 6600-001-0001, 6610-001-0001, 6610-002-0001, 8660-011-0470, 8660-011-0471, 8660-011-0483, 9100-101-0001, 9210-101-0001, and 9210-105-0001 of, to add Item 0250-012-0159 to, and to repeal Item 0690-102-0214 of, Section 2.00 of the Budget Act of 2008 (Chapters 268 and 269 of the Statutes of 2008), and to add Section 3.90 to the Budget Act of 2008, relating to the support of state government, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

SB 7, as amended, Committee on Budget and Fiscal Review. Budget Act of 2008: *revisions.*

~~This bill would express the intent of the Legislature to enact statutory changes relating to the Budget Act of 2008.~~

*The Budget Act of 2008 (Chapters 268 and 269 of the Statutes of 2008) made appropriations for the support of state government during the 2008–09 fiscal year.*

*This bill would amend the Budget Act of 2008 to make adjustments to certain items of appropriations and would authorize the Director of Finance to allocate necessary reductions in employee compensation from General Fund items in the amount of \$240,000,000 and from items relating to other funds in the amount of \$149,000,000. The bill would state the intent of the Legislature that reductions in employee compensation will result in General Fund savings of \$417,000,000 and other fund savings of \$255,000,000 in the 2009–10 fiscal year.*

*The Budget Act of 2003 (Chapter 157 of the Statutes of 2003) makes appropriations for the support of state government during the 2003–04 fiscal year and, among other things, authorizes transfers to the General Fund from certain special funds to be repaid to those funds during the 2nd half of the 2008–09 fiscal year.*

*This bill would amend the Budget Act of 2003 to extend the time for repayment of those transfers to the 2nd half of the 2010–11 fiscal year.*

*The bill would become operative only if either AB 6 or SB 6 of the 2007–08 4th Extraordinary Session is enacted.*

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

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

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

1     ~~SECTION 1. It is the intent of the Legislature to enact statutory~~  
2 ~~changes relating to the Budget Act of 2008.~~

3     *SECTION 1. The adjustments to appropriations made by this*  
4 *act are in addition to the appropriations made in Section 2.00 of*  
5 *the Budget Act of 2008 (Chapters 268 and 269 of the Statutes of*  
6 *2008) and are subject to the provisions of that act, as appropriate,*  
7 *including, as applicable, the provisions of that act that apply to*  
8 *the items of appropriation that are amended by this act. Unless*  
9 *otherwise specified, the references in this act to item numbers refer*  
10 *to items of appropriation in Section 2.00 of the Budget Act of 2008*  
11 *(Chapters 268 and 269 of the Statutes of 2008).*

12     *SEC. 2. Item 0250-001-3066 of Section 2.00 of the Budget Act*  
13 *of 2008 is amended to read:*

1 0250-001-3066—For support of Judicial Branch, payable from  
 2 the Court Facilities Trust Fund..... 17,504,000  
 3 17,492,000

4 Schedule:

5 (1) 35-Judicial Branch Facility Program..... 19,028,000  
 6 19,016,000  
 7 (2) Reimbursements..... -1,524,000

8 Provisions:

- 9 1. Notwithstanding any other provision of law, the Direc-  
 10 tor of Finance may authorize expenditures in excess  
 11 of this item for the operation, repair, and maintenance  
 12 of court facilities pursuant to Section 70352 of the  
 13 Government Code.  
 14 2. Notwithstanding subparagraph (B) of paragraph (1)  
 15 of subdivision (a) of Section 77202 of the Government  
 16 Code, the growth factor for this item for the 2008–09  
 17 fiscal year has been adjusted ~~per the Consumer Price~~  
 18 ~~Index factor of 2.7~~ by 1.4 percent.

19  
 20 *SEC. 3. Item 0250-012-0001 of Section 2.00 of the Budget Act*  
 21 *of 2008 is amended to read:*

22  
 23 0250-012-0001—For transfer by the Controller to the Court  
 24 Facilities Trust Fund..... 3,304,000  
 25 3,292,000

26 Provisions:

- 27 1. Notwithstanding subparagraph (B) of paragraph (1)  
 28 of subdivision (a) of Section 77202 of the Government  
 29 Code, the growth factor for this item for the 2008–09  
 30 fiscal year has been adjusted ~~per the Consumer Price~~  
 31 ~~Index factor of 2.7~~ by 1.4 percent.

32  
 33 *SEC. 4. Item 0250-012-0159 is added to Section 2.00 of the*  
 34 *Budget Act of 2008, to read:*

35  
 36 0250-012-0159—For transfer by the Controller, upon order of  
 37 the Director of Finance, from the Trial Court Improvement  
 38 Fund, to the General Fund ..... (61,000,000)

39

1 SEC. 5. Item 0250-101-0001 of Section 2.00 of the Budget Act  
2 of 2008 is amended to read:

3  
4 0250-101-0001—For local assistance, Judicial Branch..... 18,996,000  
5 18,753,000

6 Schedule:

7 (1) 45.10-Support for Operation of Trial  
8 Courts..... 7,017,000  
9 6,774,000

10 (2) 45.55.010-Child Support Commission-  
11 ers Program (Article 4 (commencing  
12 with Section 4250) of Chapter 2 of Part  
13 2 of Division 9 of the Family Code).... 47,927,000

14 (3) 45.55.020-California Collaborative and  
15 Drug Court Projects..... 5,791,000

16 (4) 45.55.030-Federal Child Access and  
17 Visitation Grant Program..... 1,600,000

18 (5) 45.55.050-Federal Court Improvement  
19 Grant Program..... 700,000

20 (6) 45.55.070-Grants—Other..... 745,000

21 (7) 45.55.080-Federal Grants—Other..... 775,000

22 (8) 45.55.090-Equal Access Fund Pro-  
23 gram..... 10,776,000

24 (9) Reimbursements..... -53,260,000

25 (10) Amount payable from Federal Trust  
26 Fund (Item 0250-101-0890)..... -3,075,000

27 Provisions:

28 1. In order to improve equal access and the fair adminis-  
29 tration of justice, the funds appropriated in Schedule  
30 (8) are to be distributed by the Judicial Council through  
31 the Legal Services Trust Fund Commission to qualified  
32 legal services projects and support centers as defined  
33 in Sections 6213 to 6215, inclusive, of the Business  
34 and Professions Code, to be used for legal services in  
35 civil matters for indigent persons. The Judicial Council  
36 shall approve awards made by the commission if the  
37 council determines that the awards comply with  
38 statutory and other relevant guidelines. Ten percent  
39 of the funds in Schedule (8) shall be for joint projects  
40 of courts and legal services programs to make legal

- 1 assistance available to pro per litigants and 90 percent
- 2 of the funds in Schedule (8) shall be distributed con-
- 3 sistent with Sections 6216 to 6223, inclusive, of the
- 4 Business and Professions Code. The Judicial Council
- 5 may establish additional reporting or quality control
- 6 requirements consistent with Sections 6213 to 6223,
- 7 inclusive, of the Business and Professions Code.
- 8 2. The amount appropriated in Schedule (1) is available
- 9 for reimbursement of court costs related to the follow-
- 10 ing activities: (a) payment of service of process fees
- 11 billed to the trial courts pursuant to the provisions of
- 12 Chapter 1009 of the Statutes of 2002, (b) payment of
- 13 the court costs payable under Sections 4750 to 4755,
- 14 inclusive, and Section 6005 of the Penal Code, and (c)
- 15 payment of court costs of extraordinary homicide tri-
- 16 als.
- 17 3. Notwithstanding subparagraph (B) of paragraph (1)
- 18 of subdivision (a) of Section 77202 of the Government
- 19 Code, the growth factor for this item for the 2008–09
- 20 fiscal year has been adjusted ~~per the Consumer Price~~
- 21 ~~Index factor of 2.7 by 1.4 percent.~~

22  
 23 *SEC. 6. Item 0250-101-0932 of Section 2.00 of the Budget Act*  
 24 *of 2008 is amended to read:*  
 25

26	0250-101-0932—For local assistance, Judicial Branch,	
27	payable from the Trial Court Trust Fund.....	3,045,408,000
28		3,011,088,000
29	Schedule:	
30	(1) 45.10-Support for Operation of the	
31	Trial Courts.....	2,621,571,000
32		2,587,251,000
33	(2) 45.25-Compensation of Superior Court	
34	Judges.....	296,112,000
35	(3) 45.35-Assigned Judges.....	26,047,000
36	(4) 45.45-Court Interpreters.....	91,585,000
37	(5) 45.55.060-Court Appointed Special	
38	Advocate (CASA) Program.....	2,278,000
39	(6) 45.55.065-Model Self-Help Program....	991,000

1	(7) 45.55.090-Equal Access Fund Pro-	
2	gram.....	5,622,000
3	(8) 45.55.095-Family Law Information	
4	Centers.....	346,000
5	(9) 45.55.100-Civil Case Coordination.....	856,000

6 Provisions:

- 7 1. Notwithstanding Section 26.00, the funds appropriated
- 8 or scheduled in this item may be allocated or reallocat-
- 9 ed among categories by the Judicial Council.
- 10 2. The funds appropriated in Schedule (2) shall be made
- 11 available for costs of the workers' compensation pro-
- 12 gram for trial court judges.
- 13 3. The amount appropriated in Schedule (3) shall be made
- 14 available for all judicial assignments. Schedule (3)
- 15 expenditures for necessary support staff may not ex-
- 16 ceed the staffing level that is necessary to support the
- 17 equivalent of three judicial officers sitting on assign-
- 18 ments.
- 19 4. The funds appropriated in Schedule (4) shall be for
- 20 payments for services of contractual court interpreters,
- 21 and certified and registered court interpreters employed
- 22 by the courts, and the following court interpreter coor-
- 23 dinators: 1.0 each in counties of the 1st through the
- 24 15th classes, 0.5 each in counties of the 16th through
- 25 the 31st classes, and 0.25 each in counties of the 32nd
- 26 through the 58th classes. For the purposes of this pro-
- 27 vision, "court interpreter coordinators" may be full-
- 28 or part-time court employees, or those contracted by
- 29 the court to perform these services.
- 30 The Judicial Council shall set statewide or regional
- 31 rates and policies for payment of court interpreters,
- 32 not to exceed the rate paid to certified interpreters in
- 33 the federal court system.
- 34 The Judicial Council shall adopt appropriate rules
- 35 and procedures for the administration of these funds.
- 36 The Judicial Council shall report to the Legislature
- 37 and Director of Finance annually regarding expendi-
- 38 tures from this schedule.
- 39 5. Upon order of the Director of Finance, the amount
- 40 available for expenditure in this item may be augment-

- 1 ed by the amount of any additional resources available  
2 in the Trial Court Trust Fund, which is in addition to  
3 the amount appropriated in this item. Any augmenta-  
4 tion shall be authorized no sooner than 30 days after  
5 notification in writing to the chairpersons of the com-  
6 mittees in each house of the Legislature that consider  
7 appropriations, the chairperson of the committee and  
8 appropriate subcommittees that consider the State  
9 Budget, and the Chairperson of the Joint Legislative  
10 Budget Committee, or not sooner than whatever lesser  
11 time the chairperson of the joint committee or his or  
12 her designee may determine.
- 13 6. Notwithstanding any other provision of law, upon ap-  
14 proval and order of the Department of Finance, the  
15 amount appropriated in this item shall be reduced by  
16 the amount transferred in Item 0250-115-0932 to pro-  
17 vide adequate resources to the Judicial Branch Work-  
18 ers' Compensation Fund to pay workers' compensation  
19 claims for judicial branch employees and judges, and  
20 administrative costs pursuant to Section 68114.10 of  
21 the Government Code.
- 22 7. Of the funds appropriated in Schedule (1), which will  
23 be transferred to the Trial Court Improvement Fund  
24 in accordance with subdivision (b) of Section 77209  
25 of the Government Code, up to \$5,000,000 shall be  
26 available for support of services for self-represented  
27 litigants.
- 28 8. Upon approval by the Administrative Director of the  
29 Courts, the Controller shall transfer up to \$11,274,000  
30 to Item 0250-001-0932 for recovery of costs for admin-  
31 istrative services provided to the trial courts by the  
32 Administrative Office of the Courts.
- 33 9. Upon approval by the Administrative Director of the  
34 Courts, and notification to the Department of Finance,  
35 the chairpersons of the committees in each house of  
36 the Legislature that consider appropriations and the  
37 State Budget, and the Chairperson of the Joint Legisla-  
38 tive Budget Committee, the Controller shall addition-  
39 ally increase the amount of the transfer by an amount  
40 or amounts no more than \$1,691,000 for recovery of

1 costs for administrative services provided to the trial  
 2 courts by the Administrative Office of the Courts. Any  
 3 augmentations shall be authorized no sooner than 30  
 4 days after notification in writing to the chairpersons  
 5 of the committees in each house of the Legislature that  
 6 consider appropriations, the chairpersons of the com-  
 7 mittees and appropriate subcommittees that consider  
 8 the State Budget, and the Chairperson of the Joint  
 9 Legislative Budget Committee, or not sooner than  
 10 whatever lesser time the chairperson of the joint  
 11 committee or his or her designee may determine.

12 10. In order to improve equal access and the fair adminis-  
 13 tration of justice, the funds appropriated in Schedule  
 14 ~~(8)~~ (7) are available for distribution by the Judicial  
 15 Council through the Legal Services Trust Fund Com-  
 16 mission to qualified legal services projects and support  
 17 centers as defined in Sections 6213 to 6215, inclusive,  
 18 of the Business and Professions Code, to be used for  
 19 legal services in civil matters for indigent persons. The  
 20 Judicial Council shall approve awards made by the  
 21 commission if the council determines that the awards  
 22 comply with statutory and other relevant guidelines.  
 23 Upon approval by the Administrative Director of the  
 24 Courts, the Controller shall transfer up to 5 percent of  
 25 the funding appropriated in Schedule ~~(8)~~ (7) to Item  
 26 0250-001-0932 for administrative expenses. Ten per-  
 27 cent of the funds remaining after administrative costs  
 28 shall be for joint projects of courts and legal services  
 29 programs to make legal assistance available to pro per  
 30 litigants and 90 percent of the funds remaining after  
 31 administrative costs shall be distributed consistent  
 32 with Sections 6216 to 6223, inclusive, of the Business  
 33 and Professions Code. The Judicial Council may estab-  
 34 lish additional reporting or quality control require-  
 35 ments consistent with Sections 6213 to 6223, inclusive,  
 36 of the Business and Professions Code.

37 11. Funds available for expenditure in Schedule (7) may  
 38 be augmented by order of the Director of Finance by  
 39 the amount of any additional resources deposited for  
 40 distribution to the Equal Access Fund Program in ac-

1 cordance with Sections 68085.3 and 68085.4 of the  
 2 Government Code. Any augmentation under this pro-  
 3 vision shall be authorized not sooner than 30 days after  
 4 notification in writing to the chairpersons of the com-  
 5 mittees in each house of the Legislature that consider  
 6 appropriations, the chairpersons of the committees and  
 7 appropriate subcommittees that consider the State  
 8 Budget, and the Chairperson of the Joint Legislative  
 9 Budget Committee, or not sooner than whatever lesser  
 10 time the chairperson of the joint committee, or his or  
 11 her designee, may determine.

12 12. Notwithstanding subparagraph (B) of paragraph (1)  
 13 of subdivision (a) of Section 77202 of the Government  
 14 Code, the growth factor for this item for the 2008–09  
 15 fiscal year has been adjusted ~~per the Consumer Price~~  
 16 ~~Index factor of 2.7~~ by 1.4 percent.

17 13. The Judicial Council is authorized to convert up to  
 18 16.0 subordinate judicial officer positions to judgeships  
 19 in the 2008–09 fiscal year in the manner and pursuant  
 20 to the authority described in subparagraph (B) of  
 21 paragraph (1) of subdivision (b) of Section 69615 of  
 22 the Government Code.

23  
 24 *SEC. 7. Item 0250-102-0556 of Section 2.00 of the Budget Act*  
 25 *of 2008 is amended to read:*

26  
 27 0250-102-0556—For local assistance, Judicial Branch, payable  
 28 from the Judicial Administration Efficiency and Modern-  
 29 ization Fund..... 44,676,000  
 30 44,181,000

31 Provisions:

32 1. Upon approval of the Director of Finance, the amount  
 33 available for expenditure in this item may be augment-  
 34 ed by the amount of any additional resources available  
 35 in the Judicial Administration Efficiency and Modern-  
 36 ization Fund, which is in addition to the amount appro-  
 37 priated in this item. Any augmentation shall be autho-  
 38 rized no sooner than 30 days after notification in  
 39 writing to the chairpersons of the committees in each  
 40 house of the Legislature that consider appropriations,

- 1 the chairpersons of the committees and appropriate
- 2 subcommittees that consider the State Budget, and the
- 3 chairperson of the joint committee, or not sooner than
- 4 whatever lesser time the Chairperson of the Joint
- 5 Legislative Budget Committee or his or her designee
- 6 may determine.
- 7 2. Notwithstanding subparagraph (B) of paragraph (1)
- 8 of subdivision (a) of Section 77202 of the Government
- 9 Code, the growth factor for this item for the 2008–09
- 10 fiscal year has been adjusted by a factor of 2.7 percent
- 11 per the Consumer Price Index 1.4 percent.
- 12 3. Notwithstanding any other provision of law, of the
- 13 funds appropriated in this item, up to \$5,967,000 is
- 14 available to fund positions and activities for the devel-
- 15 opment and deployment of the Phoenix Project to im-
- 16 plement a statewide financial and human resources
- 17 system to support trial court operations.

18  
 19 *SEC. 8. Item 0250-111-0001 of Section 2.00 of the Budget Act*  
 20 *of 2008 is amended to read:*

21

22	0250-111-0001—For transfer by the Controller to the Trial	
23	Court Trust Fund.....	1,786,484,000
24		1,752,164,000
25	Provisions:	
26	1. Notwithstanding subparagraph (B) of paragraph (1)	
27	of subdivision (a) of Section 77202 of the Government	
28	Code, the growth factor for this item for the 2008–09	
29	fiscal year has been adjusted <del>per the Consumer Price</del>	
30	<del>Index factor of 2.7</del> by 1.4 percent.	

31  
 32 *SEC. 9. Item 0250-112-0001 of Section 2.00 of the Budget Act*  
 33 *of 2008 is amended to read:*

34

35	0250-112-0001—For transfer by the Controller to the Judicial	
36	Administration Efficiency and Modernization Fund.....	38,709,000
37		38,214,000
38	Provisions:	
39	1. Notwithstanding subparagraph (B) of paragraph (1)	
40	of subdivision (a) of Section 77202 of the Government	

1 Code, the growth factor for this item for the 2008–09  
 2 fiscal year has been adjusted ~~per the Consumer Price~~  
 3 ~~Index factor of 2.7~~ by 1.4 percent.

4  
 5 *SEC. 10. Item 0690-102-0001 of Section 2.00 of the Budget*  
 6 *Act of 2008 is amended to read:*

7  
 8 0690-102-0001—For local assistance, Office of Emergency  
 9 Services..... 48,794,000  
 10 26,058,000

11 Schedule:

12 (1) 50.20-Victim Services..... 3,916,000  
 13 (2) 50.30-Public Safety..... 44,878,000  
 14 22,142,000

15 Provisions:

- 16 1. Notwithstanding any other provision of law, the Office  
 17 of Emergency Services may provide advance payment  
 18 of up to 25 percent of grant funds awarded to commu-  
 19 nity-based nonprofit organizations, cities, school dis-  
 20 tricts, counties, and other units of local government  
 21 that have demonstrated cashflow problems according  
 22 to the criteria set forth by the Office of Emergency  
 23 Services.
- 24 2. To maximize the use of program funds and demon-  
 25 strate the commitment of the grantees to program ob-  
 26 jectives, the Office of Emergency Services shall re-  
 27 quire all grantees of funds from the Gang Violence  
 28 Suppression-Curfew Enforcement Strategy Program  
 29 to provide local matching funds of at least 10 percent  
 30 for the first and each subsequent year of operation.  
 31 This match requirement applies to each agency that is  
 32 to receive grant funds. An agency may meet its match  
 33 requirements with an in-kind match, if approved by  
 34 the Office of Emergency Services.
- 35 4. The Department of Finance shall include a special  
 36 display table in the Governor’s Budget under the Of-  
 37 fice of Emergency Services that displays, by fund  
 38 source, component level detail for Program 50, Crim-  
 39 inal Justice Projects. In addition, the Office of Emer-  
 40 gency Services, in consultation with the Department

1 of Finance, shall provide a report to the Joint Legisla-  
 2 tive Budget Committee by January 10 of each year  
 3 that provides a list of grantees, total funds awarded to  
 4 each grantee, and performance statistics to document  
 5 program outputs and outcomes in order to assess the  
 6 state’s return on investment for each component of  
 7 Program 50 for each of the three years displayed in  
 8 the Governor’s Budget.  
 9

10 *SEC. 11. Item 0690-102-0214 of Section 2.00 of the Budget*  
 11 *Act of 2008 is repealed.*  
 12

13 ~~0690-102-0214—For local assistance, Office of Emergency~~  
 14 ~~Services, payable from the Restitution Fund..... 10,000,000~~  
 15 ~~Schedule:~~  
 16 ~~(1) Grants to cities with heavy gang concen-~~  
 17 ~~trations..... 3,000,000~~  
 18 ~~(2) Competitive grants to cities..... 4,500,000~~  
 19 ~~(3) Competitive grants to community-based~~  
 20 ~~organizations..... 2,000,000~~  
 21 ~~(4) Internet Crimes Against Children Task~~  
 22 ~~Force funding..... 500,000~~

23 ~~Provisions:~~

- 24 ~~1. All grantees must provide a dollar-for-dollar match to~~  
 25 ~~state grant funds awarded from Schedules (1), (2), and~~  
 26 ~~(3).~~  
 27 ~~2. The Office of Emergency Services shall submit a re-~~  
 28 ~~port and evaluation of the grants awarded pursuant to~~  
 29 ~~Schedules (1), (2), and (3) to the fiscal committees of~~  
 30 ~~the Legislature not later than April 1, 2011.~~  
 31 ~~3. The Department of Finance may transfer up to 3 per-~~  
 32 ~~cent of the funds appropriated in Schedules (1), (2),~~  
 33 ~~and (3) to Item 0690-002-0001 for administration of~~  
 34 ~~the grant programs.~~  
 35 ~~4. The amount appropriated in Schedule (1) shall be~~  
 36 ~~distributed as follows: \$1,000,000 each to Los Ange-~~  
 37 ~~les, San Francisco Bay area cities, and central valley~~  
 38 ~~cities.~~  
 39 ~~5. The amount appropriated in Schedule (2) shall be~~  
 40 ~~competitive grants to cities. No grant shall exceed~~



- 1 Theft Apprehension and Prosecution Program Trust
- 2 Fund, established pursuant to Section 13848.4 of the
- 3 Penal Code.
- 4 2. All grantees receiving funds appropriated in this item
- 5 shall be required to provide matching funds equal to
- 6 25 percent of the amount of grant funding received by
- 7 them from the High Technology Theft Apprehension
- 8 and Prosecution Program Trust Fund.
- 9 3. Upon order of the Director of Finance, the amount
- 10 available for expenditure in this item may be augment-
- 11 ed by the amount of any additional resources available
- 12 in the High Technology Theft Apprehension and
- 13 Prosecution Program Trust Fund, which is in addition
- 14 to the amount appropriated in this item. Any augmen-
- 15 tation shall be authorized no sooner than 30 days after
- 16 notification in writing to the chairpersons of the com-
- 17 mittees in each house of the Legislature that consider
- 18 appropriations, the chairperson of the committee and
- 19 appropriate subcommittees that consider the State
- 20 Budget, and the Chairperson of the Joint Legislative
- 21 Budget Committee, or not sooner than whatever lesser
- 22 time the chairperson of the joint committee or his or
- 23 her designee may determine.
- 24

25 *SEC. 13. Item 0690-113-0001 of Section 2.00 of the Budget*  
 26 *Act of 2008 is amended to read:*

27

28 0690-113-0001—For transfer by the Controller to the High	
29 Technology Theft Apprehension and Prosecution Program	
30 Trust Fund.....	11,970,000
31	5,985,000
32 Provisions:	
33 1. Funds appropriated in this item are for the High	
34 Technology Theft Apprehension and Prosecution	
35 Program, as established by Chapter 5.7 (commencing	
36 with Section 13848) of Title 6 of Part 4 of the Penal	
37 Code, as amended by Chapter 555 of the Statutes of	
38 1998, and shall be deposited in the High Technology	
39 Theft Apprehension and Prosecution Program Trust	

1 Fund, established pursuant to Section 13848.4 of the  
2 Penal Code.

3  
4 *SEC. 14. Item 1870-012-0214 of Section 2.00 of the Budget*  
5 *Act of 2008 is amended to read:*

6  
7 1870-012-0214—For transfer by the Controller, upon order  
8 of the Director of Finance, from the Restitution Fund to  
9 the General Fund..... (50,000,000)  
10 (110,000,000)

11  
12 *SEC. 15. Item 2640-101-0046 of Section 2.00 of the Budget*  
13 *Act of 2008 is amended to read:*

14  
15 2640-101-0046—For local assistance, State Transit Assistance,  
16 for allocation by the Controller pursuant to Section 99312  
17 of the Public Utilities Code, payable from the Public  
18 Transportation Account, State Transportation Fund..... 306,434,000  
19 150,000,000

20 Provisions:

- 21 1. Notwithstanding Sections 99313 and 99314 of the  
22 Public Utilities Code, not more than \$60,397 of the  
23 amount appropriated in this item shall be used to reim-  
24 burse the Controller for expenditures of administration  
25 of State Transit Assistance funds.

26  
27 *SEC. 16. Item 2740-001-0044 of Section 2.00 of the Budget*  
28 *Act of 2008 is amended to read:*

29  
30 2740-001-0044—For support of Department of Motor Vehicles,  
31 payable from the Motor Vehicle Account, State Transporta-  
32 tion Fund..... 519,463,000  
33 669,463,000

34 Schedule:

- 35 (1) 11-Vehicle/Vessel Identification and  
36 Compliance..... 538,624,000  
37 (2) 22-Driver Licensing and Personal  
38 Identification..... 245,979,000  
39 (3) 25-Driver Safety..... 117,241,000

1	(4) 32-Occupational Licensing and Inves-	
2	tigative Services.....	48,549,000
3	(5) 35-New Motor Vehicle Board.....	2,104,000
4	(6) 41.01-Administration.....	106,673,000
5	(7) 41.02-Distributed Administration.....	-106,673,000
6	(8) Reimbursements.....	-15,366,000
7	(9) Amount payable from the State High-	
8	way Account, State Transportation	
9	Fund (Item 2740-001-0042).....	-51,459,000
10	(10) Amount payable from the New Motor	
11	Vehicle Board Account (Item 2740-	
12	001-0054).....	-2,104,000
13	(11) Amount payable from the Motor	
14	Vehicle License Fee Account,	
15	Transportation Tax Fund (Item 2740-	
16	001-0064).....	<del>-359,765,000</del>
17		-209,765,000
18	(12) Amount payable from the Harbors and	
19	Watercraft Revolving Fund (Item 2740-	
20	001-0516).....	-2,761,000
21	(13) Amount payable from the Federal Trust	
22	Fund (Item 2740-001-0890).....	-1,579,000
23	Provisions:	
24	1. No later than December 31 of each year up to and in-	
25	cluding 2014, the Department of Motor Vehicles shall	
26	report to the Joint Legislative Budget Committee and	
27	the policy committees on transportation of both houses	
28	of the Legislature on all of the following concerning	
29	the Information Technology Modernization project:	
30	(a) planned milestone completion dates versus actual	
31	milestone completion dates, (b) planned expenditures	
32	by phase versus actual expenditures by phase, and (c)	
33	description of adherence to scope and reasons for any	
34	changes.	
35	2. The Department of General Services, with the consent	
36	of the Department of Motor Vehicles, may lease or	
37	exchange property located at 8629 Hellman Avenue,	
38	Rancho Cucamonga for the purpose of development	
39	of a replacement field office for use and occupancy	
40	by the Department of Motor Vehicles through a lease,	

1 lease purchase, purchase of the facility, or other terms  
 2 determined by the Director of General Services to be  
 3 in the best interest of the state. Thirty days prior to  
 4 entering into any agreement, the Department of Gen-  
 5 eral Services shall notify the chairpersons of the  
 6 committees in each house of the Legislature that con-  
 7 sider appropriations and the Chairperson of the Joint  
 8 Legislative Budget Committee of the terms and condi-  
 9 tions of the agreement. If the Joint Legislative Budget  
 10 Committee does not express any opposition or con-  
 11 cerns, the Department of General Services may pro-  
 12 ceed with the agreement 30 days after giving notice.

13  
 14 *SEC. 17. Item 2740-001-0064 of Section 2.00 of the Budget*  
 15 *Act of 2008 is amended to read:*

16  
 17 2740-001-0064—For support of Department of Motor Vehicles,  
 18 for payment to Item 2740-001-0044, payable from the  
 19 Motor Vehicle License Fee Account, Transportation Tax  
 20 Fund..... 359,765,000  
 21 209,765,000

22  
 23 *SEC. 18. Item 3790-001-0001 of Section 2.00 of the Budget*  
 24 *Act of 2008 is amended to read:*

25  
 26 3790-001-0001—For support of Department of Parks and  
 27 Recreation..... 149,124,000  
 28 134,123,000

29 Schedule:  
 30 (1) For support of the Department of Parks  
 31 and Recreation..... 431,099,000  
 32 (2) Reimbursements..... -33,441,000  
 33 (3) Less funding provided by capital out-  
 34 lay..... -4,000,000  
 35 (4) Amount payable from the Safe Neigh-  
 36 borhood Parks, Clean Water, Clean Air,  
 37 and Coastal Protection Bond Fund (Item  
 38 3790-001-0005)..... -5,057,000

1	(5) Amount payable from the California	
2	Environmental License Plate Fund (Item	
3	3790-001-0140).....	-3,023,000
4	(6) Amount payable from the Public Re-	
5	sources Account, Cigarette and Tobac-	
6	co Products Surtax Fund (Item 3790-	
7	001-0235).....	-10,098,000
8	(7) Amount payable from the Off-Highway	
9	Vehicle Trust Fund (Item 3790-001-	
10	0263).....	-64,243,000
11	(8) Amount payable from the State Parks	
12	and Recreation Fund (Item 3790-001-	
13	0392).....	-123,804,000
14	(9) Amount payable from the Winter	
15	Recreation Fund (Item 3790-001-	
16	0449).....	-353,000
17	(10) Amount payable from the Harbors and	
18	Watercraft Revolving Fund (Item 3790-	
19	001-0516).....	-2,168,000
20	(11) Amount payable from the Federal Trust	
21	Fund (Item 3790-001-0890).....	-6,335,000
22	(12) Amount payable from the California	
23	Main Street Program Fund (Item 3790-	
24	001-3077).....	-175,000
25	(13) Amount payable from the California	
26	Clean Water, Clean Air, Safe Neighbor-	
27	hood Parks, and Coastal Protection	
28	Fund (Item 3790-001-6029).....	-4,555,000
29	(14) Amount payable from the Water Secu-	
30	rity, Clean Drinking Water, Coastal and	
31	Beach Protection Fund of 2002 (Item	
32	3790-001-6031).....	-435,000
33	(15) Amount payable from Safe Drinking	
34	Water, Water Quality and Supply,	
35	Flood Control, River and Coastal Pro-	
36	tection Fund of 2006 (Item 3790-001-	
37	6051).....	-12,020,000
38		-27,021,000

1 (16) Amount payable from Safe Drinking  
 2 Water, Water Quality and Supply,  
 3 Flood Control, River and Coastal Pro-  
 4 tection Fund of 2006 (Item 3790-002-  
 5 6051)..... -12,268,000

6 Provisions:

- 7 1. Of the funds appropriated by this act from the General  
 8 Fund and special funds, other than the Off-Highway  
 9 Vehicle Trust Fund and bond funds, to the Department  
 10 of Parks and Recreation for local assistance grants to  
 11 local agencies, the department may allocate an amount  
 12 not to exceed 3.7 percent of each project’s allocation,  
 13 except to the extent otherwise restricted by law, to al-  
 14 low the department to administer its grants. Those  
 15 funds shall be available for encumbrance or expendi-  
 16 ture until June 30, 2014.
- 17 2. It is the intent of the Legislature that salaries, wages,  
 18 operating expenses, and positions associated with im-  
 19 plementing specific Department of Parks and Recre-  
 20 ation capital outlay projects continue to be funded  
 21 through capital outlay appropriations, and that these  
 22 funds should also be reflected in the department’s state  
 23 operations budget in the Governor’s Budget as a spe-  
 24 cial item of expense reflecting the funding provided  
 25 from the capital outlay appropriations.
- 26 3. Notwithstanding any other provision of law, the Direc-  
 27 tor of Finance may authorize a loan from the General  
 28 Fund, in an amount not to exceed 35 percent of reim-  
 29 bursements appropriated in this item to the Department  
 30 of Parks and Recreation, provided that:
- 31 (a) The loan is to meet cash needs resulting from the  
 32 delay in receipt of reimbursements for services  
 33 provided.
- 34 (b) The loan is for a short term and shall be repaid  
 35 by September 30, 2009.
- 36 (c) Interest charges may be waived pursuant to subdivi-  
 37 sion (e) of Section 16314 of the Government  
 38 Code.
- 39 (d) The Director of Finance may not approve the loan  
 40 unless the approval is made in writing and filed

1 with the Chairperson of the Joint Legislative  
 2 Budget Committee and the chairpersons of the  
 3 committees in each house of the Legislature that  
 4 consider appropriations not later than 30 days  
 5 prior to the effective date of the approval, or not  
 6 sooner than whatever lesser time that the chairper-  
 7 son of the joint committee, or his or her designee,  
 8 may determine.

9 4. The Department of Parks and Recreation is authorized  
 10 to enter into a contract for fee collection and other  
 11 services required by the department with a cooperative  
 12 association that has and will continue to fund state  
 13 employees on an ongoing basis.

14 5. Of the amount appropriated in this item, ~~\$4,001,000~~  
 15 ~~General Fund and \$1,000,000~~ \$5,001,000 Proposition  
 16 84 funds shall be used for continued remediation and  
 17 treatment activities at Empire Mine State Historic Park.  
 18 Upon approval and order of the Director of Finance,  
 19 the Controller shall adjust the amount included in this  
 20 item for remediation activities at Empire Mine based  
 21 on the status or result of the mediation between the  
 22 Department of Parks and Recreation and the Newmont  
 23 Mining Company. Any adjustment for this purpose  
 24 may be authorized no sooner than 30 days after written  
 25 notification to the Chairperson of the Joint Legislative  
 26 Budget Committee.

27  
 28 *SEC. 19. Item 3790-001-6051 of Section 2.00 of the Budget*  
 29 *Act of 2008 is amended to read:*

30  
 31 3790-001-6051—For support of Department of Parks and  
 32 Recreation, payable to Item 3790-001-0001, from the Safe  
 33 Drinking Water, Water Quality and Supply, Flood Control,  
 34 River and Coastal Protection Fund of 2006..... ~~12,020,000~~  
 35 *27,021,000*

36 Provisions:  
 37 1. Provision 5 of Item 3790-001-0001 also applies to this  
 38 item.  
 39

1 SEC. 20. Item 3910-004-0226 of Section 2.00 of the Budget  
2 Act of 2003 is amended to read:

3  
4 3910-004-0226—For transfer by the Controller, upon order of  
5 the Director of Finance, from the California Tire Recycling  
6 Management Fund to the General Fund..... (17,097,000)

7 Provisions:

- 8 1. The transfer made by this item is a loan to the General  
9 Fund. Notwithstanding any other provision of law,  
10 this loan shall be repaid with interest calculated at the  
11 rate earned by the Pooled Money Investment Account  
12 at the time of the transfer. It is the intent of the Legis-  
13 lature that repayment be made so as to ensure that the  
14 programs supported by this fund are not adversely af-  
15 fected by the loan.
- 16 2. Notwithstanding any other provision of law,  
17 \$2,097,000 of the amount transferred by this item shall  
18 be repaid in the second half of the ~~2008-09~~ 2010-11  
19 fiscal year, with interest calculated at the rate earned  
20 by the Pooled Money Investment Account at the time  
21 of the transfer. It is the intent of the Legislature that  
22 repayment be made so as to ensure that the programs  
23 supported by this fund are not adversely affected by  
24 the loan. The Director of Finance may therefore order  
25 that repayment be made prior to this date to avoid these  
26 adverse effects.

27  
28 SEC. 21. Item 3910-004-0281 of Section 2.00 of the Budget  
29 Act of 2003 is amended to read:

30  
31 3910-004-0281—For transfer by the Controller, upon order of  
32 the Director of Finance, from the Recycling Market Devel-  
33 opment Revolving Loan Subaccount to the General Fund.... (1,853,000)

34 Provisions:

- 35 1. The transfer made by this item is a loan to the General  
36 Fund. Notwithstanding any other provision of the law,  
37 this loan shall be repaid in the second half of the  
38 ~~2008-09~~ 2010-11 fiscal year, with interest calculated  
39 at the rate earned by the Pooled Money Investment  
40 Account at the time of the transfer. It is the intent of

1 the Legislature that repayment be made so as to ensure  
 2 that the programs supported by this fund are not ad-  
 3 versely affected by the loan. The Director of Finance  
 4 may therefore order that repayment be made prior to  
 5 this date to avoid these adverse effects.  
 6

7 *SEC. 22. Item 3910-007-0387 of Section 2.00 of the Budget*  
 8 *Act of 2003 is amended to read:*  
 9

10 3910-007-0387—For transfer by the Controller, upon order of  
 11 the Director of Finance, from the Integrated Waste Man-  
 12 agement Account to the General Fund ..... (4,768,000)

13 Provisions:

- 14 1. The transfer made by this item is a loan to the General  
 15 Fund. Notwithstanding any other provision of law,  
 16 this loan shall be repaid with interest calculated at the  
 17 rate earned by the Pooled Money Investment Account  
 18 at the time of the transfer. It is the intent of the Legis-  
 19 lature that repayment be made so as to ensure that the  
 20 programs supported by this fund are not adversely af-  
 21 fected by the loan.
- 22 2. Notwithstanding any other provision of law,  
 23 \$2,768,000 of the amount transferred by this item shall  
 24 be repaid in the second half of the ~~2008-09~~ 2010-11  
 25 fiscal year, with interest calculated at the rate earned  
 26 by the Pooled Money Investment Account at the time  
 27 of the transfer. It is the intent of the Legislature that  
 28 repayment be made so as to ensure that the programs  
 29 supported by this fund are not adversely affected by  
 30 the loan. The Director of Finance may therefore order  
 31 that repayment be made prior to this date to avoid these  
 32 adverse effects.
- 33 ~~3. Pursuant to Section 17581 of the Government Code,~~  
 34 ~~the mandate identified in the appropriation schedule~~  
 35 ~~of this item with an appropriation of \$0 and included~~  
 36 ~~in the language of the provision is specifically identi-~~  
 37 ~~fied by the Legislature for suspension during the~~  
 38 ~~2003-04 fiscal year:~~  
 39 (1) ~~98.01.118.892-Very High Fire Hazard and~~  
 40 ~~Severity Zones (Ch. 1188, Stats. 1992)~~

SEC. 23. Item 4300-101-0001 of Section 2.00 of the Budget Act of 2008 is amended to read:

4300-101-0001—For local assistance, Department of Developmental Services, for Regional Centers..... ~~2,382,799,000~~  
2,342,999,000

Schedule:

- (1) 10.10.010-Operations..... 527,816,000  
518,516,000
- (2) 10.10.020-Purchase of Services..... ~~3,370,854,000~~  
3,315,154,000
- (3) 10.10.060-Early Intervention Programs..... 20,095,000
- (4) Reimbursements..... ~~-1,307,587,000~~  
-1,282,387,000
- (5) Amount payable from the Public Transportation Account, State Transportation Fund (Item 4300-101-0046)..... -138,275,000
- (6) Amount payable from Developmental Disabilities Program Development Fund (Item 4300-101-0172)..... -1,147,000
- (7) Amount payable from Federal Trust Fund (Item 4300-101-0890)..... -88,957,000

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. Within 10 working days after approval of a transfer as authorized by this provision, the Department of Finance shall notify the chairpersons of the fiscal committees in each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee of the transfer, including the amount transferred, how the amount transferred was determined, and how the amount transferred will be utilized.
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

- 1 loan funds shall be transferred to this item as needed  
 2 to meet cashflow needs due to delays in collecting re-  
 3 imbursements from the Health Care Deposit Fund,  
 4 and are subject to the repayment provisions of Section  
 5 16351 of the Government Code.
- 6 3. Upon order of the Director of Finance, the Controller  
 7 shall transfer funds as are necessary between this item  
 8 and Item 5160-001-0001 to provide for the transporta-  
 9 tion costs to and from work activity programs of clients  
 10 who are receiving vocational rehabilitation services  
 11 through the Vocational Rehabilitation/Work Activity  
 12 Program (VR/WAP) Transition Program.
- 13 4. \$1,826,000 of the funds appropriated in this item may  
 14 be used to augment service provider rates for the work  
 15 needed to obtain information to secure federal partici-  
 16 pation under the Home and Community-Based Ser-  
 17 vices Waiver program. Eligible providers are those  
 18 service providers who are qualified providers under  
 19 Title XIX of the Social Security Act, are not currently  
 20 providing the required information, and are serving  
 21 individuals enrolled under the Home and Community-  
 22 Based Services Waiver program.
- 23 5. Notwithstanding Section 26.00, the Department of  
 24 Finance may authorize transfer of expenditure author-  
 25 ity between Schedules (1) and (2) in order to more  
 26 accurately reflect expenditures in the Early Interven-  
 27 tion federal grant program (Part C of the Individuals  
 28 with Disabilities Education Act).
- 29 6. It is the intent of the Legislature for the State Depart-  
 30 ment of Health Care Services and the State Department  
 31 of Developmental Services to collaboratively work  
 32 with stakeholders, including providers and diverse  
 33 constituency groups as deemed appropriate, regarding  
 34 the bundling of rates for the reimbursement of interme-  
 35 diate care facilities for the developmentally disabled,  
 36 including habilitative and nursing facilities. It is the  
 37 intent of the Legislature that any changes made by the  
 38 state shall be seamless to the providers of services af-  
 39 fected by the changes, as well as to the consumers and  
 40 their families that are provided services through the

[4]

- 1 Regional Center system. The integrity of the individual
- 2 program plan process described in the Lanterman De-
- 3 velopmental Disabilities Services Act (Division 4.5
- 4 (commencing with Section 4500) of the Welfare and
- 5 Institutions Code) shall be maintained throughout this
- 6 process and shall not be affected by any changes made
- 7 to implement the bundled rates.
- 8 7. Of the funds appropriated in Schedule (2), the amount
- 9 identified by the State Department of Developmental
- 10 Services for self-directed services shall be available
- 11 for encumbrance until June 30, 2010, and for liquida-
- 12 tion until June 30, 2011.
- 13 8. Upon the order of the Department of Finance, the
- 14 Controller shall transfer such funds as are necessary
- 15 between this item and Item 4300-103-0001 in order
- 16 to effectively administer the Self-Directed Services
- 17 Risk Pool Fund.
- 18 9. It is the intent of the Legislature for the California
- 19 Children and Families Commission to utilize at least
- 20 \$5,000,000 in funds from any of its accounts for infor-
- 21 mation, services, and supports provided under the
- 22 Early Start Program as administered by the State De-
- 23 partment of Developmental Services. This language
- 24 is not intended to affect any contingencies or emergen-
- 25 cies of which the Department of Finance may choose
- 26 to notify the Legislature in the 2008–09 fiscal year.
- 27

28 *SEC. 24. Item 5180-111-0001 of Section 2.00 of the Budget*  
 29 *Act of 2008 is amended to read:*

30

31 5180-111-0001—For local assistance, Department of Social

32 Services.....	5,562,733,000
33	5,405,733,000
34 Schedule:	
35 (1) 16.70-SSI/SSP.....	3,751,938,000
36	3,594,938,000
37 (2) 25.15-IHSS.....	5,330,297,000
38 (3) 25.20-Recipient Supplementary Pay-	
39 ment.....	44,176,000
40 (4) Reimbursements.....	-3,563,678,000

4

- 1 Provisions:
- 2 1. Provisions 1 and 4 of Item 5180-101-0001 also apply
- 3 to this item.
- 4 2. Notwithstanding Chapter 1 (commencing with Section
- 5 18000) of Part 6 of Division 9 of the Welfare and In-
- 6 stitutions Code, a loan not to exceed \$240,000,000
- 7 shall be made available from the General Fund from
- 8 funds not otherwise appropriated, to cover the federal
- 9 share or reimbursable share, or both, of costs of a
- 10 program or programs when the federal funds or reim-
- 11 bursements (from the Health Care Deposit Fund or
- 12 counties) have not been received by this state prior to
- 13 the usual time for transmitting payments for the federal
- 14 or reimbursable share of costs for this state. That loan
- 15 from the General Fund shall be repaid when the federal
- 16 share of costs for the program or programs becomes
- 17 available, or in the case of reimbursements, subject to
- 18 Section 16351 of the Government Code. County reim-
- 19 bursements also shall be subject to Section 16314 of
- 20 the Government Code, which specifies the rate of in-
- 21 terest. The department may offset a county’s share of
- 22 cost of the In-Home Supportive Services (IHSS) pro-
- 23 gram against local assistance payments made to the
- 24 county if the county fails to reimburse its share of cost
- 25 of the IHSS program to the state.
- 26 3. The State Department of Social Services shall provide
- 27 technical assistance to counties to ensure that they
- 28 maximize the receipt of federal funds for the In-Home
- 29 Supportive Services (IHSS) program, without compro-
- 30 mising the quality of the services provided to IHSS
- 31 recipients.
- 32 4. The Director of Finance may authorize the transfer of
- 33 amounts from this item to Item 5180-001-0001 in order
- 34 to fund increased costs due to workload associated
- 35 with the retroactive reimbursement of Medi-Cal ser-
- 36 vices for the In-Home Supportive Services program
- 37 to comply with the Conlan v. Shewry court decision.
- 38 The Department of Finance shall report to the Legisla-
- 39 ture the amount to be transferred pursuant to this pro-
- 40 vision and the number of positions to be established

1 by the State Department of Social Services. The  
 2 transfer shall be authorized at the time the report is  
 3 made. The State Department of Social Services shall  
 4 review the workload associated with the Conlan v.  
 5 Shewry decision during the 2008–09 fiscal year and  
 6 may administratively establish positions as the work-  
 7 load requires.

- 8 5. The Director of Finance may authorize the transfer of  
 9 amounts from this item to Item 5180-001-0001 in order  
 10 to fund the cost of the administrative hearing process  
 11 associated with changes in aid or service payments in  
 12 the In-Home Supportive Services program. The De-  
 13 partment of Finance shall report to the Legislature the  
 14 amount to be transferred pursuant to this provision.  
 15 The transfer shall be authorized at the time the report  
 16 is made.

17  
 18 *SEC. 25. Item 5225-101-0001 of Section 2.00 of the Budget*  
 19 *Act of 2008 is amended to read:*

20  
 21 5225-101-0001—For local assistance, Department of Correc-  
 22 tions and Rehabilitation..... 246,671,000  
 23 156,035,000

24 Schedule:

- 25 (1) 15-Corrections Standards Authority.... 182,107,000  
 26 91,471,000  
 27 (2) 20-Juvenile Operations..... 78,000  
 28 (3) 22-Juvenile Paroles..... 1,403,000  
 29 (4) 25.15.010-Adult Corrections and Reha-  
 30 bilitation Operations—Transportation  
 31 of Inmates..... 278,000  
 32 (5) 25.15.020-Adult Corrections and Reha-  
 33 bilitation Operations—Return of Fugi-  
 34 tives..... 2,593,000  
 35 (6) 25.30-Adult Corrections and Rehabilita-  
 36 tion Operations—County Charges..... 16,480,000  
 37 (7) 30-Parole Operations—Adult..... 43,732,000

38 Provisions:

- 39 1. The amount appropriated in Schedules (4), (5), (6),  
 40 and (7) is provided for the following purposes:

- 1 (a) To pay the transportation costs of prisoners to and  
2 between state prisons, including the return of pa-  
3 role violators to prison and for the conveying of  
4 persons under provisions of Division 3 (commenc-  
5 ing with Section 3000) of the Welfare and Institu-  
6 tions Code and the Western Interstate Corrections  
7 Compact (Section 11190 of the Penal Code), in  
8 accordance with Section 26749 of the Government  
9 Code. Claims filed by local jurisdictions shall be  
10 filed within six months after the end of the month  
11 in which those transportation costs are incurred.  
12 Expenditures shall be charged to either the fiscal  
13 year in which the claim is received by the Con-  
14 troller or the fiscal year in which the warrant is  
15 issued by the Controller. Claims filed by local  
16 jurisdictions directly with the Controller may be  
17 paid by the Controller.
- 18 (b) To pay the expenses of returning fugitives from  
19 justice from outside the state, in accordance with  
20 Sections 1389, 1549, and 1557 of the Penal Code.  
21 Claims filed by local jurisdictions shall be filed  
22 within six months after the end of the month in  
23 which expenses are incurred. Expenditures shall  
24 be charged to either the fiscal year in which the  
25 claim is received by the Controller or the fiscal  
26 year in which the warrant is issued by the Con-  
27 troller, and any restitution received by the state  
28 for those expenses shall be credited to the appro-  
29 priation of the year in which the Controller's re-  
30 ceipt is issued. Claims filed by local jurisdictions  
31 directly with the Controller may be paid by the  
32 Controller.
- 33 (c) To pay county charges, payable under Sections  
34 4700.1, 4750 to 4755, inclusive, and 6005 of the  
35 Penal Code. Claims shall be filed by local juris-  
36 dictions within six months after the end of the  
37 month in which a service is performed by the  
38 coroner, a hearing is held on the return of a writ  
39 of habeas corpus, the district attorney declines to  
40 prosecute a case referred by the Department of

1 Corrections and Rehabilitation, a judgment is  
2 rendered for a court hearing or trial, an appeal  
3 ruling is rendered for the trial judgment, or an  
4 activity is performed as permitted by these sec-  
5 tions. Expenditures shall be charged to either the  
6 fiscal year in which the claim is received by the  
7 Controller or the fiscal year in which the warrant  
8 is issued by the Controller. Claims filed by local  
9 jurisdictions directly with the Controller may be  
10 paid by the Controller.

11 (d) To reimburse counties for the cost of detaining  
12 state parolees pursuant to Section 4016.5 of the  
13 Penal Code. Claims shall be filed by local juris-  
14 dictions within six months after the end of the  
15 month in which the costs are incurred. Claims  
16 filed by local jurisdictions may not include  
17 booking fees, may not recover detention costs in  
18 excess of \$77.17 per day, and shall be limited to  
19 the detention costs for those days on which  
20 parolees are held subject only to a Department of  
21 Corrections and Rehabilitation request pursuant  
22 to subdivision (b) of Section 4016.5 of the Penal  
23 Code. Expenditures shall be charged to either the  
24 fiscal year in which the claim is received by the  
25 Department of Corrections and Rehabilitation or  
26 the fiscal year in which the warrant is issued.

27 2. Notwithstanding any other provision of law, upon 30-  
28 day prior notification to the Chairperson of the Joint  
29 Legislative Budget Committee, funds appropriated in  
30 Schedule (7) of this item may be transferred to  
31 Schedule (8) or (9), or both, of Item 5225-001-0001,  
32 upon order of the Director of Finance, to provide funds  
33 for the reimbursement of counties for the cost of  
34 holding parole violators in local jails or for the auditing  
35 or monitoring of local assistance costs.

36 3. The amounts appropriated in Schedules (2) and (3)  
37 are provided for the following purposes:

38 (a) To pay the transportation costs of persons commit-  
39 ted to the Department of Corrections and Rehabil-  
40 itation to or between its facilities, including the

1 return of parole violators, provided that expendi-  
 2 tures made under this item shall be charged to ei-  
 3 ther the fiscal year in which the claim is received  
 4 by the Controller or the fiscal year in which the  
 5 warrant is issued by the Controller. However,  
 6 claims shall be filed by local jurisdictions within  
 7 six months after the end of the month in which  
 8 the costs are incurred.

9 (b) To reimburse counties, pursuant to Section 1776  
 10 of the Welfare and Institutions Code, for the cost  
 11 of the detention of the Department of Corrections  
 12 and Rehabilitation parolees who are detained on  
 13 alleged parole violations, provided that expendi-  
 14 tures made under this item shall be charged to ei-  
 15 ther the fiscal year in which the claim is received  
 16 by the Controller or the fiscal year in which the  
 17 warrant is issued by the Controller. However,  
 18 claims shall be filed by local jurisdictions within  
 19 six months after the end of the month in which  
 20 the costs are incurred.

21  
 22 *SEC. 26. Item 6440-001-0001 of Section 2.00 of the Budget*  
 23 *Act of 2008 is amended to read:*

24  
 25 6440-001-0001—For support of University of California..... ~~2,995,520,000~~  
 26 2,930,023,000

27 Schedule:

28 (1) Support.....	3,118,116,000
29 (2) Charles R. Drew Medical Program.....	8,738,000
30 (3) Acquired Immune Deficiency Syndrome	
31 (AIDS) Research.....	9,214,000
32 (4) Student Financial Aid.....	52,199,000
33 (5) Loan Repayments.....	5,105,000
34 (6) San Diego Supercomputer Center.....	3,240,000
35 (8) Unallocated Reduction.....	<del>-201,092,000</del>
36	-266,589,000

37 Provisions:

38 1. The appropriations made in this item are exempt from  
 39 Section 31.00.

- 1 2. None of the funds appropriated in this item may be  
2 expended to initiate major capital outlay projects by  
3 contract without prior legislative approval, except for  
4 cogeneration and energy conservation projects. Funds  
5 appropriated in this item may be used for capital ex-  
6 penditures as well as payment of debt service for such  
7 exempted capital projects. Exempted projects shall be  
8 reported in a manner consistent with the reporting  
9 procedures in subdivision (e) of Section 28.00.

10 Funds appropriated in this item may be used for  
11 capital expenditures as well as payment of debt service  
12 associated with the Energy Partnership Program,  
13 whereby the University of California will receive fi-  
14 nancial incentives from state investor-owned utilities  
15 to undertake energy conservation projects. The use of  
16 state operations funding for these energy savings pro-  
17 jects may not infringe on the university's funding for  
18 its instructional support activities. The Director of Fi-  
19 nance may authorize program expenditures for the list  
20 of planned projects not sooner than 30 days after noti-  
21 fication in writing is provided to the chairpersons of  
22 the committees in each house of the Legislature that  
23 consider appropriations, the chairpersons of the com-  
24 mittees and the appropriate subcommittees in each  
25 house of the Legislature that consider the State Budget,  
26 and the Chairperson of the Joint Legislative Budget  
27 Committee. The list of planned projects submitted for  
28 approval for a given funding cycle should be all-inclu-  
29 sive and may include projects that eventually may not  
30 be initiated during that funding cycle. A project not  
31 included on the list of planned projects for that funding  
32 cycle, but with which the university wishes to proceed  
33 during the budget year, may be treated as an exempted  
34 project as described above and reported in a manner  
35 consistent with the reporting procedures in subdivision  
36 (e) of Section 28.00. No later than November 15 of  
37 each year, the university shall prepare a report describ-  
38 ing the identified projects funded under the Energy  
39 Partnership Program in the prior year. The report shall  
40 include the cost of each project, how the cost is being

- 1 funded, including the amount funded from support  
 2 budget funds and investor-owned utility incentive  
 3 awards, and the projected amount of energy savings.  
 4 These reports will sunset at the end of the program.
- 5 3. The funds appropriated in Schedule (2) are for support  
 6 of University of California programs of clinical health  
 7 sciences education, research, and public service, con-  
 8 ducted in conjunction with the Charles R. Drew Uni-  
 9 versity of Medicine and Science, as provided for in  
 10 Sections 1, 2, and 3 of Chapter 1140 of the Statutes  
 11 of 1973. Of the funds appropriated, \$500,000 is con-  
 12 tingent upon the provision by the University of Cali-  
 13 fornia of an equal amount of matching funds from its  
 14 own resources. The University of California shall en-  
 15 sure by adequate controls that funds appropriated in  
 16 Schedule (2) are expended solely for the support of  
 17 the program identified in that schedule.
- 18 4. The funds appropriated in Schedule (4) are for support  
 19 of Program 45, Student Financial Aid, to provide fi-  
 20 nancial aid to needy students attending the University  
 21 of California, according to the nationally accepted  
 22 needs analysis methodology.
- 23 5. Of the funds appropriated in Schedule (1), \$2,762,129  
 24 is for payment of energy service contracts in connec-  
 25 tion with the issuance of State Public Works Board  
 26 Energy Efficiency Revenue Bonds.
- 27 6. Of the funds appropriated in Schedule (5), \$2,700,000  
 28 is for repayment of \$25,000,000 borrowed by the  
 29 University of California for deferred maintenance in  
 30 the 1994–95 fiscal year. It is the intent of the Legisla-  
 31 ture to annually provide funds for that repayment  
 32 purpose through the 2009–10 fiscal year.
- 33 7. Of the funds appropriated in Schedule (5), \$2,405,000  
 34 is for repayment of \$25,000,000 borrowed by the  
 35 University of California for deferred maintenance in  
 36 the 1995–96 fiscal year. It is the intent of the Legisla-  
 37 ture to annually provide funds for that repayment  
 38 purpose through the 2010–11 fiscal year.
- 39 8. Of the funds appropriated in Schedule (1), \$1,897,200  
 40 is for the California State Summer School for Mathe-

- 1           matics and Science (COSMOS). The University of  
2           California shall report on the outcomes and effective-  
3           ness of COSMOS every five years, commencing April  
4           1, 2011.
- 5           9. The University of California (UC) shall report to the  
6           Legislature and the Governor by February 1 of each  
7           year on its progress toward increasing the quality and  
8           supply of science and mathematics teachers resulting  
9           from implementation of the Science and Math Teacher  
10          Initiative. This report shall include the following infor-  
11          mation: (a) annual number of mathematics and science  
12          teachers awarded credentials (by each UC campus)  
13          beginning with the 2004–05 academic year (before  
14          the state first provided funding for the initiative), (b)  
15          an expenditure plan on the use of the funds appropri-  
16          ated in this item, (c) the effectiveness of the initiative’s  
17          different components and activities, including an  
18          identification of best practices, and (d) the job place-  
19          ment of students who earn a mathematics or science  
20          teaching credential, including the location of the K–12  
21          school of employment and whether it is in an urban,  
22          rural, or suburban setting.
- 23          10. The University of California shall report to the Legis-  
24          lature by March 15, 2009, on whether it has met its  
25          2008–09 academic year enrollment goal.
- 26          11. Of the funds appropriated in Schedule (1), \$1,050,000  
27          is to support 70 full-time equivalent students in the  
28          Program in Medical Education (PRIME) at the Irvine,  
29          Davis, San Diego, and San Francisco campuses. The  
30          primary purpose of this program is to train physicians  
31          specifically to serve in underrepresented communities.  
32          The University of California shall report to the Legis-  
33          lature by March 15, 2009, on (a) its progress in imple-  
34          menting the PRIME program and (b) the use of the  
35          total funds provided for this program from both state  
36          and nonstate resources.
- 37          12. The university shall report to the Legislature and the  
38          Governor by May 1, 2009, on the total enrollment in  
39          the 2007–08 and 2008–09 academic years in the entry-

- 1 level clinical and master’s degree nursing programs  
 2 and the master’s of science nursing degree programs.  
 3 13. It is the intent of the Legislature that the University of  
 4 California submit an annual report by March 1 of each  
 5 year through the 2010–11 fiscal year to the Joint Leg-  
 6 islative Budget Committee, legislative fiscal subcom-  
 7 mittees, and the Department of Finance on the univer-  
 8 sity’s progress in reforming its compensation policies  
 9 and practices, reflecting the criteria specified in Provi-  
 10 sion 27 of Item 6440-001-0001 of the Budget Act of  
 11 2006 (Chs. 47 and 48, Stats. 2006).  
 12 14. Of the funds appropriated in Schedule (1), \$19,300,000  
 13 is for student academic preparation and education  
 14 programs (SAPEP) and is to be matched with  
 15 \$12,000,000 from existing university resources, for a  
 16 total of \$31,300,000 for these programs. The Univer-  
 17 sity of California shall provide a plan to the Depart-  
 18 ment of Finance and the fiscal committees of each  
 19 house of the Legislature for expenditure of both state  
 20 and university funds for SAPEP by September 1 of  
 21 each year.  
 22 15. The amount appropriated in Schedule (1) reflects a  
 23 reduction of \$32,300,000 to institutional support.  
 24 17. Of the funds appropriated in Schedule (1), \$693,000  
 25 is for the Welfare Policy Research Project, pursuant  
 26 to Article 9.7 (commencing with Section 11526) of  
 27 Chapter 2 of Part 3 of Division 9 of the Welfare and  
 28 Institutions Code.  
 29 18. Of the funds appropriated in Schedule (1), \$427,500  
 30 shall be expended for the Center for Earthquake Engi-  
 31 neering Research, contingent upon the center continu-  
 32 ing to receive federal matching funds from the Nation-  
 33 al Science Foundation.  
 34 19. Of the funds appropriated in Schedule (1), \$346,500  
 35 shall be expended for viticulture and enology research,  
 36 contingent upon the receipt of an equal amount of  
 37 private sector matching funds.  
 38 20. Of the funds appropriated in Schedule (1), \$16,200,000  
 39 is for substance abuse research at the Department of

- 1 Neurology at the University of California, San Fran-
- 2 cisco.
- 3 21. Of the funds appropriated in Schedule (1), \$693,000
- 4 shall be used for lupus research at the University of
- 5 California, San Francisco.
- 6 22. Of the funds appropriated in Schedule (1), \$1,385,100
- 7 shall be used to expand spinal cord injury research.
- 8 23. Of the funds appropriated in Schedule (1), \$3,463,000
- 9 is to fund the Medical Investigation of Neurodevelop-
- 10 ment Disorders (MIND) Institute, including
- 11 \$3,150,000 for a research grants program.
- 12 24. Of the funds appropriated in Schedule (1), \$0 is to
- 13 support research on labor and employment and labor
- 14 education throughout the University of California
- 15 system.
- 16 25. The amount appropriated in this item reflects a
- 17 \$5,000,000 one-time reduction to the Subject Matter
- 18 Projects. An identical amount is appropriated in Item
- 19 6110-195-0890 from federal Title II carryover funds
- 20 to ensure the projects can be maintained in the
- 21 2008–09 fiscal year.
- 22 26. To the extent funds are available in Schedule (1), and
- 23 contingent upon the receipt of an equal amount of
- 24 private sector matching funds, the University of Cali-
- 25 fornia shall allocate funds for the California Institute
- 26 for Quantitative Biosciences for the purpose of enhanc-
- 27 ing innovative, cost-effective technologies and thera-
- 28 pies in health care.

29  
 30 *SEC. 27. Item 6600-001-0001 of Section 2.00 of the Budget*  
 31 *Act of 2008 is amended to read:*

32

33 6600-001-0001—For support of Hastings College of the Law....	40,631,000
	10,229,000
34	
35 Provisions:	
36 1. The appropriation made in this item is exempt from	
37 Section 31.00.	
38 2. The amount appropriated in this item reflects a 10-	
39 percent reduction to institutional support.	
40	

1 SEC. 28. Item 6610-001-0001 of Section 2.00 of the Budget  
2 Act of 2008 is amended to read:

3  
4 6610-001-0001—For support of California State Universi-  
5 ty..... 2,910,596,000  
6 2,844,364,000

7 Schedule:

8 (1) Support..... 3,082,555,000  
9 (2) Unallocated Reduction..... -171,959,000  
10 -238,191,000

11 Provisions:

- 12 1. The appropriations made in this item are exempt from
- 13 Section 31.00, except as otherwise provided by the
- 14 applicable sections of the Government Code referred
- 15 to in Section 31.00.
- 16 2. Of the amount appropriated in this item, \$350,000 is
- 17 for transfer to the Affordable Student Housing Revolv-
- 18 ing Fund for the purpose of subsidizing interest costs
- 19 in connection with bond financing for construction of
- 20 affordable student housing at the Fullerton and Hay-
- 21 ward campuses in accordance with Article 3 (commenc-
- 22 ing with Section 90085) of Chapter 8 of Part 55 of
- 23 Division 8 of Title 3 of the Education Code.
- 24 3. Of the amount appropriated in this item, \$1,878,000
- 25 is for repayment of the \$17,000,000 financed for the
- 26 California State University through a third party for
- 27 deferred maintenance projects in the 1994–95 fiscal
- 28 year. It is the intent of the Legislature to annually
- 29 provide funds for that repayment purpose until June
- 30 30, 2010.
- 31 4. Of the amount appropriated in this item, \$2,309,000
- 32 is for repayment of the \$24,000,000 financed for the
- 33 California State University through a third party for
- 34 deferred maintenance projects in the 1995–96 fiscal
- 35 year. It is the intent of the Legislature to annually
- 36 provide funds for that repayment purpose until June
- 37 30, 2011.
- 38 5. The California State University (CSU) shall report to
- 39 the Legislature and the Governor by February 1 of
- 40 each year on its progress toward increasing the quality

- 1 and supply of science and mathematics teachers result-  
2 ing from implementation of the Science and Math  
3 Teacher Initiative. This report shall include the follow-  
4 ing information: (a) annual number of mathematics  
5 and science teachers awarded credentials (by each  
6 CSU campus) beginning with the 2004–05 academic  
7 year (before the state first provided funding for the  
8 initiative), (b) an expenditure plan on the use of the  
9 funds appropriated in this item, (c) the effectiveness  
10 of the initiative’s different components and activities,  
11 including an identification of best practices, and (d)  
12 the job placement of students who earn a math or sci-  
13 ence teaching credential, including the location of the  
14 K–12 school of employment and whether it is in an  
15 urban, rural, or suburban setting.
- 16 6. The California State University shall provide a prelim-  
17 inary report to the Legislature by March 15, 2009, and  
18 a final report by May 1, 2009, on whether it has met  
19 its 2008–09 academic year enrollment goal.
- 20 7. The California State University shall report to the  
21 Legislature and the Governor by May 1, 2009, on the  
22 total enrollment in the 2007–08 and 2008–09 academic  
23 years in the baccalaureate nursing degree and entry-  
24 level master’s nursing degree programs.
- 25 8. The amount appropriated in Schedule (1) reflects a  
26 reduction of \$43,199,000 to institutional support.
- 27 9. Of the amount appropriated in this item, \$33,785,000  
28 is provided for student financial aid grants. These fi-  
29 nancial aid funds shall be provided to needy students  
30 according to the nationally accepted needs analysis  
31 methodology.
- 32 10. Of the amount appropriated in Schedule (1),  
33 \$52,000,000 is appropriated for student academic  
34 preparation and student support services programs.  
35 The California State University shall provide  
36 \$45,000,000 to support the Early Academic Assess-  
37 ment Program and the Educational Opportunity Pro-  
38 gram.  
39

1 SEC. 29. Item 6610-002-0001 of Section 2.00 of the Budget  
2 Act of 2008 is amended to read:

3  
4 6610-002-0001—For support of the California State University  
5 for transfer to and in augmentation of Item 6610-001-0001,  
6 for the purpose of providing direct costs and administrative  
7 overhead expenses for the Assembly, Senate, Executive,  
8 and Judicial Fellows programs and the Center for Califor-  
9 nia Studies..... 3,111,000  
10 3,040,000

11 Schedule:

- 12 (1) Center for California Studies—Fellows
- 13 Program..... 602,000
- 14 (2) Center for California Studies— Other.... 37,000
- 15 (3) Assembly Fellows..... 565,287
- 16 (4) Senate Fellows..... 565,287
- 17 (5) Executive Fellows..... 565,287
- 18 (6) Judicial Fellows..... 402,139
- 19 (7) LegiSchool Project..... 114,000
- 20 (8) Sacramento Semester Internship Pro-
- 21 gram..... 56,000
- 22 (9) Unscheduled..... 328,000
- 23 (10) Unallocated Reduction..... -124,000
- 24 -195,000

25  
26 SEC. 30. Item 8660-011-0470 of Section 2.00 of the Budget  
27 Act of 2008 is amended to read:

28  
29 8660-011-0470—For transfer by the Controller from the Cali-  
30 fornia High-Cost Fund-B Administrative Committee Fund  
31 to the General Fund..... (35,000,000)  
32 (75,000,000)

33 Provisions:

- 34 1. The amount transferred in this item is a loan to the
- 35 General Fund and shall be repaid by June 30, 2011.
- 36 Repayment shall be made so as to ensure that the
- 37 programs supported by the California High-Cost Fund-
- 38 B Administrative Committee Fund are not adversely
- 39 affected by the loan.

40

1 SEC. 31. Item 8660-011-0471 of Section 2.00 of the Budget  
2 Act of 2008 is amended to read:

3  
4 8660-011-0471—For transfer by the Controller from the Uni-  
5 versal Lifeline Telephone Service Trust Administrative  
6 Committee Fund to the General Fund..... (30,000,000)  
7 (45,000,000)

8 Provisions:

- 9 1. The amount transferred in this item is a loan to the  
10 General Fund and shall be repaid by June 30, 2011.  
11 Repayment shall be made so as to ensure that the  
12 programs supported by the Universal Lifeline Tele-  
13 phone Service Trust Administrative Committee Fund  
14 are not adversely affected by the loan.

15  
16 SEC. 32. Item 8660-011-0483 of Section 2.00 of the Budget  
17 Act of 2008 is amended to read:

18  
19 8660-011-0483—For transfer by the Controller from the Deaf  
20 and Disabled Telecommunications Program Administra-  
21 tive Committee Fund to the General Fund..... (85,000,000)  
22 (30,000,000)

23 Provisions:

- 24 1. The amount transferred in this item is a loan to the  
25 General Fund and shall be repaid by June 30, 2011.  
26 Repayment shall be made so as to ensure that the  
27 programs supported by the Deaf and Disabled  
28 Telecommunications Program Administrative Commit-  
29 tee Fund are not adversely affected by the loan.

30  
31 SEC. 33. Item 9100-101-0001 of Section 2.00 of the Budget  
32 Act of 2008 is amended to read:

33  
34 9100-101-0001—For local assistance, Tax Relief..... 503,005,000  
35 468,265,000

36 Schedule:

- 37 (2) 20-Senior Citizens' Property Tax Defer-  
38 ral Program..... 25,800,000  
39 (4) 50-Homeowners' Property Tax Re-  
40 lief..... 442,465,000

- 1        ~~(5) 60-Subventions for Open Space.....~~    34,740,000
- 2        Provisions:
- 3        1. Schedule (2) is for property tax postponement and as-
- 4            sistance to claimants in accordance with the Senior
- 5            Citizens Property Tax Assistance and Postponement
- 6            Law (Part 10.5 (commencing with Section 20501) of
- 7            Division 2 of the Revenue and Taxation Code). The
- 8            appropriation made in that schedule shall be in lieu of
- 9            the appropriation for the same purpose contained in
- 10           Section 16100 of the Government Code.
- 11        3. Schedule (4) is for reimbursement to local taxing au-
- 12            thorities for revenue lost by reason of the homeowners’
- 13            property tax exemption granted pursuant to subdivision
- 14            (k) of Section 3 of Article XIII of the California Con-
- 15            stitution. The appropriation made in that schedule shall
- 16            be in lieu of the appropriation required pursuant to
- 17            Section 25 of Article XIII of the California Constitu-
- 18            tion and the appropriation for the same purposes con-
- 19            tained in Section 16100 or 16120 of the Government
- 20            Code.
- 21        5. Notwithstanding any other provision of law, the Direc-
- 22            tor of Finance may authorize expenditures for Sched-
- 23            ules (2); *and* (4); ~~and (5)~~ in excess of or less than the
- 24            amount appropriated not sooner than 30 days after
- 25            notification in writing of the necessity therefor is pro-
- 26            vided to the chairpersons of the fiscal committees of
- 27            each house of the Legislature and the Chairperson of
- 28            the Joint Legislative Budget Committee, or not sooner
- 29            than whatever lesser time the chairperson of the joint
- 30            committee, or his or her designee, may in each instance
- 31            determine.

32

33        *SEC. 34. Item 9210-101-0001 of Section 2.00 of the Budget*

34        *Act of 2008 is amended to read:*

35

36        9210-101-0001—For local assistance, Local Government Fi-	
37            nancing.....	214,200,000
38	<i>107,100,000</i>

4

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, 2010. These funds shall be used to supplement and not supplant existing services.

*SEC. 35. Item 9210-105-0001 of Section 2.00 of the Budget Act of 2008 is amended to read:*

9210-105-0001—For local assistance, Local Government Financing.....	31,500,000
	<i>15,750,000</i>

Provisions:

- 1. For reimbursement of actual costs incurred by cities and other entities for local detention facilities subventions, charged pursuant to subdivision (a) of Section 29552 of the Government Code during the 2007–08 fiscal year. Any funds not disbursed shall revert to the General Fund no later than June 30, 2009.
- 2. No later than December 1, 2008, the Controller shall allocate the funds appropriated in this item to all eligible cities and other entities, and shall certify to the Director of Finance the actual amount of moneys allocated for the payment of local detention facilities subventions, as described in Section 29552 of the Government Code. Any city or other entity that applies for funding pursuant to this item shall comply with all requests made by the Controller.
- 3. The Controller shall reduce payments proportionally if the amount appropriated in this item is not sufficient to pay all valid claims in full.

*SEC. 36. Section 3.90 is added to the Budget Act of 2008, to read:*

1     *Sec. 3.90. (a) Notwithstanding any other provision of this act,*  
2 *each item of appropriation in this act, with the exception of the*  
3 *California State University, the University of California, judicial,*  
4 *and Legislature budget items, shall be reduced, as appropriate,*  
5 *to reflect a reduction in employee compensation agreed to through*  
6 *the collective bargaining process for represented employees or*  
7 *existing administration authority and a proportionate reduction*  
8 *for nonrepresented employees (utilizing existing authority of the*  
9 *administration to adjust compensation for nonrepresented*  
10 *employees) in the total amounts of \$240,000,000 from General*  
11 *Fund items and \$149,000,000 from items relating to other funds.*  
12 *It is the intent of the Legislature that these and, if necessary, other*  
13 *agreements through the collective bargaining process, as well as*  
14 *proportionate reductions for nonrepresented employees (utilizing*  
15 *existing authority of the administration to adjust compensation*  
16 *for nonrepresented employees), will result in General Fund savings*  
17 *of \$417,000,000 and other fund savings of \$255,000,000 in the*  
18 *2009–10 fiscal year. The Director of Finance shall allocate the*  
19 *necessary reduction to each item of appropriation to accomplish*  
20 *the employee compensation reductions required by this section.*

21     *(b) The Department of Personnel Administration shall transmit*  
22 *proposed memoranda of understanding to the Legislature promptly*  
23 *and shall include with each such transmission estimated savings*  
24 *pursuant to this section of each agreement.*

25     *(c) Nothing in this section shall change or supersede the*  
26 *provisions of the Ralph C. Dills Act (Chapter 10.3 (commencing*  
27 *with Section 3512) of Division 4 of Title 1 of the Government*  
28 *Code).*

29     *SEC. 37. Sections 1 to 36, inclusive, of this act shall become*  
30 *operative only if either Assembly Bill 6 or Senate Bill 6 of the*  
31 *2007–08 Fourth Extraordinary Session is enacted.*

32     *SEC. 38. This act is an urgency statute necessary for the*  
33 *immediate preservation of the public peace, health, or safety within*  
34 *the meaning of Article IV of the Constitution and shall go into*  
35 *immediate effect. The facts constituting the necessity are:*

36     *In order that necessary amendments to terms relating to loan*  
37 *repayments made in the Budget Act of 2003 and that necessary*  
38 *adjustments by this act to the appropriations in the Budget Act of*  
39 *2008 for support of state government for the 2008–09 fiscal year*

- 1 *may be made as soon as possible, it is necessary that this act take*
- 2 *effect immediately.*

O