

AMENDED IN SENATE JANUARY 7, 2008

SENATE BILL

No. 398

Introduced by Senator Denham

February 21, 2007

An act to amend Section 14600 of the Government Code, relating to the Department of General Services add Section 13337.8 to the Government Code, relating to the current urgent expenses of the government of the State of California, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 398, as amended, Denham. ~~State government: Department of General Services: Emergency interim appropriations.~~

Under existing law, the Budget Act of each year appropriates funds for support of the state government for the ensuing fiscal year, which commences on July 1 and ends on June 30. The California Constitution requires the Legislature to pass a Budget Act on or before June 15. Funds may be expended from the State Treasury for support of the state government only through an appropriation made by the Legislature.

This bill would appropriate unspecified amounts from the General Fund and other funds and sources to the Controller for allocation by the Director of Finance to pay the current, urgent expenses of the state government, excluding salaries and per diem of Members of the Legislature, at a level of services that does not exceed the level for the preceding fiscal year, if the Budget Act is not enacted by July 1.

This bill would state the Legislature's intent to provide emergency funding while the Legislature enacts a budget.

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

Existing law provide for the Department of General Services in state government with specified powers and duties.

This bill would make technical, nonsubstantive changes to this provision.

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:

1 SECTION 1. Section 13337.8 is added to the Government Code,
2 to read:

3 13337.8. (a) Funds shall be appropriated to the Controller
4 from the funds and sources set forth in subdivision (b), for
5 allocation by the Director of Finance, for the exclusive purpose
6 of the payment of the current urgent expenses of the government
7 of the State of California, excluding salaries and per diem of
8 Members of the Legislature, if the Budget Act for any fiscal year
9 is not enacted by July 1. The allocation of the funds appropriated
10 in this subdivision by the Director of Finance shall be to maintain
11 critical services by the government of the State of California, until
12 the Budget Act for that fiscal year is enacted, at a level of service
13 that does not exceed the level of service authorized and funded for
14 the immediately preceding fiscal year.

15 (b) The Director of Finance shall allocate the funds
16 appropriated in subdivision (a) from the following funds and
17 sources:

- 18 (1) \$ _____ from the General Fund.
- 19 (2) \$ _____ from appropriate special funds.
- 20 (3) \$ _____ from appropriate bond funds.
- 21 (4) \$ _____ from appropriate federal funds.
- 22 (5) \$ _____ from appropriate nongovernmental cost funds.
- 23 (6) \$ _____ from appropriate reimbursements.

24 SEC. 2. While budget discussions remain at a standstill, it is
25 the intent of the Legislature to formalize a process by which
26 adequate funding can be provided for critical programs in the
27 absence of a Budget Act. Programs for those in need should not
28 be interrupted while the Legislature works toward a balanced
29 budget.

30 SEC. 3. This act is an urgency statute necessary for the
31 immediate preservation of the public peace, health, or safety within

1 *the meaning of Article IV of the Constitution and shall go into*
2 *immediate effect. The facts constituting the necessity are:*

3 *In order to settle existing and potential claims against the State*
4 *of California and to end the personal hardship to existing and*
5 *potential claimants as quickly as possible, it is necessary that this*
6 *act take effect immediately.*

7 SECTION 1. ~~Section 14600 of the Government Code is~~
8 ~~amended to read:~~

9 14600. ~~The Legislature declares that the centralization of~~
10 ~~business management functions and services of state government~~
11 ~~is necessary and desirable to take advantage of specialized~~
12 ~~techniques and skills, provide uniform management practices, and~~
13 ~~to insure a continuing high level of efficiency and economy. A~~
14 ~~Department of General Services is created to provide centralized~~
15 ~~services including, but not limited to, planning, acquisition,~~
16 ~~construction, inventory, and maintenance of state buildings and~~
17 ~~property; purchasing; printing; architectural services; administrative~~
18 ~~hearings; and accounting services. The department shall develop~~
19 ~~and enforce policy and procedures and shall institute or cause the~~
20 ~~institution of those investigations and proceedings as it deems~~
21 ~~proper to assure effective operation of all functions performed by~~
22 ~~the department and to conserve the rights and interests of the state.~~