AMENDED IN SENATE JUNE 30, 2009

AMENDED IN SENATE FEBRUARY 14, 2009

AMENDED IN ASSEMBLY JANUARY 7, 2009

CALIFORNIA LEGISLATURE—2009–10 THIRD EXTRAORDINARY SESSION

ASSEMBLY BILL No. 10

Introduced by Assembly Member Evans

January 5, 2009

~~An act to amend Sections 5891 and 5892 of the Welfare and Institutions Code, relating to mental health, and declaring the urgency thereof, to take effect immediately.~~ *An act to amend and supplement the Budget Act of 2009 (Chapter 1 of the 2009–10 Third Extraordinary Session) by amending Items 0250-001-0001, 0250-012-0001, 0250-101-0001, 0250-101-0932, 0250-102-0556, 0250-111-0001, 0250-112-0001, 0250-301-0660, 0530-001-9732, 0540-001-0140, 0540-001-6031, 0540-001-6051, 0540-490, 0555-001-0028, 0555-001-0044, 0555-001-0235, 0559-001-0001, 0559-001-3078, 0650-001-0001, 0650-001-0890, 0690-001-0890, 0690-001-6061, 0690-101-0890, 0690-102-0890, 0820-001-0001, 0820-001-0890, 0840-001-0001, 0840-001-0970, 0855-111-0367, 0860-001-0001, 0860-001-0022, 0860-001-0061, 0860-001-0623, 0860-001-3015, 0968-001-0457, 1111-002-0582, 1730-001-0001, 1730-001-0044, 1730-001-0064, 1760-001-0001, 1760-001-0666, 1870-001-0001, 1870-001-0890, 1870-101-0890, 1880-001-0001, 1900-015-0815, 1900-015-0820, 1900-015-0822, 1900-015-0830, 1900-015-0833, 1900-015-0884, 2240-001-0648, 2240-101-0001, 2240-101-0890, 2320-001-0317, 2660-001-0042, 2660-001-0890, 2660-001-6801, 2660-002-3007, 2660-002-3008, 2660-004-6055, 2660-004-6056, 2660-004-6058, 2660-004-6064, 2660-004-6072, 2660-102-0890, 2660-302-0042, 2660-302-0890, 2660-303-0042, 2660-491,*

2665-004-6043, 2670-001-0290, 2720-001-0044, 2720-001-0840, 2720-001-0890, 2720-301-0044, 2740-001-0042, 2740-001-0044, 2740-001-0064, 3340-001-0001, 3340-001-0318, 3340-001-6051, 3360-001-0465, 3360-001-0890, 3360-001-3117, 3480-001-0001, 3480-001-0133, 3480-001-0141, 3480-001-0336, 3480-001-3046, 3480-101-0005, 3540-001-0001, 3540-001-0140, 3540-001-0235, 3540-001-0890, 3540-001-3120, 3600-001-0001, 3600-001-0005, 3600-001-0200, 3600-001-0235, 3600-001-0320, 3600-001-6051, 3600-101-0320, 3680-101-0516, 3680-101-0890, 3680-101-3001, 3760-001-0140, 3760-001-0565, 3760-301-0262, 3760-301-0371, 3760-301-0593, 3760-301-6051, 3760-301-6076, 3790-001-0001, 3790-001-0235, 3790-001-0263, 3790-301-6051, 3790-490, 3790-497, 3810-001-0140, 3810-301-6031, 3855-001-0140, 3860-001-0001, 3860-001-0140, 3860-001-0404, 3860-001-0890, 3860-001-3057, 3860-001-6052, 3860-101-6052, 3860-301-6052, 3910-001-0387, 3910-001-0890, 3930-001-0106, 3940-001-0235, 3940-001-0439, 3940-001-0890, 3940-101-0001, 3980-001-0001, 3980-001-0044, 3980-001-0106, 3980-001-0557, 3980-001-3056, 4120-101-0001, 4170-001-0001, 4170-001-0890, 4170-101-0890, 4200-001-0367, 4200-001-0890, 4200-001-3146, 4200-101-3146, 4200-102-3146, 4200-103-3146, 4260-001-0236, 4260-001-0890, 4260-101-0080, 4260-101-0232, 4260-101-0890, 4260-102-0890, 4260-106-0890, 4260-111-0080, 4260-111-0236, 4260-111-0890, 4260-113-0890, 4260-117-0890, 4265-001-0070, 4265-001-0099, 4265-001-0203, 4265-001-0234, 4265-001-0890, 4265-001-3098, 4265-111-0231, 4265-111-0236, 4265-111-0890, 4265-111-6031, 4265-115-0890, 4265-115-6031, 4265-116-0890, 4265-401, 4270-001-0001, 4280-101-0890, 4280-102-0890, 4280-103-0890, 4280-103-3055, 4280-111-0233, 4280-111-0236, 4280-112-0232, 4280-112-0233, 4280-112-3133, 4300-003-0001, 4300-004-0001, 4300-101-0890, 4300-103-0001, 4300-301-0001, 4440-001-0890, 4440-001-3085, 4440-011-0001, 4440-101-0890, 4440-101-3085, 4700-001-0890, 4700-101-0890, 5160-001-0001, 5160-001-0890, 5160-101-0890, 5175-001-0001, 5175-001-0890, 5175-101-0001, 5175-101-0890, 5180-101-0890, 5180-141-0890, 5180-153-0890, 5225-001-0001, 5225-001-0917, 5225-002-0001, 5225-101-0001, 5225-301-0001, 5225-301-0660, 5225-301-0747, 6110-001-0001, 6110-001-0231, 6110-001-0890, 6110-102-0231, 6110-102-0890, 6110-104-0001, 6110-108-0001, 6110-111-0001, 6110-113-0001, 6110-119-0001, 6110-119-0890, 6110-122-0001, 6110-124-0001, 6110-125-0001,

6110-125-0890, 6110-126-0890, 6110-134-0890, 6110-136-0890, 6110-140-0001, 6110-140-0349, 6110-156-0890, 6110-161-0001, 6110-161-0890, 6110-166-0001, 6110-166-0890, 6110-167-0001, 6110-170-0001, 6110-181-0001, 6110-181-0140, 6110-182-0001, 6110-183-0890, 6110-189-0001, 6110-193-0001, 6110-193-0890, 6110-195-0890, 6110-196-0001, 6110-196-0890, 6110-197-0890, 6110-198-0001, 6110-201-0890, 6110-202-0001, 6110-203-0001, 6110-211-0001, 6110-220-0001, 6110-228-0001, 6110-240-0001, 6110-240-0890, 6110-243-0001, 6110-244-0001, 6110-245-0001, 6110-246-0001, 6110-247-0001, 6110-248-0001, 6110-268-0001, 6440-001-0001, 6440-001-0234, 6600-001-0001, 6610-001-0001, 6870-001-0001, 6870-002-0890, 6870-101-0001, 6870-103-0001, 6870-111-0001, 6870-295-0001, 6870-301-6041, 6870-301-6049, 7100-001-0001, 7100-001-0185, 7100-001-0514, 7100-001-0588, 7100-001-0869, 7100-001-0870, 7100-011-0185, 7100-011-0890, 7100-021-0890, 7100-101-0588, 7100-101-0869, 7100-101-0871, 7100-101-0908, 7100-111-0890, 7120-001-0890, 7350-001-0001, 7350-001-3121, 7980-001-0001, 8260-001-0001, 8260-001-0890, 8260-101-0890, 8380-001-0001, 8380-004-0001, 8570-001-0001, 8570-001-0111, 8570-001-0890, 8860-001-0001, 8885-295-0001, 8940-001-0001, 8955-001-0001, 9100-101-0001, 9655-001-0001, 9655-001-0494, 9800-001-0001, 9800-001-0494, 9800-001-0988, and 9840-001-0001 of, by adding Items 0530-001-3151, 0540-491, 0540-493, 0559-011-3078, 0650-102-0890, 0690-301-0890, 0820-001-3136, 0820-011-0317, 0968-101-0890, 1100-011-0267, 1111-002-3122, 1760-490, 2240-490, 2660-002-0890, 2660-011-0042, 2740-011-0044, 2740-491, 3125-490, 3125-491, 3340-001-0140, 3340-101-6051, 3340-490, 3340-491, 3480-001-0867, 3540-001-3063, 3540-001-3117, 3540-301-0660, 3540-490, 3540-493, 3600-001-3117, 3600-101-0516, 3600-497, 3640-491, 3640-492, 3640-495, 3760-495, 3790-001-3117, 3790-101-0005, 3790-491, 3790-492, 3790-494, 3810-491, 3850-301-0005, 3850-301-6029, 3850-301-6051, 3855-490, 3860-101-6025, 3860-492, 3860-493, 3860-495, 3900-101-6051, 3900-490, 3930-001-0140, 3940-011-0439, 3940-012-0439, 3940-101-3134, 3940-101-3145, 3940-496, 3980-001-0115, 3980-001-0200, 4260-495, 4265-495, 4265-496, 4265-497, 4280-112-0236, 5225-491, 5225-496, 6110-008-0001, 6110-109-0001, 6110-198-0890, 6110-488, 6110-490, 6110-492, 6360-011-0407, 6360-011-0408, 6440-402, 6440-491, 6440-492, 6610-490, 6610-491, 6610-492, 6610-494, 6870-490, 6870-491, 6870-492, 6870-493,

6870-497, 7100-001-0871, 7350-001-3150, 7350-001-3152, 7350-011-0001, 7350-012-0001, 7980-101-0784, 8855-011-0001, 8940-001-3085, and 9350-104-6065 to, and by repealing Items 0558-001-0001, 0650-001-0214, 0650-011-0001, 0650-101-0214, 3480-101-0867, 3600-001-0404, 3860-101-0544, 4200-001-3019, 4200-101-3019, 4200-105-0001, 4260-101-0236, 4260-111-0233, 4265-111-0232, 4265-111-0233, 4265-111-6051, 4265-301-0001, 4280-101-0236, 4280-104-0236, 4280-104-0890, 4280-111-0232, 4300-101-3148, 6110-008-0046, 6110-111-0046, 6110-111-3116, and 6870-301-6028 of, Section 2.00 of that act, and by amending Sections 3.60, 3.90, 4.01, 4.12, 12.00, 12.32, 12.42, 25.50, and 35.50 of, by adding Sections 3.55, 4.85, 8.55, 12.45, 12.50, 12.55, 13.10, 13.25, 13.50, 15.30, 17.50, 17.80, 18.00, 18.10, 18.20, 18.30, 18.40, 18.50, 18.60, 24.60, and 25.25 to, and by repealing Section 24.65 of, that act, relating to the State Budget, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 10, as amended, Evans. ~~The Mental Health Services Act: Proposition 63 amendments.~~*Budget Act of 2009: revisions.*

~~Existing law, the Mental Health Services Act (hereafter, the MHSA), an initiative measure, was approved by the voters in November 2004 as Proposition 63. The MHSA establishes the Mental Health Oversight and Accountability Commission, and imposes a tax of 1% on incomes above $1,000,000 for the purpose of financing new or expanded mental health services. Under the MHSA, the State Department of Mental Health is required, among other things, to distribute funds for local assistance for designated mental health programs. The MHSA prohibits a decrease in other funding levels for pre-existing mental health programs below the 2003–04 fiscal year levels, and prohibits a change in the structure of financing mental health services, which increases the county's share of costs or risk unless full compensation is provided. As an initiative measure, unless approved by the voters, the MHSA permits amendment of its provisions by ⅔ vote of the Legislature, but only if the amendments are consistent with and further the intent of the MHSA. The MHSA also permits amendment by majority vote of the Legislature to clarify procedures and terms.~~

~~This bill, subject to voter approval at a statewide election, would, until July 1, 2011, permit the sum of $226,700,000 of MHSA funding in the 2009–10 fiscal year and up to $234,000,000 of MHSA funding~~

~~in the 2010–11 fiscal year to be redirected to support the Early and Periodic Screening, Diagnosis and Treatment (EPSDT) Program as administered by the State Department of Mental Health.~~

The Budget Act of 2009 (Chapter 1 of the 2009–10 Third Extraordinary Session) made appropriations for the support of state government for the 2009–10 fiscal year.

This bill would make revisions in some of those appropriations for the 2009–10 fiscal year. The bill would make specified reductions in certain appropriations.

The California Constitution authorizes the Governor to declare a fiscal emergency and to call the Legislature into special session for that purpose. The Governor issued a proclamation declaring a fiscal emergency, and calling a special session for this purpose, on December 19, 2008.

This bill would state that it addresses the fiscal emergency declared by the Governor by proclamation issued on December 19, 2008, pursuant to the California Constitution.

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

Vote: ~~⅔~~ *majority*. Appropriation: ~~no~~ *yes*. Fiscal committee: yes. State-mandated local program: no.

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

SECTION 1. For purposes of this act, the "Budget Act of 2009" means Chapter 1 of the 2009–10 Third Extraordinary Session, as amended by Chapter 3 of the 2009–10 Third Extraordinary Session.

SEC. 2. Item 0250-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

0250-001-0001—For support of Judicial Branch.....		~~354,945,000~~
		354,711,000
Schedule:		
(1) 10-Supreme Court.....	~~47,299,000~~	
	47,283,000	
(2) 20-Courts of Appeal.....	~~208,912,000~~	
	208,694,000	
(3) 30-Judicial Council.....	119,412,000	
(4) 35-Judicial Branch Facility Program.....	2,217,000	

(5) 50-California Habeas Corpus Resource Center..... 15,064,000
(5.5) 97.20.001-Unallocated Reduction..... −21,286,000
(6) Reimbursements..... −7,572,000
(7) Amount payable from the Motor Vehicle Account, State Transportation Fund (Item 0250-001-0044)..... −184,000
(8) Amount payable from the Court Interpreters' Fund (Item 0250-001-0327)..... −161,000
(9) Amount payable from the Federal Trust Fund (Item 0250-001-0890)..... −4,475,000
(10) Amount payable from the Appellate Court Trust Fund (Item 0250-001-3060)..... −4,281,000

Provisions:

1. Notwithstanding Section 26.00, 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. The funds appropriated in 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~~ *Director* of Finance on September 1, 2009, and April 1, 2010, on expenditures, specifically detailing personal services expenditures, operating expenses, and equipment expenditures.

4. Notwithstanding any other provision of law, upon approval and order of the ~~Department~~ *Director* 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 justices, and administrative costs pursuant to Section 68114.10 of the Government Code.

SEC. 3. Item 0250-012-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

0250-012-0001—For transfer by the Controller to the Court Facilities Trust Fund..... ~~5,887,000~~
5,785,000

SEC. 4. Item 0250-101-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

0250-101-0001—For local assistance, Judicial Branch..... ~~19,224,000~~
18,409,000

Schedule:

(1)	45.10-Support for Operation of Trial Courts.....	~~7,101,000~~ *6,430,000*
(2)	45.55.010-Child Support Commissioners Program (Article 4 (commencing with Section 4250) of Chapter 2 of Part 2 of Division 9 of the Family Code).....	54,332,000
(3)	45.55.020-California Collaborative and Drug Court Projects.....	~~5,806,000~~ *5,791,000*
(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..... 745,000
(7) 45.55.080-Federal Grants—Other..... 775,000
(8) 45.55.090-Equal Access Fund Program..... ~~10,905,000~~ *10,776,000*
(9) Reimbursements..... −59,665,000
(10) Amount payable from Federal Trust Fund (Item 0250-101-0890)..... −2,275,000

Provisions:

1. 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 to 6215, inclusive, 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 pro per litigants and 90 percent of the funds in Schedule (8) shall be distributed consistent with Sections 6216 to 6223, inclusive, of the Business and Professions Code. The Judicial Council may establish additional reporting or quality control requirements consistent with Sections 6213 to 6223, inclusive, of the Business and Professions Code.
2. The amount appropriated in Schedule (1) is available for reimbursement of court costs related to the following activities: (a) payment of service of process fees billed to the trial courts pursuant to the provisions of Chapter 1009 of the Statutes of 2002~~,~~*;* (b) payment of the court costs payable under Sections 4750 to 4755, inclusive, and Section 6005 of the Penal Code~~,~~*;* and (c) payment of court costs of extraordinary homicide trials.

SEC. 5. Item 0250-101-0932 of Section 2.00 of the Budget Act of 2009 is amended to read:

0250-101-0932—For local assistance, Judicial Branch, payable from the Trial Court Trust Fund..... 2,926,185,000

Schedule:

(1) 45.10-Support for Operation of the Trial Courts..... ~~2,721,342,000~~ *2,503,440,000*

(2) 45.25-Compensation of Superior Court Judges..... ~~299,046,000~~ *296,205,000*

(3) 45.35-Assigned Judges..... ~~26,326,000~~ *26,047,000*

(4) 45.45-Court Interpreters..... ~~93,908,000~~ *92,794,000*

(5) 45.55.060-Court Appointed Special Advocate (CASA) Program..... ~~2,320,000~~ *2,292,000*

(6) 45.55.065-Model Self-Help Program.... ~~1,003,000~~ *991,000*

(7) 45.55.090-Equal Access Fund Program..... ~~5,753,000~~ *5,685,000*

(8) 45.55.095-Family Law Information Centers..... ~~361,000~~ *357,000*

(9) 45.55.100-Civil Case Coordination..... ~~858,000~~ *848,000*

(10) 97.20.001-Unallocated Reduction.... ~~−224,732,000~~ *−2,473,000*

(11) Reimbursements..... *−1,000*

Provisions:

1. Notwithstanding Section 26.00, 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 support staff may not exceed the staffing level that is necessary to support the equivalent of three judicial officers sitting on assignments.

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: 1.0 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 procedures for the administration of these funds. The Judicial Council shall report to the Legislature and Director 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. 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~~ *chairpersons* of the ~~committee~~ *committees* 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 committee or his or her designee may determine.

6. Notwithstanding any other provision of law, upon approval and order of the ~~Department~~ *Director* 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 judges, 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.

8. Upon approval by the Administrative Director of the Courts, and notification to the Department of Finance, the chairpersons of the committees in each house of the Legislature that consider appropriations and the State Budget, and the Chairperson of the Joint Legislative Budget Committee, the Controller shall transfer by no more than $3,953,000 to Item 0250-001-0932 for recovery of costs for administrative services provided to the trial courts by the Administrative Office of the Courts. Any augmentations 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 chairpersons of the committees 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 committee or his or her designee may determine.

9. In order to improve equal access and the fair administration of justice, the funds appropriated in Schedule (7) are available for distribution by the Judicial Council through the Legal Services Trust Fund Com-

mission to qualified legal services projects and support centers as defined in Sections 6213 to 6215, inclusive, 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. Upon approval by the Administrative Director of the Courts, the Controller shall transfer up to 5 percent of the funding appropriated in Schedule (7) to Item 0250-001-0932 for administrative expenses. Ten percent of the funds remaining after administrative costs shall be for joint projects of courts and legal services programs to make legal assistance available to pro per litigants and 90 percent of the funds remaining after administrative costs shall be distributed consistent with Sections 6216 to 6223, inclusive, of the Business and Professions Code. The Judicial Council may establish additional reporting or quality control requirements consistent with Sections 6213 to 6223, inclusive, of the Business and Professions Code.

10. Funds available for expenditure in Schedule (7) may be augmented by order of the Director of Finance by the amount of any additional resources deposited for distribution to the Equal Access Fund Program in accordance with Sections 68085.3 and 68085.4 of the Government Code. Any augmentation under this provision shall be authorized not sooner than 30 days after notification in writing to the chairpersons of the committees in each house of the Legislature that consider appropriations, the chairpersons of the committees 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 committee, or his or her designee, may determine.

11. Sixteen (16.0) subordinate judicial officer positions are authorized to be converted to judgeships in the 2009–10 fiscal year in the manner and pursuant to the authority described in subparagraph (B) of paragraph

(1) of subdivision (b) of Section 69615 of the Government Code, as described in the notice filed by the Judicial Council under subdivision (b) of paragraph (3) of Section 69615.

12. Notwithstanding any other provision of law, and upon approval of the Director of Finance, reimbursements in Schedule (11) may be increased by the amount of any additional resources collected for the recovery of costs for court-appointed dependency counsel services.

13. Upon approval of the Administrative Director of the Courts, the Controller shall transfer up to $556,000 of the funding identified in Provision 12 of this item to Item 0250-001-0932 for administrative services provided to the trial courts in support of the court-appointed dependency counsel program.

SEC. 6. Item 0250-102-0556 of Section 2.00 of the Budget Act of 2009 is amended to read:

0250-102-0556—For local assistance, Judicial Branch, payable from the Judicial Administration Efficiency and Modernization Fund..... ~~39,173,000~~ *38,709,000*

Provisions:

1. Upon approval 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 Judicial Administration Efficiency and Modernization Fund, which is in addition to the amount appropriated in this item. 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 chairpersons of the committees and appropriate subcommittees that consider the State Budget, and the ~~chairperson of the joint committee~~ *Chairperson of the Joint Legislative Budget Committee*, or not sooner than whatever lesser time the ~~Chairperson of the Joint Legislative Budget Committee~~ *chairperson of the joint committee* or his or her designee may determine.

SEC. 7. Item 0250-111-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

0250-111-0001—For transfer by the Controller to the Trial Court Trust Fund..... ~~1,689,529,000~~
1,518,502,000

SEC. 8. Item 0250-112-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

0250-112-0001—For transfer by the Controller to the Judicial Administration Efficiency and Modernization Fund..... ~~39,173,000~~
38,709,000

SEC. 9. Item 0250-301-0660 of Section 2.00 of the Budget Act of 2009 is amended to read:

0250-301-0660—For capital outlay, Judicial Branch, payable from the Public ~~Utilities~~ *Buildings* Construction Fund..... 33,919,000

Schedule:

(1) 91.18.001-Lassen County: New Susanville Courthouse—Construction..... 33,919,000

Provisions:

1. The State Public Works Board may issue ~~lease revenue~~ *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 Judicial Branch and the State Public Works Board are 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.
3. 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 ~~2100)~~ *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 Judicial Council from the requirements of the California Environmental Quality Act. This ~~section~~ *provision* is intended to be declarative of existing law.

SEC. 10. Item 0530-001-3151 is added to Section 2.00 of the Budget Act of 2009, to read:

0530-001-3151—For support of Secretary of California Health and Human Services..... 0

Provisions:

1. The Director of Finance may authorize an increase in this appropriation, up to the total amount collected from administrative fines assessed by the Office of Health Information Integrity pursuant to Section 56.36 of the Civil Code. Any such approval shall be accompanied by the approval of an amended spending plan submitted by the Office of Health Information Integrity providing detailed justification for the increased expenses. An approval of an augmentation or spending plan may be authorized not sooner than 30 days after notification is provided to the Chairperson of the Joint Legislative Budget Committee in writing, or not sooner than whatever lesser time the chairperson of the joint committee, or his or her designee, may determine.

SEC. 11. Item 0530-001-9732 of Section 2.00 of the Budget Act of 2009 is amended to read:

0530-001-9732—For support of Secretary of California Health and Human Services, payable from the Office of Systems Integration Fund..... ~~236,058,000~~
239,123,000

Schedule:

(1) 30-Office of Systems Integration..... ~~236,058,000~~
239,123,000

SEC. 12. Item 0540-001-0140 of Section 2.00 of the Budget Act of 2009 is amended to read:

0540-001-0140—For support of Secretary of the *Natural* Resources Agency, payable from the *California* Environmental License Plate Fund..... ~~3,326,000~~ *3,376,000*

Schedule:

(1)	10-Administration of *Natural* Resources Agency.....	~~41,399,000~~ *41,449,000*
(2)	20-CALFED Bay-Delta Program.....	~~17,814,000~~ *20,713,000*
(3)	Reimbursements.....	−8,904,000
(4)	Amount payable from the General Fund (Item 0540-001-0001).....	−5,736,000
(5)	Amount payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Item 0540-001-0005).....	−274,000
(6)	Amount payable from the Environmental Enhancement and Mitigation Program Fund (Item 0540-001-0183).....	−141,000
(7)	Amount payable from the Federal Trust Fund (Item 0540-001-0890).....	−8,471,000
(8)	Amount payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Item 0540-001-6029).....	−2,072,000
(9)	Amount payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Item 0540-001-6031).....	~~−3,976,000~~ *−6,875,000*
(10)	Amount payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Item 0540-001-6051).....	−26,046,000

(11) Amount payable from the Disaster Preparedness and Flood Prevention Bond Fund of 2006 (Item 0540-001-6052).... −267,000

SEC. 13. Item 0540-001-6031 of Section 2.00 of the Budget Act of 2009 is amended to read:

0540-001-6031—For support of Secretary of the *Natural* Resources Agency, for payment to Item 0540-001-0140, payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002..... ~~3,976,000~~
6,875,000

Provisions:

1. The funds appropriated in this item for purposes of CALFED Science Program grants shall be available for encumbrance or expenditure until June 30, 2012.
2. *If legislation is enacted that establishes new policy priorities for the Sacramento-San Joaquin Delta and a new governance structure for the Delta, the funding provided in this item for the CALFED Science Program shall continue to be available if it is consistent with the newly established priorities and governance structure.*

SEC. 14. Item 0540-001-6051 of Section 2.00 of the Budget Act of 2009 is amended to read:

0540-001-6051—For support of Secretary of the *Natural* Resources Agency, for payment to Item 0540-001-0140, payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006..... 26,046,000

Provisions:

1. The funds appropriated in this item for purposes of subdivision (n) of Section 75050 of the Public Resources Code shall be available for encumbrance or expenditure until June 30, 2012, for purposes of support, local assistance, or capital outlay.
2. The funds appropriated in this item for purposes of subdivision (n) of Section 75050 of the Public Re-

sources Code shall continue only so long as the United States Bureau of Reclamation continues to provide federal funds and continues to carry out federal actions to implement the settlement agreement in Natural Resources Defense Council v. Rodgers (2005) 381 F.Supp.2d 1212.

3. Of the funds appropriated in this item, $800,000 shall be for the City of Calexico for environmental review, engineering design, and associated planning necessary to develop a river parkway plan and river improvement project for the New River. These funds are hereby appropriated in order to secure and serve as matching funds for the $4,000,000 appropriation from the 2005 Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (P.L. 109-59) to the City of Calexico for the development of bicycle paths and public park space adjacent to the New River.

SEC. 15. Item 0540-490 of Section 2.00 of the Budget Act of 2009 is amended to read:

0540-490—Reappropriation, Secretary of the *Natural* Resources Agency. The balances of 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, 2012:

0140—California Environmental License Plate Fund

(1) Reimbursements, Item 0540-001-0140, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for the purposes of the CALFED Science Program

6029—California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund

(1) Item 0540-001-6029, Budget Act of 2003 (Ch. 157, Stats. 2003), as reappropriated by Item 0540-490, Budget Act of 2004 (Ch. 208, Stats. 2004)

6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002

(1) Item 0540-001-6031, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for the purposes of the CALFED Science Program

SEC. 16. Item 0540-491 is added to Section 2.00 of the Budget Act of 2009, to read:

0540-491—Reappropriation, Secretary for Natural Resources. Notwithstanding any other provision of law, the period to liquidate encumbrances of the appropriations in the following citations is extended to June 30, 2011:

6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002

(1) 0540-101-6031, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), for the River Parkways Program and the Sierra Nevada Cascade Conservation Program

SEC. 17. Item 0540-493 is added to Section 2.00 of the Budget Act of 2009, to read:

0540-493—Reappropriation, Secretary for Natural Resources. The balances 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, 2010:

0890—Federal Trust Fund

(1) Item 0540-001-0890, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for the Coastal Assistance Program

SEC. 18. Item 0555-001-0028 of Section 2.00 of the Budget Act of 2009 is amended to read:

0555-001-0028—For support of Secretary for Environmental Protection, for payment to Item 0555-001-0044, payable from the Unified Program Account..... ~~1,487,000~~ *4,219,000*

SEC. 19. Item 0555-001-0044 of Section 2.00 of the Budget Act of 2009 is amended to read:

0555-001-0044—For support of Secretary for Environmental Protection, payable from the Motor Vehicle Account, State Transportation Fund..... 1,965,000

Schedule:

(1) 30-Support..... ~~15,161,000~~ *17,885,000*

(2) Reimbursements..... −2,004,000

(3) Amount payable from the General Fund (Item 0555-001-0001)..... −1,070,000

(4) Amount payable from the Hazardous Waste Control Account (Item 0555-001-0014)..... −327,000

(5) Amount payable from the Unified Program Account (Item 0555-001-0028).... ~~−1,487,000~~ *−4,219,000*

(6) Amount payable from the California Used Oil Recycling Fund (Item 0555-001-0100)..... −30,000

(7) Amount payable from the Department of Pesticide Regulation Fund (Item 0555-001-0106)..... −842,000

(8) Amount payable from the Air Pollution Control Fund (Item 0555-001-0115)..... −1,462,000

(9) Amount payable from the Waste Discharge Permit Fund (Item 0555-001-0193)..... −318,000

(10) Amount payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund (Item 0555-001-0235)..... ~~−64,000~~ *−56,000*

(11) Amount payable from the Recycling Market Development Revolving Loan Subaccount, Integrated Waste Management Fund (Item 0555-001-0281)..... −150,000

(12) Amount payable from the Integrated Waste Management Account, Integrated Waste Management Fund (Item 0555-001-0387)..... −768,000

(13) Amount payable from the Underground Storage Tank Cleanup Fund (Item 0555-001-0439)..... −875,000

(14) Amount payable from the State Water Quality Control Fund (Item 0555-001-0679)..... −188,000

(15) Amount payable from the Rural CUPA Reimbursement Account (Item 0555-001-1006)..... −862,000

(16) Amount payable from the Water Rights Fund (Item 0555-001-3058)..... −40,000

(17) Amount payable from the Environmental Enforcement and Training Account (Item 0555-001-8013)..... −2,132,000

(18) Amount payable from the Environmental Education Account (Item 0555-001-8020)..... −577,000

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.

SEC. 20. Item 0555-001-0235 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~64,000~~ *56,000*

SEC. 21. Item 0558-001-0001 of Section 2.00 of the Budget Act of 2009 is repealed.

~~0558-001-0001—For support of the Office of the Secretary for Education..... 977,000~~
~~Schedule:~~
~~(1) Secretary for Education..... 1,084,000~~
~~(2) Reimbursements..... −107,000~~
~~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, 2010, to June 30, 2010, inclusive. Legislation establishing the agency will be introduced and, if enacted, would be effective on or before January 1, 2010. In the event that legislation creating the agency is not effective on or before January 1, 2010, or the funds are needed prior to January 1, 2010, the unexpended balance of the funds appropriated in this item shall be available for expenditure pursuant to Item 0650-011-0001, as authorized by the Director of Finance.~~

SEC. 22. Item 0559-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

0559-001-0001—For support of the Labor and Workforce Development Agency..... 0
Schedule:
(1) 10-Office of the Secretary of Labor and Workforce Development..... ~~4,668,000~~ *3,138,000*
(2) Reimbursements..... −2,712,000
(3) Amount payable from the Labor and Workforce Development Fund (Item 0559-001-3078)..... ~~−1,956,000~~ *−426,000*

SEC. 23. Item 0559-001-3078 of Section 2.00 of the Budget Act of 2009 is amended to read:

0559-001-3078—For support of the Labor and Workforce Development Agency, for payment to Item 0559-001-0001, payable from the Labor and Workforce Development Fund..... ~~1,956,000~~
426,000

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.

SEC. 24. Item 0559-011-3078 is added to Section 2.00 of the Budget Act of 2009, to read:

0559-011-3078—For transfer by the Controller, upon order of the Director of Finance, from the Labor and Workforce Development Fund, to the General Fund..... (5,500,000)

Provisions:

1. In addition to the amount specified in this item, the Controller shall transfer to the General Fund the unencumbered balance in the Labor and Workforce Development Fund as of June 30, 2010, as determined by the Director of Finance.

SEC. 25. Item 0650-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

0650-001-0001—For support of Office of Planning and Research..... ~~5,990,000~~
4,236,000

Schedule:

(1) 11-State Planning and Policy Development..... ~~5,954,000~~
1,025,487,000

(2) 21-California Volunteers..... ~~6,732,000~~
6,160,000

(3) Reimbursements..... −3,588,000

~~(4) Amount payable from the Restitution Fund (Item 0650-001-0214)..... −285,000~~

(5) Amount payable from the Federal Trust Fund (Item 0650-001-0890)..... ~~−2,119,000~~
−1,023,119,000

(6) Amount payable from the Central Service Cost Recovery Fund (Item 0650-001-9740)..... −704,000

SEC. 26. Item 0650-001-0214 of Section 2.00 of the Budget Act of 2009 is repealed.

~~0650-001-0214—For support of the Office of Planning and Research, for payment to Item 0650-001-0001, payable from the Restitution Fund..... 285,000~~

SEC. 27. Item 0650-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

0650-001-0890—For support of Office of Planning and Research, for payment to Item 0650-001-0001, payable from the Federal Trust Fund..... ~~2,119,000~~
1,023,119,000

SEC. 28. Item 0650-011-0001 of Section 2.00 of the Budget Act of 2009 is repealed.

~~0650-011-0001—For support of Office of Planning and Research..... 978,000~~

~~Schedule:~~

~~(1) Office of the Secretary for Education.... 1,090,000~~

~~(2) Reimbursements..... −112,000~~

~~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, 2009, to December 31, 2009, inclusive. Legislation establishing the agency will be introduced and, if enacted, would be effective on or before January 1, 2010. After the effective date of that 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 in this item shall be available for expenditure pursuant to Item 0558-001-0001, as authorized by the Director of Finance.~~

SEC. 29. Item 0650-101-0214 of Section 2.00 of the Budget Act of 2009 is repealed.

~~0650-101-0214—For local assistance, Office of Planning and Research, Program 11, State Planning and Policy Development, payable from the Restitution Fund..... 9,215,000~~

~~Schedule:~~

~~(1) 11-State Planning and Policy Development..... 9,215,000~~

~~(a) Grants to the City of Los Angeles..... (1,000,000)~~

~~(b) Competitive grants to all other cities..... (8,215,000)~~

~~Provisions:~~

~~1. All grantees must provide a dollar-for-dollar match to state grant funds awarded from Schedules (1) and (2).~~

~~2. The Office of Planning and Research shall submit a report and evaluation of the grants awarded pursuant to Schedules (1) and (2) to the fiscal committees of the Legislature not later than April 1, 2013.~~

~~3. The amount appropriated in Schedule (2) shall be competitive grants to cities. No grant shall exceed $500,000, and at least two grants shall be awarded to cities with populations of 200,000 or less. In awarding grants, the Office of Planning and Research shall give preference to applicants that incorporate regional approaches to anti-gang activities.~~

~~5. Each city that receives a grant from Schedule (1) or (2) shall collaborate and coordinate with area jurisdictions and agencies, including the existing county juvenile justice coordination council, with the goal of reducing gang activity in the city and adjacent areas. Each grantee shall establish a coordinating and advisory council to prioritize the use of the funds. Member-~~

~~ship shall include city officials, local law enforcement, including the county sheriff, chief probation officer, and district attorney, local educational agencies, including school districts and the county office of education, and community-based organizations.~~

~~6. Each city that receives a grant from Schedule (1) or (2) shall distribute at least 20 percent of the grant funds it receives to one or more community-based organizations pursuant to the city's application.~~

SEC. 30. Item 0650-102-0890 is added to Section 2.00 of the Budget Act of 2009, to read:

0650-102-0890—For local assistance, Office of Planning and Research, Program 11-State Planning and Policy Development, payable from the Federal Trust Fund..... 1,110,000,000

SEC. 31. Item 0690-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

0690-001-0890—For support of the California Emergency Management Agency, for payment to Item 0690-001-0001, payable from the Federal Trust Fund..... ~~85,396,000~~ *89,964,000*

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, except that, notwithstanding 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.

SEC. 32. Item 0690-001-6061 of Section 2.00 of the Budget Act of 2009 is amended to read:

0690-001-6061—For support of the California Emergency Management Agency, for payment to Item 0690-001-0001, payable from the Transit System Safety, Security, and Disaster Response Account, Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 ..... ~~1,509,000~~ *2,654,000*

Provisions:

1. Upon approval of the Director of Finance, expenditure authority for this item may be increased by up to $200,000 to reimburse the Department of Finance for bond audit costs related to the implementation of Proposition 1B. Any augmentation shall be authorized no sooner than 30 days after notification in writing to 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 determine.

SEC. 33. Item 0690-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

0690-101-0890—For local assistance, California Emergency Management Agency, payable from the Federal Trust Fund..... ~~878,826,000~~ *893,581,000*

Schedule:

(1) 20-Emergency Management Services.... ~~16,100,000~~ *30,855,000*

(2) 40-Special Programs and Grant Management..... 862,726,000

Provisions:

1. Any federal funds that may become available in addition to the funds appropriated in this item for Program 40-Disaster Assistance are exempt from Section 28.00.

SEC. 34. Item 0690-102-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

0690-102-0890—For local assistance, California Emergency Management Agency, payable from the Federal Trust Fund..... ~~111,209,000~~ *251,259,000*

Schedule:

(1) 40.20-Victim Services..... 66,516,000

(2) 40.30-Public Safety..... ~~44,693,000~~ *184,743,000*

Provisions:

1. Notwithstanding any other provision of law, the California Emergency Management Agency 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 California Emergency Management Agency.

2. This item includes $135,050,000 in funds for the purpose of administering federal Edward Byrne Memorial Justice Assistance Grant program funding provided by the American Recovery and Reinvestment Act of 2009. The California Emergency Management Agency (Cal EMA) shall distribute these one-time funds in the 2009–10 fiscal year consistent with the following requirements.

(a) Of the total provided, $50,000,000 shall be used to provide substance abuse treatment for criminal offenders convicted of nonviolent drug offenses in the Offender Treatment Program or a similar program funded through the Department of Alcohol and Drug Programs (DADP). Of this amount, $600,000 shall be for Cal EMA to enter into an interagency agreement with DADP to distribute and administer these funds according to program requirements. The remaining $49,400,000 provided for these programs shall be passed through to counties as local assistance.

(b) Of the total provided, $45,000,000 shall be used to provide grants to county probation departments for the purpose of providing evidence-based su-

pervision, programs, or services to adult felon probationers with the purpose of reducing the likelihood that these probationers will commit new crimes or other violations and be sent to prison. In order to receive funding, applicants seeking these funds shall be required to demonstrate that the programs for which they are seeking funds are evidence-based and targeted towards adults on felony. Applicants shall also be required to demonstrate how these programs create jobs. Cal EMA shall seek to distribute these funds proportionately to all county probation departments that submit qualifying applications based on each county's population of adults 18 to 25 years of age, inclusive, provided that each county receiving funding shall receive a minimum of $25,000. An evidence-based program for adult probationers is one for which the applicant can identify empirical evidence that the program has been shown to reduce rates of reoffending, rearrest, reconviction, or reincarceration for program participants or that the program is considered a best practice in the criminal justice literature. Evidence-based programs for adult offenders include, but are not limited to, risk and needs assessments, graduated sanctions for probation violators, substance abuse and mental health treatment, employment and training assistance, case management, intensive supervision for high-risk offenders coupled with treatment services, and program evaluation. Applicants must demonstrate how specified outcome-based measures consistent with the goals of this program will be identified and tracked. A total of $424,000 of the $45,000,000 funded for this program shall be awarded to the Administrative Office of the Courts for the purpose of providing technical assistance to recipient counties in implementing these grants, including, but not limited to, developing, tracking,

and reporting on outcome-based measurements to evaluate the program.

(c) Of the total provided, $20,000,000 shall be used for the Anti-Drug Abuse Enforcement Program to support multi-jurisdictional drug task forces that combat street to mid-level drug sales, manufacturing, and distribution at the local level.

(d) Of the total provided, $10,000,000 shall be provided to the Department of Corrections and Rehabilitation to create, in partnership with state trial courts, reentry courts designed to divert parole violators from prison through use of collaborative courts that provide enhanced supervision and services for inmates with mental health and substance abuse problems.

(e) Of the total provided, $3,750,000 shall be used for human trafficking task forces for purposes of increasing coordination among law enforcement agencies, district attorneys, victim services groups, and others to improve or increase training in human trafficking cases and the investigation and prosecution of those cases.

(f) Of the total provided, $3,300,000 shall be used for firearm trafficking programs designed to increase coordination among state, federal, and local law enforcement agencies for the purpose of increasing antifirearms trafficking efforts in California's border region.

(g) Of the total provided, $3,000,000 shall be provided to the Corrections Standards Authority for the purpose of improving the state's collection of criminal justice information from both state and local agencies.

(h) Applicants receiving funding shall have up to three years to expend the funds.

SEC. 35. Item 0690-301-0890 is added to Section 2.00 of the Budget Act of 2009, to read:

0690-301-0890—For capital outlay, California Emergency Management Agency, payable from the Federal Trust Fund..... 1,857,000

Schedule:

(1) 80.10.006-Southern Region Facility—Preliminary plans..... 1,857,000

Provisions:

1. Notwithstanding any other provision of law, the California Emergency Management Agency may negotiate a long-term lease with the United States Army Corps of Engineers for the Southern Region replacement facility. Prior to entering into any agreement or lease, the California Emergency Management Agency shall obtain the approval of the Department of Finance. Additionally, at least 30 days prior to entering into any agreement or lease, the California Emergency Management Agency shall notify the chairpersons of the committees in each house of the Legislature that consider appropriations and the Joint Legislative Budget Committee of the terms and conditions of the agreement. If the Joint Legislative Budget Committee does not express any opposition, the California Emergency Management Agency may proceed with the agreement after 30 days from when the California Emergency Management Agency gave notice to the chairpersons.

SEC. 36. Item 0820-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

0820-001-0001—For support of Department of Justice..... ~~345,933,000~~ *305,933,000*

Schedule:

(1) 11.01-Directorate—Administration..... ~~95,254,000~~ *95,487,000*

(2) 11.02-Distributed Directorate—Administration..... ~~−95,254,000~~ *−95,487,000*

(3) 20-Division of Legal Services..... ~~362,011,000~~ *364,850,000*

(4) 50-Law Enforcement..... ~~253,387,000~~
233,387,000
(5) 60-California Justice Information Services..... 165,875,000
(6) Reimbursements..... ~~−40,005,000~~
−60,005,000
(6.5) Unallocated Reduction..... −47,896,000
(7) Amount payable from the Attorney General Antitrust Account (Item 0820-001-0012)..... −1,342,000
(8) Amount payable from the Fingerprint Fees Account (Item 0820-001-0017).... −66,615,000
(9) Amount payable from the Firearm Safety Account (Item 0820-001-0032)..... −331,000
(10) Amount payable from the Motor Vehicle Account, State Transportation Fund (Item 0820-001-0044)..... −23,834,000
(11) Amount payable from the Department of Justice Sexual Habitual Offender Fund (Item 0820-001-0142)..... −2,218,000
(12) Amount payable from the Travel Seller Fund (Item 0820-001-0158)..... −1,346,000
(13) Amount payable from the Restitution Fund (Item 0820-001-0214)..... −351,000
(14) Amount payable from the Sexual Predator Public Information Account (Item 0820-001-0256)..... −171,000
(15) Amount payable from the Indian Gaming Special Distribution Fund (Item 0820-001-0367)..... −14,080,000
(16) Amount payable from the False Claims Act Fund (Item 0820-001-0378)..... −10,090,000
(17) Amount payable from the Dealers' Record of Sale Special Account (Item 0820-001-0460)..... −9,907,000
(18) Amount payable from the Department of Justice Child Abuse Fund (Item 0820-001-0566)..... −361,000

(19) Amount payable from the Gambling Control Fund (Item 0820-001-0567).... −7,271,000

(20) Amount payable from the Gambling Control Fines and Penalties Account (Item 0820-001-0569)..... −45,000

(21) Amount payable from the Federal Trust Fund (Item 0820-001-0890)..... ~~−37,914,000~~ *−40,253,000*

(22) Amount payable from the Federal Asset Forfeiture Account, Special Deposit Fund (Item 0820-001-0942)..... −1,551,000

(23) Amount payable from the State Asset Forfeiture Account, Special Deposit Fund (Item 0820-011-0942)..... −595,000

(24) Amount payable from the Firearms Safety and Enforcement Special Fund (Item 0820-001-1008)..... −3,252,000

(25) Amount payable from the Missing Persons DNA Data Base Fund (Item 0820-001-3016)..... −3,376,000

(26) Amount payable from the Public Rights Law Enforcement Special Fund (Item 0820-001-3053)..... −5,615,000

(27) Amount payable from the Ratepayer Relief Fund (Item 0820-001-3061)..... −4,896,000

(28) Amount payable from the DNA Identification Fund (Item 0820-001-3086)..... −29,267,000

(29) Amount payable from the Unfair Competition Law Fund (Item 0820-001-3087)..... −3,247,000

(30) Amount payable from the Registry of Charitable Trusts Fund (Item 0820-001-3088)..... −2,830,000

(31) Amount payable from the Legal Services Revolving Fund (Item 0820-001-9731)..... −114,653,000

(31.5) Amount payable from the Foreclosure Consultant Regulation Fund (Item 0820-001-3136)..... −500,000

(32) Amount payable from the Central Service Cost Recovery Fund (Item 0820-001-9740)..... −2,281,000

Provisions:

1. The Attorney General shall submit to the Legislature, the ~~Department~~ *Director* 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 (3), $2,233,000 is available for costs related to the Lloyd's of London (Stringfellow) litigation. Any funds not expended for this specific purpose as of June 30, 2010, shall revert immediately to the General Fund.
4. Of the funds appropriated in this item, $19,047,000 is available solely for the Correctional Law Section that handles only workload related to Department of Corrections and Rehabilitation cases.

SEC. 37. Item 0820-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

0820-001-0890—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Federal Trust Fund..... ~~37,914,000~~
40,253,000

SEC. 38. Item 0820-001-3136 is added to Section 2.00 of the Budget Act of 2009, to read:

0820-001-3136—For support of Department of Justice, for payment to Item 0820-001-0001, payable from the Foreclosure Consultant Regulation Fund..... 500,000

SEC. 39. Item 0820-011-0317 is added to Section 2.00 of the Budget Act of 2009, to read:

0820-011-0317—For transfer by the Controller to the Foreclosure Consultant Regulation Fund..... (500,000)

Provisions:

1. Notwithstanding any other provision of law, a loan of $500,000 is hereby authorized from the Real Estate Fund to the Foreclosure Consultant Regulation Fund. This loan shall be repaid with interest no later than June 30, 2013.

SEC. 40. Item 0840-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

0840-001-0001—For support of the Controller..... 51,268,000

Schedule:

(1) 100000-Personal Services..... ~~99,968,000~~ *100,892,000*

(2) 300000-Operating Expenses and Equipment..... ~~54,556,000~~ *69,422,000*

(3) Reimbursements..... ~~−48,353,000~~ *−50,161,000*

(3.5) Amount payable from various special and nongovernmental cost funds (Section 25.25)..... −14,206,000

(4) Amount payable from the Motor Vehicle Fuel Account, Transportation Tax Fund (Item 0840-001-0061)..... −3,907,000

(5) Amount payable from the Highway Users Tax Account, Transportation Tax Fund (Item 0840-001-0062)..... −1,115,000

(6) Amount payable from the Local Revenue Fund (Item 0840-001-0330)..... −565,000

(7) Amount payable from the Federal Trust Fund (Item 0840-001-0890)..... −766,000

(8) Amount payable from the State Penalty Fund (Item 0840-001-0903)..... −1,254,000

(9) Amount payable from the Unclaimed Property Fund (Item 0840-001-0970)..... ~~−26,602,000~~ *−26,378,000*

(10) Amount payable from various other unallocated nongovernmental cost funds (Retail Sales Tax Fund) (Item 0840-001-0988)..... −228,000

(11) Amount payable from the 2006 State School Facilities Fund (Item 0840-001-6057)..... −921,000

(12) Amount payable from the Central Service Cost Recovery Fund (Item 0840-001-9740)..... −17,984,000

(13) Amount payable from other unallocated special funds (Item 0840-011-0494)..... −90,000

(14) Amount payable from unallocated bond funds (Item 0840-011-0797)..... −594,000

(15) Amount payable from various other unallocated nongovernmental cost funds (Item 0840-011-0988)..... −85,000

(16) Amount payable from the Public Transportation Account, State Transportation Fund (Section 25.50)..... −17,000

(17) Amount payable from the Highway Users Tax Account, Transportation Tax Fund (Section 25.50)..... −272,000

(18) Amount payable from the Motor Vehicle License Fee Account, Transportation Tax Fund (Section 25.50)..... −15,000

(19) Amount payable from the DMV Local Agency Collection Fund (Section 25.50)..... −2,000

(20) Amount payable from the Trial Court Trust Fund (Section 25.50)..... −155,000

(21) Amount payable from the Timber Tax Fund (Section 25.50)..... −1,000

(22) Amount payable from the Public Safety Account, Local Public Safety Fund (Section 25.50)..... −240,000

(23) Amount payable from the Local Revenue Fund (Section 25.50)..... −90,000

Provisions:

1. The funding provided in Item 0840-001-0970 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 Article 6 (commencing with Section 41540) of Chapter 3.2 of Part 24 of Division 3 of Title 2 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-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. 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.

4. (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 $50,000 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 by the Code of Civil Procedure).

5. 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.

6. 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.

7. 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 2009–10 fiscal year shall cite the specific statutory or constitutional provision authorizing the preparation and release of the report, audit, analysis, or evaluation.

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

9. 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.

10. 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.

11. 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~~;~~, the amount recouped~~;~~, and the results of a final audit and subsequent funding adjustments. The report is due on June 30, 2010, and will cover the fourth quarter of the 2008–09 fiscal year and the first three quarters of the 2009–10 fiscal year.

12. To the extent authorized by existing law, the Controller shall recoup the amount of any unallowable mandate claim costs resulting from desk or field audits of such claims.

13. The Controller's estimate of the state's liability for postemployment benefits prepared to comply with Governmental Accounting Standards Board (GASB) Statement 45 shall include, in addition to all other items required under the accounting statement: (a) an identification and explanation of any significant differences in actuarial assumptions or methodology from any relevant similar types of assumptions or methodology used by the Public Employees' Retirement System to estimate state pension obligations~~;~~ and (b) alternative calculations of the state's liability for other postemployment benefits using different long-term rates of investment return consistent with a hypothetical assumption that the state will begin to deposit 100 percent or a lesser percent, respectively, of its annual required contribution under GASB Statement 45 to a retiree health and dental benefits trust fund beginning in the 2007–08 fiscal year. This provision shall not obligate the state to change the practice of funding health and dental benefits for annuitants currently required under state law.

14. The funds appropriated to the Controller in this item may not be expended on additional actuarial valuations, beyond the annual actuarial valuation, for other postemployment benefits, prior to obtaining concurrence in writing from the Department of Finance. The additional actuarial valuations shall only be performed to the extent resources exist, or if funds are provided by the requesting agency.
15. The Controller shall provide the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the fiscal committees in each house of the Legislature a report on the Human Resources Management System specifying the dollars expended on the program in the previous fiscal year and over the life of the program and any known savings that have occurred in the prior fiscal year, to be submitted annually but no later than August 30 of each year. The report should compare the known savings with the most recent estimate of projected savings and explain the methodology by which the savings were calculated.
16. The Controller shall deliver yearend financial data as specified by the Department of Finance, for the fiscal year just ended, in hard copy and electronic format, by October 15 of each year and periodically as requested by the Department of Finance. This information is necessary for the Department of Finance to determine the proper beginning balance of the current fiscal year for budgetary purposes. To ensure timely completion of the yearend financial data, the Controller should enforce provisions in Section 12461.2 of the Government Code and emphasize in its regulation the deadline the yearend financial statements are due from the operating departments to the Controller.
17. In the event new postage rates by the United States Postal Service are adopted, but not in time for inclusion in the 2009–10 May Revision, and the State Controller's Office notifies the Department of Finance with ~~their~~ *its* estimates of the increased postage costs within 15 calendar days of the adoption of new rates, the Director of Finance may authorize expenditures

in excess of the amount appropriated in this item by an amount necessary to fund the postage increase. This authorization shall occur not less than 15 days after the Department of Finance notifies the Chairperson of the Joint Legislative Budget Committee.

18. The $345,000 loaned to the Local Agency Self Insurance Authority (LASIA), pursuant to Chapter 1327~~,~~ *of the* Statutes of 1986, will not be required to be repaid.

19. It is the intent of the Legislature that this item contain zero funds for the purchase of modular furniture for the previously approved Cannery Business Park Lease Renewal/Expansion Project.

SEC. 41. Item 0840-001-0970 of Section 2.00 of the Budget Act of 2009 is amended to read:

0840-001-0970—For support of the Controller, for payment to Item 0840-001-0001, payable from the Unclaimed Property Fund..... ~~26,602,000~~ *26,378,000*

SEC. 42. Item 0855-111-0367 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... (50,000,000)

Provisions:

1. The amount of any transfer ordered by the Director of Finance pursuant to this item shall be the minimum amount necessary to allow the Indian Gaming Revenue Sharing Trust Fund to distribute the quarterly payments described in Section 12012.90 of the Government Code and meet its other expenditure requirements. Any remaining portion of the amount authorized to be transferred pursuant to this item shall remain in the Indian Gaming Special Distribution Fund.

2. The Legislature finds and declares that the amount authorized in this item is expected to be sufficient to allow the Indian Gaming Revenue Sharing Trust Fund to distribute the quarterly payments described in Section 12012.90 of the Government Code during the ~~2008–09~~ *2009–10* fiscal year. Accordingly, the California Gambling Control Commission, acting for this purpose as the state gaming agency under various tribal-state compacts, shall not direct any funds to the Indian Gaming Revenue Sharing Trust Fund pursuant to Section 4.3.1(*l*) of the amended tribal-state compacts with the Morongo Band of Mission Indians, the Pechanga Band of Luiseño Indians, *and* the San Manuel Band of Mission Indians~~, and the Sycuan Band of the Kumeyaay Nation~~ *Section 4.3.1(k) of the tribal-state compact with the Shingle Springs Band of Miwok Indians*, and similar sections of any compacts or amended compacts ratified by the Legislature~~ in the 2008–09 fiscal year~~.

3. The Chairperson of the California Gambling Control Commission shall immediately submit a report to the Director of Finance, the Chairperson of the Joint Legislative Budget Committee, and the Legislative Analyst if he or she determines that the Indian Gaming Revenue Sharing Trust Fund will not have sufficient funds to distribute the quarterly payments described in Section 12012.90 of the Government Code during the~~ 2008–09~~ *2009–10* fiscal year after consideration of the funds authorized for transfer by this item. No earlier than 15 days after submission of that report, the California Gambling Control Commission may direct funds to the Indian Gaming Revenue Sharing Trust Fund, notwithstanding the requirements of Provision 2.

SEC. 43. Item 0860-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

0860-001-0001—For support of State Board of Equalization.... 245,549,000

Schedule:

(1) 100000-Personal Services..... ~~327,541,000~~ *331,266,000*

(2) 300000-Operating Expenses and Equipment..... ~~114,160,000~~ *115,484,000*

(3) Reimbursements..... ~~−135,652,000~~ *−140,756,000*

(4) Amount payable from the Breast Cancer Fund (Item 0860-001-0004)..... −662,000

(5) Amount payable from the State Emergency Telephone Number Account (Item 0860-001-0022)..... ~~−1,459,000~~ *−1,422,000*

(6) Amount payable from the Motor Vehicle Fuel Account, Transportation Tax Fund (Item 0860-001-0061)..... ~~−21,068,000~~ *−21,066,000*

(7) Amount payable from the Occupational Lead Poisoning Prevention Account (Item 0860-001-0070)..... −668,000

(8) Amount payable from the Childhood Lead Poisoning Prevention Fund (Item 0860-001-0080)..... −479,000

(9) Amount payable from the Cigarette and Tobacco Products Surtax Fund (Item 0860-001-0230)..... −8,385,000

(10) Amount payable from the Oil Spill Prevention and Administration Fund (Item 0860-001-0320)..... −230,000

(11) Amount payable from the Integrated Waste Management Account, Integrated Waste Management Fund (Item 0860-001-0387)..... −409,000

(12) Amount payable from the Underground Storage Tank Cleanup Fund (Item 0860-001-0439)..... −3,133,000

(13) Amount payable from the Energy Resources Programs Account (Item 0860-001-0465)..... −256,000

(14) Amount payable from the California Children and Families First Trust Fund (Item 0860-001-0623)..... ~~−14,523,000~~
−14,522,000

(15) Amount payable from the Federal Trust Fund (Item 0860-001-0890)..... −825,000

(16) Amount payable from the Timber Tax Fund (Item 0860-001-0965)..... −2,321,000

(17) Amount payable from the Gas Consumption Surcharge Fund (Item 0860-001-3015)..... ~~−636,000~~
−621,000

(18) Amount payable from the Water Rights Fund (Item 0860-001-3058)..... −397,000

(19) Amount payable from the Electronic Waste Recovery and Recycling Account (Item 0860-001-3065)..... −4,401,000

(20) Amount payable from the Cigarette and Tobacco Products Compliance Fund (Item 0860-001-3067)..... −648,000

Provisions:

1. It is the intent of the Legislature that all funds appropriated to the State 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 State 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 2009–10 Governor's Budget and the Salaries and Wages Supplement as revised by legislative actions without the approval of the ~~Department~~ *Director* of Finance. Furthermore, the board shall expeditiously

fill budgeted positions consistent with the funding provided in this act.

SEC. 44. Item 0860-001-0022 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~1,459,000~~
1,422,000

SEC. 45. Item 0860-001-0061 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~21,068,000~~
21,066,000

SEC. 46. Item 0860-001-0623 of Section 2.00 of the Budget Act of 2009 is amended to read:

0860-001-0623—For support of State Board of Equalization, for payment to Item 0860-001-0001, payable from the California Children and Families Trust Fund..... ~~14,523,000~~
14,522,000

SEC. 47. Item 0860-001-3015 of Section 2.00 of the Budget Act of 2009 is amended to read:

0860-001-3015—For support of State Board of Equalization, for payment to Item 0860-001-0001, payable from the Gas Consumption Surcharge Fund..... ~~636,000~~
621,000

SEC. 48. Item 0968-001-0457 of Section 2.00 of the Budget Act of 2009 is amended to read:

0968-001-0457—For support of California Tax Credit Allocation Committee, payable from the Tax Credit Allocation Fee Account..... ~~1,858,000~~ *2,358,000*

Schedule:

(1) 10-California Tax Credit Allocation Committee..... ~~1,888,000~~ *2,388,000*

(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 *joint* committee, or his or her designee, may in each instance determine.

SEC. 49. Item 0968-101-0890 is added to Section 2.00 of the Budget Act of 2009, to read:

0968-101-0890—For local assistance, California Tax Credit Allocation Committee, payable from the Federal Trust Fund..... 517,000,000

SEC. 50. Item 1100-011-0267 is added to Section 2.00 of the Budget Act of 2009, to read:

1100-011-0267—For transfer by the Controller from the Exposition Park Improvement Fund to the General Fund..... (2,771,000)

SEC. 51. Item 1111-002-0582 of Section 2.00 of the Budget Act of 2009 is amended to read:

1111-002-0582—For support of Bureau of Automotive Repair, Department of Consumer Affairs, payable from the High Polluter Repair or Removal Account..... ~~67,997,000~~ *65,997,000*

Schedule:

(1) 31.20.016-Vehicle Repair Assistance.... ~~17,034,000~~ *19,009,000*

(2) 31.20.030-Vehicle Retirement..... ~~37,989,000~~ *34,014,000*

(3) 31.20.040-Program Administration..... 12,974,000

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, the Department of Finance may authorize transfers among and between Schedules (1) and (2). 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.

SEC. 52. Item 1111-002-3122 is added to Section 2.00 of the Budget Act of 2009, to read:

1111-002-3122—For support of Bureau of Automotive Repair, Department of Consumer Affairs, payable from the Enhanced Fleet Modernization Subaccount in the High Polluter Removal and Repair Account..... 4,127,000

Schedule:

(1) 31.30.010-Off-Cycle Vehicle Retirement..... 3,300,000

(2) 31.30.030-Enhanced Program Administration..... 827,000

Provisions:

1. Notwithstanding any other provision of law, upon request of the Department of Consumer Affairs, the Department of Finance may augment the amount avail-

able for expenditure to pay for additional off-cycle retirements. The augmentation may only be made no sooner than 30 days after notification in writing 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 no sooner than whatever lesser time the chairperson of the joint committee may in each instance determine. The amount of funds augmented shall be consistent with actual program participation and available revenues in the Enhanced Fleet Modernization Account.

SEC. 53. Item 1730-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

1730-001-0001—For support of Franchise Tax Board.....		517,020,000
Schedule:		
(1) 10-Tax Programs.....	~~512,084,000~~ *517,331,000*	
(2) 20-Homeowners and Renters Assistance.....	~~6,469,000~~ *1,650,000*	
(3) 30-Political Reform Audit (1,597,000).....	0	
(4) 50-DMV Collections.....	8,381,000	
(5) 60-Court Collections.....	12,141,000	
(6) 70-Contract Work.....	14,211,000	
(7) 80.01-Administration.....	28,846,000	
(8) 80.02-Distributed Administration.....	−28,846,000	
(9) Reimbursements.....	−15,209,000	
(10) Amount payable from the Motor Vehicle Account, State Transportation Fund (Item 1730-001-0044).....	~~−2,913,000~~ *−3,063,000*	
(11) Amount payable from the Motor Vehicle License Fee Account, Transportation Tax Fund (Item 1730-001-0064)....	~~−5,468,000~~ *−5,746,000*	

(12) Amount payable from the Emergency Food Assistance Program Fund (Item 1730-001-0122)..... −6,000

(13) Amount payable from the Delinquent Tax Collection Fund (Section 19378 of the Revenue and Taxation Code)..... −404,000

(14) Amount payable from the Fish and Game Preservation Fund (Endangered and Rare Fish, Wildlife, and Plant Species Conservation and Enhancement Account) (Item 1730-001-0200)..... −13,000

(15) Amount payable from the Court Collection Account (Item 1730-001-0242)..... −12,141,000

(16) Amount payable from the State Children's Trust Fund (Item 1730-001-0803)..... −11,000

(17) Amount payable from the California Alzheimer's Disease and Related Disorders Research Fund (Item 1730-001-0823)..... −11,000

(18) Amount payable from the California Seniors Special Fund (Item 1730-001-0886)..... −4,000

(19) Amount payable from the California Breast Cancer Research Fund (Item 1730-001-0945)..... −7,000

(20) Amount payable from the California Peace Officer Memorial Foundation Fund (Item 1730-001-0974)..... −5,000

(21) Amount payable from the California Firefighters' Memorial Fund (Item 1730-001-0979)..... −7,000

(22) Amount payable from the California Fund for Senior Citizens (Item 1730-001-0983)..... −7,000

(23) Amount payable from the California Military Family Relief Fund (Item 1730-001-8022)..... −6,000

(24) Amount payable from the California Prostate Cancer Research Fund (Item 1730-001-8025)..... −6,000

(25) Amount payable from the California Sexual Violence Victim Services Fund (Item 1730-001-8035)..... −6,000

(26) Amount payable from the California Colorectal Cancer Prevention Fund (Item 1730-001-8036)..... −6,000

(27) Amount payable from the Veterans' Quality of Life Fund (Item 1730-001-8037)..... −6,000

(28) Amount payable from the California Sea Otter Fund (Item 1730-001-8047)..... −6,000

(29) Amount payable from the ALS/Lou Gehrig's Disease Research Fund (Item 1730-001-8053)..... −6,000

(30) Amount payable from the California Cancer Research Fund (Item 1730-001-8054)..... −6,000

(31) Amount payable from the Municipal Shelter Spay-Neuter Fund (Item 1730-001-8055)..... −6,000

(32) Amount payable from the California Ovarian Cancer Research Fund (Item 1730-001-8056)..... −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 2009–10 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. 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 2009–10 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 $217, and the filing enforcement cost recovery fee for purposes of subparagraph (A) of paragraph (2) of that subdivision shall be $113.

4. During the 2009–10 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 $413, and the filing enforcement cost recovery fee for purposes of subparagraph (B) of paragraph (2) of that subdivision shall be $188.

5. Notwithstanding subdivision (b) of Section 19282 of the Revenue and Taxation Code, the combined costs to administer the Court-Ordered Debt Collection Program and to fund the Court-Ordered Debt Expansion Project may be funded from the Court Collection Account in an amount that may exceed 15 percent of annual collections.

6. The Franchise Tax Board (FTB) shall submit a written report to the Joint Legislative Budget Committee, the Assembly Committee on Budget, the Senate Committee on Budget and Fiscal Review, and the revenue and taxation policy committees of both houses of the Leg-

islature on the Enterprise Data to Revenue (EDR) project within 21 days of the following circumstances:

(a) The project scope has changed and results in a 10-percent or more variance to schedule, cost, or revenue generation when compared to the most recent project document approved by the Office of the State Chief Information Officer (OSCIO). This includes, but is not limited to, any cumulative changes in system functionality and deployment plans that would trigger a special project report (SPR).

(b) The project schedule has changed by 10 percent or more when compared to the most recent OSCIO-approved project document. This includes, but is not limited to, any cumulative changes in milestones or deliverables that would trigger an SPR.

(c) The project costs has changed by 10 percent or more when compared to the most recent OSCIO-approved project document stating the total cost of system development. This includes, but is not limited to, any cumulative changes in contract, hardware/software, and staff expenses that would trigger an SPR.

(d) The realized revenues generated for a given fiscal year by the developed EDR system (net of revenues generated by addressing FTB's backlog issue) vary by 10 percent or more above or below projected revenues in the most recent OSCIO-approved project document.

Any report issued pursuant to this provision shall include a brief summary of the factors behind scope, schedule, cost or revenue changes and the steps FTB plans to take to address those issues, and the most recent Status Report on file at the OSCIO.

SEC. 54. Item 1730-001-0044 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~2,913,000~~ *3,063,000*

Provisions:

1. The increase in funds appropriated in this item by the act adding this provision shall be paid only from revenues in the fund that are attributable to revenues other than fines, penalties, or any other source that is a General Fund revenue of the state.

SEC. 55. Item 1730-001-0064 of Section 2.00 of the Budget Act of 2009 is amended to read:

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.... ~~5,468,000~~ *5,746,000*

SEC. 56. Item 1760-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

1760-001-0001—For support of Department of General Services, for payment to Item 1760-001-0666..... ~~6,583,000~~ *1,204,000*

Provisions:

1. The amount appropriated in this item is for State Capitol maintenance and repairs.

SEC. 57. Item 1760-001-0666 of Section 2.00 of the Budget Act of 2009 is amended to read:

1760-001-0666—For support of Department of General Services, payable from the Service Revolving Fund..... 513,652,000

Schedule:

(1) Program support..... ~~1,112,462,000~~ *1,107,083,000*

(2) Distributed services..... −11,145,000

(3) Reimbursements—Lease revenue..... −12,276,000

(4) Reimbursements—FI$Cal..... −4,143,000

(5) Amount payable from the General Fund (Item 1760-001-0001)..... ~~−6,583,000~~ *−1,204,000*

(6) Amount payable from the General Fund (Item 1760-002-0001)..... −347,000

(7) Amount payable from the Property Acquisition Law Money Account (Item 1760-001-0002)..... −3,276,000

(8) Amount payable from the Motor Vehicle Parking Facilities Moneys Account (Item 1760-001-0003)..... −2,328,000

(9) Amount payable from the State Emergency Telephone Number Account (Item 1760-001-0022)..... −2,269,000

(10) Amount payable from the State Motor Vehicle Insurance Account (Item 1760-001-0026)..... −4,917,000

(11) Amount payable from the Energy Resources Programs Account (Item 1760-001-0465)..... −1,699,000

(12) Amount payable from the Architecture Revolving Fund (Item 1760-001-0602)..... −43,676,000

(13) Amount payable from the State School Building Aid Fund (Item 1760-001-0739)..... −300,000

(14) Amount payable from the State School Deferred Maintenance Fund (Item 1760-001-0961)..... −160,000

(15) Amount payable from the Building Standards Administration Special Revolving Fund (Item 1760-001-3144).... −278,000

(16) Amount payable from the 2006 State School Facilities Fund (Item 1760-001-6057)..... −15,118,000

(17) Amount payable from the Motor Vehicle Parking Facilities Moneys Account (Item 1760-002-0003)..... −1,085,000

(18) Amount payable from the Service Revolving Fund (Item 1760-002-0666)..... −150,741,000

(19) Amount payable from the Service Revolving Fund (Item 1760-003-0666)..... −14,490,000

(20) Amount payable from the Service Revolving Fund (Item 1760-004-0666)..... −323,979,000

Provisions:

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

2. Notwithstanding any other provision of law, if the Director 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 Service Revolving Fund. That loan shall be subject to all of the following conditions:

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

   (b) The loan shall be repaid as soon as there are 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 2009–10 fiscal year from the recipient fund except as otherwise provided in Provisions 4, 5, and 6.

   (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 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 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 Department of General Services (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 of which the Departments of Finance or General Services had knowledge in time to include in the May Revision.

5. The Director of General Services may augment this item and Items 1760-001-0003 and 1760-001-0026 to increase authorized expenditures by the Office of State Publishing, the Office of Risk and Insurance Management, the Office of Fleet Administration, 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, 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 any of the items in this provision, the director shall notify 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 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 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 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 justifi-

cation 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. 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 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.

9. The Director of Finance is authorized to increase this item for purposes of funding tenant improvement projects to facilitate the backfill of vacant space within stand-alone Department of General Services (DGS) bond-funded office buildings. This provision shall only be used to augment expenditure authority for DGS stand-alone individual rate office buildings where a $0.03 tenant improvement surcharge has been approved by the Department of Finance and is included in the monthly rental rate. Department of Finance approval is contingent upon justification for the proposed tenant improvement projects to be provided by the DGS including an analysis of cost impacts and how the tenant improvements will improve the state's utilization of the facility. Any augmentation made in ac-

cordance with this provision shall not result in an increase in any rate charged to other departments for services without the prior written consent of the Department of Finance. Any augmentation made pursuant to this provision may be authorized not sooner than 30 days after 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.

SEC. 58. Item 1760-490 is added to Section 2.00 of the Budget Act of 2009, to read:

1760-490—Reappropriation, Department of General Services. 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 following appropriations:

0660—Public Buildings Construction Fund

(1) Item 1760-301-0660, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), as reappropriated by Item 1760-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

(1) 50.10.151-Library and Courts Renovation—Construction

(2) Item 1760-301-0660, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

(1) 50.10.15-Library and Courts Building Renovation—Construction

0768—Earthquake Safety and Public Buildings Rehabilitation Fund of 1990

(1) Item 1760-301-0768, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

(2) 50.99.091-Department of Corrections and Rehabilitation, DVI, Tracy, Hospital Building: Structural Retrofit—Construction

(2) Item 1760-301-0768, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

(2.5) 50.99.09-California Department of Corrections and Rehabilitation, DVI, Tracy, Hospital Building: Structural Retrofit—Construction

SEC. 59. Item 1870-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

1870-001-0001—For support of California Victim Compensation and Government Claims Board..... 0

Schedule:

(1) 11-Citizens Indemnification..... ~~26,923,000~~ *27,328,000*

(2) 12-Quality Assurance and Revenue Recovery Division..... 9,418,000

(3) 31-Civil Claims Against the State..... 1,410,000

(4) 51.01-Administration..... 10,566,000

(5) 51.02-Distributed Administration..... −10,566,000

(6) Reimbursements..... −1,410,000

(7) Amount payable from the Restitution Fund (Item 1870-001-0214)..... −34,728,000

(8) Amount payable from the Federal Trust Fund (Item 1870-001-0890)..... ~~−1,613,000~~ *−2,018,000*

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.

SEC. 60. Item 1870-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~1,613,000~~ *2,018,000*

SEC. 61. Item 1870-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

1870-101-0890—For local assistance, California Victim Compensation and Government Claims Board, for Program 11-Citizens Indemnification, payable from the Federal Trust Fund..... ~~30,650,000~~ *38,355,000*

SEC. 62. Item 1880-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

1880-001-0001—For support of State Personnel Board..... 3,107,000

Schedule:

(1)	10-Merit System Administration.....	~~22,349,000~~ *22,856,000*
(2)	40-Local Government Services.....	2,973,000
(3)	50.01-Administration Services.....	3,296,000
(4)	50.02-Distributed Administration Services.....	−1,976,000
(5)	Reimbursements.....	~~−21,409,000~~ *−21,916,000*
(6)	Amount payable from the Central Service Cost Recovery Fund (Item 1880-001-9740).....	−2,126,000

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, 2010.
   (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 chairpersons of the

committees in each house of the Legislature that consider 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.

2. The Department of General Services, with the consent of the Department of Personnel Administration and the State Personnel Board, may enter into a lease, lease-purchase agreement, or lease with an option to purchase for a build-to-suit facility for the ~~co-location~~ *colocation* of the Department of Personnel Administration and the State Personnel Board in the Sacramento area, subject to Department of Finance approval of the terms and conditions of the agreement. At least 30 days prior to entering into any agreement, the Department of General Services shall notify the chairpersons of the committees in each house of the Legislature that consider appropriations and the Joint Legislative Budget Committee of the terms and conditions of the agreement. If the Joint Legislative Budget Committee does not express any opposition, the Department of General Services may proceed with the agreement after 30 days from when the Department of General Services gave notice to the chairpersons.

SEC. 63. Item 1900-015-0815 of Section 2.00 of the Budget Act of 2009 is amended to read:

1900-015-0815—For support of Board of Administration of the Public Employees' Retirement System, payable from the Judges' Retirement Fund..... ~~(1,134,000)~~ *(1,101,000)*

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 commit-

tees of each house of the Legislature, all of the following:

(a) Not later than May 15, 2010, a copy of the proposed budget for PERS for the 2010–11 fiscal year as approved by the Board of Administration.

(b) The revisions to the proposed budget for PERS for the 2009–10 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.

(c) Commencing October 1, 2009, 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 each house 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~~ *PERS* expenditures.

SEC. 64. Item 1900-015-0820 of Section 2.00 of the Budget Act of 2009 is amended to read:

1900-015-0820—For support of Board of Administration of the Public Employees' Retirement System, payable from the Legislators' Retirement Fund..... ~~(454,000)~~ *(369,000)*

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 each house of the Legislature all of the following:

(a) Not later than May 15, 2010, a copy of the proposed budget for the Public Employees' Retire-

ment System for the 2010–11 fiscal year as approved by the Board of Administration.

(b) The revisions to the proposed budget for the Public Employees' Retirement System for the 2009–10 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.

(c) Commencing October 1, 2009, all expenditure and performance workload data provided to the Board of Administration, as updated on a quarterly basis. This quarterly update information shall be submitted to the Joint Legislative Budget Committee and the fiscal committees of each house of the Legislature 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.

SEC. 65. Item 1900-015-0822 of Section 2.00 of the Budget Act of 2009 is amended to read:

1900-015-0822—For support of the Board of Administration of the Public Employees' Retirement System, payable from the Public Employees' Health Care Fund..... ~~(17,601,000)~~ *(13,693,000)*

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 May 15, 2010, a copy of the proposed budget for PERS for the 2010–11 fiscal year as approved by the Board of Administration.

(b) The revisions to the proposed budget for PERS for the 2009–10 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.

(c) Commencing October 1, 2009, all expenditures 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 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.

2. The Legislature finds and declares that the Public Employees' Retirement System (PERS) is accountable to members, governmental entities, and taxpayers with respect to the annual health premium increases that its board of administration adopts. The Board of Administration is encouraged to use the means at its disposal under law, consistent with requirements to provide benefits to public employees and others, to achieve low annual premium increases. To facilitate legislative oversight, the Board of Administration shall submit an annual report within 100 days of its adoption of annual health premium increases or decreases that describes the methods it employed to moderate annual increases in premiums when taking that action. In years when the Board of Administration adopts health premium increases in excess of those assumed in the most recent state retiree health program actuarial valuation, the report shall include a discussion of actions that the Board of Administration plans to take, if any, to attempt to reduce the rate of annual premium growth to levels below those assumed in this valuation for the next three years. This reporting requirement applies to the Board of Administration's action in 2009 to adopt premium rates for 2010 and all Board of Administration actions to increase or decrease annual health premiums adopted thereafter. This reporting requirement does not obligate the Board of Administration

to adopt any specific level of premium for any given year or to change any action it otherwise determines is necessary under state law. The Board of Administration may state in the report that it is unable to commit to specific actions to reduce the rate of health premium growth or does not know if future reductions in the rate of health premium growth can be achieved. PERS is requested to complete these reports with existing budgetary and staffing resources. The report shall be submitted to the Chairperson of the Joint Legislative Budget Committee, the chairpersons of the committees and subcommittees in each house of the Legislature that consider PERS' budget and activities, the Controller, the Director of Finance, and the Legislative Analyst.

SEC. 66. Item 1900-015-0830 of Section 2.00 of the Budget Act of 2009 is amended to read:

1900-015-0830—For support of Board of Administration of the Public Employees' Retirement System, payable from the Public Employees' Retirement Fund..... ~~(275,085,000)~~ *(275,755,000)*

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) No later than May 15, 2010, a copy of the proposed budget for the Public Employees' Retirement System for the 2010–11 fiscal year as approved by the Board of Administration.
   (b) The revisions to the proposed budget for the Public Employees' Retirement System for the 2009–10 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.

(c) Commencing October 1, 2009, all expenditure and performance workload data provided to the Board of Administration, as updated on a quarterly basis. This quarterly update information shall be submitted to the Joint Legislative Budget Committee and the fiscal committees of the Legislature 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.

2. Commencing July 1, 2009, reports on information technology projects that are submitted to the Board of Administration of the Public Employees' Retirement System 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.

SEC. 67. Item 1900-015-0833 of Section 2.00 of the Budget Act of 2009 is amended to read:

1900-015-0833—For support of Board of Administration of the Public Employees' Retirement System, payable from the Annuitants' Health Care Coverage Fund..... ~~(552,000)~~ *(773,000)*

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 each house of the Legislature, all of the following:

(a) No later than May 15, 2010, a copy of the proposed budget for PERS for the 2010–11 fiscal year as approved by the Board of Administration.

(b) The revisions to the proposed budget for PERS for the 2009–10 fiscal year, as recommended by the PERS Finance Committee, at least 30 days prior to consideration of those revisions by the Board of Administration.

(c) Commencing October 1, 2009, 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 each house of the Legislature, and shall be in sufficient detail to be useful for legislative oversight purposes and to sustain a thorough ongoing review of the PERS expenditures.

SEC. 68. Item 1900-015-0884 of Section 2.00 of the Budget Act of 2009 is amended to read:

1900-015-0884—For support of Board of Administration of the Public Employees' Retirement System, payable from the Judges' Retirement System II Fund..... ~~(685,000)~~ *(594,000)*

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 each house of the Legislature, all of the following:

(a) No later than May 15, 2010, a copy of the proposed budget for PERS for the 2010–11 fiscal year as approved by the Board of Administration.

(b) The revisions to the proposed budget for PERS for the 2009–10 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.

(c) Commencing October 1, 2009, 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 each house 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~~ *PERS* expenditures.

SEC. 69. Item 2240-001-0648 of Section 2.00 of the Budget Act of 2009 is amended to read:

2240-001-0648—For support of Department of Housing and Community Development		17,398,000
Schedule:		
(1) 10-Codes and Standards Program	~~25,085,000~~ *25,326,000*	
(2) 20-Financial Assistance Program	~~23,666,000~~ *24,166,000*	
(3) 30-Housing Policy Development Program	3,258,000	
(4) 50.01-Administration	11,929,000	
(5) 50.02-Distributed Administration	−11,929,000	
(6) 50.03-Distributed Administration of the Housing Policy Development Program	−136,000	
(7) Reimbursements	~~−918,000~~ *−1,659,000*	
(8) Amount payable from the General Fund (Item 2240-001-0001)	−3,788,000	
(9) Amount payable from the Mobilehome ~~Park~~ *Parks and Special Occupancy Parks* Revolving Fund (Item 2240-001-0245)	−6,422,000	

(10) Amount payable from the Mobilehome Park Purchase Fund (Item 2240-001-0530)..... −601,000

(11) Amount payable from the Self-Help Housing Fund (Item 2240-001-0813).... −128,000

(12) Amount payable from the Federal Trust Fund (Item 2240-001-0890)..... −11,291,000

(13) Amount payable from the Housing Rehabilitation Loan Fund (Item 2240-001-0929)..... −2,467,000

(14) Amount payable from the Rental Housing Construction Fund (Item 2240-001-0938)..... −977,000

(15) Amount payable from the Predevelopment Loan Fund (Item 2240-001-0980)..... −317,000

(16) Amount payable from the Emergency Housing and Assistance Fund (Item 2240-001-0985)..... −473,000

(17) Amount payable from the Jobs-Housing Balance Improvement Account (Item 2240-001-3006)..... −440,000

(18) Amount payable from the Building Standards ~~Administrative~~ *Administration Special* Revolving Fund (Item 2240-001-3144)..... −280,000

(19) Amount payable from the Building Equity and Growth in Neighborhoods Fund (Item 2240-001-6038)..... −329,000

(20) Amount payable from the Building Equity and Growth in Neighborhoods Fund (Item 2240-002-6038)..... −1,039,000

(21) Amount payable from the Regional Planning, Housing, and Infill Incentive Account, Housing and Emergency Shelter Trust Fund of 2006 (Item 2240-001-6069)..... −2,555,000

(22) Amount payable from the Housing Urban-Suburban-and-Rural Parks Account, Housing and Emergency Shelter Trust Fund of 2006 (Item 2240-001-6071)..... −908,000

(23) Amount payable from the Transit-Oriented Development Implementation Fund (Item 2240-001-9736)..... −1,542,000

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.

SEC. 70. Item 2240-101-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

2240-101-0001—For local assistance, Department of Housing and Community Development..... 5,629,000

Schedule:

(1) 20-Financial Assistance Program..... ~~172,386,000~~ *227,505,000*

(2) Amount payable from the Federal Trust Fund (Item 2240-101-0890)..... ~~−166,757,000~~ *−221,876,000*

SEC. 71. Item 2240-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~166,757,000~~ *221,876,000*

Provisions:

1. Notwithstanding any other provision of law, federal funds appropriated by this item but not encumbered or expended by June 30, 2010, may be expended in the subsequent fiscal year.
2. *Of the funds appropriated in this item, the Director of Finance may transfer up to $1,600,000 to Item 2240-001-0890 for state operations costs of administration of federal housing stimulus funds.*

SEC. 72. Item 2240-490 is added to Section 2.00 of the Budget Act of 2009, to read:

2240-490—Reappropriation, Department of Housing and Community Development. The balances of the appropriations provided in the citations below are reappropriated for the purposes provided in those appropriations and shall be available for encumbrance until June 30, 2010. Notwithstanding any other provision of law, the period to liquidate the encumbrances set forth below is extended to June 30, 2014.

6038—Building Equity and Growth in Neighborhoods (BEGIN) Fund

(1) Item 2240-102-6038, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

6069—Regional Planning, Housing, and Infill Incentive Account, Housing and Emergency Shelter Trust Fund of 2006

(1) Item 2240-101-6069, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

9736—Transit-Oriented Development Implementation Fund

(1) 2240-101-9736, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

SEC. 73. Item 2320-001-0317 of Section 2.00 of the Budget Act of 2009 is amended to read:

2320-001-0317—For support of Department of Real Estate, payable from the Real Estate Fund..... ~~44,906,000~~ *43,906,000*

Schedule:

(1) 10-Licensing and Education..... ~~9,532,000~~ *9,312,000*

(2) 20-Enforcement and Recovery..... ~~28,577,000~~ *27,977,000*

(3) 30-Subdivisions..... ~~7,139,000~~ *6,959,000*

(4) 40.10-Administration..... ~~8,498,000~~ *7,498,000*

(5) 40.20-Distributed Administration..... ~~−8,405,000~~ *−7,405,000*

(6) Reimbursements..... −435,000

Provisions:

1. Of the amount appropriated in this item, $500,000 shall be used only for the purposes of the Real Estate Recovery Account.

SEC. 74. Item 2660-001-0042 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-001-0042—For support of Department of Transportation, payable from the State Highway Account, State Transportation Fund..... ~~2,535,650,000~~ *2,502,590,000*

Schedule:

(1) 10-Aeronautics..... ~~3,655,000~~ *3,619,000*

(2) 20.10-Highway Transportation—Capital Outlay Support..... ~~1,702,066,000~~ *1,605,623,000*

(3) 20.30-Highway Transportation—Local Assistance..... ~~45,946,000~~ *42,345,000*

(4) 20.40-Highway Transportation— Program Development..... ~~77,212,000~~ *77,644,000*

(5) 20.65-Highway Transportation— Legal..... ~~80,000,000~~ *123,789,000*

(6) 20.70-Highway Transportation— Operations..... ~~207,932,000~~ *204,690,000*

(7) 20.80-Highway Transportation— Maintenance..... ~~1,200,544,000~~ *1,260,717,000*

(8) 30-Mass Transportation..... ~~139,579,000~~ *140,074,000*

(9) 40-Transportation Planning..... ~~108,048,000~~ *82,593,000*

(10) 50.00-Administration..... ~~377,401,000~~ *427,308,000*

(11) 60.10-Equipment Service Program Costs..... ~~199,761,000~~ *235,203,000*

(11.5) 60.20-Distributed Equipment Service Program Costs..... ~~−199,761,000~~ *−236,129,000*

(12) Reimbursements..... ~~−337,578,000~~ *−351,002,000*

(13) Amount payable from the Aeronautics Account, State Transportation Fund (Item 2660-001-0041)..... −3,549,000

(14) Amount payable from the Bicycle Transportation Account, State Transportation Fund (Item 2660-001-0045)..... −20,000

(15) Amount payable from the Public Transportation Account, State Transportation Fund (Item 2660-001-0046)..... −160,945,000

(16) Amount payable from the Historic Property Maintenance Fund (Item 2660-001-0365)..... −1,632,000

(16.5) Amount payable from the Seismic Retrofit Bond Fund of 1996 (Section 8879.3 of the Government Code)..... ~~−5,482,000~~
−7,376,000

(17) Amount payable from the Federal Trust Fund (Item 2660-001-0890).... ~~−541,003,000~~
−495,617,000

(17.5) Amount payable from Federal Trust Fund..... −26,221,000

(18) Amount payable from the Transportation Financing Subaccount, State Highway Account, State Transportation Fund (Item 2660-001-6801)..... ~~−782,000~~
−594,000

(18.5) Amount payable from the Transportation Investment Fund (Item 2660-002-3008)..... ~~−244,440,000~~
−289,277,000

(19) Amount payable from the State Route 99 Account, Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 (Item 2660-004-6072)..... ~~−4,496,000~~
−6,246,000

(21) Amount payable from the Corridor Mobility Improvement Account, Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 (Item 2660-004-6055)..... ~~−23,813,000~~
−40,642,000

(22) Amount payable from the Trade Corridors Improvement Fund (Item 2660-004-6056)..... ~~−2,564,000~~
−3,487,000

(23) Amount payable from the Transportation Facilities Account, Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 (Item 2660-004-6058)..... ~~−56,840,000~~
−57,427,000

(24) Amount payable from the Public Transportation Modernization, Improvement, and Service Enhancement Account, Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 (Item 2660-004-6059).... −1,312,000

(24.5) Amount payable from the State-Local Partnership Program Account, Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 (Item 2660-004-6060)..... −496,000

(26) Amount payable from the Local Bridge Seismic Retrofit Account, Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 (Item 2660-004-6062)..... −232,000

(27) Amount payable from the Highway-Railroad Crossing Safety Account, Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 (Item 2660-004-6063)..... −636,000

(28) Amount payable from the Highway Safety, Rehabilitation, and Preservation Account, Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 (Item 2660-004-6064)..... ~~−20,913,000~~ *−18,175,000*

Provisions:

1. 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 of Transportation to be available and necessary to comply with Section 8.50 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 chairpersons of the committees in each house of the Legislature that consider appropriations

and the Chairperson of the Joint Legislative Budget Committee of this action.

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

3. *Of the funds appropriated in Schedule (2), $1,184,744,000 is for state staff and state staff cash overtime, $271,696,000 is for external consultant and professional services related to project delivery (also known as 232 contracts), and $149,183,000 is for operating expenses.* 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.

4. 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 of Transportation 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.

5. Notwithstanding any other provision of law, funds appropriated in Item 2660-001-0042, 50.00-Administration from the State Highway Account, may be reduced and replaced by an equivalent amount of reimbursements determined by the Department of Transportation to be available and necessary to comply with Section 28.50 and the most effective management of state transportation resources. The reimbursements may also be reduced and replaced by an equivalent amount of funds from the State Highway Account.

Not more than 30 days after replacing the State Highway Account funds with reimbursements and vice versa, the Director of Finance shall notify in writing the chairpersons of the committees in each house of the Legislature that consider appropriations and the Chairperson of the Joint Legislative Budget Committee of this action.

6. Of the funds appropriated in Schedule (7), $214,000,000 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.

7. Of the funds appropriated in Schedule (5), ~~$48,556,000~~ *$68,556,000* is for the payment of tort lawsuit claims and awards. Any funds for that purpose that are unencumbered as of April 1, 2010, may be transferred to Item 2660-302-0042. Any transfer shall require the prior approval of the Department of Finance.

8. Of the funds appropriated in this item, transfers shall be available to Items 2660-004-6055, 2660-004-6056, 2660-004-6058, 2660-004-6059, 2660-004-6060, 2660-004-6062, 2660-004-6063, 2660-004-6064, and 2660-004-6072. The Department of Finance shall authorize the transfer not sooner than 30 days after notification in writing to the chairpersons of the committees in each house of the Legislature that consider appropriations and the Chairperson of the Joint Legislative Budget Committee.

9. Of the funds appropriated in Schedule (2), the following shall apply:

(a) The Department of Transportation shall allocate an amount not to exceed $500,000 per year for two years, from the State Highway Account, as appropriated in the Budget Act, for purposes of funding workforce development training to provide highway construction and trade-related apprenticeship and workforce preparation training to unemployed or underemployed individuals, including training related to the following:

(1) Preapprenticeship employability skills.

(2) Job-readiness.

(3) Construction-related skills.

(4) Job referral and placement.

(b) The department is authorized to enter into contracts for purposes of providing workforce development training according to the following terms:

(1) Contracts shall be awarded on a competitive basis.

(2) Contracts shall be awarded to bidders that operate existing workforce development programs, including, but not limited to, programs operated by the State Department of Education, Regional Occupational Centers and Programs, Apprenticeship Councils, local Workforce Investment Boards, K–12 schools, industry associations, and community organizations.

(3) To the maximum extent possible, funds should be used in combination with other state, federal, local, or private funds to provide maximum workforce development benefit. The department shall seek additional federal grant dollars to expand the program.

(4) Priority is to be given to workforce development efforts intended to provide benefits primarily to neighborhoods experiencing high rates of poverty and unemployment and low levels of educational attainment, work experience, and workforce employability skills.

(5) Workforce development training will provide specialized training and certifications necessary to work in highway construction, including skills related to green and emerging technologies within the transportation industry.

(6) Contractors must provide to the department monthly reports that include the number of enrollments, graduates, contractor partnerships developed for job placements, actual job placements, and jobs retained.

(c) The department shall implement this provision in collaboration with the Employment Development Department and California Workforce Investment Board.

(d) Funds shall be used solely for training or curriculum.

(e) By March 1, 2011, the department shall report to the Joint Legislative Budget Committee on outcomes of the workforce development program. The report shall include, but not necessarily be limited to, the following information:

(1) The amount of any supplemental funds received for the program beyond the $1,000,000 provided for in this provision.

(2) The name of each training provider and the amount of funds allocated to each, including a summary of expenditures by category.

(3) The number of individuals who received training by each provider, the number of program graduates for each provider, and the number of training-related job placements by each provider.

(4) A description of the coordination between activities funded pursuant to this provision and other federal, state, or local training programs.

(5) The extent to which funds provided for pursuant to this section were leveraged to expand other training resources.

(6) A recommendation whether the department should continue to provide funds for workforce development training related to highway construction and, if so, recommendations for improvement to the program.

10. Of the funds appropriated in Schedule (9), $24,000,000 is for the Department of Transportation's preprogramming activities, including the preparation of project initiation documents. Beginning in the 2010–11 fiscal year and every year thereafter, the department's budget for Schedule (9) shall be adjusted based on work-

load for key activities within the program, including the preparation of project initiation documents. The department shall provide to the Legislature information to support each year's budget request for Schedule (9) as part of the Governor's Budget submitted each January.

11. No later than January 10, 2010, the Department of Transportation shall provide to the Legislature information explaining and justifying the workload for the department's legal, information technology, administrative, and civil rights activities for all the department's programs.

12. No funding is available in this item for the implementation of a Public-Private Partnership program. However, this item may be augmented by $2,533,000 for implementation of a Public-Private Partnership program, upon the order of the Director of Finance, if legislation is enacted to clarify existing law that the California Transportation Commission is responsible for reviewing and approving proposed public-private partnerships projects and final lease agreements. Implementation may include activities related to development of implementation plans, guidelines and administrative procedures, coordination among state and regional entities, marketing, and other activities necessary to implement a Public-Private Partnership program. If the legislation described in this provision is enacted, the Department of Transportation is hereby authorized to enter into contracts for the provision of legal, financial, and technical services needed to implement the Public-Private Partnership program for up to a total of $8,500,000, of which $6,900,000 is subject to future augmentation as provided in this provision. If the legislation described in this provision is enacted, and specific Public-Private Partnership projects are identified for evaluation, review, and analysis by the department, this item may additionally be augmented by up to $6,900,000 after submittal of a request to the Joint Legislative Budget Committee for 30-day review. Any request for an augmentation

by the department should include a description of the location, scope, and financing for the project being evaluated, reviewed, or analyzed.

SEC. 75. Item 2660-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-001-0890—For support of Department of Transportation, for payment to Item 2660-001-0042, payable from the Federal Trust Fund..... ~~541,003,000~~
495,617,000

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 to Provision 1 of that item or Public Transportation Account funds in Item 2660-001-0046, pursuant to Provision 2 of that item.

SEC. 76. Item 2660-001-6801 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~782,000~~
594,000

SEC. 77. Item 2660-002-0890 is added to Section 2.00 of the Budget Act of 2009, to read:

2660-002-0890—For support of Department of Transportation, for debt service requirements and other financing related costs for federal Grant Anticipation Revenue Vehicles (GARVEE) issued in the 2009–10 fiscal year, payable from the Federal Trust Fund..... 675,000,000

Provisions:

1. Notwithstanding any other provision of law, the funds appropriated in this item shall be available for encumbrance or expenditure until expended.

2. Notwithstanding Section 28.00, upon approval of the Department of Finance, this item may be augmented if additional funds are necessary to meet debt service and other requirements related to the fiscal year 2009–10 GARVEE issuance.

3. The appropriation in this item reflects, in part, the pledge made by the California Transportation Commission in accordance with Section 14553.7 of the Government Code in connection with the GARVEE bonds issued in the 2009–10 fiscal year.

4. Funds appropriated in this item are in lieu of the amounts that have been appropriated pursuant to Section 14554.8 of the Government Code.

SEC. 78. Item 2660-002-3007 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-002-3007—For support of Department of Transportation, payable from the Traffic Congestion Relief Fund..... ~~27,797,000~~ *16,393,000*

Schedule:

(1) 20.10-Highway Transportation—Capital Outlay Support..... ~~27,510,000~~ *16,106,000*

(2) 30-Mass Transportation..... 287,000

Provisions:

1. Notwithstanding any other provision of law, if the California Transportation Commission allocates funds

to Traffic Congestion Relief Program projects in the 2009–10 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 chairpersons of the committees in each house of the Legislature that consider appropriations not later than 30 days prior to the effective date of the approval.

SEC. 79. Item 2660-002-3008 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-002-3008—For support of Department of Transportation, for payment to Item 2660-001-0042, payable from the Transportation Investment Fund..... ~~244,440,000~~
289,277,000

SEC. 80. Item 2660-004-6055 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-004-6055—For support of Department of Transportation, for payment to Item 2660-001-0042, payable from the Corridor Mobility Improvement Account, Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006..... ~~23,813,000~~
40,642,000

Provisions:

1. Provision 8 of Item 2660-001-0042 also applies to this item.

SEC. 81. Item 2660-004-6056 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-004-6056—For support of Department of Transportation, for payment to Item 2660-001-0042, payable from the Trade Corridors Improvement Fund..... ~~2,564,000~~
3,487,000

Provisions:

1. Provision 8 of Item 2660-001-0042 also applies to this item.

SEC. 82. Item 2660-004-6058 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-004-6058—For support of Department of Transportation, for payment to Item 2660-001-0042, payable from the Transportation Facilities Account, Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006.... ~~56,840,000~~ *57,427,000*

Provisions:

1. Provision 8 of Item 2660-001-0042 also applies to this item.

SEC. 83. Item 2660-004-6064 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-004-6064—For support of Department of Transportation, for payment to Item 2660-001-0042, payable from the Highway Safety, Rehabilitation, and Preservation Account, Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006..... ~~20,913,000~~ *18,175,000*

Provisions:

1. Provision 8 of Item 2660-001-0042 also applies to this item.

SEC. 84. Item 2660-004-6072 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-004-6072—For support of Department of Transportation, for payment to Item 2660-001-0042, payable from the State Route 99 Account, Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006..... ~~4,496,000~~ *6,246,000*

Provisions:

1. Provision 8 of Item 2660-001-0042 also applies to this item.

SEC. 85. Item 2660-011-0042 is added to Section 2.00 of the Budget Act of 2009, to read:

2660-011-0042—For transfer by the Controller, upon order of the Director of Finance, from the State Highway Account, State Transportation Fund, to the General Fund.... (135,000,000)

Provisions:

1. The amount transferred in this item is a loan to the General Fund and shall be repaid by June 30, 2012. The repayment shall be made as to ensure that the programs supported by the State Highway Account, State Transportation Fund, are not adversely affected by the loan. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of the transfer.

SEC. 86. Item 2660-102-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-102-0890—For local assistance, Department of Transportation, non-State Transportation Improvement Program (STIP), payable from the Federal Trust Fund..... ~~1,469,313,000~~ *1,462,711,000*

Schedule:

(1) 20-Highway Transportation..... ~~1,358,113,000~~ *1,351,511,000*

(2) 30-Mass Transportation..... 46,100,000

(3) 40-Transportation Planning..... 65,100,000

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, 2011, and available for encumbrance and liquidation until June 30, 2015.

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.

SEC. 87. Item 2660-302-0042 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-302-0042—For capital outlay, Department of Transportation, non-State Transportation Improvement Program (STIP), payable from the State Highway Account, State Transportation Fund..... ~~295,000,000~~ *369,687,000*

Schedule:

(1) 20-Highway Transportation..... ~~1,520,000,000~~ *1,594,687,000*

(a) State Highway Operation and Protection Program..... ~~(1,520,000,000)~~ *(1,594,687,000)*

(2) Reimbursements..... −1,225,000,000

Provisions:

1. These funds shall be available for allocation by the California Transportation Commission until June 30, 2011, and available for encumbrance and liquidation until June 30, 2015.
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.
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, material laboratories, and traffic management centers.

SEC. 88. Item 2660-302-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-302-0890—For capital outlay, Department of Transportation, non-State Transportation Improvement Program (STIP), payable from the Federal Trust Fund..... ~~1,388,039,000~~ *1,209,652,000*

Schedule:

(1) 20-Highway Transportation..... ~~1,388,039,000~~ *1,209,652,000*

(a) State Highway Operation and Protection Program..... ~~(1,388,039,000)~~ *(1,209,652,000)*

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, 2011, and available for encumbrance and liquidation until June 30, 2015.
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. For the purpose of this item, specialty building facilities are

equipment facilities, maintenance facilities, material laboratories, and traffic management centers.

SEC. 89. Item 2660-303-0042 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-303-0042—For capital outlay, Department of Transportation, specialty building facilities, payable from the State Highway Account, State Transportation Fund..... ~~56,000,000~~ *48,500,000*

Schedule:

(1) 20-Highway Transportation..... ~~56,000,000~~ *48,500,000*

Provisions:

1. For the purpose of this item, specialty building facilities are equipment facilities, maintenance facilities, material laboratories, and traffic management centers. Ancillary equipment associated with the management of transportation systems such as loop detectors, closed-circuit television cameras, and transportation management systems field elements are not deemed specialty building facilities and are not funded from this item.

SEC. 90. Item 2660-491 of Section 2.00 of the Budget Act of 2009 is amended to read:

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, 2010. The unencumbered balance shall not be available for encumbrance.

0042—State Highway Account

(0.3) Item 2660-301-0042, Budget Act of 1999 (Ch. 50, Stats. 1999)

(0.5) Item 2660-301-0042, Budget Act of 2000 (Ch. 52, Stats. 2000)

(1) Item 2660-301-0042, Budget Act of 2002 (Ch. 379, Stats. 2002)

(1.5) Item 2660-301-0042, Budget Act of 2003 (Ch. 157, Stats. 2003)

(2) Item 2660-302-0042, Budget Act of 2002 (Ch. 379, Stats. 2002)

(3) Item 2660-302-0042, Budget Act of 2003 (Ch. 157, Stats. 2003)

~~0046—Public Transportation Account~~

~~(1) Item 2660-301-0046, Budget Act of 2001 (Ch. 106, Stats. 2001)~~

~~0890—Federal Trust Fund~~

~~(1) Item 2660-301-0890, Budget Act of 1999 (Ch. 50, Stats. 1999)~~

~~(2) Item 2660-301-0890, Budget Act of 2000 (Ch. 52, Stats. 2000)~~

~~(3) Item 2660-301-0890, Budget Act of 2001 (Ch. 106, Stats. 2001)~~

SEC. 91. Item 2665-004-6043 of Section 2.00 of the Budget Act of 2009 is amended to read:

2665-004-6043—For support of High-Speed Rail Authority, payable in accordance with and from the proceeds of the Safe, Reliable High-Speed Train Bond Act for the 21st Century, payable from the High-Speed Passenger Train Bond Fund..... ~~1,795,000~~

139,180,000

Provisions:

1. The High-Speed Rail Authority is required to post in the 2009–10 fiscal year and annually thereafter its budget on their Internet Web site in order to insure public access and transparency.

2. Of the funds appropriated in this item, $139,180,000 is appropriated to the High-Speed Rail Authority for the following purposes: project-level design and environmental review, program management services, financial planning, and public-private partnership program. As part of the project-level design and environmental review activities, the authority shall analyze alternative alignments to that identified as the preferred alignment in the certified program Environmen-

tal Impact Report (EIR) for the San Francisco-San Jose corridor.

3. Of the funds appropriated in this item, $69,590,000 shall be available for expenditure only after January 1, 2010, after the submittal of a revised business plan to, and a 30-day review by, the Joint Legislative Budget Committee that, among other things, addresses, at a minimum: (a) a plan for a community outreach component to cities, towns, and neighborhoods affected by this project, (b) further system details, such as route selection and alternative alignment considerations, (c) a thorough discussion describing the steps being pursued to secure financing, (d) a working timeline with specific, achievable milestones, and (e) what strategies the authority would pursue to mitigate different risks and threats. The authority shall submit the revised business plan to the Joint Legislative Budget Committee no later than December 15, 2009.

The revised business plan shall also provide additional information related to funding, project development schedule, proposed levels of service, ridership, capacity, operational plans, cost, private investment strategies, staffing, and a history of expenditures and accomplishments to date. In developing this revised business plan, the authority shall work in consultation with the appropriate legislative policy committees and the Legislative Analyst's Office to respond to specific aspects in the plan.

4. Notwithstanding any other provision of law, funds appropriated in this item from the High-Speed Passenger Train Bond Fund, to the extent permissible under federal law, may be reduced and replaced by an equivalent amount of federal funds determined by the High-Speed Rail Authority to be available and necessary to comply with Section 8.50 and the most effective management of state high-speed rail transportation resources. Not more than 30 days after replacing the state funds with federal funds, the Director of Finance shall notify in writing the chairpersons of the committees in each house of the Legislature that consider

appropriations and the Chairperson of the Joint Legislative Budget Committee of this action.

SEC. 92. Item 2670-001-0290 of Section 2.00 of the Budget Act of 2009 is amended to read:

2670-001-0290—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..... ~~2,894,000~~
3,136,000

Schedule:

(1) 10.01-Support..... ~~1,487,000~~
1,729,000

(2) 10.03-Training..... 1,407,000

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.

SEC. 93. Item 2720-001-0044 of Section 2.00 of the Budget Act of 2009 is amended to read:

2720-001-0044—For support of Department of the California Highway Patrol, payable from the Motor Vehicle Account, State Transportation Fund..... ~~1,790,074,000~~
1,791,293,000

Schedule:

(1) 10-Traffic Management..... ~~1,741,069,000~~
1,742,413,000

(2) 20-Regulation and Inspection..... ~~203,231,000~~
204,324,000

(3) 30-Vehicle Ownership Security..... ~~45,812,000~~
45,847,000

(4) 40.01-Administration..... ~~328,501,000~~
340,410,000

(5) 40.02-Distributed Administration..... ~~−327,880,000~~
−339,789,000

(6) Reimbursements..... −115,720,000

(7) Amount payable from the State Highway Account (Item 2720-001-0042).... −60,404,000

(8) Amount payable from the Motor Carriers Safety Improvement Fund (Item 2720-001-0293)..... −2,575,000

(9) Amount payable from the California Motorcyclist Safety Fund (Item 2720-001-0840)..... ~~−1,409,000~~ *−1,662,000*

(10) Amount payable from the Federal Trust Fund (Item 2720-001-0890)..... ~~−18,222,000~~ *−19,222,000*

(11) Amount payable from the Hazardous Substance Account, Special Deposit Fund (Item 2720-001-0942)..... −213,000

(12) Amount payable from the Asset Forfeiture Account, Special Deposit Fund (Item 2720-011-0942)..... −2,116,000

Provisions:

1. On March 1, 2010, and each March 1 thereafter until the project is fully implemented, the Department of the California Highway Patrol shall report the status of the California Highway Patrol Enhanced Radio System to the appropriate fiscal and policy committees of the Legislature and the Joint Legislative Budget Committee. At a minimum, each report shall include all of the following: (a) a revised estimate of total project costs and activities, by fiscal year, including separate reporting on the categories of mobiles, portables, remote site equipment, Department of General Services costs, and other; (b) a description of any changes in the project scope including the type and number of hardware units needed, and changes to the frequencies used; and (c) a description of any adverse effects to interoperability caused by changes in usage of new technology by local agencies or other state agencies.

2. Of the funds appropriated in this item, $7,000,000 may be directed to increase the Department of the Califor-

nia Highway Patrol's support for police and sheriffs in antigang activities.

3. The increase in funds appropriated in this item by the act adding this provision shall be paid only from revenues in the fund that are attributable to revenues other than fines, penalties, or any other source that is a General Fund revenue of the state.

SEC. 94. Item 2720-001-0840 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~1,409,000~~
1,662,000

SEC. 95. Item 2720-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~18,222,000~~
19,222,000

SEC. 96. Item 2720-301-0044 of Section 2.00 of the Budget Act of 2009 is amended to read:

2720-301-0044—For capital outlay, Department of the California Highway Patrol, payable from the Motor Vehicle Account, State Transportation Fund..... ~~3,617,000~~
6,334,000

Schedule:

(1) 50.04.004-California Highway Patrol Enhanced Radio System: Replace Towers and Vaults—Preliminary plans *and working drawings*..... ~~3,617,000~~
6,334,000

Provisions:

1. Notwithstanding any other provision of law, funds appropriated in Schedule (1) for working drawings shall be available for expenditure until June 30, 2011.

2. The increase in funds appropriated in this item by the act adding this provision shall be paid only from revenues in the fund that are attributable to revenues other than fines, penalties, or any other source that is a General Fund revenue of the state.

SEC. 97. Item 2740-001-0042 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~52,452,000~~ *52,731,000*

SEC. 98. Item 2740-001-0044 of Section 2.00 of the Budget Act of 2009 is amended to read:

2740-001-0044—For support of Department of Motor Vehicles, payable from the Motor Vehicle Account, State Transportation Fund..... ~~522,929,000~~ *832,386,000*

Schedule:

(1)	11-Vehicle/Vessel Identification and Compliance.....	~~528,507,000~~ *531,416,000*
(2)	22-Driver Licensing and Personal Identification.....	~~242,663,000~~ *250,563,000*
(3)	25-Driver Safety.....	~~118,306,000~~ *118,930,000*
(4)	32-Occupational Licensing and Investigative Services.....	~~48,328,000~~ *48,586,000*
(5)	35-New Motor Vehicle Board.....	2,076,000
(6)	41.01-Administration.....	~~105,478,000~~ *106,674,000*

(7) 41.02-Distributed Administration..... ~~−105,478,000~~
−106,674,000

(8) Reimbursements..... −14,514,000

(9) Amount payable from the State Highway Account, State Transportation Fund (Item 2740-001-0042)..... ~~−52,452,000~~
−52,731,000

(10) Amount payable from the New Motor Vehicle Board Account (Item 2740-001-0054)..... −2,076,000

(11) Amount payable from the Harbors and Watercraft Revolving Fund (Item 2740-001-0516)..... −4,405,000

(12) Amount payable from the Federal Trust Fund (Item 2740-001-0890)..... −2,435,000

(13) Amount payable from the Motor Vehicle License Fee Account, Transportation Tax Fund (Item 2740-001-0064)..... ~~−341,069,000~~
−43,024,000

Provisions:

1. No later than December 31 of each year up to and including 2014, the Department of Motor Vehicles shall report to the Joint Legislative Budget Committee and the policy committees on transportation of both houses of the Legislature on all of the following concerning the Information Technology Modernization project: (a) planned milestone completion dates versus actual milestone completion dates, (b) planned expenditures by phase versus actual expenditures by phase, and (c) description of adherence to scope and reasons for any changes.

2. Of the funds appropriated in this item, $6,591,000 is appropriated to the Department of Motor Vehicles so that it may implement a new Driver's License/Identification/Salesperson card contract. No funding is included in the department's budget to purchase, install, or use the biometric technology of facial-recognition software. For the purpose of this provision, "facial-recognition software" means computer technology

that would allow the automated matching of a digital image or photo of an individual against a database of digital images or photos of that individual or other individuals. Any purchase or use, in the 2009–10 fiscal year and thereafter, of facial-recognition software shall be permitted only upon enactment of subsequent legislation that authorizes such technology and the use of such technology.

3. The increase in funds appropriated in this item by the act adding this provision shall be paid only from revenues in the fund that are attributable to revenues other than fines, penalties, or any other source that is a General Fund revenue of the state.

SEC. 99. Item 2740-001-0064 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~341,069,000~~
43,024,000

SEC. 100. Item 2740-011-0044 is added to Section 2.00 of the Budget Act of 2009, to read:

2740-011-0044—For transfer by the Controller, upon order of the Director of Finance, from the Motor Vehicle Account, State Transportation Fund, to the General Fund..... (70,000,000)

Provisions:

1. The funds transferred in this item are moneys from revenues that are not protected by Article XIX of the California Constitution.

SEC. 101. Item 2740-491 is added to Section 2.00 of the Budget Act of 2009, to read:

2740-491—Extension of liquidation period, Department of Motor Vehicles. Notwithstanding any other provision of law, funds appropriated in the following citations shall be made available for liquidation of encumbrances until June 30, 2010:

(1) Up to $8,500,000 appropriated in Schedule (2) of Item 2740-001-0044, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), is reappropriated only for the purpose of completing the Web site Infrastructure Project and shall be available for expenditure until June 30, 2010. Any of the funds not used for these purposes shall revert to the Motor Vehicle Account.

SEC. 102. Item 3125-490 is added to Section 2.00 of the Budget Act of 2009, to read:

3125-490—Reappropriation, California Tahoe Conservancy. Notwithstanding any other provision of law, the period to liquidate encumbrances of the following citations is extended until June 30, 2011:

0005—Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund

(1) Item 3125-101-0005, Budget Act of 2003 (Ch. 157, Stats. 2003), as reappropriated by Item 3125-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

(1) 10-Tahoe Conservancy

(2) Reimbursements

6029—California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund

(1) Item 3125-101-6029, Budget Act of 2003 (Ch. 157, Stats. 2003), as reappropriated by Item 3125-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

(1) 10-Tahoe Conservancy

(2) Item 3125-101-6029, Budget Act of 2004 (Ch. 208, Stats. 2004)

(1) 10-Tahoe Conservancy

(3) Item 3125-101-6029, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005)

(1) 10-Tahoe Conservancy

6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002

(1) Item 3125-101-6031, Budget Act of 2004 (Ch. 208, Stats. 2004)

(1) 10-Tahoe Conservancy

(2) Item 3125-101-6031, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005)

(1) 10-Tahoe Conservancy

SEC. 103. Item 3125-491 is added to Section 2.00 of the Budget Act of 2009, to read:

3125-491—Reappropriation, California Tahoe Conservancy. Notwithstanding any other provision of law, the period to liquidate encumbrances of the following citations is extended until June 30, 2011:

0005—Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund

(1) Item 3125-301-0005, Budget Act of 2003 (Ch. 157, Stats. 2003), as reappropriated by Item 3125-491, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

(1) 50.30.002-Land acquisition and site improvements—Public access and recreation

(2) 50.30.003-Acquisition, restoration, and enhancement of habitat

(3) 50.30.004-Land acquisition and site improvements—Stream environment zones and watershed restorations

(4) 50.30.005-Land acquisition

6029—California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund

(1) Item 3125-301-6029, Budget Act of 2004 (Ch. 208, Stats. 2004)

(1) 50.30.002-For land acquisition and site improvements for public access and recreation

(2) 50.30.003-For land acquisition and site improvements for wildlife enhancement

(3) 50.30.004-For land acquisition and site improvements for stream environment zones and watershed restorations

(4) 50.30.005-For land acquisitions
(5) Reimbursements
(2) Item 3125-301-6029, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005
(1) 50.30.002-For land acquisition and site improvements for public access and recreation
(2) 50.30.003-For land acquisition and site improvements for wildlife enhancement
(3) 50.30.004-For land acquisition and site improvements for stream environment zones and watershed restorations
(4) 50.30.005-For land acquisitions
(5) Reimbursements

SEC. 104. Item 3340-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

3340-001-0001—For support of California Conservation Corps		~~34,184,000~~ *0*
Schedule:		
(1) 10-Training and Work Program	~~64,238,000~~ *71,538,000*	
(2) 20.01-Administration	7,902,000	
(3) 20.02-Distributed Administration	−7,902,000	
(3.2) Reimbursements	*−34,184,000*	
(3.5) Amount payable from the California Environmental License Plate Fund (Item 3340-001-0140)	*−300,000*	
(4) Amount payable from the Collins-Dugan California Conservation Corps Reimbursement Account (Item 3340-001-0318)	−25,585,000	
(5) Amount payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Item 3340-001-6051)	~~−4,469,000~~ *−11,469,000*	

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, 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.

SEC. 105. Item 3340-001-0140 is added to Section 2.00 of the Budget Act of 2009, to read:

3340-001-0140—For support of the California Conservation Corps, for payment to Item 3340-001-0001, payable from the California Environmental License Plate Fund..... 300,000

SEC. 106. Item 3340-001-0318 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... 25,585,000

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 $5,963,000 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 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 Account, on any portion of the loan that has not been repaid.
2. Notwithstanding ~~Section~~ *Sections 28.00 and* 28.50, 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 *or from a local government, the federal government, or nonprofit organizations that has requested emergency services from the California Conservation Corps after it has notified the Legislature through a letter to the Joint Legislative Budget Committee. Any augmentation*

that is deemed to be necessary on a permanent basis shall be submitted for review as a part of the regular budget process.

SEC. 107. Item 3340-001-6051 of Section 2.00 of the Budget Act of 2009 is amended to read:

3340-001-6051—For support of California Conservation Corps, for payment to Item 3340-001-0001, payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006..... ~~4,469,000~~
11,469,000

Provisions:

1. The use of these funds shall include, but is not limited to, outreach education for, and workforce training of, California's foster care youth.

SEC. 108. Item 3340-101-6051 is added to Section 2.00 of the Budget Act of 2009, to read:

3340-101-6051—For local assistance, California Conservation Corps, payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006..... 6,700,000

Provisions:

1. The use of these funds shall include, but is not limited to, outreach to, education for, and workforce training of California's foster care youth.

SEC. 109. Item 3340-490 is added to Section 2.00 of the Budget Act of 2009, to read:

3340-490—Reappropriation, California Conservation Corps. 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:

6051—Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006

(1) Item 3340-101-6051, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for local assistance grants to local conservation corps

SEC. 110. Item 3340-491 is added to Section 2.00 of the Budget Act of 2009, to read:

3340-491—Reappropriation, California Conservation Corps. 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:

0660—Public Buildings Construction Fund

(1) Item 3340-301-0660, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

(1) 20.10.170-Tahoe Base Center Relocation—Working drawings and construction

SEC. 111. Item 3360-001-0465 of Section 2.00 of the Budget Act of 2009 is amended to read:

3360-001-0465—For support of Energy Resources Conservation and Development Commission, payable from the Energy Resources Programs Account		64,184,000
Schedule:		
(1) 10-Regulatory and Planning	32,444,000	
(2) 20-Energy Resources Conservation	~~26,200,000~~ *188,847,000*	
(3) 30-Development	244,435,000	
(4) 40.01-Policy, Management, and Administration	~~21,582,000~~ *22,550,986*	
(5) 40.02-Distributed Policy, Management, and Administration	~~−21,582,000~~ *−22,550,986*	
(6) Reimbursements	−5,820,000	
(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)..... −73,549,000

(9) Amount payable from the Renewable Resource Trust Fund (Item 3360-001-0382)..... −8,274,000

(10) Amount payable from the Energy Technologies Research Development and Demonstration Account (Item 3360-001-0479)..... −2,412,000

(11) Amount payable from the Local Government Geothermal Resources Revolving Subaccount, Geothermal Resources Development Account (Item 3360-001-0497)..... −305,000

(12) Amount payable from the Federal Trust Fund (Item 3360-001-0890).... ~~−19,628,000~~ *−182,275,000*

(13) Amount payable from the Energy Facility License and Compliance Fund (Item 3360-001-3062)..... −2,510,000

(14) Amount payable from Natural Gas Subaccount, Public Interest Research, Development, and Demonstration Fund (Item 3360-001-3109)..... −24,000,000

(15) Amount payable from Alternative and Renewable Fuel and Vehicle Technology Fund (Item 3360-001-3117)..... −102,258,000

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, 2013.

SEC. 112. Item 3360-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~19,628,000~~ *182,275,000*

SEC. 113. Item 3360-001-3117 of Section 2.00 of the Budget Act of 2009 is amended to read:

3360-001-3117—For support of Energy Resources Conservation and Development Commission, for payment to Item 3360-001-0465, payable from the Alternative and Renewable Fuel and Vehicle Technology Fund..... 102,258,000

Provisions:

1. Notwithstanding subdivision (a) of Section 1.80, funds appropriated in this item shall be available for expenditure during the 2009–10 and 2010–11 fiscal years.
2. *The State Energy Resources Conservation and Development Commission shall not make any expenditures from this appropriation for hydrogen refueling stations in the 2009–10 fiscal year.*

SEC. 114. Item 3480-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

3480-001-0001—For support of Department of Conservation.... 4,838,000

Schedule:

(1) 10-Geologic Hazards and Mineral Resources Conservation..... 25,494,000

(2) 20-Oil, Gas, and Geothermal Resources..... ~~25,530,000~~ *25,569,000*

(3) 30-Land Resource Protection..... ~~6,745,000~~ *5,863,000*

(4) 40.01-Administration..... ~~13,771,000~~ *13,903,000*

(5) 40.02-Distributed Administration..... ~~−13,771,000~~ *−13,903,000*

(6) 50-Beverage Container Recycling and Litter Reduction Program..... ~~51,066,000~~ *51,146,000*

(7) 60-Office of Mine Reclamation..... ~~6,782,000~~
6,795,000
(8) Reimbursements..... −9,417,000
(10) Amount payable from the Surface Mining and Reclamation Account (Item 3480-001-0035)..... −2,118,000
(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)..... ~~−50,966,000~~
−51,046,000
(13) Amount payable from the Soil Conservation Fund (Item 3480-001-0141)..... ~~−3,918,000~~
−2,536,000
(14) Amount payable from the Hazardous and Idle-Deserted Well Abatement Fund (Section 3206 of the Public Resources Code)..... −100,000
(15) Amount payable from the Mine Reclamation Account (Item 3480-001-0336)..... ~~−3,937,000~~
−3,950,000
(16) Amount payable from the Strong Motion Instrumentation and Seismic Hazards Mapping Fund (Item 3480-001-0338)..... −10,104,000
(16.5) Amount payable from the California Farmland Conservancy Program Fund (Item 3480-001-0867)..... −500,000
(17) Amount payable from the Federal Trust Fund (Item 3480-001-0890)..... −1,394,000
(18) Amount payable from the Bosco Keene Renewable Resources Investment Fund (Item 3480-001-0940)..... −1,235,000
(18.5) Amount payable from the Acute Orphan Well Account, Oil, Gas, and Geothermal Administrative Fund (Item 3480-001-3102)..... −978,000

(19) Amount payable from the Abandoned Mine Reclamation and Minerals Fund Subaccount, Mine Reclamation Account (Item 3480-001-3025)..... −549,000

(20) Amount payable from the Oil, Gas, and Geothermal Administrative Fund (Item 3480-001-3046)..... ~~−23,324,000~~ *−23,363,000*

(21) Amount payable from the Agriculture and Open Space Mapping Subaccount (Item 3480-001-6004)..... −435,000

(22) Amount payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund of 2002 (Item 3480-001-6029).... −550,000

(23) Amount payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Item 3480-001-6031)..... −1,477,000

(24) Amount payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Item 3480-001-6051)..... −265,000

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 moneys 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.

SEC. 115. Item 3480-001-0133 of Section 2.00 of the Budget Act of 2009 is amended to read:

3480-001-0133—For support of Department of Conservation, for payment to Item 3480-001-0001, payable from the California Beverage Container Recycling Fund..... ~~50,966,000~~
51,046,000

Provisions:

1. The increase in funds appropriated in this item by the act adding this provision shall be paid only from revenues in the fund that are attributable to revenues other than fines, penalties, or any other source that is a General Fund revenue of the state.

SEC. 116. Item 3480-001-0141 of Section 2.00 of the Budget Act of 2009 is amended to read:

3480-001-0141—For support of Department of Conservation, for payment to Item 3480-001-0001, payable from the Soil Conservation Fund..... ~~3,918,000~~
2,536,000

Provisions:

1. Of the funds appropriated in this item, $910,000 is available for the Department of Conservation to provide technical assistance to local jurisdictions that have a history of noncompliance with Williamson Act policy development, assist compliance with state law and contract terms as they relate to state law, and provide procedural guidance programs, in order to maintain consistent Williamson Act implementation statewide.

SEC. 117. Item 3480-001-0336 of Section 2.00 of the Budget Act of 2009 is amended to read:

3480-001-0336—For support of Department of Conservation, for payment to Item 3480-001-0001, payable from the Mine Reclamation Account..... ~~3,937,000~~
3,950,000

Provisions:

1. The increase in funds appropriated in this item by the act adding this provision shall be paid only from revenues in the fund that are attributable to revenues other than fines, penalties, or any other source that is a General Fund revenue of the state.

SEC. 118. Item 3480-001-0867 is added to Section 2.00 of the Budget Act of 2009, to read:

3480-001-0867—For support of Department of Conservation, for payment to Item 3480-001-0001, payable from the California Farmland Conservancy Program Fund 500,000

SEC. 119. Item 3480-001-3046 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~23,324,000~~
23,363,000

Provisions:

1. The increase in funds appropriated in this item by the act adding this provision shall be paid only from revenues in the fund that are attributable to revenues other than fines, penalties, or any other source that is a General Fund revenue of the state.

SEC. 120. Item 3480-101-0005 of Section 2.00 of the Budget Act of 2009 is amended to read:

3480-101-0005—For local assistance, Department of Conservation, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund..... ~~2,500,000~~
2,489,000

Provisions:

1. The fund appropriated in this item shall be available for expenditure until June 30, 2012.

SEC. 121. Item 3480-101-0867 of Section 2.00 of the Budget Act of 2009 is repealed.

~~3480-101-0867—For local assistance, Department of Conservation, payable from the California Farmland Conservancy Program Fund..... 1,000,000~~

~~Provisions:~~

~~1. The fund appropriated in this item shall be available for expenditure until June 30, 2012.~~

SEC. 122. Item 3540-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

3540-001-0001—For support of Department of Forestry and Fire Protection..... ~~564,829,000~~
488,921,000

Schedule:

(1)	10-Office of the State Fire Marshal.....	~~20,828,000~~ *21,113,000*
(2)	11-Fire Protection.....	~~1,005,433,000~~ *997,700,000*
(3)	12-Resource Management.....	~~54,716,000~~ *57,969,000*
(4)	13-Board of Forestry and Fire Protection.....	449,000
(5)	20.01-Administration.....	~~79,115,000~~ *84,115,000*
(6)	20.02-Distributed Administration.....	~~−78,473,000~~ *−83,473,000*
(7)	Reimbursements.....	~~−260,673,000~~ *−288,246,000*
(8)	Less funding provided by capital outlay.....	−24,774,000
(9)	Amount payable from the General Fund (Item 3540-006-0001).....	−189,000,000
(10)	Amount payable from the State Emergency Telephone Number Account (Item 3540-001-0022).....	−3,341,000
(11)	Amount payable from the Unified Program Account (Item 3540-001-0028)....	−345,000

(12) Amount payable from the State Fire Marshal Licensing and Certification Fund (Item 3540-001-0102)..... −2,746,000

(13) Amount payable from the California Environmental License Plate Fund (Item 3540-001-0140)..... ~~−452,000~~ *−497,000*

(14) Amount payable from the California Fire and Arson Training Fund (Item 3540-001-0198)..... −2,697,000

(15) Amount payable from the Hazardous Liquid Pipeline Safety Fund (Item 3540-001-0209)..... −3,180,000

(16) Amount payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund (Item 3540-001-0235)..... ~~−413,000~~ *−360,000*

(17) Amount payable from the Professional Forester Registration Fund (Item 3540-001-0300)..... −216,000

(18) Amount payable from the Federal Trust Fund (Item 3540-001-0890)..... ~~−18,390,000~~ *−21,651,000*

(19) Amount payable from the Forest Resources Improvement Fund (Item 3540-001-0928)..... −7,874,000

(20) Amount payable from the Timber Tax Fund (Item 3540-001-0965)..... −34,000

(21.2) Amount payable from the State Responsibility Area Fire Protection Fund (Item 3540-001-3063)..... −37,840,000

(21.4) Amount payable from the Alternative and Renewable Fuel and Vehicle Technology Fund (Item 3540-001-3117)..... −2,762,000

(21.5) Amount payable from the State Fire Marshal Fireworks Enforcement and Disposal Fund (Item 3540-001-3120)..... ~~−15,000~~ *−300,000*

(23) Amount payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Item 3540-001-6029)..... −1,253,000

(24) Amount payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Item 3540-001-6031)..... −355,000

(25) Amount payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Item 3540-001-6051)..... −1,481,000

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.
2. 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 Department of Forestry and Fire Protection, 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 of the fiscal year following that in which the loan was 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 chairpersons of the committees in each house of the Legislature that consider 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.

3. The Director of Finance may adjust amounts in ~~Program 11 of this item~~ *Schedule (2)* to provide equivalent Fire Protection base funding changes to Contract Counties in accordance with ~~Public Resources Code~~ Section 4130 *of the Public Resources Code*.

SEC. 123. Item 3540-001-0140 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~452,000~~
497,000

SEC. 124. Item 3540-001-0235 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~413,000~~
360,000

SEC. 125. Item 3540-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~18,390,000~~
21,651,000

SEC. 126. Item 3540-001-3063 is added to Section 2.00 of the Budget Act of 2009, to read:

3540-001-3063—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the State Responsibility Area Fire Protection Fund..... 37,840,000

SEC. 127. Item 3540-001-3117 is added to Section 2.00 of the Budget Act of 2009, to read:

3540-001-3117—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the Alternative and Renewable Fuel and Vehicle Technology Fund..... 2,762,000

Provisions:

1. Notwithstanding any other provision of law, the Department of Forestry and Fire Protection may use moneys in the Alternative and Renewable Fuel and Vehicle Technology Fund to comply with regulations of the State Air Resources Board.

2. The funds appropriated in this item by the act adding this provision shall be paid only from revenues in the fund that are attributable to revenues other than fines, penalties, or any other source that is a General Fund revenue of the state.

SEC. 128. Item 3540-001-3120 of Section 2.00 of the Budget Act of 2009 is amended to read:

3540-001-3120—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the State Fire Marshal Fireworks Enforcement and Disposal Fund..... ~~15,000~~

300,000

Provisions:

1. The increase in funds appropriated in this item by the act adding this provision shall be paid only from revenues in the fund that are attributable to revenues

other than fines, penalties, or any other source that is a General Fund revenue of the state.

SEC. 129. Item 3540-301-0660 is added to Section 2.00 of the Budget Act of 2009, to read:

3540-301-0660—For capital outlay, Department of Forestry and Fire Protection, payable from the Public Buildings Construction Fund..... 290,344,000

Schedule:

(1) 30.10.215-Parlin Fork Conservation Camp: Replace Facility—Preliminary plans, working drawings, and construction..... 53,544,000

(2) 30.10.245-Soquel Fire Station: Replace Facility—Preliminary plans, working drawings, and construction..... 10,599,000

(3) 30.10.250-Felton Fire Station/Unit Headquarters: Replace Facility—Preliminary plans, working drawings, and construction..... 25,100,000

(4) 30.20.050-El Dorado Fire Station, Service Warehouse: Replace Facility—Preliminary plans, working drawings, and construction..... 26,375,000

(5) 30.20.120-Butte Unit Fire Station/Unit Headquarters: Replace Facility—Preliminary plans, working drawings, and construction..... 30,692,000

(6) 30.30.025-Potrero Fire Station: Replace Facility—Preliminary plans, working drawings, and construction..... 10,389,000

(7) 30.30.090-Cuesta Conservation Camp/San Luis Obispo Unit Auto Shop: Relocate Facilities—Preliminary plans, working drawings, and construction..... 70,238,000

(8) 30.30.095-Cayucos Fire Station: Replace Facility—Preliminary plans, working drawings, and construction..... 9,678,000

(9) 30.40.165-Tuolumne-Calaveras Service Center, Administrative, Emergency Command Center: Relocate Facility—Preliminary plans, working drawings, and construction..... 24,655,000

(10) 30.40.175-Parkfield Fire Station: Replace Facility—Preliminary plans, working drawings, and construction.... 7,209,000

(11) 30.40.240-Gabilan Conservation Camp: Replace Base Officers' Quarters, Relocate Auto Shop, Service Center—Preliminary plans, working drawings, and construction..... 21,865,000

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. Notwithstanding any other provision of law, the funds appropriated in this item shall be available for expenditure during the 2009–10 fiscal year, except appropriations for preliminary plans and working drawings, which shall be available for expenditure until June 30, 2011, and appropriations for construction, which shall be available for expenditure until June 30, 2014. In addition, the balance of funds appropriated for construction that has not been allocated, through fund transfer or approval to bid, by the Department of Finance on or before June 30, 2012, shall revert as of that date to the fund from which the appropriation was made.

3. The Department of Forestry and Fire Protection and the State Public Works Board are 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.

4. 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 section does not exempt the Department of Forestry and Fire Protection from the requirements of the California Environmental Quality Act. This section is intended to be declarative of existing law.

5. The funds appropriated in Schedules (2), (6), (8), and (10) 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 forest fire station facilities, that may be performed by the Department of Forestry and Fire Protection. Not less than 20 days after providing notice to the Joint Legislative Budget Committee, the Department of Finance may modify which projects may be managed by the Department of Forestry and Fire Protection, provided that those projects are limited to the design and construction of fire station facilities or facilities with substantially similar components, which can be managed by existing capital outlay staff. While the Department of Forestry and Fire Protection may manage these projects, the projects are subject to review by the State Public Works Board and require authorization to proceed to bid from the Department of Finance.

SEC. 130. Item 3540-490 is added to Section 2.00 of the Budget Act of 2009, to read:

3540-490—Reappropriation, extension of liquidation period, Department of Forestry and Fire Protection. Notwithstanding any other provision of law, funds appropriated in the following citations shall be available for liquidation of encumbrances until June 30, 2010:

0005—Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund

(1) Item 3540-101-0005, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

6029—California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund

(1) Item 3540-001-6029, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

(2) Item 3540-101-6029, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002

(1) Item 3540-001-6031, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

SEC. 131. Item 3540-493 is added to Section 2.00 of the Budget Act of 2009, to read:

3540-493—Reappropriation, Department of Forestry and Fire Protection. 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 appropriation:

0660—Public Buildings Construction Fund

(1) Item 3540-301-0660, Budget Act of 2004 (Ch. 208, Stats. 2004), as reappropriated by Item 3540-492, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

(4) 30.30.165-Cuyamaca Forest Fire Station: Relocate Facility—Construction

(2) Item 3540-301-0660, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), as reappropriated by Item 3540-491, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), as reappropriated by Item 3540-491, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

(0.5) 30.10.005-Alma Helitack Base: Replace Facility—Working drawings and construction

(3.25) 30.30.020-San Luis Obispo Ranger Unit Headquarters: Replace Facility—Construction

(3.45) 30.30.115-Ventura Youth Conservation Camp: Construct Apparatus Buildings, Shop, and

Warehouse—Working drawings and construction

(3.9) 30.40.145-Bautista Conservation Camp: Replace Modular Buildings—Working Drawings and construction

(4) 30.60.045-Statewide: Construct Forest Fire Stations—Working drawings and construction

(3) Item 3540-301-0660, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), as reappropriated by Item 3540-491, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

(.1) 30.10.005-Alma Helitack Base: Replace Facility—Preliminary plans, working drawings, and construction

(1) 30.10.265-North Region Forest Fire Station Facilities—Working drawings and construction

(2) 30.20.135-Intermountain Conservation Camp: Replace Facility—Preliminary plans, working drawings, and construction

(2.1) 30.30.020-San Luis Obispo Ranger Unit Headquarters: Replace Facility—Working drawings and construction

(2.3) 30.30.075-Warner Springs Forest Fire Station: Replace Facility—Construction

(2.4) 30.30.115-Ventura Youth Conservation Camp: Construct Apparatus Building, Shop, and Warehouse—Construction

(3) 30.30.160-South Operations Area Headquarters: Relocate Facility—Acquisition, working drawings, and construction

(3.5) 30.30.165-Cuyamaca Forest Fire Station: Relocate Facility—Construction

(4) 30.30.195-Miramonte Conservation Camp: Replace Facility—Working drawings and construction

(5) 30.40.030-Academy: Construct Dormitory Building and Expand Mess hall—Preliminary plans, working drawings, and construction

(5.4) 30.40.145-Bautista Conservation Camp: Replace Modular Buildings—Construction

(6) 30.40.170-Badger Forest Fire Station: Replace Facility—Preliminary plans, working drawings, and construction

(4) Item 3540-301-0660, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), as reappropriated by Item 3540-491, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

(1) 30.10.195-Las Posadas Forest Fire Station: Replace Facility—Preliminary plans, working drawings, and construction

(2) 30.20.001-Fawn Lodge Forest Fire Station: Replace Facility and Install New Well—Preliminary plans, working drawings, and construction

(3) 30.20.006-Red Bluff Forest Fire Station / Unit Headquarters: Replace Forest Fire Station and Various Unit Headquarters Buildings—Preliminary plans, working drawings, and construction

(4) 30.20.008-Westwood Forest Fire Station: Replace Facility—Preliminary plans, working drawings, and construction

(5) 30.30.200-Paso Robles Forest Fire Station: Replace Facility—Preliminary plans, working drawings, and construction

(6) 30.20.230-Bieber Forest Fire Station / Helitack Base: Relocate Facility—Acquisition, preliminary plans, working drawings, and construction (appears duplicative of below)

(7) 30.20.245-Ishi Conservation Camp: Replace Facility—Preliminary plans, working drawings, and construction

(7.6) 30.30.115-Ventura Youth Conservation Camp: Construct Vehicle Apparatus Building, Shop, Warehouse—Working drawings and construction

(7.7) 30.30.160-South Operations Area Headquarters: Relocate Facility—Acquisition, working drawings, and construction

(8) 30.40.007-Growlersburg Conservation Camp: Replace Facility—Preliminary plans, working drawings, construction

(10) 30.40.145-Bautista Conservation Camp: Replace Modular Buildings—Construction

(5) Item 3540-301-0660, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

(1) 30.10.170-Santa Clara Unit Headquarters: Replace Facility—Preliminary plans, working drawings, and construction

(2) 30.10.210-San Mateo/Santa Cruz Unit Headquarters: Relocate Automotive Shop—Preliminary plans, working drawings, and construction

(2.5) 30.10.265-North Region Forest Fire Station Facilities—Construction

(3) 30.20.007-Vina Helitack Base: Replace Facility—Preliminary plans, working drawings, and construction

(4) 30.20.015-Garden Valley Forest Fire Station: Replace Facility—Preliminary plans, working drawings, and construction

(4.5) 30.20.135-Intermountain Conservation Camp: Replace Facility—Preliminary plans, working drawings, and construction

(5) 30.20.205-Higgins Corner Forest Fire Station: Replace Facility—Acquisition, preliminary plans, working drawings, and construction

(6) 30.20.240-Siskiyou Unit Headquarters: Replace Facility—Preliminary plans ,working drawings, and construction

(8) 30.30.160-South Operations Area Headquarters: Relocate Facility—Acquisition, working drawings, and construction

(9) 30.30.195-Miramonte Conservation Camp: Replace Facility—Construction

(10) 30.40.185-Madera-Mariposa-Merced Unit Headquarters: Replace Facility—Preliminary plans, working drawings, and construction

(11) 30.40.225-Altaville Forest Fire Station: Replace Automotive Shop—Working drawings and construction

Provisions:

1. Notwithstanding Section 1.80, the funds reappropriated in this item shall be available for expenditure during the 2009–10 and 2010–11 fiscal years, except appropriations for acquisitions which shall be available for expenditure until June 30, 2012, and appropriations for construction which shall be available for expenditure until June 30, 2014. In addition, the balance of funds appropriated for construction that have not been allocated, through fund transfer or approval to bid, by the Department of Finance on or before June 30, 2012, shall revert as of that date to the fund from which the appropriation was made.

SEC. 132. Item 3600-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

3600-001-0001—For support of Department of Fish and Game		~~74,831,000~~ *40,431,000*
Schedule:		
(1) 20-Biodiversity Conservation Program	~~162,715,000~~ *146,170,000*	
(2) 25-Hunting, Fishing, and Public Use	~~73,124,000~~ *76,597,000*	
(3) 30-Management of Department Lands and Facilities	~~51,119,000~~ *59,664,000*	
(4) 40-Enforcement	~~68,096,000~~ *67,119,000*	
(4.5) 45-Communication, Education, and Outreach	~~4,771,000~~ *4,630,000*	
(5) 50-Spill Prevention and Response	~~33,584,000~~ *36,276,000*	
(5.5) 61-Fish and Game Commission	1,380,000	
(6) 70.01-Administration	~~43,606,000~~ *44,713,000*	

(7) 70.02-Distributed Administration..... ~~−43,606,000~~
−44,713,000

(8) Reimbursements..... ~~−44,290,000~~
−57,286,000

(9) Amount payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Item 3600-001-0005)..... ~~−1,042,000~~
−500,000

(10) Amount payable from the California Environmental License Plate Fund (Item 3600-001-0140)..... −14,747,000

(11) Amount payable from the Fish and Game Preservation Fund (Item 3600-001-0200)..... ~~−98,880,000~~
−129,621,000

(12) Amount payable from the Fish and Wildlife Pollution Account (Item 3600-001-0207)..... −2,732,000

(13) Amount payable from the California Waterfowl Habitat Preservation Account, Fish and Game Preservation Fund (Item 3600-001-0211)..... −241,000

(14) Amount payable from the Marine Invasive Species Control Fund (Item 3600-001-0212)..... −1,322,000

(15) Amount payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund (Item 3600-001-0235)..... ~~−2,467,000~~
−2,105,000

(16) Amount payable from the Oil Spill Prevention and Administration Fund (Item 3600-001-0320)..... ~~−24,675,000~~
−25,555,000

(17) Amount payable from the Environmental Enhancement Fund (Item 3600-001-0322)..... −348,000

(18) Amount payable from the Central Valley Project Improvement Subaccount (Item 3600-001-0404)..... ~~−58,000~~ *0*

(18.5) Amount payable from the Harbors and Watercraft Revolving Fund (Item 3600-001-0516)..... −2,176,000

(19) Amount payable from the Federal Trust Fund (Item 3600-001-0890)..... −52,718,000

(20) Amount payable from the Special Deposit Fund (Item 3600-001-0942)..... −1,604,000

(21) Amount payable from the Hatchery and Inland Fisheries Fund (Item 3600-001-3103)..... −20,586,000

(21.5) Amount payable from the Alternative and Renewable Fuel and Vehicle Technology Fund (Item 3600-001-3117)..... −900,000

(24) Amount payable from the Interim Water Supply and Water Quality Infrastructure and Management Subaccount (Item 3600-001-6027)..... −2,193,000

(26) Amount payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Item 3600-001-6051)..... ~~−41,561,000~~ *−28,453,000*

(27) Amount payable from the Salton Sea Restoration Fund (Item 3600-001-8018)..... −8,179,000

(28) Amount payable from the California Sea Otter Fund (Item 3600-001-8047)..... −139,000

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 (8) and (19). 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 (8) and (19) shall be used in repayment of any funds used to meet current obligations pursuant to this provision.

2. The funds appropriated in this item for purposes of subdivision (n) of Section 75050 of the Public Resources Code shall continue only so long as the United States Bureau of Reclamation continues to provide federal funds and continues to carry out federal actions to implement the settlement agreement in Natural Resources Defense Council v. Rodgers (2005) 381 F.Supp.2d 1212.

3. Of the funds appropriated in this item, $1,000,000 shall be used for implementation of Chapter 685 of the Statutes of 2005.

SEC. 133. Item 3600-001-0005 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~1,042,000~~
500,000

SEC. 134. Item 3600-001-0200 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~98,880,000~~
129,621,000

Provisions:

1. The Department of Fish and Game shall notify the Joint Legislative Budget Committee and the fiscal and appropriate policy committees of each house of the

Legislature if the use of the funds appropriated in this item results in the loss of federal funds.

SEC. 135. Item 3600-001-0235 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~2,467,000~~
2,105,000

SEC. 136. Item 3600-001-0320 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~24,675,000~~
25,555,000

SEC. 137. Item 3600-001-0404 of Section 2.00 of the Budget Act of 2009 is repealed.

~~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..... 58,000~~

SEC. 138. Item 3600-001-3117 is added to Section 2.00 of the Budget Act of 2009, to read:

3600-001-3117—For support of Department of Fish and Game, for payment to Item 3600-001-0001, payable from the Alternative and Renewable Fuel and Vehicle Technology Fund..... 900,000

Provisions:

1. Notwithstanding any other provision of law, the Department of Fish and Game may use moneys in the Alternative and Renewable Fuel and Vehicle Technology Fund to retrofit diesel vehicles to comply with regulations of the State Air Resources Board.

2. The funds appropriated in this item by the act adding this provision shall be paid only from revenues in the fund that are attributable to revenues other than fines, penalties, or any other source that is a General Fund revenue of the state.

SEC. 139. Item 3600-001-6051 of Section 2.00 of the Budget Act of 2009 is amended to read:

3600-001-6051—For support of Department of Fish and Game, for payment to Item 3600-001-0001, payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006..... ~~41,561,000~~
28,453,000

Provisions:

1. The additional sum of $22,022,000 is hereby appropriated from subdivision (a) of Section 75050 of the Public Resources Code for the Ecosystem Restoration Program upon the signing into law of a new Bay-Delta governance structure.

2. Of the funds appropriated in this item, a minimum of $8,914,000 shall be used for development of the Bay-Delta Conservation Plan.

SEC. 140. Item 3600-101-0320 of Section 2.00 of the Budget Act of 2009 is amended to read:

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.... ~~2,221,000~~
1,341,000

SEC. 141. Item 3600-101-0516 is added to Section 2.00 of the Budget Act of 2009, to read:

3600-101-0516—For local assistance, Department of Fish and Game, payable from the Harbors and Watercraft Revolving Fund..... 250,000

Provisions:

1. Notwithstanding any other provision of law, the amount appropriated in this item shall be used by the San Francisco Bay area multicounty response effort for a regional inspection pilot program to identify and control quagga mussel infestations.

2. The funds appropriated in this item by the act adding this provision shall be paid only from revenues in the fund that are attributable to revenues other than fines, penalties, or any other source that is a General Fund revenue of the state.

SEC. 142. Item 3600-497 is added to Section 2.00 of the Budget Act of 2009, to read:

3600-497—Reversion, Department of Fish and Game. As of June 30, 2009, the balances specified below of the appropriations provided in the following citations shall revert to the funds from which the appropriations were made:

6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002

(1) Item 3600-001-6031, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)..... 2,773,000

(2) Item 3600-001-6031, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)..... 7,227,000

SEC. 143. Item 3640-491 is added to Section 2.00 of the Budget Act of 2009, to read:

3640-491—Reappropriation, Wildlife Conservation Board. 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 as specified below:

0262—Habitat Conservation Fund

(1) Item 3640-301-0262, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

(1) 80.10-Wildlife Conservation Board Projects (Unscheduled) until June 30, 2012

0447—Wildlife Restoration Fund

(1) Item 3640-301-0447, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

(1) 80.10.010-Minor Projects until June 30, 2010

6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002

(1) Item 3640-311-6031, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), until June 30, 2012

SEC. 144. Item 3640-492 is added to Section 2.00 of the Budget Act of 2009, to read:

3640-492—Reappropriation, Wildlife Conservation Board. Notwithstanding any other provision of law, the period to liquidate encumbrances in the following citations is extended until June 30, 2011:

0262—Habitat Conservation Fund

(1) Item 3640-301-0262, Budget Act of 2004 (Ch. 208, Stats. 2004)

(1) 80.10-Wildlife Conservation Board Projects (Unscheduled)

6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002

(1) Item 3640-311-6031, Budget Act of 2004 (Ch. 208, Stats. 2004)

SEC. 145. Item 3640-495 is added to Section 2.00 of the Budget Act of 2009, to read:

3640-495—Reversion, Wildlife Conservation Board. As of June 30, 2009, the amounts specified below of the appropriations provided for in the following citations shall revert to the funds from which the appropriations were made:

0001—General Fund

(1) $1,535,000 from Item 3640-301-0001, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

SEC. 146. Item 3680-101-0516 of Section 2.00 of the Budget Act of 2009 is amended to read:

3680-101-0516—For local assistance, Department of Boating and Waterways, payable from the Harbors and Watercraft Revolving Fund..... 30,600,000

Schedule:

(1) 10-Boating Facilities..... ~~22,943,000~~ *24,193,000*

(a) Launching Facility Grants..... (3,727,000)

(1) Balls Ferry BLF..... (631,000)

(2) Black Point BLF..... (506,000)

(3) El Dorado Beach BLF..... (420,000)

(4) Floating Restrooms..... (500,000)

(5) Non-Motorized Boat Launching Facilities..... (100,000)

(6) Ramp Repair & Modification..... (550,000)

(7) Signs..... (20,000)

(8) Reimbursement Grants..... (1,000,000)

(b) Public Small Craft Harbor Loans..... (13,773,000)

(1) Coyote Point Marina..... (1,966,000)

(2) Santa Barbara Harbor..... (4,812,000)

(3) San Francisco Marina—West Harbor..... (6,995,000)

(c) Private Loans..... (3,500,000)

(d) Clean Vessel Act Grant Program.... (843,000)

(e) Boating Trails..... (1,000,000)

(f) Boating Infrastructure Grant Program..... ~~(100,000)~~ *1,350,000*

(2) 20-Boating Operations..... 13,600,000

(3) 30-Beach Erosion Control..... ~~8,350,000~~ *12,550,000*

(4) Reimbursements..... −1,350,000

(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)..... ~~−4,443,000~~ *−5,693,000*

(7) Amount payable from the Public Beach Restoration Fund (Item 3680-101-3001)..... ~~−8,000,000~~ *−12,200,000*

Provisions:

1. Of the funds appropriated in Schedule (2), Program 20-Boating Operations, $10,600,000 is for boating safety and enforcement programs pursuant to Section 663.7 of the Harbors and Navigation Code.

SEC. 147. Item 3680-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

3680-101-0890—For local assistance, Department of Boating and Waterways, for payment to Item 3680-101-0516, payable from the Federal Trust Fund..... ~~4,443,000~~ *5,693,000*

Provisions:

1. Of the amount appropriated in this item, $2,500,000 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~~ *Department of Boating and Waterways'* 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.

SEC. 148. Item 3680-101-3001 of Section 2.00 of the Budget Act of 2009 is amended to read:

3680-101-3001—For local assistance, Department of Boating and Waterways, for payment to Item 3680-101-0516, payable from the Public Beach Restoration Fund..... ~~8,000,000~~ *12,200,000*

Provisions:

1. Notwithstanding any other provision of law, the funds appropriated in this item shall be available for expenditure until June 30, 2012.
2. *The increase in funds appropriated in this item by the act adding this provision shall be paid only from revenues in the fund that are attributable to revenues other than fines, penalties, or any other source that is a General Fund revenue of the state.*

SEC. 149. Item 3760-001-0140 of Section 2.00 of the Budget Act of 2009 is amended to read:

3760-001-0140—For support of State Coastal Conservancy, for payment to Item 3760-001-0565, payable from the California Environmental License Plate Fund..... ~~1,168,000~~ *1,425,000*

SEC. 150. Item 3760-001-0565 of Section 2.00 of the Budget Act of 2009 is amended to read:

3760-001-0565—For support of State Coastal Conservancy, payable from the State Coastal Conservancy Fund..... 3,193,000

Schedule:

(1) 15-Coastal Resource Development..... 4,505,000

(2) 25-Coastal Resource Enhancement..... ~~6,743,000~~
7,000,000
(3) 90.01-Administration and Support..... 3,749,000
(4) 90.02-Distributed Administration..... −3,749,000
(5) Reimbursements..... −382,000
(6) Amount payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Item 3760-001-0005)..... −1,551,000
(7) Amount payable from the California Environmental License Plate Fund (Item 3760-001-0140)..... ~~−1,168,000~~
−1,425,000
(8) Amount payable from the Federal Trust Fund (Item 3760-001-0890)..... −135,000
(9) Amount payable from the San Francisco Bay Area Conservancy Program Account, State Coastal Conservancy Fund (Item 3760-001-0316)..... −470,000
(10) Amount payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Item 3760-001-6029)..... −2,068,000
(11) Amount payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Item 3760-001-6031)..... −736,000
(12) Amount payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Item 3760-001-6051)..... −1,167,000
(13) Amount payable from California Ocean Protection Trust Fund (Item 3760-001-6076)..... −250,000
(14) Amount payable from the California Sea Otter Fund (Item 3760-001-8047)..... −128,000

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.

SEC. 151. Item 3760-301-0262 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~4,000,000~~ *6,000,000*

(2) Reimbursements..... −2,000,000

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 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.

4. Funds appropriated in this item are in lieu of the amount that otherwise would have been appropriated for the ~~department~~ *State Coastal Conservancy*, pursuant to *subdivision (b) of* Section ~~2787(b)~~ *2787* of the Fish and Game Code.

SEC. 152. Item 3760-301-0371 of Section 2.00 of the Budget Act of 2009 is amended to read:

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~~ *1,400,000*

(2) Reimbursements..... −1,000,000

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, 2012.

SEC. 153. Item 3760-301-0593 of Section 2.00 of the Budget Act of 2009 is amended to read:

3760-301-0593—For capital outlay, State Coastal Conservancy, payable from the Coastal Access Account, State Coastal Conservancy Fund..... 500,000

Schedule:

(1) 80.00.020-Public Access..... ~~500,000~~ *1,500,000*

(2) Reimbursements..... −1,000,000

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, 2012.

SEC. 154. Item 3760-301-6051 of Section 2.00 of the Budget Act of 2009 is amended to read:

3760-301-6051—For capital outlay, State Coastal Conservancy, payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection ~~Bond Act~~ *Fund* of 2006..... 78,317,000

Schedule:

(1) 80.97.030-Conservancy Programs..... ~~79,317,000~~ *81,317,000*

(2) Reimbursements..... ~~−1,000,000~~
−3,000,000

Provisions:

1. The amount appropriated in this item is available for encumbrance for either capital outlay or local assistance until June 30, 2012.
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.
   (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.

SEC. 155. Item 3760-301-6076 of Section 2.00 of the Budget Act of 2009 is amended to read:

3760-301-6076—For capital outlay, State Coastal Conservancy, payable from the California Ocean Protection Trust Fund..... 26,750,000

Schedule:

(1) 80.07.070-Ocean Protection Council.... ~~27,550,000~~
27,750,000

(2) Reimbursements..... ~~−800,000~~
−1,000,000

Provisions:

1. The amount appropriated in this item is available for encumbrance for either capital outlay or local assistance until June 30, 2012.
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.
   (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.
3. *Of the funds provided in this item for the Ocean Protection Council, $4,400,000 shall be allocated to the Department of Fish and Game for state operations through an interagency agreement for the purpose of Marine Life Protection Act implementation.*

SEC. 156. Item 3760-495 is added to Section 2.00 of the Budget Act of 2009, to read:

3760-495—Reversion, State Coastal Conservancy. As of June 30, 2009, the amounts specified below of the appropriations provided in the following citations shall revert to the funds from which the appropriations were made:

6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002

(1) Item 3760-301-6031, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

(1) 80.97.030-Conservancy Programs..... 500,000

SEC. 157. Item 3790-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

3790-001-0001—For support of Department of Parks and Recreation..... 143,408,000

Schedule:

(1) For support of the Department of Parks and Recreation..... ~~438,089,000~~ *438,137,000*

(2) Reimbursements..... −45,744,000

(3) Less funding provided by capital outlay..... −4,000,000

(4) Amount payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Item 3790-001-0005)..... −5,179,000

(5) Amount payable from the California Environmental License Plate Fund (Item 3790-001-0140)..... −3,113,000

(6) Amount payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund (Item 3790-001-0235)..... ~~−9,699,000~~ *−8,445,000*

(7) Amount payable from the Off-Highway Vehicle Trust Fund (Item 3790-001-0263)..... ~~−54,940,000~~ *−54,607,000*

(8) Amount payable from the State Parks and Recreation Fund (Item 3790-001-0392)..... −125,889,000

(9) Amount payable from the Winter Recreation Fund (Item 3790-001-0449)..... −364,000

(10) Amount payable from the Harbors and Watercraft Revolving Fund (Item 3790-001-0516)..... −1,263,000

(11) Amount payable from the Federal Trust Fund (Item 3790-001-0890)..... −6,488,000

(11.5) Amount payable from the Alternative and Renewable Fuel and Vehicle Technology Fund (Item 3790-001-3117) ..... −1,635,000

(12) Amount payable from the California Main Street Program Fund (Item 3790-001-3077)..... −175,000

(13) Amount payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Item 3790-001-6029)..... −4,663,000

(14) Amount payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Item 3790-001-6031)..... −445,000

(15) Amount payable from Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Item 3790-001-6051)..... −32,501,000

(16) Amount payable from Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Item 3790-002-6051)..... −4,000

(17) Amount payable from Disaster Preparedness and Flood Prevention Bond Fund of 2006 (Item 3790-001-6052)..... −214,000

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 3.7 percent of each project's allocation, except to the extent otherwise restricted by law, to allow the department to administer its grants. Those funds shall be available for encumbrance or expenditure until June 30, 2015.

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.

3. 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 Department of Parks and Recreation, 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, 2010.

(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 chairpersons of the committees in each house of the Legislature that consider 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.

4. The Department of Parks and Recreation is authorized to enter into a contract for fee collection and other services required by the department with a cooperative association that has and will continue to fund state employees on an ongoing basis.
5. Of the amount appropriated in Schedule (2), $11,300,000 shall be available for encumbrance or expenditure until June 30, 2011.
6. Of the amount appropriated in Schedule (15), $15,725,000 shall be available for encumbrance or expenditure until June 30, 2011.
7. Of the amount appropriated in Schedule (15), $8,000,000 shall be available for encumbrance or expenditure for the purposes of implementing the Department of Parks and Recreation's multiyear plan to comply with the Americans with Disabilities Act until June 30, 2012.

SEC. 158. Item 3790-001-0235 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~9,699,000~~
8,445,000

SEC. 159. Item 3790-001-0263 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~54,940,000~~
54,607,000

SEC. 160. Item 3790-001-3117 is added to Section 2.00 of the Budget Act of 2009, to read:

3790-001-3117—For support of Department of Parks and Recreation, for payment to Item 3790-001-0001, payable from the Alternative and Renewable Fuel and Vehicle Technology Fund..... 1,635,000

Provisions:

1. Notwithstanding any other provision of law, the Department of Parks and Recreation may use Alternative and Renewable Fuel and Vehicle Technology Funds to retrofit diesel vehicles to comply with State Air Resources Board regulations.

2. The funds appropriated in this item by the act adding this provision shall be paid only from revenues in the fund that are attributable to revenues other than fines, penalties, or any other source that is a General Fund revenue of the state.

SEC. 161. Item 3790-101-0005 is added to Section 2.00 of the Budget Act of 2009, to read:

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 39,795,000

Schedule:

(1) 80.25-Recreational Grants..... 39,795,000

(a) Competitive Grants (Non-project specific)..... (40,000)

(1) Non-motorized Trails Grants..... (40,000)

(a) San Dieguito River Park Joint Powers Authority..... (40,000)

(b) Soccer and Baseball Fields..... (375,000)

(1) City of Los Angeles: Boyle Heights Sports Center for development of sports fields, both soccer and baseball..... (300,000)

(2) City of Montclair: Soccer Park..... (75,000)

(c) Per Capita..... (371,000)

(1) County of San Diego: Otay Valley Regional Park..... (371,000)

(d) Roberti-Z'berg-Harris..... (38,269,000)

(e) Zoos and Aquariums..... (740,000)

Provisions:

1. The amounts displayed in this item represent the balances as of December 31, 2008. The Director of Finance may adjust these amounts to the extent indicated by reports of past expenditures identified and made prior to June 30, 2009.

2. Funds available in Schedule (1)(a) shall be allocated consistent with the balance available at time of reversion of Schedule (a)(1)(c) of Item 3790-102-0005, Budget Act of 2000 (Ch. 52, Stats. 2000), and as reappropriated by Item 3790-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), and allocated pursuant to the provisions of the Competitive Grants (Non-project specific) at the time of the original appropriation.

3. Funds available in Schedule (1)(b)(1) shall be allocated consistent with the balance available at time of reversion of Schedule (a)(6c)(r) of Item 3790-102-0005, Budget Act of 2000 (Ch. 52, Stats. 2000), and as reappropriated by Item 3790-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), and allocated pursuant to the provisions of the regional youth soccer and baseball facilities at the time of the original appropriation.

4. Funds available in Schedule (1)(b)(2) shall be allocated consistent with the balance available at time of reversion of Schedule (3)(b) of Item 3790-101-0005, Budget Act of 2001 (Ch. 106, Stats. 2001), and allocated pursuant to the provisions of the regional youth soccer and baseball facilities at the time of the original appropriation.

5. Funds available in Schedule (1)(c) shall be allocated consistent with the balance available at time of reversion of Item 3790-103-0005 Grants (per capita), Budget Act of 2000 (Ch. 52, Stats. 2000), and as reappropriated by Item 3790-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), and allocated pursuant to

the provisions of the per capita grants at the time of the original appropriation.

6. Funds available in Schedule (1)(d) shall be allocated consistent with balances available at time of reversion of Schedule (1)(b) of Item 3790-101-0005, Budget Act of 2001 (Ch. 106, Stats. 2001), and were allocated pursuant to the Roberti-Z'berg-Harris Urban-Open Space and Recreation Program Act (Chapter 3.2 (commencing with Section 5620) of Division 5 of the Public Resources Code) at the time of the original appropriation.

7. Funds available in Schedule (1)(e) shall be allocated consistent with balances available at time of reversion of Schedule (1)(d) of Item 3790-101-0005, Budget Act of 2001 (Ch. 106, Stats. 2001), and were allocated pursuant to the provisions of the grants for zoos and aquariums at the time of the original appropriation.

SEC. 162. Item 3790-301-6051 of Section 2.00 of the Budget Act of 2009 is amended to read:

3790-301-6051—For capital outlay, Department of Parks and Recreation, payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006		23,270,000
Schedule:		
(1) 90.64.101-Eastshore SP: Brickyard Cove Development—Working drawings	833,000	
(2) 90.6F.104-Angel Island SP: Immigration Station Hospital Rehabilitation—Preliminary plans	309,000	
(3) 90.8G.104-Marshall Gold Discovery SHP: Park Improvements—Working drawings	735,000	
(4) 90.8Y.101-Grover Hot Springs SP: Renovate Pool Complex—Preliminary plans	531,000	

(5) 90.CT.100-Fort Ord Dunes SP: New Campground and Beach Access—Preliminary plans..... 1,198,000

(6) 90.EF.101-El Capitan SB: Construct New Lifeguard Headquarters—Preliminary plans..... 591,000

(7) 90.FO.102-Leo Carrillo SP: Steelhead Trout Barrier Removal—Preliminary plans and working drawings..... 380,000

(8) 90.GG.102-Silverwood Lake SRA: Nature Center Exhibits—Preliminary plans and working drawings..... 380,000

(9) 90.H6.102-Cuyamaca Rancho SP: Equestrian Facilities—Construction..... 3,031,000

(10) 90.IJ.103-Old Town San Diego SHP: Building Demolition and Immediate Public Use Facilities—Preliminary plans..... 436,000

(11) 90.KZ.104-Los Angeles SHP: Site Development/Planning and Phase I Build Out—Working drawings..... 3,355,000

(12) 90.RS.224-Statewide: State Park System Acquisition Program—Acquisition..... 8,000,000

(13) 90.RS.260-Statewide: Recreational Trails ~~Program—Minors~~ *Program—Minor Projects*..... 433,000

(14) 90.RS.601-Statewide: Budget ~~Development—Study~~ *Development—Studies*.... 300,000

(15) 90.RS.205-Statewide: State Park System Minor Capital Outlay ~~Program—Minors~~ *Program—Minor Projects*..... 2,523,000

(16) 90.RS.235-Statewide: Volunteer Enhancement ~~Program—Minors~~ *Program—Minor Projects*..... 615,000

(17) 90.RS.810-Statewide: Capitol Outlay Projects—Acquisition, preliminary plans, working drawings, construction, and minor projects..... 3,000,000

(18) Reimbursement—Statewide: Capital Outlay Projects..... −3,000,000

(19) Reimbursement—Leo Carrillo SP: Steelhead Trout Barrier Removal..... −380,000

Provisions:

1. Notwithstanding any other provision of law, the funds appropriated in this item shall be available for expenditure until June 30, 2013, except appropriations for preliminary plans and working drawings, which shall be available for expenditure until June 30, 2011, and minor capital outlay and studies, which shall be available for expenditure until June 30, 2010. In addition, the balance of each appropriation made in this item 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, 2010, shall revert as of that date to the fund from which the appropriation was made.

SEC. 163. Item 3790-490 of Section 2.00 of the Budget Act of 2009 is amended to read:

3790-490—Reappropriation, Department of Parks and Recreation. The ~~balances of the appropriations provided~~ *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, 2010 ~~for the purposes and subject to the limitations, unless otherwise specified, provided for in the following appropriations~~:

0263—Off-Highway Vehicle Trust Fund

(1) $6,476,000 from Item 3790-001-0263, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for support of the Department of Parks and Recreation

6051—Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection ~~Bond Act~~ *Fund of 2006*

~~Schedule:~~

(1) $1,804,000 from Item 3790-001-6051, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for natural heritage stewardship projects~~.~~

(2) $1,169,000 from Item 3790-001-6051, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for cultural stewardship projects~~.~~

(3) $1,458,000 from Item 3790-001-6051, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for interpretive exhibit projects~~.~~

(4) $1,907,000 from Item 3790-001-6051, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for statewide general planning projects~~.~~

SEC. 164. Item 3790-491 is added to Section 2.00 of the Budget Act of 2009, to read:

3790-491—Reappropriation, Department of Parks and Recreation. The balances of the appropriations provided in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided in the following appropriations:

0005—Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund

(1) Item 3790-301-0005, Budget Act of 2000 (Ch. 52, Stats. 2000), as reappropriated by Item 3790-490, Budget Acts of 2001 (Ch. 106, Stats. 2001), 2003 (Ch. 157, Stats. 2003), and 2006 (Chs. 47 and 48, Stats. 2006)

(15) 90.CO.402-Henry W. Coe SP: Mount Hamilton—Acquisition

(20) 90.C9.100-Montana De Oro SP: Irish Hills—Acquisition

(2) Item 3790-301-0005, Budget Act of 2003 (Ch. 157, Stats. 2003), as reappropriated by Item 3790-491, Budget Acts of 2004 (Ch. 208, Stats. 2004) and 2006 (Chs. 47 and 48, Stats. 2006), as reverted by Item 3790-496, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), and Item 3790-495, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

(12) 90.2W.101-Prairie Creek Redwoods SP: Public Use Improvements—Construction

(3) Item 3790-301-0005, Budget Act of 2004 (Ch. 208, Stats. 2004), as reappropriated by Item 3790-491, Budget Acts of 2005 (Chs. 38 and 39, Stats. 2005), 2006 (Chs. 47 and 48, Stats. 2006), 2007 (Chs. 171 and 172, Stats. 2007), and 2008 (Chs. 268 and 269, Stats. 2008)

(.1) 90.EX.101-Malibu Creek SP: Restore Sepulveda Adobe—Working drawings and construction

(.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 State Park: El Morro Mobilehome Park Conversion

(4) Item 3790-301-0005, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), as reappropriated by Item 3790-491, Budget Acts of 2006 (Chs. 47 and 48, Stats. 2006), 2007 (Chs. 171 and 172, Stats. 2007), and 2008 (Chs. 268 and 269, Stats. 2008)

(1.1) 90.EX.101-Malibu Creek SP: Restore Sepulveda Adobe—Construction

(1.2) 90.E4.103-Chino Hills SP: Visitor Center—Construction

(3) 90.I6.101-San Elijo State Beach: Replace Main Lifeguard Tower—Preliminary plans and working drawings

(5) Item 3790-301-0005, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), as reappropriated by Item 3790-491, Budget Acts of 2007 (Chs. 171 and 172, Stats. 2007) and 2008 (Chs. 268 and 269, Stats. 2008)

(3) 90.I6.101-San Elijo SB: Replace Main Lifeguard Tower—Construction and equipment

(6) Item 3790-301-0005, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), as reappropriated by Item 3790-491, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

(1.5) 90.I6.101-San Elijo SB: Replace Main Lifeguard Tower—Construction

(2) 90.RS.205-Statewide: State Park System—Minor projects

(7) Item 3790-301-0005, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

(1) 90.RS.205-Statewide: State Park System—Minor projects

0263—Off-Highway Vehicle Trust Fund

(1) Item 3790-301-0263, Budget Act of 2003 (Ch. 157, Stats. 2003), as reappropriated by Item 3790-491, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and as reverted by Item 3790-495, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

(2.5) 90.RS.423-Statewide: OHV Park and Buffer Acquisition Projects—Acquisition

(2) Item 3790-301-0263, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

(2) 90.RS.405-Statewide OHV Opportunity Purchase/Budget Package/Schematic Planning—Acquisition and study

(3) Item 3790-301-0263, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

(1) 90.A7.105-Prairie City SVRA: 4x4 Improvements—Preliminary plans and working drawings

(2) 90.7C.102-Oceano Dunes SVRA: Visitor Center and Storage—Preliminary plans

(4) 90.RS.206-Statewide: OHV Minor Projects

0890—Federal Trust Fund

(1) Item 3790-301-0890, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), as reappropriated by Item 3790-491, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

(0.5) 90.I6.101-San Elijo SB: Replace Lifeguard Tower—Construction

6029—California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund

(1) Item 3790-301-6029, Budget Act of 2003 (Ch. 157, Stats. 2003), as reappropriated by Item 3790-491, Budget Acts of 2004 (Ch. 208, Stats. 2004) and 2006 (Chs. 47 and 48, Stats. 2006)

(2.5) 90.EC.103-Kenneth Hahn State Recreation Area: Vista Pacifica Visitor Center—Preliminary plans, working drawings, and construction

(10) 90.RS.224-Statewide: State Park System Acquisition Program—Acquisition

(18) 90.6C.101-Ano Nuevo State Reserve: Marine Education Center—Preliminary plans, working drawings, construction, and equipment

(24) Reimbursements: Ano Nuevo State Reserve: Marine Education Center

(2) Item 3790-301-6029, Budget Act of 2004 (Ch. 208, Stats. 2004), as reappropriated by Item 3790-491, Budget Acts of 2005 (Chs. 38 and 39, Stats. 2005), 2006 (Chs. 47 and 48, Stats. 2006), 2007 (Chs. 171 and 172, Stats. 2007), and 2008 (Chs. 268 and 269, Stats. 2008), as reverted by Item 3790-496, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), and as reverted by item 3790-495, Budget Acts of 2006 (Chs. 47 and 48, Stats. 2006) and 2007 (Chs. 171 and 172, Stats. 2007)

(2.2) 90.E4.104-Chino Hills SP: Entrance Road and Facilities—Working drawings

(2.6) 90.GY.101-Doheny State Beach: New Lifeguard Headquarters—Construction and equipment

(5.1) 90.8D.102-Donner Memorial SP: New Visitor Center—Working drawings, construction, and equipment

(5.7) Reimbursement—Donner Memorial SP: New Visitor Center

(3) Item 3790-301-6029, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), as reappropriated by Item 3790-491, Budget Acts of 2006 (Chs. 47 and 48, Stats. 2006), 2007 (Chs. 171 and 172, Stats. 2007), and 2008 (Chs. 268 and 269, Stats. 2008), and as reverted by Item 3790-495, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

(3) 90.E4.104-Chino Hills SP: Entrance Road and Facilities—Construction and equipment

(4) 90.FW.101-Topanga State Park: Public Use Improvements—Construction and equipment

(7) 90.3I.101-Shasta State Historic Park: Southside Ruins Stabilization—Working drawings and construction

(8) 90.6H.101-Samuel P. Taylor SP: Install New Concrete Reservoirs—Working drawings and construction

(4) Item 3790-301-6029, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), as reappropriated by Item 3790-491, Budget Acts of 2007 (Chs. 171 and 172, Stats. 2007) and 2008 (Chs. 268 and 269, Stats. 2008)

(3.5) 90.8D.102-Donner Memorial SP: New Visitor Center—Working drawings and construction

(3.8) Reimbursement—Donner Memorial SP: New Visitor Center

(5) Item 3790-301-6029, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), as reappropriated by Item 3790-491, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

(1) 90.RS.810-Statewide: Capital Outlay Projects—Acquisition, preliminary plans, construction, and minor projects

(3) Reimbursements—Statewide Capital Outlay Projects

(6) Chapter 1126 of the Statutes of 2002, as reappropriated by Item 3790-491, Budget Acts of 2005 (Chs. 38 and 39, Stats. 2005), 2006 (Chs. 47 and 48, Stats. 2006), 2007 (Chs. 171 and 172, Stats. 2007), and 2008 (Chs. 268 and 269, Stats. 2008)

(2) 90.8L.101-California Indian Museum—Studies, preliminary plans, working drawings, and construction

6051—Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006

(1) Item 3790-301-6051, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), as reappropriated by Item 3790-491, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

(3.5) 90.KZ.104-Los Angeles State Historic Park (Cornfields): Planning and Phase I Build Out—Preliminary plans

(5) 90.8I.101-Calaveras Big Trees State Park: New Visitor Center—Working drawings, construction, and equipment

(6) Reimbursements—Calaveras Big Trees State Park: New Visitor Center

(2) Item 3790-301-6051, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

(3) 90.RS.260-Statewide: Recreational Trails—Minor projects

(4) 90.RS.205-Statewide: State Park System—Minor projects

(5) 90.RS.235-Statewide: Volunteer Enhancement Program—Minor projects

(6) 90.RS.601-Statewide: Budget Development—Studies

SEC. 165. Item 3790-492 is added to Section 2.00 of the Budget Act of 2009, to read:

3790-492—Reappropriation, Department of Parks and Recreation. Notwithstanding any other provision of law, the period to liquidate encumbrances for the amounts specified in the following citations is extended as cited below:

0005—Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund

(1) $61,132 from Item 3790-001-0005, Budget Act of 2004 (Ch. 208, Stats. 2004), and reappropriated by Item 3790-492, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), for support of the Department of Parks and Recreation until June 30, 2010.

(2) $521,722 from Item 3790-001-0005, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), for support of the Department of Parks and Recreation until June 30, 2010.

(3) $422,207 from Item 3790-001-0005, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), for support of the Department of Parks and Recreation until June 30, 2011.

6029—California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund

(1) $394,850 from Item 3790-001-6029, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), for support of the Department of Parks and Recreation until June 30, 2010.

(2) $185,441 from Item 3790-001-6029, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), as reappropriated by Item 3790-490, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and reappropriated by Item 3790-490 (Chs. 171 and 172, Stats. 2007), for support of the Department of Parks and Recreation until June 30, 2011.

(3) $70,257 from Item 3790-001-6029, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), for support of the Department of Parks and Recreation until June 30, 2011.

6051—Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006

(1) $383,844 from Item 3790-001-6051, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), for support of the Department of Parks and Recreation until June 30, 2011.

SEC. 166. Item 3790-494 is added to Section 2.00 of the Budget Act of 2009, to read:

3790-494—Reappropriation, Department of Parks and Recreation. Notwithstanding any other provision of law, the period to liquidate encumbrances in the following citations is extended as cited below:

0005—Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund

(1) Item 3790-101-0005, Budget Act of 2001 (Ch. 106, Stats. 2001), until June 30, 2010

(1) 80.25-Recreational Grants

(a) Local Agencies Operating Park Units

(c) Murray-Hayden Urban Parks and Youth Services Program

(2) 80.30-Historic Preservation Grants

(a) California Heritage Program

(2) Item 3790-101-0005, Budget Act of 2001 (Ch. 106, Stats. 2001), as reappropriated by Item 3790-492, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for the City of Los Angeles, Department of Parks and Recreation for the Seoul International Park until June 30, 2011

(1) 80.25-Recreational Grants

(c) Murray-Hayden Urban Parks and Youth Services Program

(3) Item 3790-101-0005, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), for improvements to the bicycle and pedestrian trail and for bluff erosion and safety railing at Bolsa Chica State Beach until June 30, 2011

(1) 80.25-Recreational Grants

(a) Local Agencies Operating Park Units to the City of Huntington Beach

(4) Item 3790-102-0005, Budget Act of 2000 (Ch. 52, Stats. 2000), (a) 80.25-Recreational Grants, (5) Murray-Hayden Grants, as reappropriated by Item 3790-492, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), until June 30, 2010

(j) City of Los Angeles: Blythe Street Pocket Park

(m) City of Los Angeles: Renovation of Brand Park

(q) City of Los Angeles: Community Build Youth Center

(dy) City of Los Angeles: South Central Sport Center

(5) Item 3790-102-0005, Budget Act of 2000 (Ch. 52, Stats. 2000), (a) 80.25-Recreational Grants, (5) Murray-Hayden Grants, as reappropriated by Item 3790-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), until June 30, 2010

(c) City of Richmond: Richmond Natatorium, to enable seismic retrofit of the Natatorium

(p) City of Los Angeles: Juntos Park: outdoor development at a recently acquired parcel to serve as a new park

(x) City of Anaheim: Maxwell Park Expansion Project from 15 to 21 acres

(ix) Santa Monica Mountains Conservancy: Arroyo Seco/Confluence Park

(vx) YMCA of San Diego County: Border View Expansion

(7) Item 3790-102-0005, Budget Act of 2000 (Ch. 52, Stats. 2000), as amended by Section 12 of Chapter 672 of the Statutes of 2000, and as reappropriated by Item 3790-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), until June 30, 2010

(a) 80.25-Recreational Grants

(1) Murray-Hayden Grants

(ey) Concerned Citizens of South Central Los Angeles: Acquisition and construction of Antes Columbus Youth Center, soccer field, and pocket park

6029—California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund

(1) Subdivision (b) of Section 2 of Chapter 1126 of the Statutes of 2002, as reappropriated by Item 3790-494, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for the grant to the City of San Jose for the development of Japantown until June 30, 2010

(2) Subdivision (b) of Section 2 of Chapter 1126 of the Statues of 2002, as reappropriated by Item 3790-492, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), for the grant to the California State University, Chico Research Foundation for the design and construction of the Northern California Natural History Museum until June 30, 2011

(3) Subdivision (b) of Section 2 of Chapter 1126 of the Statutes of 2002, as reappropriated by Item 3790-492, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), for the grant to the Immigration Museum/New Americans until June 30, 2011

(4) Paragraph (6) of subdivision (b) of Section 4 of Chapter 1126 of the Statutes of 2002 to the City and County of San Francisco for Golden Gate Park until June 30, 2011

(5) Paragraph (7) of subdivision (b) of Section 4 of Chapter 1126 of the Statutes of 2002 to the County of Los Angeles for the El Pueblo Cultural and Performing Arts Center until June 30, 2011

SEC. 167. Item 3790-497 of Section 2.00 of the Budget Act of 2009 is amended to read:

3790-497—Reversion, Department of Parks and Recreation. Pursuant to ~~Public Resources Code~~ *subdivision (d) of* Section 5096.341 ~~(d)~~ *of the Public Resources Code*, as of June 30, 2009, the balances of the appropriations provided in the following citations shall revert to the fund from which the appropriations were made:

0005—Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund

(1) Item 3790-102-0005, Budget Act of 2000 (Ch. 52, Stats. 2000)

(a) 80.25-Recreational Grants

(1) Competitive grants (non-project specific)

(c) Non-motorized Trails Grants, as partially reappropriated by Item 3790-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for a grant to the San Dieguito River Park Joint Powers Authority

(6c) Soccer and baseball fields, as partially reappropriated by Item 3790-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), (a) 80.25 Recreational Grants, (6c) Soccer and baseball fields, (r) City of Los Angeles, Boyle Heights Sports Center for development of sports fields for both soccer and baseball as amended by SB 1681, Section 12 of Chapter 672, Statutes of 2000

(2) Item 3790-103-0005, Budget Act of 2000 (Ch. 52, Stats. 2000), Grants (per capita), as partially reappropriated by Item 3790-490 of the Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), (4) Item 3790-103-0005, Budget Act of 2000 (Ch. 52, Stats. 2000), Grants (per capita), County of San Diego for the $1,855,000 grant for the Otay Valley Regional Park

(3) Item 3790-101-0005, Budget Act of 2001 (Ch. 106, Stats. 2001)

(1) 80.25-Recreational Grants

(b) Roberti-Z'berg Harris, and as partially reappropriated by Item 3790-490, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), (2) Item 3790-101-0005, Budget Act of 2001 (Ch. 106, Stats. 2001), (1) 80.25 Recreational Grants, (b) Roberti-Z'berg Harris. This reappropriation is limited to a $328,770 grant to the County of Butte.

(4) Item 3790-101-0005, Budget Act of 2001 (Ch. 106, Stats. 2001)

(1) 80.25 Recreational Grants

(d) Zoos and Aquariums

(5) Item 3790-101-0005, Budget Act of 2001 (Ch. 106, Stats. 2001)

(3) 80.28-Local Projects

(a) City and County of San Francisco: Youngblood Coleman Soccer Field

(b) City of Montclair: Soccer Park

(c) Major League Baseball Urban Youth Foundation: Major League Baseball Academy

SEC. 168. Item 3810-001-0140 of Section 2.00 of the Budget Act of 2009 is amended to read:

3810-001-0140—For support of Santa Monica Mountains Conservancy, payable from the California Environmental License Plate Fund		~~247,000~~ *297,000*
Schedule:		
(1) 10-Santa Monica Mountains Conservancy	~~1,235,000~~ *1,285,000*	
(2) Amount payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Item 3810-001-6029)	−255,000	
(3) Amount payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Item 3810-001-6031)	−245,000	

(4) Amount payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Item 3810-001-6051)..... −488,000

Provisions:

1. (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 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.

SEC. 169. Item 3810-301-6031 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... 35,000

Schedule:

~~1.~~

(1) 50.20-Capital Outlay and Local Assistance..... 35,000

Provisions:

1. The Santa Monica Mountains Conservancy may encumber funds for either capital outlay or local assistance grants until June 30, 2012. 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 Conservancy shall follow the instructions of the Attorney General with respect to recovery, refund, or other settlement.

SEC. 170. Item 3810-491 is added to Section 2.00 of the Budget Act of 2009, to read:

3810-491—Reappropriation, Santa Monica Mountains Conservancy. Notwithstanding any other provision of law, the period to liquidate encumbrances of the appropriations in the following citations are extended as specified:

0005—Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund

(1) Item 3810-301-0005, Budget Act of 2004 (Ch. 208, Stats. 2004), until June 30, 2011

(1) 50.20.001-Capital Outlay Acquisitions

0941—Santa Monica Mountains Conservancy Fund

(1) Reimbursements to Item 3810-301-0941, Budget Act of 2000 (Ch. 52, Stats. 2000), as reappropriated by Item 3810-490, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), and as reappropriated by Item 3810-491, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), until June 30, 2010

6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002

(1) Item 3810-301-6031, Budget Act of 2004 (Ch. 208, Stats. 2004), until June 30, 2011

(1) 50.20.001-Capital Outlay Acquisitions

SEC. 171. Item 3850-301-0005 is added to Section 2.00 of the Budget Act of 2009, to read:

3850-301-0005—For capital outlay, Coachella Valley Mountains Conservancy, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund..... 343,000

Schedule:

(1) 20-Coachella Valley Mountains Conservancy Acquisition and Enhancement Projects and Costs..... 343,000

Provisions:

1. The funds appropriated in this item are available for expenditure for capital outlay or local assistance until June 30, 2012.

SEC. 172. Item 3850-301-6029 is added to Section 2.00 of the Budget Act of 2009, to read:

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..... 456,000

Schedule:

(1) 20-Coachella Valley Mountains Acquisition and Enhancement Projects and Costs..... 456,000

Provisions:

1. The funds appropriated in this item are available for expenditure for capital outlay or local assistance until June 30, 2012.

SEC. 173. Item 3850-301-6051 is added to Section 2.00 of the Budget Act of 2009, to read:

3850-301-6051—For capital outlay, Coachella Valley Mountains Conservancy, payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006..... 6,000,000

Schedule:

(1) 20-Coachella Valley Mountains Acquisition and Enhancement Projects and Costs..... 6,000,000

Provisions:

1. The funds appropriated in this item are available for expenditure for capital outlay or local assistance until June 30, 2012.

SEC. 174. Item 3855-001-0140 of Section 2.00 of the Budget Act of 2009 is amended to read:

3855-001-0140—For support of Sierra Nevada Conservancy, payable from the California Environmental License Plate Fund..... ~~3,732,000~~ *4,232,000*

Schedule:

(1) 10-Sierra Nevada Conservancy..... ~~4,454,000~~ *4,954,000*

(2) Reimbursements..... −200,000

(3) Amount payable from Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Item 3855-001-6051)..... −522,000

SEC. 175. Item 3855-490 is added to Section 2.00 of the Budget Act of 2009, to read:

3855-490—Reappropriation, Sierra Nevada Conservancy. Notwithstanding any other provision of law, the period to liquidate encumbrances of the following citation is extended to June 30, 2012:

6051—Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006

(1) Item 3855-101-6051, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

SEC. 176. Item 3860-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

3860-001-0001—For support of Department of Water Resources		~~70,127,000~~ *63,127,000*
Schedule:		
(1) 10-Continuing Formulation of the California Water Plan	~~87,472,000~~ *94,093,000*	
(2) 20-Implementation of the State Water Resources Development System	5,360,000	
(3) 30-Public Safety and Prevention of Damage	~~148,345,000~~ *156,725,000*	
(4) 35-Central Valley Flood Protection Board	~~8,549,000~~ *6,359,000*	
(5) 40-Services	9,660,000	
(6) 45-California Energy Resources Scheduling (CERS)	26,098,000	
(7) 50.01-Management and Administration	67,155,000	
(8) 50.02-Distributed Management and Administration	−67,155,000	
(9) Reimbursements	~~−45,591,000~~ *−53,591,000*	
(10) Amount payable from the California Environmental License Plate Fund (Item 3860-001-0140)	~~−270,000~~ *−330,000*	

(11) Amount payable from the Central Valley Project Improvement Subaccount (Item 3860-001-0404)..... ~~−1,578,000~~ *−709,000*

(12) Amount payable from the Feasibility Projects Subaccount (Item 3860-001-0445)..... −7,000

(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)..... −2,564,000

(15) Amount payable from the Local Projects Subaccount (Item 3860-001-0543)..... −101,000

(16) Amount payable from the Sacramento Valley Water Management and Habitat Protection Subaccount (Item 3860-001-0544)..... −27,000

(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)..... ~~−13,922,000~~ *−19,242,000*

(19) Amount payable from the Dam Safety Fund (Item 3860-001-3057)..... ~~−11,311,000~~ *−11,611,000*

(20) Amount payable from the Department of Water Resources Electric Power Fund (Item 3860-001-3100)..... −26,098,000

(21) Amount payable from the Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Bond Fund (Item 3860-001-6001)..... −1,029,000

(22) Amount payable from the Flood Protection Corridor Subaccount (Item 3860-001-6005)..... −150,000

(23) Amount payable from the Urban Stream Restoration Subaccount (Item 3860-001-6007)..... −33,000

(24) Amount payable from the Yuba Feather Flood Protection Subaccount (Item 3860-001-6010)..... −281,000

(25) Amount payable from the Water Conservation Account (Item 3860-001-6023)..... −849,000

(26) Amount payable from the Conjunctive Use Subaccount (Item 3860-001-6025)..... −1,503,000

(27) Amount payable from the Bay-Delta Multipurpose Water Management Subaccount (Item 3860-001-6026)..... −5,966,000

(28) Amount payable from the Interim Water Supply and Water Quality Infrastructure and Management Subaccount (Item 3860-001-6027)..... −2,796,000

(29) Amount payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Item 3860-001-6031)..... −16,082,000

(30) Amount payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Item 3860-001-6051)..... −4,143,000

(31) Amount payable from the Disaster Preparedness and Flood Prevention Bond Fund of 2006 (Item 3860-001-6052)..... ~~−80,736,000~~

−87,736,000

Provisions:

1. The amounts appropriated in Items 3860-001-0001 to 3860-001-6052, 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.

2. The funds appropriated in this item for purposes of subdivision (n) of Section 75050 of the Public Resources Code may be expended only so long as the United States Bureau of Reclamation continues to provide federal funds and continues to carry out federal actions to implement the settlement agreement in Natural Resources Defense Council v. Rodgers (2005) 381 F.Supp.2d 1212.

SEC. 177. Item 3860-001-0140 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~270,000~~
330,000

SEC. 178. Item 3860-001-0404 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~1,578,000~~
709,000

SEC. 179. Item 3860-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

3860-001-0890—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Federal Trust Fund..... ~~13,922,000~~
19,242,000

SEC. 180. Item 3860-001-3057 of Section 2.00 of the Budget Act of 2009 is amended to read:

3860-001-3057—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Dam Safety Fund..... ~~11,311,000~~
11,611,000

Provisions:

1. The increase in funds appropriated in this item by the act adding this provision shall be paid only from revenues in the fund that are attributable to revenues other than fines, penalties, or any other source that is a General Fund revenue of the state.

SEC. 181. Item 3860-001-6052 of Section 2.00 of the Budget Act of 2009 is amended to read:

3860-001-6052—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Disaster Preparedness and Flood Prevention Bond Fund of 2006 ..... ~~80,736,000~~
87,736,000

Provisions:

1. Of the amount appropriated in this item, $11,588,000 for the California Flood SAFE Program shall be available for encumbrance or expenditure until June 30, 2012.

SEC. 182. Item 3860-101-0544 of Section 2.00 of the Budget Act of 2009 is repealed.

~~3860-101-0544—For local assistance, Department of Water Resources, payable from the Sacramento Valley Water Management and Habitat Protection Subaccount..... 8,000,000~~

SEC. 183. Item 3860-101-6025 is added to Section 2.00 of the Budget Act of 2009, to read:

3860-101-6025—For local assistance, Department of Water Resources, payable from the Conjunctive Use Subaccount..... 218,000

SEC. 184. Item 3860-101-6052 of Section 2.00 of the Budget Act of 2009 is amended to read:

3860-101-6052—For local assistance, Department of Water Resources, payable from the Disaster Preparedness and Flood Prevention Bond Fund of 2006..... ~~176,500,000~~ *181,500,000*

Provisions:

1. Of the funds appropriated in this item, $5,000,000 shall be available for planning, design, and studies for the Pajaro River Flood Control Project. Funding provided in this item is made in consideration of, and shall be contingent upon, the identification of federal American Recovery and Reinvestment Act funding for the project. To the extent the funds appropriated in this item are used for design of the project, the funds shall be considered as the state share of cost toward the nonfederal share of the Project.

SEC. 185. Item 3860-301-6052 of Section 2.00 of the Budget Act of 2009 is amended to read:

3860-301-6052—For capital outlay, Department of Water Resources, payable from the Disaster Preparedness and Flood Prevention Bond Fund of 2006..... ~~115,590,000~~ *123,840,000*

Schedule:

(1) 30.95.115-American River Flood Control Project: Common Elements.....	10,801,000
(2) 30.95.260-South Sacramento County Streams.....	~~4,351,000~~ *10,351,000*
(3) 30.95.311-Folsom Dam Modifications Project.....	67,448,000
(4) 30.95.341-System Evaluation of the State Plan of Flood Control.....	35,200,000
(5) 30.95.342-Sutter Bypass Pumping Plants Control Systems.....	7,122,000
(5.5) 30.95.343-Sutter Bypass East Water Control Structure.....	*3,992,000*
(6) 30.95.344-Knights Landing Outfall Gates Rehabilitation.....	10,273,000

(7) 30.95.345-Sacramento Yard—Soil and Groundwater Investigation and Remediation..... 5,050,000

(8) Reimbursements—Folsom Dam Modifications Project..... −20,192,000

(9) Reimbursements—South Sacramento County Streams..... ~~−1,263,000~~ *−3,005,000*

(10) Reimbursements—American River Flood Control Project: Common Elements..... −3,200,000

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 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 of the Water Code, 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 opera-

tion of the projects and for materials and necessary construction, reconstruction, relocation, or alterations to highways, railroads, bridges, power lines, 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, 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 chairpersons of the committees in each house of the Legislature that consider appropriations and the Chairperson of the Joint Legislative Budget Committee, within 30 days or such lesser time as the ~~Chairperson~~ *chairperson* of the ~~Joint Legislative Budget Committee~~ *joint committee*, or his or her designee, may determine, prior to any transfer.

6. Payments from a local sponsor to pay for obligations that are federal obligations may be received by the Department of Water Resources and advanced to the federal government with the intent that the costs shall be reimbursed or eligible for credit.

SEC. 186. Item 3860-492 is added to Section 2.00 of the Budget Act of 2009, to read:

3860-492—Reappropriation, Department of Water Resources. The balances of 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, 2011:

6005—Flood Protection Corridor Subaccount

(1) Item 3860-001-6005, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for the Flood Protection Corridor Program

6010—Yuba Feather Flood Protection Subaccount

(1) Item 3860-101-6010, Budget Act of 2004 (Ch. 208, Stats. 2004), as reappropriated by Item 3860-491, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), for the Yuba Feather Flood Protection Program

6026—Bay-Delta Multipurpose Water Management Subaccount

(1) Item 3860-001-6026, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), for the CALFED Conveyance and Drinking Water Quality Programs

(2) Item 3860-001-6026, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for the CALFED Conveyance and Drinking Water Quality Programs

6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002

(1) Item 3860-101-6031, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), as reappropriated by Item 3860-491, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), for Desalinization

(2) Item 3860-001-6031, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), for the CALFED Water Quality Program

(3) Item 3860-101-6031, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for the Integrated Regional Water Management Program

6051—Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006

(1) Item 3860-001-6051, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for the Flood Protection Corridor Program

(2) Item 3860-101-6051, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for Programmatic Habitat Restoration, Flood Protection Corridor Program, and the Flood Control Project Subventions

6052—Disaster Preparedness and Flood Prevention Bond Fund of 2006

(1) Item 3860-001-6052, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), for Sediment Removal

(2) Item 3860-001-6052, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for Sycamore Creek, California Flood Plan, and the Flood Protection Corridor Program

(3) Item 3860-101-6052, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for the State-Federal Flood Control System Modifications and the Floodway Protection Corridor Program

SEC. 187. Item 3860-493 is added to Section 2.00 of the Budget Act of 2009, to read:

3860-493—Reappropriation, Department of Water Resources. Notwithstanding any other provision of law, the period to liquidate encumbrances of the following citations is extended to June 30, 2011:

0543—Local Projects Subaccount

(1) Item 3860-101-0543, Budget Act of 2000 (Ch. 52, Stats. 2000), as reappropriated by Item 3860-492, Budget Acts of 2003 (Ch. 157, Stats. 2003) and 2005 (Chs. 38 and 39, Stats. 2005), and Item 3860-491, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), for the Local Project Loan and Grant Program

(2) Item 3860-101-0543, Budget Act of 2004 (Ch. 208, Stats. 2004), as reappropriated by Item 3860-491, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), for the Local Project Loan and Grant Program

6005—Flood Protection Corridor Subaccount

(1) Item 3860-101-6005, Budget Act of 2000 (Ch. 52, Stats. 2000), as reappropriated by Item 3860-492, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), and Item 3860-491, Budget Act of 2007 (Chs. 171 and 172,

Stats. 2007), for the Flood Protection Corridor Program

6010—Yuba Feather Flood Protection Subaccount

(1) Item 3860-101-6010, Budget Act of 2002 (Ch. 379, Stats. 2002), as reappropriated by Item 3860-492, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), and Item 3860-491, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), for the Yuba Feather Flood Protection Program

6023—Water Conservation Account

(1) Item 3860-101-6023, Budget Act of 2002 (Ch. 379, Stats. 2002), as reappropriated by Item 3860-492, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), and Item 3860-491, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), for the Infrastructure Rehabilitation Program

(2) Item 3860-101-6023, Budget Act of 2004 (Ch. 208, Stats. 2004), as reappropriated by Item 3860-491, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), for the Infrastructure Rehabilitation Program and Groundwater Recharge Loan Program

6025—Conjunctive Use Subaccount

(1) Item 3860-101-6025, Budget Act of 2000 (Ch. 52, Stats. 2000), as reappropriated by Item 3860-492, Budget Acts of 2003 (Ch. 157, Stats. 2003) and 2005 (Chs. 38 and 39, Stats. 2005), and Item 3860-491, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), for the Groundwater Storage Program

(2) Item 3860-101-6025, Budget Act of 2004 (Ch. 208, Stats. 2004), as reappropriated by Item 3860-491, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), for the Groundwater Storage Program

(3) Item 3860-101-6025, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), for the Groundwater Storage Program

6026—Bay Delta Multipurpose Water Management Subaccount

(1) Item 3860-001-6026, Budget Act of 2004 (Ch. 208, Stats. 2004), as reappropriated by Item 3860-491, Budget Acts of 2005 (Chs. 38 and 39, Stats. 2005) and

2007 (Chs. 171 and 172, Stats. 2007), for the Drinking Water Quality Program

(2) Item 3860-001-6026, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), for the Drinking Water Quality 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), as reappropriated by Item 3860-492, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), and Item 3860-491, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), for the Interim Reliable Water Supply Program

(2) Item 3860-101-6027, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), for the Interim Reliable Water Supply Program

6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002

(1) Item 3860-101-6031, Budget Act of 2004 (Ch. 208, Stats. 2004), as reappropriated by Item 3860-491, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), for the Drought Panel Recommendations Program

SEC. 188. Item 3860-495 is added to Section 2.00 of the Budget Act of 2009, to read:

3860-495—Reversion, Department of Water Resources. As of June 30, 2009, the amounts provided in the following citations shall revert to the fund balances of the funds from which the appropriations were made:

6023—Water Conservation Account

(1) Item 3860-101-6023, Budget Act of 2004 (Ch. 208, Stats. 2004), as reappropriated by Item 3860-491, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), partially reverted by Item 3860-495, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)..... 1,098,393

(2) Item 3860-101-6023, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), as reap- 14,999,000

propriated by Item 3860-490, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007).....

6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002

(1) Item 3860-001-6031, Budget Act of 2003 (Ch. 157, Stats. 2003) as reappropriated by Item 3860-491, Budget Act of 2004 (Ch. 208, Stats. 2004), and Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and Item 3860-492, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)..... 25,141,445

(2) Item 3860-101-6031, Budget Act of 2003 (Ch. 157, Stats. 2003) as reappropriated by Item 3860-491, Budget Act of 2004 (Ch. 208, Stats. 2004), Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and by Item 3860-492 Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)..... 6,886,269

(3) Item 3860-001-6031, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), as reappropriated by Item 3860-492, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)..... 4,590,871

SEC. 189. Item 3900-101-6051 is added to Section 2.00 of the Budget Act of 2009, to read:

3900-101-6051—For local assistance, State Air Resources Board, payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006..... 12,000,000

Schedule:

(1) Grants..... 12,000,000

SEC. 190. Item 3900-490 is added to Section 2.00 of the Budget Act of 2009, to read:

3900-490—Reappropriation, Air Resources Board. 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 until June 30, 2010. Notwithstanding Section 16304.1 of the Government Code, the funds shall be available for disbursements in liquidation of encumbrances until June 30, 2016. This item conforms to the appropriation to Section 39626.5 of the Health and Safety Code, added by Chapter 181 of the Statutes of 2007.

6054—California Ports Infrastructure, Security and Air Quality Improvement Account, Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006

(1) Item 3900-001-6054, Budget Act of 2008 (Chs. 268 and 268, Stats. 2008)

SEC. 191. Item 3910-001-0387 of Section 2.00 of the Budget Act of 2009 is amended to read:

3910-001-0387—For support of California Integrated Waste Management Board, payable from the Integrated Waste Management Account, Integrated Waste Management Fund		45,559,000
Schedule:		
(1) 11-Waste Reduction and Management	~~93,940,000~~ *94,066,000*	
(2) 30.01-Administration	9,935,000	
(3) 30.02-Distributed Administration	−9,935,000	
(4) Reimbursements	−2,005,000	
(5) Amount payable from the California Used Oil Recycling Fund (Item 3910-001-0100)	−5,096,000	
(6) Amount payable from the California Used Oil Recycling Fund (paragraph (4) of subdivision (a) of Section 48653 of the Public Resources Code)	−192,000	

(7) Amount payable from the California Used Oil Recycling Fund (paragraph (1) of subdivision (a) of Section 48653 of the Public Resources Code)..... −3,800,000

(8) Amount payable from the California Tire Recycling Management Fund (Item 3910-001-0226)..... −29,018,000

(9) Amount payable from the Recycling Market Development Revolving Loan Account, Integrated Waste Management Fund (Item 3910-001-0281)..... −1,003,000

(10) Amount payable from the Solid Waste Disposal Site Cleanup Trust Fund (Item 3910-001-0386)..... −610,000

(11) Amount payable from the Integrated Waste Management Account, Integrated Waste Management Fund (Item 3910-006-0387)..... −640,000

(12) Amount payable from the Farm and Ranch Solid Waste Cleanup and Abatement Account (Item 3910-001-0558)..... −1,139,000

(13) Amount payable from the Federal Trust Fund (Item 3910-001-0890)..... ~~−275,000~~ *−401,000*

(14) Amount payable from the Rigid Container Account (Item 3910-001-3024)..... −165,000

(15) Amount payable from the Electronic Waste Recovery and Recycling Account (Item 3910-001-3065)..... −4,438,000

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.

SEC. 192. Item 3910-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

3910-001-0890—For support of California Integrated Waste Management Board, for payment to Item 3910-001-0387, payable from the Federal Trust Fund..... ~~275,000~~
401,000

SEC. 193. Item 3930-001-0106 of Section 2.00 of the Budget Act of 2009 is amended to read:

3930-001-0106—For support of Department of Pesticide Regulation, payable from the Department of Pesticide Regulation Fund..... ~~50,422,000~~
48,598,000

Schedule:

(1) 10-Pesticide Programs.....	~~53,444,000~~	
	52,078,000	
(2) 20.01-Administration.....	~~10,568,000~~	
	10,135,989	
(3) 20.02-Distributed Administration.....	~~−10,568,000~~	
	−10,135,989	
(4) Reimbursements.....	−765,000	
(4.5) Amount payable from the California Environmental License Plate Fund (Item 3930-001-0140).....	*−458,000*	
(5) Amount payable from the Federal Trust Fund (Item 3930-001-0890).....	−2,257,000	

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.

SEC. 194. Item 3930-001-0140 is added to Section 2.00 of the Budget Act of 2009, to read:

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..... 458,000

SEC. 195. Item 3940-001-0235 of Section 2.00 of the Budget Act of 2009 is amended to read:

3940-001-0235—For support of State Water Resources Control Board, for payment to Item 3940-001-0439, payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund..... ~~2,342,000~~
2,039,000

SEC. 196. Item 3940-001-0439 of Section 2.00 of the Budget Act of 2009 is amended to read:

3940-001-0439—For support of State Water Resources Control Board..... ~~267,394,000~~
238,113,000

Schedule:

(1)	10-Water Quality.....	~~452,124,000~~ *439,650,000*
(2)	20-Water Rights.....	11,658,000
(3)	30.01-Administration.....	20,886,000
(4)	30.02-Distributed Administration.....	−20,886,000
(5)	Reimbursements.....	~~−8,062,000~~ *−8,932,000*
(6)	Amount payable from the General Fund (Item 3940-001-0001).....	−40,575,000
(7)	Amount payable from the Unified Program Account (Item 3940-001-0028)....	−621,000
(8)	Amount payable from the Waste Discharge Permit Fund (Item 3940-001-0193).....	−78,768,000
(9)	Amount payable from the Marine Invasive Species Control Fund (Item 3940-001-0212).....	−103,000

(10) Amount payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund (Item 3940-001-0235).....	~~−2,342,000~~ *−2,039,000*
(11) Amount payable from the Integrated Waste Management Account, Integrated Waste Management Fund (Item 3940-001-0387).....	−6,757,000
(12) Amount payable from the Water Recycling Subaccount (Item 3940-001-0419).....	−1,150,000
(13) Amount payable from the Drainage Management Subaccount (Item 3940-001-0422).....	−515,000
(14) Amount payable from the Seawater Intrusion Control Subaccount (Item 3940-001-0424).....	−222,000
(15) Amount payable from the Underground Storage Tank Tester Account (Item 3940-001-0436).....	−64,000
(16) Amount payable from the 1984 State Clean Water Bond Fund (Item 3940-001-0740).....	−322,000
(17) Amount payable from the Federal Trust Fund (Item 3940-001-0890).....	~~−35,113,000~~ *−51,353,000*
(18) Amount payable from the Water Rights Fund (Item 3940-001-3058).....	−7,447,000
(19) Amount payable from the Watershed Protection Subaccount (Item 3940-001-6013).....	−250,000
(20) Amount payable from the Santa Ana River Watershed Subaccount (Item 3940-001-6016).....	−250,000
(21) Amount payable from the Lake Elsinore and San Jacinto Watershed Subaccount (Item 3940-001-6017).....	−150,000

(22) Amount payable from the Nonpoint Source Pollution Control Subaccount (Item 3940-001-6019)..... −200,000

(23) Amount payable from the State Revolving Fund Loan Subaccount (Item 3940-001-6020)..... −81,000

(24) Amount payable from the Wastewater Construction Grant Subaccount (Item 3940-001-6021)..... −23,000

(25) Amount payable from the Coastal Nonpoint Source Control Subaccount (Item 3940-001-6022)..... −150,000

(26) Amount payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Item 3940-001-6031)..... −3,000,000

(27) Amount payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Item 3940-001-6051)..... −4,073,000

(28) Amount payable from the Petroleum Underground Storage Tank Financing Account (Item 3940-001-8026)..... −618,000

(29) Amount payable from the State Water Pollution Control Revolving Fund Administration Fund (Item 3940-001-9739)..... −5,532,000

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.

SEC. 197. Item 3940-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

3940-001-0890—For support of State Water Resources Control Board, for payment to Item 3940-001-0439, payable from the Federal Trust Fund..... ~~35,113,000~~ *51,353,000*

SEC. 198. Item 3940-011-0439 is added to Section 2.00 of the Budget Act of 2009, to read:

3940-011-0439—For transfer by the Controller from the Underground Storage Tank Cleanup Fund to the Underground Storage Tank Cleanup Fund, School District Account..... (10,000,000)

SEC. 199. Item 3940-012-0439 is added to Section 2.00 of the Budget Act of 2009, to read:

3940-012-0439—For transfer by the Controller from the Underground Storage Tank Cleanup Fund to the Underground Storage Tank Petroleum Contamination Orphan Site Cleanup Fund..... (20,000,000)

SEC. 200. Item 3940-101-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

3940-101-0001—For local assistance, State Water Resources Control Board..... 0

Schedule:

(1) 10-Water Quality..... ~~12,500,000~~ *42,500,000*

(1.1) Amount payable from the School District Account, Underground Storage Tank Cleanup Fund (Item 3940-101-3134)..... −10,000,000

(1.2) Amount payable from the Underground Storage Tank Petroleum Contamination Orphan Site Cleanup Fund (Item 3940-101-3145)..... −20,000,000

(2) Amount payable from the State Water Pollution Control *Revolving Fund* Small ~~Communities~~ *Community* Grant Fund (Item 3940-101-3147)..... −1,000,000

(3) Amount payable from the Petroleum Underground Storage Tank Financing Account (Item 3940-101-8026)..... −11,500,000

SEC. 201. Item 3940-101-3134 is added to Section 2.00 of the Budget Act of 2009, to read:

3940-101-3134—For local assistance, State Water Resources Control Board, for payment to Item 3940-101-0001, payable from the School District Account in the Underground Storage Tank Cleanup Fund 10,000,000

Provisions:

1. The funds appropriated in this item by the act adding this provision shall be paid only from revenues in the fund that are attributable to revenues other than fines, penalties, or any other source that is a General Fund revenue of the state.

SEC. 202. Item 3940-101-3145 is added to Section 2.00 of the Budget Act of 2009, to read:

3940-101-3145—For local assistance, State Water Resources Control Board, for payment to Item 3940-101-0001, payable from the Underground Storage Tank Petroleum Contamination Orphan Site Cleanup Fund..... 20,000,000

Provisions:

1. The funds appropriated in this item by the act adding this provision shall be paid only from revenues in the fund that are attributable to revenues other than fines, penalties, or any other source that is a General Fund revenue of the state.

SEC. 203. Item 3940-496 is added to Section 2.00 of the Budget Act of 2009, to read:

3940-496—Reversion, State Water Resources Control Board. As of June 30, 2009, the unencumbered balances of the appropriations provided in the following citations shall revert to the balance of the fund from which the appropriations were made:

6029—California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund

(1) $646,000 or the unencumbered balance of funds appropriated by Chapter 727 of the Statutes of 2002, as reappropriated by Item 3940-490, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), corresponding to the following allocation:

(1) Clean Beaches Program	*78,000*
(2) Small Community Wastewater Grant Program	*14,000*
(3) Urban Storm Water Grant Program	*64,000*
(4) Nonpoint Source Pollution Control Program	*12,000*
(5) Agricultural Water Quality Grant Program	*8,000*
(6) Small Community Groundwater Grant Program	*186,000*
(7) Integrated Watershed Management Plans: General	*134,000*
(8) Integrated Watershed Management Plans: Groundwater	*150,000*

6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002

(1) $25,538,000 or the unencumbered balance of funds from Item 3940-101-6031, Budget Act of 2003 (Ch. 157, Stats. 2003), as reappropriated by Item 3940-491, Budget Act of 2004 (Ch. 208, Stats. 2004), from bond allocation:

(1) 79540(a)-Clean Water and Water Quality	*1,144,000*
(2) 79543(1)-Santa Monica Bay Restoration	*200,000*
(3) 79543(1)-Santa Monica Bay Restoration	*298,000*

(4) 79564.1(a)(1)-Integrated Regional Water Management Southern California..... 12,102,000

(5) 79564.1(a)(2)-Integrated Regional Water Management Northern California..... 11,794,000

(2) $78,000 or the unencumbered balance of funds from Item 3940-001-6031, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), corresponding to the following allocation:

(1) 79543-Coastal Water Quality..... 51,000

(2) 79564.1(a)(1)-Integrated Regional Water Management Southern California..... 5,000

(3) 79564.1(a)(2)-Integrated Regional Water Management Northern California..... 5,000

(4) 79550(g)-Urban and Agriculture Water Conservation, Recycling, and Other Water Use Efficiency..... 17,000

(3) $858,000 or the unencumbered balance of funds from Item 3940-001-6031, Budget Act of 2007, (Chs. 171 and 172, Stats. 2007), corresponding to the following allocation:

(1) 79543-Coastal Water Quality..... 40,000

(2) 79543(1)-Santa Monica Bay Restoration..... 588,000

(3) 79564.1(a)(1)-Integrated Regional Water Management Southern California..... 86,000

(4) 79564.1(a)(2)-Integrated Regional Water Management Northern California..... 86,000

(5) 79550(g)-Urban and Agriculture Water Conservation, Recycling, and Other Water Use Efficiency..... 58,000

SEC. 204. Item 3980-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

3980-001-0001—For support of Office of Environmental Health Hazard Assessment..... ~~8,340,000~~ *2,543,000*

Schedule:

(1) 10-Health Risk Assessment..... ~~19,809,000~~ *21,633,000*

(2) Reimbursements..... −3,387,000

(3) Amount payable from the Unified Program Account (Item 3980-001-0028).... −141,000

(4) Amount payable from the Motor Vehicle Account, State Transportation Fund (Item 3980-001-0044)..... ~~−2,557,000~~ *−3,793,000*

(5) Amount payable from the California Used Oil Recycling Fund (Item 3980-001-0100)..... −582,000

(6) Amount payable from the Department of Pesticide Regulation Fund (Item 3980-001-0106)..... ~~−1,026,000~~ *−3,460,000*

(6.5) Amount payable from the Air Pollution Control Fund (Item 3980-001-0115).... *−586,000*

(7) Amount payable from the California Environmental License Plate Fund (Item 3980-001-0140)..... −893,000

(7.5) Amount payable from the Fish and Game Preservation Fund (Item 3980-001-0200)..... −359,000

(8) Amount payable from the Oil Spill Prevention and Administration Fund (Item 3980-001-0320)..... −125,000

(9) Amount payable from the Integrated Waste Management Account (Item 3980-001-0387)..... −359,000

(10) Amount payable from the Toxic Substances Control Account (Item 3980-001-0557)..... ~~−558,000~~ *−693,000*

(11) Amount payable from the Federal Trust Fund (Item 3980-001-0890)..... −414,000

(12) Amount payable from the Safe Drinking Water and Toxic Enforcement Fund (Item 3980-001-3056)..... ~~1,427,000~~
4,298,000

SEC. 205. Item 3980-001-0044 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~2,557,000~~
3,793,000

Provisions:

1. The increase in funds appropriated in this item by the act adding this provision shall be paid only from revenues in the fund that are attributable to revenues other than fines, penalties, or any other source that is a General Fund revenue of the state.

SEC. 206. Item 3980-001-0106 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~1,026,000~~
3,460,000

Provisions:

1. The increase in funds appropriated in this item by the act adding this provision shall be paid only from revenues in the fund that are attributable to revenues other than fines, penalties, or any other source that is a General Fund revenue of the state.

SEC. 207. Item 3980-001-0115 is added to Section 2.00 of the Budget Act of 2009, to read:

3980-001-0115—For support of Office of Environmental Health Hazard Assessment, for payment to Item 3980-001-0001, payable from the Air Pollution Control Fund 586,000

Provisions:

1. The funds appropriated in this item by the act adding this provision shall be paid only from revenues in the fund that are attributable to revenues other than fines, penalties, or any other source that is a General Fund revenue of the state.

SEC. 208. Item 3980-001-0200 is added to Section 2.00 of the Budget Act of 2009, to read:

3980-001-0200—For support of Office of Environmental Health Hazard Assessment, for payment to Item 3980-001-0001, payable from the Fish and Game Preservation Fund..... 359,000

SEC. 209. Item 3980-001-0557 of Section 2.00 of the Budget Act of 2009 is amended to read:

3980-001-0557—For support of Office of Environmental Health Hazard Assessment, for payment to Item 3980-001-0001, payable from the Toxic Substances Control Account..... ~~558,000~~ *693,000*

Provisions:

1. The increase in funds appropriated in this item by the act adding this provision shall be paid only from revenues in the fund that are attributable to revenues other than fines, penalties, or any other source that is a General Fund revenue of the state.

SEC. 210. Item 3980-001-3056 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~1,427,000~~ *4,298,000*

SEC. 211. Item 4120-101-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

4120-101-0001—For local assistance, Emergency Medical Services Authority, grants to local agencies..... ~~8,508,000~~ *5,558,000*

Schedule:

(1) 10-Emergency Medical Services Authority..... ~~12,512,000~~ *9,562,000*

(2) Reimbursements..... −3,300,000

(3) Amount payable from the Federal Trust Fund (Item 4120-101-0890)..... −704,000

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 ensure 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, ~~2007~~ *2008*, shall receive the full amount for which it is 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.

5. It is the intent of the Legislature that the Director of the Emergency Medical Services Authority provide assistance, when feasible, to poison control centers in seeking sources of funding other than General Fund support, including grants from health-related foundations, federal grants, and assistance from the California Children and Families Commission, or other relevant entities. It is also the intent of the Legislature that poison control centers assertively seek and obtain funding from foundations, private-sector entities, the federal government, and sources other than the General Fund.

SEC. 212. Item 4170-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

4170-001-0001—For support of Department of Aging.....		4,227,000
Schedule:		
(1) 10-Nutrition.....	3,008,000	
(2) 20-Senior Community Employment Service.....	697,000	
(3) 30-Supportive Services and Centers.....	4,863,000	
(4) 40-Special Projects.....	~~8,270,000~~ *8,680,000*	
(5) 50.01-Administration.....	14,412,000	
(6) 50.02-Distributed Administration.....	−14,412,000	
(7) Reimbursements.....	−4,113,000	
(8) Amount payable from the State HICAP Fund (Item 4170-001-0289).....	−223,000	

(9) Amount payable from the Federal Trust Fund (Item 4170-001-0890)..... ~~−8,153,000~~ *−8,563,000*

(10) Amount payable from the Federal Citation Penalties Account, Special Deposit Fund (Item 4170-003-0942)..... −122,000

SEC. 213. Item 4170-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4170-001-0890—For support of Department of Aging, for payment to Item 4170-001-0001, payable from the Federal Trust Fund..... ~~8,153,000~~ *8,563,000*

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 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 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.

SEC. 214. Item 4170-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4170-101-0890—For local assistance, Department of Aging, for payment to Item 4170-101-0001, payable from the Federal Trust Fund..... ~~142,000,000~~ *150,016,000*

Provisions:

1. Provision 1 of Item 4170-001-0890 is also applicable to this item.
2. Notwithstanding subdivision (e) of Section 28.00, the Department of Finance, upon notification by the California Department of Aging, may authorize augmentations in this item for federal Title III, Title VII, HICAP one-time only allocations, and for unexpended 2008–09 federal grant funds. *The Department of Finance shall provide notification of the augmentation to the Joint Legislative Budget Committee within 10 working days from the date of the Department of Finance approval of the adjustment.*
3. Notwithstanding Section 26.00, the Department of Finance, upon notification by the California Department of Aging, may authorize transfers between Program 10-Nutrition and Program 30-Supportive Services and Centers in response to budget revisions submitted by the Area Agencies on Aging.
4. *Unspent federal stimulus funds authorized in the American Recovery and Reinvestment Act of 2009 (P.L. 111-5) for Nutrition and Senior Community Services Employment Programs, budgeted in the 2008–09 and 2009–10 fiscal years, are available for encumbrance or expenditure through September 30, 2010.*

SEC. 215. Item 4200-001-0367 of Section 2.00 of the Budget Act of 2009 is amended to read:

4200-001-0367—For support of Department of Alcohol and Drug Programs, for payment to Item 4200-001-3146, payable from the Indian Gaming Special Distribution Fund..... ~~4,241,000~~
4,250,000

SEC. 216. Item 4200-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4200-001-0890—For support of Department of Alcohol and Drug Programs, for payment to Item 4200-001-3146, payable from the Federal Trust Fund..... ~~23,823,000~~ *23,979,000*

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 department shall assess those programs and operations that have the most critical need. In making this assessment, the department 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.

SEC. 217. Item 4200-001-3019 of Section 2.00 of the Budget Act of 2009 is repealed.

~~4200-001-3019—For support of Department of Alcohol and Drug Programs, for payment to Item 4200-001-3146, payable from the Substance Abuse Treatment Trust Fund..... 3,171,000~~

~~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.~~

SEC. 218. Item 4200-001-3146 of Section 2.00 of the Budget Act of 2009 is amended to read:

4200-001-3146—For support of Department of Alcohol and Drug Programs, payable from the Drug and Alcohol Prevention and Treatment Fund..... 0

Schedule:

(1) 15-Alcohol and Other Drug Services Program..... ~~48,250,000~~ *44,918,000*

(2) 30.01-Administration..... ~~11,711,000~~
11,711,000

(3) 30.02-Distributed Administration.....
−11,711,000

(4) Reimbursements..... ~~−5,227,000~~
−5,319,000

(4.5) Amount payable from the General Fund (Item 4200-001-0001)..... ~~−5,082,000~~
−4,664,000

(5) Amount payable from the Driving-Under-the-Influence Program Licensing Trust Fund (Item 4200-001-0139)..... −1,613,000

(6) Amount payable from the Narcotic Treatment Program Licensing Trust Fund (Item 4200-001-0243)..... −1,367,000

(7) Amount payable from Indian Gaming Special Distribution Fund (Item 4200-001-0367)..... ~~−4,241,000~~
−4,250,000

(8) Amount payable from the Audit Repayment Trust Fund (Item 4200-001-0816)..... −69,000

(9) Amount payable from the Federal Trust Fund (Item 4200-001-0890)..... ~~−23,823,000~~
−23,979,000

~~(10) Amount payable from the Substance Abuse Treatment Trust Fund (Item 4200-001-3019)..... −3,171,000~~

(11) Amount payable from the Mental Health Services Fund (Item 4200-001-3085)..... −288,000

(12) Amount payable from the Gambling Addiction Program Fund (Item 4200-001-3110)..... −150,000

(13) Amount payable from Residential and Outpatient Program Licensing Fund (Item 4200-001-3113)..... −3,219,000

Provisions:

1. Upon approval by the Department of Finance, the Controller shall transfer such funds as are necessary

between this item and Items 4200-101-3146, 4200-102-3146, 4200-103-3146, and 4200-104-3146. In determining which transfers are necessary pursuant to this provision, the department shall assess those programs and operations that have the most critical need. In making the assessment, the department 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.

SEC. 219. Item 4200-101-3019 of Section 2.00 of the Budget Act of 2009 is repealed.

~~4200-101-3019—For local assistance, Department of Alcohol and Drug Programs, for payment to Item 4200-101-3146, payable from the Substance Abuse Treatment Fund..... 86,863,000~~

~~Provisions:~~

~~1. Funds appropriated in this item are in lieu of the amounts that otherwise would have been appropriated for local assistance pursuant to Section 11999.6 of the Health and Safety Code.~~

SEC. 220. Item 4200-101-3146 of Section 2.00 of the Budget Act of 2009 is amended to read:

4200-101-3146—For local assistance, Department of Alcohol and Drug Programs, payable from the Drug and Alcohol Prevention and Treatment Fund..... 0

Schedule:

(1) 15-Alcohol and Other Drug Services Program.....	~~420,254,000~~ *382,791,000*
(2) Reimbursements.....	~~−10,807,000~~ *−60,207,000*
(2.1) Amount payable from the General Fund (Item 4200-101-0001).....	−83,665,000
(2.5) Amount payable from the Indian Gaming Special Distribution Fund (Item 4200-101-0367).....	−4,000,000

(3) Amount payable from the Federal Trust Fund (Item 4200-101-0890)..... −234,919,000

~~(4) Amount payable from the Substance Abuse Treatment Fund (Item 4200-101-3019)..... −86,863,000~~

Provisions:

1. Upon approval by the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Items 4200-001-3146, 4200-102-3146, 4200-103-3146, and 4200-104-3146. In determining which transfers are necessary pursuant to this provision, the department shall assess those programs and operations that have the most critical need. In making this assessment, the department 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. 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. Each loan 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.

SEC. 221. Item 4200-102-3146 of Section 2.00 of the Budget Act of 2009 is amended to read:

4200-102-3146—For local assistance, Department of Alcohol and Drug Programs, payable from the Drug and Alcohol Prevention and Treatment Fund, for perinatal substance abuse treatment programs (Drug Medi-Cal)..... 0

Schedule:

(1) 15-Alcohol and Other Drug Services Program..... ~~7,732,000~~ *5,714,000*

(2) Reimbursements..... ~~−3,866,000~~
−3,519,000

(3) Amount payable from the General Fund (Item 4200-102-0001)..... ~~−3,866,000~~
−2,195,000

Provisions:

1. Upon approval by the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Items 4200-001-3146, 4200-101-3146, 4200-103-3146, and 4200-104-3146. In determining which transfers are necessary pursuant to this provision, the department shall assess those programs and operations that have the most critical need. In making this assessment, the department 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 perinatal substance abuse services provided to persons eligible for Medi-Cal.
3. Notwithstanding subdivision (a) of Section 1.80 and Section 26.00, the Department of Finance may authorize a transfer of expenditure authority between this item and Item 4200-103-3146, 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 department 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.

SEC. 222. Item 4200-103-3146 of Section 2.00 of the Budget Act of 2009 is amended to read:

4200-103-3146—For local assistance, Department of Alcohol and Drug Programs, payable from the Drug and Alcohol Prevention and Treatment Fund, for Drug Medi-Cal Services..... 0

Schedule:

(1) 15-Alcohol and Other Drug Services Program..... ~~205,183,000~~ *189,087,000*

(2) Reimbursements..... ~~−98,277,000~~ *−112,018,000*

(3) Amount payable from the General Fund (Item 4200-103-0001)..... ~~−106,906,000~~ *−77,069,000*

Provisions:

1. Upon approval by the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Items 4200-001-3146, 4200-101-3146, 4200-102-3146, and 4200-104-3146. In determining which transfers are necessary pursuant to this provision, the department shall assess those programs and operations that have the most critical need. In making this assessment, the department 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 1.80 and Section 26.00, the Department of Finance may authorize a transfer of expenditure authority between this item and Item 4200-102-3146 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 department 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.

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.

SEC. 223. Item 4200-105-0001 of Section 2.00 of the Budget Act of 2009 is repealed.

~~4200-105-0001—For transfer, as an expenditure, upon order of the Department of Finance, to the Substance Abuse Treatment Trust Fund..... 90,034,000~~

~~Provisions:~~

~~1. The amount of the transfer may be modified by the Department of Finance to accommodate administrative and workload adjustments.~~

SEC. 224. Item 4260-001-0236 of Section 2.00 of the Budget Act of 2009 is amended to read:

4260-001-0236—For support of Department of Health Care Services, for payment to Item 4260-001-0001, payable from the Unallocated Account, Cigarette and Tobacco Products Surtax Fund..... ~~741,000~~ *541,000*

SEC. 225. Item 4260-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4260-001-0890—For support of Department of Health Care Services, for payment to Item 4260-001-0001, payable from the Federal Trust Fund..... ~~228,992,000~~ *230,474,000*

Provisions:

1. Of the funds appropriated in this item, $1,069,000 shall be available for administration, research, and training projects. Notwithstanding Section 28.00, the State Department of Health Care Services shall report under that section any new project over $200,000 or any increase in excess of $400,000 for an identified project.

SEC. 226. Item 4260-101-0080 of Section 2.00 of the Budget Act of 2009 is amended to read:

4260-101-0080—For local assistance, Department of Health Care Services, for payment to Item 4260-101-0001, payable from the Childhood Lead Poisoning Prevention Fund..... ~~160,000~~
115,000

SEC. 227. Item 4260-101-0232 of Section 2.00 of the Budget Act of 2009 is amended to read:

4260-101-0232—For local assistance, Department of Health Care Services, for payment to Item 4260-101-0001, payable from the Hospital Services Account, Cigarette and Tobacco Products Surtax Fund..... ~~23,559,000~~
95,078,000

SEC. 228. Item 4260-101-0236 of Section 2.00 of the Budget Act of 2009 is repealed.

~~4260-101-0236—For local assistance, Department of Health Care Services, for payment to Item 4260-101-0001, payable from the Unallocated Services Account, Cigarette and Tobacco Products Surtax Fund..... 21,519,000~~

SEC. 229. Item 4260-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4260-101-0890—For local assistance, Department of Health Care Services, for payment to Item 4260-101-0001, payable from the Federal Trust Fund..... ~~22,440,653,000~~
26,620,577,000

Provisions:

1. Any of the provisions in Item 4260-101-0001 that are relevant to this item also apply to this item.

SEC. 230. Item 4260-102-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4260-102-0890—For local assistance, Department of Health Care 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..... ~~51,604,000~~
54,198,000

Provisions:

1. Any of the provisions in Item 4260-102-0001 that are relevant to this item also apply to this item.

SEC. 231. Item 4260-106-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4260-106-0890—For local assistance, Department of Health Care Services, Program 20.10.030-Benefits (Medical Care and Services), payable from the Federal Trust Fund..... ~~12,365,000~~
14,708,000

SEC. 232. Item 4260-111-0080 of Section 2.00 of the Budget Act of 2009 is amended to read:

4260-111-0080—For local assistance, Department of Health Care Services, for payment to Item 4260-111-0001, payable from the Childhood Lead Poisoning Prevention Fund..... ~~11,000~~
8,000

SEC. 233. Item 4260-111-0233 of Section 2.00 of the Budget Act of 2009 is repealed.

~~4260-111-0233—For local assistance, Department of Health Care Services, for payment to Item 4260-111-0001, payable from the Physician Services Account, Cigarette and Tobacco Products Surtax Fund..... 774,000~~

SEC. 234. Item 4260-111-0236 of Section 2.00 of the Budget Act of 2009 is amended to read:

4260-111-0236—For local assistance, Department of Health Care Services, for payment to Item 4260-111-0001, payable from the Unallocated Account, Cigarette and Tobacco Products Surtax Fund..... ~~13,081,000~~
10,000,000

SEC. 235. Item 4260-111-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4260-111-0890—For local assistance, Department of Health Care Services, for payment to Item 4260-111-0001, payable from the Federal Trust Fund..... ~~145,915,000~~
148,517,000

Provisions:

1. Of the funds appropriated in this item, $408,000 shall be available for administration, research, and training projects. Notwithstanding Section 28.00, the State Department of Health Care 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. Any of the provisions in Item 4260-111-0001 that are relevant to this item also apply to this item.

SEC. 236. Item 4260-113-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4260-113-0890—For local assistance, Department of Health Care Services, for payment to Item 4260-113-0001, payable from the Federal Trust Fund..... ~~389,541,000~~
324,726,000

Provisions:

1. Any of the provisions in Item 4260-113-0001 that are relevant to this item also apply to this item.

SEC. 237. Item 4260-117-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4260-117-0890—For local assistance, Department of Health Care Services, for payment to Item 4260-117-0001, payable from the Federal Trust Fund, for implementation of the Health Insurance Portability and Accountability Act..... ~~15,272,000~~
16,621,000

Provisions:

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

SEC. 238. Item 4260-495 is added to Section 2.00 of the Budget Act of 2009, to read:

4260-495—Reversion, Department of Health Care Services. As of June 30, 2009, the balances of the appropriations provided for in the following citations shall revert to the funds from which the appropriations were made:

0001—General Fund

(1) Item 4260-001-0001, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008). Funds appropriated for the National Cooperative Bank Development Corporation Contract within the Assisted Living Waiver Pilot Project

0890—Federal Trust Fund

(1) Item 4260-001-0890, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008). Funds appropriated for the National Cooperative Bank Development Corporation

Contract within the Assisted Living Waiver Pilot Project

SEC. 239. Item 4265-001-0070 of Section 2.00 of the Budget Act of 2009 is amended to read:

4265-001-0070—For support of Department of Public Health, for payment to Item 4265-001-0001, payable from the Occupational Lead Poisoning Prevention Account..... ~~2,741,000~~ *3,241,000*

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.

SEC. 240. Item 4265-001-0099 of Section 2.00 of the Budget Act of 2009 is amended to read:

4265-001-0099—For support of Department of Public Health, for payment to Item 4265-001-0001, payable from the Health Statistics Special Fund..... ~~23,974,000~~ *23,762,000*

SEC. 241. Item 4265-001-0203 of Section 2.00 of the Budget Act of 2009 is amended to read:

4265-001-0203—For support of Department of Public Health, for payment to Item 4265-001-0001, payable from the Genetic Disease Testing Fund..... ~~18,043,000~~ *18,480,000*

SEC. 242. Item 4265-001-0234 of Section 2.00 of the Budget Act of 2009 is amended to read:

4265-001-0234—For support of Department of Public Health, for payment to Item 4265-001-0001, payable from the Research Account, Cigarette and Tobacco Products Surtax Fund..... ~~5,840,000~~ *5,267,000*

SEC. 243. Item 4265-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4265-001-0890—For support of Department of Public Health, for payment to Item 4265-001-0001, payable from the Federal Trust Fund..... ~~217,659,000~~ *219,476,000*

Provisions:

1. Of the funds appropriated in this item, $52,612,000 shall be available for administration, research, and training projects. Notwithstanding Section 28.00, the State Department of Public Health shall report under that section any new project over $200,000 or any increase in excess of $400,000 for an identified project.
2. The Department of Finance may authorize the transfer of expenditure authority from this item to Item 4265-111-0890 in order to reflect modifications in the use of federal bioterrorism grants. Transfers pursuant to this provision may not be approved sooner than 30 days after notification in writing is provided 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 no sooner than whatever lesser time the chairperson of the joint committee, or his or her designee, may in each instance determine.
3. Notwithstanding any other provision of law, federal moneys made available for bioterrorism preparedness pursuant to this act shall be available for expenditure or encumbrance until August 30, 2010.
4. The State Department of Public Health 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 shall notify the fiscal and relevant policy committees of the Legislature in a similar manner.

SEC. 244. Item 4265-001-3098 of Section 2.00 of the Budget Act of 2009 is amended to read:

4265-001-3098—For support of Department of Public Health, for payment to Item 4265-001-0001, payable from the State Department of Public Health Licensing and Certification Program Fund..... ~~88,729,000~~
90,202,000

SEC. 245. Item 4265-111-0231 of Section 2.00 of the Budget Act of 2009 is amended to read:

4265-111-0231—For local assistance, Department of Public Health, for payment to Item 4265-111-0001, payable from the Health Education Account, Cigarette and Tobacco Products Surtax Fund..... ~~47,354,000~~
54,154,000

SEC. 246. Item 4265-111-0232 of Section 2.00 of the Budget Act of 2009 is repealed.

~~4265-111-0232—For local assistance, Department of Public Health, for payment to Item 4265-111-0001, payable from the Hospital Services Account, Cigarette and Tobacco Products Surtax Fund..... 21,106,000~~

SEC. 247. Item 4265-111-0233 of Section 2.00 of the Budget Act of 2009 is repealed.

~~4265-111-0233—For local assistance, Department of Public Health, for payment to Item 4265-111-0001, payable from the Physician Services Account, Cigarette and Tobacco Products Surtax Fund..... 3,470,000~~

SEC. 248. Item 4265-111-0236 of Section 2.00 of the Budget Act of 2009 is amended to read:

4265-111-0236—For local assistance, Department of Public Health, for payment to Item 4265-111-0001, payable from the Unallocated Account, Cigarette and Tobacco Products Surtax Fund..... ~~29,302,000~~ *23,340,000*

SEC. 249. Item 4265-111-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4265-111-0890—For local assistance, Department of Public Health, for payment to Item 4265-111-0001, payable from the Federal Trust Fund..... ~~1,310,207,000~~ *1,375,555,000*

Provisions:

1. Of the funds appropriated in this item, $61,868,000 shall be available for administration, research, and training projects. Notwithstanding the provisions of Section 28.00, the State Department of Public Health 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, federal moneys made available for bioterrorism preparedness pursuant to this act shall be available for expenditure or encumbrance until August 30, 2010.
3. Any provisions in Item 4265-111-0001 that are relevant to this item shall apply to this item.

SEC. 250. Item 4265-111-6031 of Section 2.00 of the Budget Act of 2009 is amended to read:

4265-111-6031—For local assistance, Department of Public Health, for payment to Item 4265-111-0001, payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002..... ~~2,558,000~~ *167,229,000*

Provisions:

1. The amount appropriated in this item shall be available for expenditure until June 30, 2012.

SEC. 251. Item 4265-111-6051 of Section 2.00 of the Budget Act of 2009 is repealed.

~~4265-111-6051—For local assistance, State Department of Public Health, for payment to Item 4265-111-0001, payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006..... 36,200,000~~

~~Provisions:~~

~~1. The amount appropriated in this item shall be available for expenditure until June 30, 2012.~~

SEC. 252. Item 4265-115-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4265-115-0890—For transfer by the Controller from the Federal Trust Fund to the Safe Drinking Water State Revolving Loan Fund..... ~~77,500,000~~ *152,405,000*

Provisions:

1. The amount appropriated in this item shall be available for transfer until June 30, 2012.

SEC. 253. Item 4265-115-6031 of Section 2.00 of the Budget Act of 2009 is amended to read:

4265-115-6031—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~~ *32,499,000*

Provisions:

1. The amount appropriated in this item shall be available for transfer until June 30, 2012.

SEC. 254. Item 4265-116-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4265-116-0890—For transfer by the Controller to various federal funds..... ~~(10,114,000)~~ *(15,264,000)*

Provisions:

1. Pursuant to Chapter 734~~,~~ *of the* Statutes of 1997, the *State* Department of Public Health may transfer funds appropriated in this item to the Administration Account (0625), Water System Reliability Account (0626), Small System Technical Assistance Account (0628), and the Public Water System, Safe Drinking Water State Revolving Fund (7500) for the purpose of administering the California Safe Drinking Water Act. In addition, the *State* Department of Public Health may transfer funds between the ~~above mentioned~~ *above-mentioned* funds.
2. Upon notification to the Department of Finance, the *State* Department of Public Health may increase the amount appropriated in this item for transfer to the funds cited in Provision 1.

SEC. 255. Item 4265-301-0001 of Section 2.00 of the Budget Act of 2009 is repealed.

~~4265-301-0001—For capital outlay, Department of Public Health..... 3,117,000~~

~~Schedule:~~

~~(1) 94.65.010-Upgrade Viral and Rickettsial Disease Laboratory, Richmond—Construction..... 3,117,000~~

SEC. 256. Item 4265-401 of Section 2.00 of the Budget Act of 2009 is amended to read:

4265-401—Notwithstanding Provision 2 of Item 4260-011-0099 of the Budget Act of 2004 (Ch. 208, Stats. 2004) and Provision 1 *of Item 4260-011-0099* of the Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), the $1,500,000 loan authorized to the Medical Marijuana Program Fund shall be fully repaid to the Health Statistics Special Fund by June

30, 2012, with interest calculated at the rate earned by the Pooled Money Investment Account at the time of the loan.

SEC. 257. Item 4265-495 is added to Section 2.00 of the Budget Act of 2009, to read:

4265-495—Reversion, Department of Public Health. As of June 30, 2009, the unencumbered balances of the appropriations provided in the following citations shall revert to the fund balance of the fund from which the appropriations were made:

6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002

(1) Item 4260-111-6031, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), as reappropriated by Item 4260-491, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and Item 4265-492, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

(2) Item 4260-111-6031, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), as reappropriated by Item 4265-492, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

(3) Item 4265-111-6031, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

(4) Item 4265-111-6031, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

(5) Item 4260-115-6031, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), as reappropriated by Item 4260-491, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and Item 4265-492, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

(6) Item 4260-115-6031, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), as reappropriated by Item 4265-492, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

(7) Item 4265-115-6031, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

(8) Item 4265-115-6031, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

SEC. 258. Item 4265-496 is added to Section 2.00 of the Budget Act of 2009, to read:

4265-496—Reversion, Department of Public Health. As of June 30, 2009, the balances specified below of the appropriations provided in the following citations shall revert to the balance in the fund from which the appropriations were made:

6051—Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006

(1) Item 4265-111-6051, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), up to $35,600,000 appropriated in Program 20.60-Environmental Health

SEC. 259. Item 4265-497 is added to Section 2.00 of the Budget Act of 2009, to read:

4265-497—Reversion, Department of Public Health. As of June 30, 2009, the unencumbered balances of the appropriations provided in the following citations shall revert to the fund balance from which the appropriations were made:

0009—Breast Cancer Control Account

(1) Item 4265-001-0009, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

(2) Item 4265-111-0009, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

SEC. 260. Item 4270-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

4270-001-0001—For support of California Medical Assistance Commission		1,293,000
Schedule:		
(1) 10-California Medical Assistance Commission	~~2,557,000~~ *2,586,000*	
(2) Reimbursements	~~−1,264,000~~ *−1,293,000*	

SEC. 261. Item 4280-101-0236 of Section 2.00 of the Budget Act of 2009 is repealed.

~~4280-101-0236—For local assistance, Managed Risk Medical Insurance Board, for the Healthy Families Program..... 175,000~~
~~Schedule:~~
~~(1) 40-Healthy Families Program..... 175,000~~

SEC. 262. Item 4280-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~751,191,000~~
700,472,000

Provisions:

1. Upon order of the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4280-102-0890 in order to effectively administer the Healthy Families Program.

SEC. 263. Item 4280-102-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~40,534,000~~
36,212,000

Provisions:

1. Upon order of the Department of Finance, the 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.

SEC. 264. Item 4280-103-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

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 County Health Initiative Matching Fund Program..... ~~1,247,000~~ *1,039,000*

Provisions:

1. Provisions 1, 2, and 3 of Item 4280-103-3055 also apply to this item.

SEC. 265. Item 4280-103-3055 of Section 2.00 of the Budget Act of 2009 is amended to read:

4280-103-3055—For local assistance, Managed Risk Medical Insurance Board, for the County Health Initiative Matching Fund *Program*..... ~~672,000~~ *559,000*

Schedule:

(1) 50-County Health Initiative Matching Fund Program..... ~~1,919,000~~ *1,598,000*

(2) Amount payable from the Federal Trust Fund (Item 4280-103-0890)..... ~~−1,247,000~~ *−1,039,000*

Provisions:

1. Upon order of the Department of Finance, the 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. The Department of Finance may also authorize the establishment of positions in order to allow the Managed Risk Medical Insurance Board 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, as a condition of receiving funds, 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 reflect this information in the November and May estimates provided 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 and 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 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 such lesser time as the chairperson of the joint committee, or his or her designee, may in each instance determine.

SEC. 266. Item 4280-104-0236 of Section 2.00 of the Budget Act of 2009 is repealed.

~~4280-104-0236—For local assistance, Managed Risk Medical Insurance Board, for the Healthy Families Program Rural Health Demonstration Project..... 729,000~~

~~Schedule:~~

~~(1) 40-Healthy Families Program..... 2,083,000~~

~~(2) Amount payable from Federal Trust Fund (Item 4280-104-0890)..... −1,354,000~~

SEC. 267. Item 4280-104-0890 of Section 2.00 of the Budget Act of 2009 is repealed.

~~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..... 1,354,000~~

SEC. 268. Item 4280-111-0232 of Section 2.00 of the Budget Act of 2009 is repealed.

~~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..... (44,035,000)~~

~~Provisions:~~

~~1. In order to effectively administer the Access for Infants and Mothers Program, the Department of Finance may decrease or increase this item in order to conform the appropriation to revised subvention estimates.~~

SEC. 269. Item 4280-111-0233 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~(12,770,000)~~ *(4,819,000)*

Provisions:

1. In order to effectively administer the Access for Infants and Mothers Program, the Department of Finance may decrease or increase this item in order to conform the appropriation to revised subvention estimates.

SEC. 270. Item 4280-111-0236 of Section 2.00 of the Budget Act of 2009 is amended to read:

4280-111-0236—For transfer by the Controller from the Unallocated Account, Cigarette and Tobacco Products Surtax Fund to the Perinatal Insurance Fund, for the Access for Infants and Mothers Program..... ~~(904,000)~~ *(19,447,000)*

Provisions:

1. In order to effectively administer the Access for Infants and Mothers Program, the Department of Finance may decrease or increase this item in order to conform the appropriation to revised subvention estimates.

SEC. 271. Item 4280-112-0232 of Section 2.00 of the Budget Act of 2009 is amended to read:

4280-112-0232—For transfer by the Controller from the Hospital Services Account, Cigarette and Tobacco Products Surtax Fund to the Major Risk Medical Insurance Fund, for the Major Risk Medical Insurance Program..... ~~(6,818,000)~~ *(2,928,000)*

SEC. 272. Item 4280-112-0233 of Section 2.00 of the Budget Act of 2009 is amended to read:

4280-112-0233—For transfer by the Controller from the Physician Services Account, Cigarette and Tobacco Products Surtax Fund to the Major Risk Medical Insurance Fund, for the Major Risk Medical Insurance Program..... ~~(2,121,000)~~ *(12,206,000)*

SEC. 273. Item 4280-112-0236 is added to Section 2.00 of the Budget Act of 2009, to read:

4280-112-0236—For transfer by the Controller from the Unallocated Account, Cigarette and Tobacco Products Surtax Fund to the Major Risk Medical Insurance Fund, for the Major Risk Medical Insurance Program..... (5,212,000)

SEC. 274. Item 4280-112-3133 of Section 2.00 of the Budget Act of 2009 is amended to read:

4280-112-3133—For transfer by the Controller from the Managed Care Administrative Fines and Penalties Fund to the Major Risk Medical Insurance Fund, for the Major Risk Medical Insurance Program..... ~~(500,000)~~ *(774,000)*

Provisions:

1. In order to effectively administer the Major Risk Medical Insurance Program, the Department of Finance may decrease or increase this item in order to conform to the revised transfer estimate from the Managed Care Administrative Fines and Penalties Fund.

SEC. 275. Item 4300-003-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

4300-003-0001—For support of Department of Developmental Services, for Developmental Centers..... ~~355,995,000~~
278,036,000

Schedule:

(1) 20-Developmental Centers Program.... ~~672,131,000~~
656,425,000

(2) Reimbursements..... ~~−315,618,000~~
−377,871,000

(3) Amount payable from the Federal Trust Fund (Item 4300-003-0890)..... −518,000

Provisions:

1. A loan shall be available from the General Fund 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 Department of Finance, the 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 State Department of Health Care 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 chairpersons of the fiscal committees 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 Department of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4300-101-0001. 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.

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 Public Health, as well as findings of any other ~~government~~ *governmental* agency authorized to conduct investigations or surveys of state developmental centers. The DDS shall forward the notifications, including a copy of the specific findings, to the chairpersons of the committees within 10 working days of its receipt of these findings. The DDS also shall forward these findings, within three working days of submission, to the appropriate investigating agency. In addition, the DDS shall provide notification to the chairpersons of the committees, within three 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.

SEC. 276. Item 4300-004-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

4300-004-0001—For support of Department of Developmental Services (Proposition 98), for Developmental Centers..... ~~7,539,000~~ *7,321,000*

Schedule:

(1) 20-Developmental Centers Program..... ~~10,299,000~~ *9,848,000*

(a) 20.17-AB 1202 Contracts..... 780,000

(b) 20.66-Medi-Cal Eligible Services..... ~~9,519,000~~ *9,068,000*

(2) Reimbursements..... ~~−2,760,000~~ *−2,527,000*

Provisions:

1. Of the amount appropriated in this item, $2,760,000 is to be used to provide the General Fund match for Medi-Cal Eligible Services.

SEC. 277. Item 4300-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4300-101-0890—For local assistance, Department of Developmental Services, for Regional Centers, for payment to Item 4300-101-0001, payable from the Federal Trust Fund..... ~~51,234,000~~ *78,118,000*

Provisions:

1. Upon order of the Department 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 federal grant program (Part C of the Individuals with Disabilities Education Act).
2. Upon order of the Department 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.

3. Notwithstanding Section 26.00, the Department of Finance may authorize transfer of expenditure authority between Programs 10.10.010-Operations and 10.10.020-Purchase of Services in order to more accurately reflect expenditures in the Early Intervention federal grant program (Part C of the Individuals with Disabilities Education Act).

SEC. 278. Item 4300-101-3148 of Section 2.00 of the Budget Act of 2009 is repealed.

~~4300-101-3148—For local assistance, Department of Development Services, payable from the Proposition 10 Health and Human Services Fund ..... 265,000,000~~

SEC. 279. Item 4300-103-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

4300-103-0001—For local assistance, Department of Developmental Services, Program 10.10.020-Regional Centers: Purchase of Services, Risk Pool, Self-Directed Services.... ~~1,184,000~~
9,000

Provisions:

1. Upon order of the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4300-101-0001 in order to effectively administer the Self-Directed Services Risk Pool Fund.

SEC. 280. Item 4300-301-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

4300-301-0001—For capital outlay, Department of Developmental Services..... ~~32,680,000~~
9,468,000

Schedule:

(1) 55.25.270-Fairview: Upgrade Fire Alarm System—Working drawings and construction..... 9,147,000

~~(2) 55.50.470-Porterville: Renovate Satellite Kitchens and Dining Rooms—Construction..... 19,691,000~~

(3) 55.55.350-Sonoma: Install Medical Gases and Oxygen Piping—Working drawings~~ and construction~~..... ~~3,842,000~~ *321,000*

~~Provisions:~~

~~1. Notwithstanding any other provision of law, the project funded in Schedule (2) shall be considered part of the Porterville: New Main Kitchen project funded in Item 4300-301-0660 of the Budget Act of 2006 (Chs. 47 and 48, Stats. 2006).~~

SEC. 281. Item 4440-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4440-001-0890—For support of Department of Mental Health, for payment to Item 4440-001-0001, payable from the Federal Trust Fund..... ~~3,506,000~~ *3,524,000*

Provisions:

1. Upon order of the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4440-101-0890.

SEC. 282. Item 4440-001-3085 of Section 2.00 of the Budget Act of 2009 is amended to read:

4440-001-3085—For support of Department of Mental Health, for payment to Item 4440-001-0001, payable from the Mental Health Services Fund..... ~~38,860,000~~ *40,124,000*

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 Department of Finance may increase the funding provided

in this item to further the implementation of the Mental Health Services Act (Proposition 63, as approved by the voters at the November 2, 2004, statewide general election). Any increase may occur not sooner than 30 days after written notification has been provided to the chairpersons of the committees in each house of the Legislature that consider 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 identifying the need for that increase and the expenditure plan for the additional funds.

3. The State Department of Mental Health shall annually provide to the Department of Finance a Fund Condition Statement of the Housing Support Account (special deposit account) which shall be annually published in the Governor's January 10 Budget. It is the intent of the Legislature to utilize this information to track the fiscal allocations made for the Housing Initiative Program as established under the Mental Health Services Act.

SEC. 283. Item 4440-011-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

4440-011-0001—For support of the State Hospitals, Department of Mental Health..... ~~1,175,178,000~~ *1,168,098,000*

Schedule:

(1) 20.10-Long-Term Care Services—Lanterman-Petris-Short Act..... ~~89,878,000~~ *81,443,000*

(2) 20.20-Long-Term Care Services—Penal Code and Judicially Committed..... ~~1,050,464,000~~ *1,043,384,000*

(3) 20.30-Long-Term Care Services—Department of Corrections and Rehabilitation..... 128,141,000

(4) Reimbursements..... ~~−93,305,000~~
−84,732,000

(5) Amount payable from California State Lottery Education Fund..... −138,000

Provisions:

1. Upon order of the Department 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. Upon approval of the State Department of Mental Health, a portion of the funds appropriated in 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.
3. The reimbursements identified in Schedule (4) 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).
4. The Controller shall transfer the total amount attributable in the 2009–10 fiscal year to patient-generated collections for Lanterman-Petris-Short (LPS) Act patients as revenue to the General Fund.
5. Notwithstanding any other provision of law, 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 Department 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 chairpersons of the committees of each house of the Legislature that consider 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 funding to expenditures that are not related to caseload, (b) the approved amount, and (c) the basis of the Director of Finance's determination that the funding is not needed for accommodating projected hospital population levels.

6. Notwithstanding Section 26.00, the Department of Finance may authorize the transfer of expenditure authority between Schedules (1), (2), and (3) in order to accurately reflect caseload in these programs.

7. Of the amount appropriated in this item, $4,280,000 is available only to provide appropriate treatment to individuals found incompetent to stand trial and who have not been committed to a state hospital. These funds may be encumbered no earlier than 30 days, or a lesser amount of time as determined by the Chairperson of the Joint Legislative Budget Committee or his or her designee, after the Department of Finance provides a written expenditure plan for these funds to the chairpersons of the fiscal committees in each house of the Legislature, and to the Chairperson of the Joint Legislative Budget Committee.

8. The State Department of Mental Health shall provide the fiscal and policy committees of the Legislature, including the Chairperson of the Joint Legislative Budget Committee, and the Department of Finance with a quarterly update on the progress of the hiring

plan to ensure appropriate active treatment for patients, state licensure requirements, and in meeting the Consent Judgment with the United States Department of Justice regarding the federal Civil Rights of Institutionalized Persons Act (CRIPA). This quarterly update shall be provided within 10 working days of the close of the quarter to ensure the exchange of timely and relevant information.

SEC. 284. Item 4440-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4440-101-0890—For local assistance, Department of Mental Health, payable from the Federal Trust Fund..... ~~59,457,000~~ *60,691,000*

Schedule:

(1) 10.25-Community Services—Other Treatment..... ~~52,075,000~~ *52,343,000*

(2) 10.75-Community Services—Homeless Mentally Disabled..... ~~7,382,000~~ *8,348,000*

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 *State* 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 2009–10 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.

SEC. 285. Item 4440-101-3085 of Section 2.00 of the Budget Act of 2009 is amended to read:

4440-101-3085—For local assistance, Department of Mental Health, payable from the Mental Health Services Fund.... ~~238,804,000~~ *12,150,000*

Schedule:

(1) 10.98-Community Services—Continued Implementation of the Mental Health Services Act..... ~~12,150,000~~ *52,150,000*

~~(2) 10.30-Community Services—EPSDT..... 226,654,000~~

(3) Reimbursements..... −40,000,000

~~Provisions:~~

~~1. It is the intent of the Legislature to appropriately fund the Early and Periodic Screening Diagnostic and Treatment Program using General Fund support to obtain federal matching funds in the event Mental Health Services Act funds are not available for this purpose.~~

SEC. 286. Item 4700-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4700-001-0890—For support of Department of Community Services and Development, payable from the Federal Trust Fund..... ~~12,304,000~~ *28,368,000*

Schedule:

(1) 20-Energy Programs..... ~~9,486,000~~ *25,550,000*

(2) 40-Community Services..... 3,346,000

(3) 50.01-Administration..... 4,838,000

(4) 50.02-Distributed Administration..... −4,838,000

(5) Reimbursements..... −528,000

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

SEC. 287. Item 4700-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~154,286,000~~ *309,565,000*

Schedule:

(1) 20-Energy Programs..... ~~92,154,000~~ *158,282,000*

(2) 40-Community Services..... ~~62,132,000~~ *151,283,000*

Provisions:

1. On a federal fiscal year basis, the ~~department~~ *Department of Community Services and Development* 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~~

   (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~~ *this item* 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.

SEC. 288. Item 5160-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

5160-001-0001—For support of Department of Rehabilitation.... 58,071,000

Schedule:

(1) 10-Vocational Rehabilitation Services..... ~~385,972,000~~ *429,572,000*

(2) 30-Independent Living Services..... ~~3,307,000~~ *5,175,000*

(3) 40.01-Administration..... 33,475,000

(4) 40.02-Distributed Administration..... −33,475,000

(6) Reimbursements..... −7,900,000

(7) Amount payable from the Vending Stand Fund (Item 5160-001-0600)..... −3,361,000

(8) Amount payable from the Federal Trust Fund (Item 5160-001-0890)..... ~~−319,727,000~~ *−365,195,000*

(9) Amount payable from the Mental Health Services Fund (Item 5160-001-3085).... −220,000

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).

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 State 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.

SEC. 289. Item 5160-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

5160-001-0890—For support of Department of Rehabilitation, for payment to Item 5160-001-0001, payable from the Federal Trust Fund..... ~~319,727,000~~ *365,195,000*

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 in 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 in Item 5160-101-0890.

SEC. 290. Item 5160-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

5160-101-0890—For local assistance, Department of Rehabilitation, payable from the Federal Trust Fund..... ~~15,736,000~~ *19,028,000*

Schedule:

(1) 30-Independent Living Services..... ~~15,736,000~~ *19,028,000*

SEC. 291. Item 5175-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

5175-001-0001—For support of Department of Child Support Services..... ~~27,883,000~~ *24,645,000*

Schedule:

(1) 10-Child Support Services..... ~~82,644,000~~ *73,121,000*

(2) Reimbursements..... −123,000

(3) Amount payable from the Federal Trust Fund (Item 5175-001-0890)..... ~~−54,638,000~~ *−48,353,000*

SEC. 292. Item 5175-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

5175-001-0890—For support of Department of Child Support Services, for payment to Item 5175-001-0001, payable from the Federal Trust Fund..... ~~54,638,000~~ *48,353,000*

SEC. 293. Item 5175-101-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

5175-101-0001—For local assistance, Department of Child Support Services..... ~~264,172,000~~ *226,971,000*

Schedule:

(1) 10-Child Support Services..... ~~841,701,000~~ *813,190,000*

(a) 10.01-Child Support Administration..... ~~749,310,000~~ *750,055,000*

(b) 10.03-Child Support Automation..... ~~92,391,000~~ *63,135,000*

(2) Amount payable from the Federal Trust Fund (Item 5175-101-0890)..... ~~−434,066,000~~ *−442,756,000*

(3) Amount payable from the Child Support Collections Recovery Fund (Item 5175-101-8004)..... −143,463,000

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 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, 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 of the Legislature that consider appropriations and the Chairperson of the Joint Legislative Budget Committee, or such lesser time as the chairperson of the joint 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.

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. The amounts appropriated in Schedule (1)(b) 10.03-Child Support Automation shall be available for expenditure or encumbrance until June 30, 2010. The Department of Finance shall provide notification to the Joint Legislative Budget Committee of the amount of the carryover within 10 working days from the date the amount of the carryover is determined.

6. The General Fund appropriation reduced for this item is reduced by $500,000 for the California Child Support Automation System. The Director of Finance, in consultation with the Department of Child Support Services, shall apportion this reduction among contracts, state operations, local assistance, and personnel, with corresponding adjustments to federal funds authority.

SEC. 294. Item 5175-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

5175-101-0890—For local assistance, Department of Child Support Services, for payment to Item 5175-101-0001, payable from the Federal Trust Fund..... ~~434,066,000~~ *442,756,000*

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 is out of compliance with state performance standards.
3. Notwithstanding Section 28.00 or any other provision of law, upon request of the Department of Child Support Services, the Department of Finance may increase or decrease the expenditure authority in this item to offset any increases or decreases in collections deposited in the Child Support Collections Recovery Fund and appropriated in Item 5175-101-8004. The Department of Finance shall provide notification of the adjustment to the Joint Legislative Budget Committee within 10 working days from the date of Department of Finance approval of the adjustment.
4. From the federal funds appropriated in Schedule (1)(b) of Item 5175-101-0001 (10.03-Child Support Automation), an amount not to exceed $78,811,000 shall be available for expenditure or encumbrance until June 30, 2010. The Department of Finance shall provide notification to the Joint Legislative Budget Committee of the amount of the carryover within 10 working days from the date that the amount of the carryover is determined. Notwithstanding Section 28.00 or any other provision of law, upon request of the Department of Child Support Services, the Department of Finance may increase or decrease the expenditure authority in this item to offset any increases or decreases in collections deposited in the Child Support Collections Recovery Fund and appropriated in Item 5175-101-8004.

The Department of Finance shall provide notification of the adjustment to the Joint Legislative Budget Committee within 10 working days from the date of Department of Finance approval of the adjustment.

SEC. 295. Item 5180-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

5180-101-0890—For local assistance, Department of Social Services, for payment to Item 5180-101-0001, payable from the Federal Trust Fund..... ~~3,936,766,000~~ *4,466,139,000*

Provisions:

1. Provisions 1, 4, 6, 7, 8, and 9 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. 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 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 for 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). The Title XX funds shall be pooled with TANF funds appropriated in this item for CalWORKs Child Care. This transfer shall occur only if the Director of Finance approves the pooling of Title XX funds with Child Care and Development Fund or TANF funds, or both.
4. Upon request of the State Department of Social Services, the Director of Finance may increase or decrease the expenditure authority in this item to offset any increases or decreases in collections deposited in the

Child Support Collections Recovery Fund and appropriated in Item 5180-101-8004. The Department of Finance shall provide notification of the adjustment to the Joint Legislative Budget Committee within 10 working days from the date of Department of Finance approval of the adjustment.

SEC. 296. Item 5180-141-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

5180-141-0890—For local assistance, Department of Social Services, for payment to Item 5180-141-0001, payable from the Federal Trust Fund..... ~~724,119,000~~
758,470,000

Provisions:

1. Provisions 2, 3, 4, 6, and 7 of Item 5180-141-0001 also apply to this item.

SEC. 297. Item 5180-153-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

5180-153-0890—For local assistance, Department of Social Services, for payment to Item 5180-153-0001, payable from the Federal Trust Fund..... ~~481,417,000~~
503,274,000

Provisions:

1. Upon request by the Department of Finance, the Controller shall transfer funds between this item and Items 5180-101-0890, 5180-141-0890, and 5180-151-0890 as needed to reflect the estimated expenditure amounts for each county that opts into the Title IV-E Child Welfare Waiver Demonstration Project pursuant to Section 18260 of the Welfare and Institutions Code. In addition, funds appropriated in this item may also be transferred to Item 5180-151-0890 for the Child Welfare Services Outcome Improvement Project. The Department of Finance shall report to the Legislature the amount to be transferred pursuant to this provision. The transfer shall be authorized at the time the report is made.

SEC. 298. Item 5225-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

5225-001-0001—For support of Department of Corrections and Rehabilitation..... ~~6,887,426,000~~ *6,161,656,000*

Schedule:

(1) 10-Corrections and Rehabilitation Administration..... ~~396,054,000~~ *382,569,000*

(3) 15-Corrections Standards Authority..... 11,945,000

(4) 20-Juvenile Operations..... ~~255,030,000~~ *254,146,000*

(5) 21-Juvenile Education, Vocations, and Offender Programs..... 13,125,000

(6) 22-Juvenile Paroles..... ~~33,747,000~~ *33,555,000*

(7) 23-Juvenile Health Care..... ~~82,699,000~~ *84,907,000*

(8) 25-Adult Corrections and Rehabilitation Operations..... ~~5,118,266,000~~ *5,152,129,000*

(9) 30-Parole Operations—Adult..... ~~826,375,000~~ *788,099,000*

(10) 35-Board of Parole Hearings..... ~~126,328,000~~ *110,931,000*

(11) 40-Community Partnerships..... ~~16,629,000~~ *15,517,000*

(12) 45-Education, Vocations, and Offender Programs—Adult..... ~~612,378,000~~ *554,916,000*

(13) Reimbursements..... ~~−128,461,000~~ *−486,583,000*

(13.5) 97.20.001-Unallocated Reduction..... ~~−400,000,000~~ *−677,502,000*

(14) Amount payable from the Corrections Training Fund (Item 5225-001-0170).... −2,693,000

(15) Amount payable from the Federal Trust Fund (Item 5225-001-0890)..... −7,292,000

(16) Amount payable from the Inmate Welfare Fund (Item 5225-001-0917)..... ~~−66,704,000~~

−66,113,000

Provisions:

1. Any funds recovered as a result of audits of locally operated return-to-custody centers shall revert to the General Fund.
2. 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.
3. Notwithstanding any other provision of law, but subject to providing 30 days' prior notification to the Joint Legislative Budget Committee, funds appropriated in Schedule (8) or (9), or both, may be transferred to Item 5225-101-0001, Schedule (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.
4. 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 the Department 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.

5. Not later than February 17, 2010, the Secretary of the Department of Corrections and Rehabilitation shall submit to the chairpersons and vice chairpersons of the committees in both houses of the Legislature that consider the State Budget 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~~ *yearend* expenditures by program for each institution in the 2008–09 fiscal year, (b) allotments and projected expenditures by program for each institution in the 2009–10 fiscal year, (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 2009–10 fiscal year.

6. Funds appropriated to accommodate projected adult institutional and parolee population levels in excess of those that actually materialize, if any, shall revert to the General Fund.

~~7. Of the amount appropriated in Schedule (1), $3,270,000 is for contract costs to provide employees of the Department of Corrections and Rehabilitation with tuberculosis testing and Hepatitis B vaccinations. Any funds not expended for this purpose by June 30, 2010, shall revert to the General Fund. The Department of Corrections and Rehabilitation shall report actual contract expenditures to the Department of Finance.~~ *No later than January 10, 2010, the Department of Corrections and Rehabilitation (DCR), in consultation with the Office of the Receiver, shall report to the budget committees of both houses of the Legislature on its overtime expenditures for security staff (correctional officers, sergeants, and lieutenants) in the 2008–09 and 2009–10 fiscal years, including both security staff under the direction of the DCR and the Office of the Receiver. This report shall (a) identify the total budgeted resources available to DCR and the Office of the Receiver for security staff overtime*

(including funding for correctional relief officers and overtime funding for medical guarding and transportation), (b) compare the total budgeted resources to actual overtime expenditures and describe how DCR and the Office of the Receiver accommodated any identified funding shortfall, (c) identify the estimated amount by which different factors (such as vacancy rates) drive overtime costs, (d) provide an estimate of the DCR's and the Office of the Receiver's actual need for overtime funding, and (e) include a plan for how DCR and the Office of the Receiver will control overtime expenditures in the future.

8. Notwithstanding any other provision of law, and no sooner than 30 days after notifying the Joint Legislative Budget Committee and the chairpersons of the fiscal committees in each house of the Legislature, the Department of Finance may reduce the amount appropriated in this item commensurate with savings identified by the Department of Corrections and Rehabilitation related to the implementation of reforms to the Division of Juvenile Justice during the 2009–10 fiscal year. Program reductions may be made to Programs 20, 21, 22, and 23. Reductions shall not be made below funding levels needed to maintain compliance with the Farrell Remedial Plans.

9. (a) The funds appropriated in this item are restricted for use by the Department of Corrections and Rehabilitation for the specific programmatic and operational purposes specified in the Supplemental Report of the Budget Act of 2009. The department shall provide two reports identifying its progress toward expending these funds during the 2009–10 fiscal year to the Joint Legislative Budget Committee and the fiscal committees of both houses of the Legislature. The first report shall be due February 1, 2010, and shall separately detail the activities of the first two quarters of the 2009–10 fiscal year. The second report shall be due May 1, 2010, and shall display the activities for the third quarter of the 2009–10 fiscal

year. The funds identified in the Supplemental Report of the Budget Act of 2009 shall be utilized for the purposes specified, and any unspent funds shall revert to the General Fund.

(b) In situations where fluctuations in population result in lower expenditure levels as identified in the department's population budget change proposals, these savings shall be captured in the population funding estimates and may be used to offset other population-related expenditure increases.

(c) After providing a 30-day notification period to the Joint Legislative Budget Committee, the department may expend funds identified in the Supplemental Report of the Budget Act of 2009 on other identified needs.

10. The Department of Corrections and Rehabilitation (DCR) shall continue its efforts in consultation with legislative staff and the Department of Finance to create a more accurate and transparent population budget request for caseload-related funding. In particular, DCR shall identify appropriate funding formulas to use to estimate staffing levels and funding associated with changes in the projected inmate, parolee, and ward populations. These formulas shall be presented to the Legislature no later than January 10, 2010, so as to be considered during budget deliberations. If approved, these formulas shall be incorporated into DCR's budget request the following year.

11. The Budget Act of 2009 reflects a $249,510,000 reduction in inmate and parolee programs designed to reduce recidivism. The Department of Corrections and Rehabilitation shall implement these reductions consistent with the following requirements: (a) the department shall prioritize the preservation of programs for which there is evidence–based on studies of the programs operated by the department or in the national literature–that they are effective at reducing recidivism, (b) the department shall seek to achieve savings through more efficient operations in the delivery of

these programs, (c) the department shall seek to place inmates and parolees into programs for which they are best suited by prioritizing the placement of offenders who are assessed as higher risk to reoffend, demonstrate a significant need for the services provided for a particular program, and who have a sufficient amount of time left to serve in prison to reasonably complete the program or, at a minimum, make a reasonable amount of progress that it is possible to have an impact on their likelihood of recidivating, (d) the department shall seek to prioritize the elimination of vacant positions over laying off existing staff, (e) the department shall seek to use available resources to maximize the number of inmates and parolees who have access to and complete programs, and (f) the department shall seek to maximize the use of federal or other funds to maintain or enhance inmate and parolee programs. No later than August 15, 2009, the department shall report to the Joint Legislative Budget Committee a detailed plan as to how it will achieve $249,510,000 in savings from inmate and parolee programs, as well as how that plan is consistent with the requirements of this provision. No later than April 15, 2010, the department shall report to the joint committee regarding its progress in achieving these savings.

SEC. 299. Item 5225-001-0917 of Section 2.00 of the Budget Act of 2009 is amended to read:

5225-001-0917—For support of Department of Corrections and Rehabilitation, for payment to Item 5225-001-0001, payable from the Inmate Welfare Fund..... ~~66,704,000~~
66,113,000

SEC. 300. Item 5225-002-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

5225-002-0001—For support of Department of Corrections and Rehabilitation..... ~~2,262,086,000~~ *2,221,944,000*

Schedule:

(1) 10-Corrections and Rehabilitation Administration..... ~~8,548,000~~ *8,614,000*

(2) 25-Adult Corrections and Rehabilitation operations..... ~~261,530,000~~ *261,419,000*

(3) 50.10-Medical Services—Adult..... ~~1,207,604,000~~ *1,184,953,000*

(4) 50.20-Dental Services—Adult..... ~~180,917,000~~ *179,754,000*

(5) 50.30-Mental Health Services—Adult..... ~~357,381,000~~ *341,358,000*

(6) 50.40-Ancillary Health Care Services—Adult..... 195,710,000

(7) 50.50-Dental and Mental Health Services Administration—Adult..... ~~52,667,000~~ *52,407,000*

(8) Reimbursements..... −2,271,000

Provisions:

1. On February 14, 2006, the United States District Court in the case of Plata v. Schwarzenegger (No. C01-1351 THE) suspended the exercise by the Secretary of the Department of Corrections and Rehabilitation of all powers related to the administration, control, management, operation, and financing of the California prison medical health care system. The court ordered that all such powers vested in the Secretary of the Department of Corrections and Rehabilitation were to be performed by a Receiver appointed by the court commencing April 17, 2006, until further order of the court. The Director of the Division of Correctional Health Care Services of the Department of Corrections and Rehabilitation is to administer this item to the extent directed by the Receiver.

2. 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 experience or history indicates that only one qualified bid will be received.
3. Notwithstanding Section 13324 of the Government Code or Section 32.00 of this act, no state employee shall be held personally liable for any expenditure or the creation of any indebtedness in excess of the amounts appropriated therefor as a result of complying with the directions of the Receiver or orders of the United States District Court in Plata v. Schwarzenegger.
4. The amounts appropriated in Schedules (2), (3), and (6) are available for expenditure by the Receiver appointed by the Plata v. Schwarzenegger court to carry out its mission to deliver constitutionally adequate medical care to inmates.
5. The amounts appropriated in Schedules (1), (4), (5), and (7) are available for expenditure by the Department of Corrections and Rehabilitation to provide mental health and dental services only.
6. (a) The funds appropriated in this item are restricted for use by the Department of Corrections and Rehabilitation for the specific programmatic and operational purposes specified in the Supplemental Report of the Budget Act of 2009. The department shall provide two reports identifying its progress toward expending these funds during the 2009–10 fiscal year to the Joint Legislative Budget Committee and the fiscal committees of both houses of the Legislature. The first report shall be due February 1, 2010, and shall separately detail the activities of the first two quarters of the 2009–10 fiscal year. The second report shall be due May 1, 2010, and shall display the activities for the third quarter of the 2009–10 fiscal year. The funds identified in the Supplemental Report of the Budget Act of 2009 shall be utilized

for the purposes specified, and any unspent funds shall revert to the General Fund.

(b) In situations where fluctuations in population result in lower expenditure levels as identified in the department's population budget change proposals, these savings shall be captured in the population funding estimates and may be used to offset other population-related expenditure increases.

(c) After providing a 30-day notification period to the Joint Legislative Budget Committee, the department may expend funds identified in the Supplemental Report of the Budget Act of 2009 on other identified needs.

SEC. 301. Item 5225-101-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

5225-101-0001—For local assistance, Department of Corrections and Rehabilitation..... ~~79,226,000~~ *74,889,000*

Schedule:

(1)	15-Corrections Standards Authority.....	835,000
(2)	20-Juvenile Operations.....	78,000
(3)	22-Juvenile 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 of Fugitives.....	2,593,000
(6)	25.30-Adult Corrections and Rehabilitation Operations—County Charges.....	20,819,000
(7)	30-Parole Operations—Adult.....	~~53,220,000~~ *48,883,000*

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 pa-

role 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 11190 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 jurisdictions 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 ~~$84.29~~ *$77.17* per day, and shall be limited to the detention costs for those days on which 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 (7) of this item may be transferred to Schedule (8) or (9), 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. 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 expendi-

tures 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.

(b) To reimburse counties, pursuant to Section 1776 of the Welfare and Institutions Code, for the cost of the detention of the 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.

SEC. 302. Item 5225-301-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

5225-301-0001—For capital outlay, Department of Corrections and Rehabilitation, payable from the General Fund.....		~~39,776,000~~ *20,212,000*
Schedule:		
(1) 61.01.001-Statewide: Budget Packages and Advance Planning—Study.....	2,000,000	
(2) 61.01.115-Statewide: Reentry Facility Site Evaluations—Study and acquisition.....	5,000,000	
(3) 61.01.204-Statewide: Small Management Exercise Yards ~~(PSU~~ *(Psychiatric Services Unit* and ~~SHU)—Preliminary~~ *Security Housing Unit)—Preliminary* plans and working drawings.....	278,000	

(7) 61.08.061-California Institution for Men, Chino: Housing Unit Fire, Life, and Safety Modifications—Preliminary plans, working drawings, and construction..... 1,777,000

(8) 61.13.016-California Institution for Women, Frontera: 20-Bed Psychiatric Services Unit—Construction..... ~~5,729,000~~ *6,433,000*

(9) 61.14.030-Minor Projects..... 3,848,000

~~(11) 61.15.039-California Rehabilitation Center, Norco: Install Bar Screen—Construction..... 959,000~~

~~(12) 61.16.021-Sierra Conservation Center, Jamestown: Effluent Disposal Pipeline—Construction..... 4,851,000~~

~~(13) 61.18.008-Mule Creek State Prison, Ione: Wastewater Treatment Plant Improvements—Construction..... 5,072,000~~

~~(14) 61.34.004-Ironwood State Prison, Blythe: Heating, Ventilation, and Air-Conditioning System—Working drawings..... 9,192,000~~

(15) 61.47.007-California State Prison-Sacramento, Represa: Enhanced Outpatient Program, Facility B, Treatment and Office Space—Working drawings..... ~~1,070,000~~ *876,000*

Provisions:

1. The funds appropriated in Schedule (1) 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 2010–11 or 2011–12 Budget Act, and for which cost estimates or preliminary plans can be developed prior to legislative

hearings on the 2010–11 or 2011–12 Budget Acts, respectively. Upon approval by the Department of Finance, these funds may also be used to develop scope and cost information for projects authorized by Section 15819.40 of the Government Code. 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 this item 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. The unexpended portion of funds appropriated in Schedules (8) and (15) shall be reverted if the projects for which they are appropriated are removed from the mental health bed plan, as approved by the Coleman Court, and are no longer necessary to meet the mental health space needs required by the Coleman Court.

4. The Department of Corrections and Rehabilitation shall report to, in writing, the chairpersons of the committees in each house of the Legislature that consider appropriations and the Chairperson of the Joint Legislative Budget Committee by May 1, 2010, on the reconciliation of the funds appropriated in Schedule (9).

5. The funds appropriated in Schedule (2) are to be allocated by the Department of Corrections and Rehabili-

tation, upon approval of the Department of Finance, for site investigation and real estate due diligence activities preliminary to the site selection and acquisition of interests in real property. In performing these activities the Department of Corrections and Rehabilitation is authorized, upon approval of the State Public Works Board, to enter into agreements for the acquisition of an option to purchase real property.

SEC. 303. Item 5225-301-0660 of Section 2.00 of the Budget Act of 2009 is amended to read:

5225-301-0660—For capital outlay, Department of Corrections and Rehabilitation, payable from the Public Buildings Construction Fund..... 14,950,000

Schedule:

(1) 61.15.035-California Rehabilitation Center, Norco: Replace Men's Dorms—Construction..... 14,950,000

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 projects authorized by this item.
2. The Department of Corrections and Rehabilitation and the State Public Works Board are 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.
3. 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 Corrections and Rehabilitation from the requirements of the California Environmental Quality Act. This provision is declaratory of existing law.

4. Notwithstanding any other provision of law, the funds appropriated in this item shall be available for expenditure during the 2009–10 fiscal year, except appropriations for acquisitions which shall be available for expenditure until June 30, 2012, appropriations for working drawings which shall be available for expenditure until June 30, 2011, and appropriations for construction which shall be available for expenditure until June 30, 2014. In addition, the balance of the funds appropriated for construction that have not been allocated, through fund transfer or approval to bid, by the Department of Finance on or before June 30, 2012, shall revert as of that date to the fund from which the appropriation was made.

5. Notwithstanding any other provision of law, the Department of Corrections and Rehabilitation shall not encumber or expend funds for the San Quentin Condemned Inmate Complex project, as authorized in the Budget Act of 2003 (Ch. 157, Stats. 2003) and the Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), until the following conditions have been met: (a) the department determines it can legally double-cell condemned inmates, (b) federal court litigation on prison overcrowding currently before the three-judge panel convened under the Prison Litigation Reform Act (42 U.S.C. Sec. 1997 et seq.) in both Plata v. Schwarzenegger and Coleman v. Schwarzenegger is resolved, and (c) environmental impact review pursuant to the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) is completed for any modifications to the proposed stormwater outfall.

SEC. 304. Item 5225-301-0747 of Section 2.00 of the Budget Act of 2009 is amended to read:

5225-301-0747—For capital outlay, Department of Corrections and Rehabilitation, payable from the 1988 Prison Construction Fund..... ~~1,646,000~~ *750,000*

Schedule:

(1) 61.06.020-Deuel Vocational Institution, Tracy: New Minimum Support Dining Facility—Preliminary plans, working drawings, and construction..... ~~1,646,000~~ *750,000*

SEC. 305. Item 5225-491 is added to Section 2.00 of the Budget Act of 2009, to read:

5225-491—Reappropriation, Department of Corrections and Rehabilitation. 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:

0660—Public Buildings Construction Fund

(1) Item 5225-301-0660, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), as reappropriated by Item 5225-491, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

(4) 61.35.007-Salinas Valley State Prison, Soledad: 64 Bed Mental Health Facility—Construction

0751—1990 Prison Construction Bond Fund

(1) Item 5225-301-0751, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

(1) 61.31.002-Pleasant Valley State Prison, Coalinga: Bar Screen, Prelift Station—Construction

SEC. 306. Item 5225-496 is added to Section 2.00 of the Budget Act of 2009, to read:

5225-496—Reversion, Department of Corrections and Rehabilitation. As of June 30, 2009, the balances specified below of the appropriations provided in the following citations shall revert to the balance in the fund from which the appropriations were made:

0001—General Fund

(1) $20,000,000 from subdivision (a) of Section 28 of Chapter 7 of the Statutes of 2007

SEC. 307. Item 6110-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-001-0001—For support of Department of Education..... ~~40,401,000~~ *38,210,000*

Schedule:

(2) 20-Instructional Support..... ~~155,628,000~~ *158,747,000*

(3) 30-Special Programs..... ~~51,273,000~~ *54,632,000*

(4) 40-Executive Management and Special Services..... 9,795,000

(6) 42.01-Department Management and Special Services..... 33,684,000

(7) 42.02-Distributed Department Management and Special Services..... −33,684,000

(7.5) 97.20.001-Unallocated Reduction..... −13,753,000

(8) Reimbursements..... ~~−16,163,000~~ *−16,602,000*

(9) Amount payable from Federal Trust Fund (Item 6110-001-0890)..... ~~−145,715,000~~ *−153,945,000*

(10) Amount payable from Mental Health Services Fund (Item 6110-001-3085).... −664,000

Provisions:

1. 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.

2. 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.

(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.

3. The funds appropriated in this item may not be expended for any REACH program.

4. 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.

5. 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.

6. Of the funds appropriated in this item, no less than $2,420,000 is available for support of child care services, including state preschool.
7. Of the funds appropriated in this item, $164,000 is provided solely for the purpose of funding existing positions from within the State Department of Education to provide the Curriculum Development and Supplemental Materials Commission with subject matter specialists.
8. Of the funds appropriated in this item, $411,000, as subsequently adjusted for employee compensation, 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 Division 4 of Title 2 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 Division 4 of Title 2 of the Education Code.
9. By October 31 of each year, the State Department of Education (SDE) shall provide to the Department of Finance a file of all charter school average daily attendance (ADA) and state and local revenue associated with charter school general purpose entitlements as part of the P2 Revenue Limit File. By March 1~~, 2009~~ *of each year*, the SDE 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.
10. On or before April 15~~, 2009~~ *of each year*, 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.

11. 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, March 31, and May 31 of each year regarding the amount of Proposition 98 savings estimated to be available for reversion by June 30 of that year.
12. 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 Public Health.
13. 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.
14. 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 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~~ *therefor*, and upon receiving approval in writing.
15. Of the funds appropriated in this item, $300,000 is provided on a one-time basis for legal representation from the office of the Attorney General in litigation related to the California High School Exit Examination. The State Department of Education (SDE) shall provide a report to the Department of Finance and the Legislature detailing the expenditures of these funds

and providing an update on any such litigation on November 1, 2009, and every four months thereafter, with the final report due on June 30, 2010. The office of the Attorney General shall provide the SDE any information, including budget and expenditure data, necessary for the SDE to complete its reports to the Department of Finance and the Legislature.

16. Of the funds appropriated in this item, $181,000 shall only be available to support a $181,000 interagency agreement with the California Career Resource Network to provide continuing support for the operations of that organization.

17. Of the amount appropriated in this item, $139,000 from reimbursement funds may be expended for administering the Education Technology K–12 Voucher Program pursuant to the Microsoft settlement.

18. Of the funds appropriated in this item, up to $1,011,000 is for dispute resolution services, including mediation and fair hearing services, provided through contract for special education programs.

19. Of the reimbursement funds appropriated in this item, $422,000 shall be available to the State Department of Education *(SDE)* to contract for assistance in developing an approved listing of food and beverage items that comply with the nutrition standards of Chapters 235 and 237 of the Statutes of 2005. In order to fund the development and maintenance of the approved product listing, the ~~State Department of Education~~ *SDE* shall collect a fee, as it deems appropriate, from vendors seeking to have their ~~product~~ *products* reviewed for potential placement on the approved product listing. Reimbursements collected in the 2009–10 fiscal year may be used to offset costs incurred in the 2007–08 and 2008–09 fiscal years.

20. Of the funds appropriated in Schedule (2), up to $540,000 is for transfer by the Controller to the State Instructional Materials Fund for allocation during the ~~2008–09~~ *2009–10* fiscal year pursuant to Article 3 (commencing with Section 60240) of Chapter 2 of Part 33 of Division 4 of Title 2 of the Education Code.

These funds shall be transferred in amounts claimed by the State Department of Education (SDE), for direct disbursement by the SDE from the Instructional Materials Fund.

21. Of the reimbursement funds appropriated in Schedule (8), $500,000 is for the support of "Green" California Partnership Academies pursuant to legislation enacted in the 2007−08 Regular Session. These funds shall be available for expenditure until June 30, 2011.

22. Of the reimbursement funds appropriated in Schedule (8), $138,000 is for purposes of overseeing State Board of Education-approved charter schools.

~~23. Of the funds appropriated in this item, $2,191,000 is available on a one-time basis for the State Department of Education (SDE) to fund 3.0 limited-term positions through June 30, 2010, and contract costs associated with the development of the California Longitudinal Teacher Integrated Data Education System (CALTIDES). By September 30, 2010, the SDE shall submit a detailed report of the expenditures authorized under this provision to the appropriate budget and policy committees of the Legislature, the Legislative Analyst's Office, and the Department of Finance.~~

24. Of the reimbursement funds appropriated in this item, $474,000 is provided to the State Department of Education for the oversight of State Board of Education-authorized charter schools. The Department of Finance may administratively establish up to 5.0 positions for this purpose as workload materializes.

25. Of the reimbursements appropriated in Schedule (8) of this item, $439,000 and 2.0 limited-term positions until July 1, 2011, inclusive, pursuant to an agreement with the California Children and Families Commission, shall be available to the State Department of Education to support the activities of the Early Learning Quality Improvement System Advisory Committee established by Chapter 307 of the Statutes of 2008.

SEC. 308. Item 6110-001-0231 of Section 2.00 of the Budget Act of 2009 is amended to read:

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, pursuant to Article 1 (commencing with Section 104420) of Chapter 1 of Part 3 of the Health and Safety Code..... ~~927,000~~
864,000

SEC. 309. Item 6110-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-001-0890—For support of Department of Education, for payment to Item 6110-001-0001, payable from the Federal Trust Fund..... ~~145,715,000~~
153,945,000

Provisions:

1. The funds appropriated in this item include federal Carl D. Perkins Vocational and Technical Education Act of 2006 funds for the 2007–08 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 career technical 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, $426,000 is available for programs for homeless youth and adults pursuant to the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11431 et seq.). The State Department of Education shall consult with the Department of Community Services and Development, the State Department of Mental Health, the Department of Housing and Community Development, and the

Commission for Economic Development in operating this program.

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 4.0 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. (a) Of the funds appropriated in this item, ~~$11,765,000~~ *$12,015,000* is from the Child Care and Development Block Grant Fund and is available for support of child care services. *Of this amount, $250,000 shall be available to support a contract for consulting services to conduct a study of the characteristics of families and costs of care pursuant to Provision 13 of Item 6110-196-0001*. Of ~~this amount~~ *the federal funds in this item*, $1,533,000 is for 13.0 positions to address compliance monitoring and overpayments, which may contribute to early detection of fraud. All federally subsidized child care agencies shall be audited pursuant to federal regulations per Part 98 of Title 45 of the Code of Federal Regulations. The State Department of Education (SDE) shall provide information to the Legislature and Department of Finance each year that quantifies by program 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. Additionally, the SDE shall provide a copy of any federal reports submitted regarding improper payments and fraud to the Legislature and the Department of Finance.

(b) As a condition of receiving the resources specified in subdivision (a), every alternative payment

agency and subsidized general child care agency will be audited each year using sufficient sampling of provider records of the following: (1) family fee determinations, (2) income eligibility, (3) rate limits, and (4) 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 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 the Legislature no later than April 15.

(c) The SDE shall develop a plan by October 1, 2009, for reducing overpayments and recovering payments from child care and development programs that the SDE has determined to have been made in error related either to potential fraud or overpayments. The plan shall be submitted to the Department of Finance by October 1, 2009, for consideration and potential inclusion in the January Governor's Budget. The plan shall provide options and recommendations for payment recovery that seek to maximize California's receipt and use of federal funds and for implementing aggressive corrective measures to minimize payment errors. Those corrective measures may include rebidding contracts for contractors with high error rates and modifying the contract funding terms and conditions to require reductions to administrative allowances for contractors that exceed specified maximum error rates and prohibit payment to providers that continue to submit erroneous reports for reimbursement purposes. Prior to submitting recommendations, the SDE shall review options with the State Department of Social Services and representatives of alternate payment providers, counties that directly administer Stage

1, and state-funded centers and family day care homes.

7. Of the funds appropriated in this item, $1,066,000 shall be used for administration of the federal Enhancing Education Through Technology Grant Program. Of this amount:
   (a) $150,000 is available only for contracted technical support and evaluation services.
8. Of the funds appropriated in this item, $9,206,000 is for dispute resolution services, including mediation and fair hearing services, provided through contract for the special education programs. The State Department of Education shall ensure the quarterly reports that the contractor submits on the results of its dispute resolution services include the same information as required by Provision 9 of Item 6110-001-0890 of Chapters 47 and 48 of the Statutes of 2006 and Section 56504.5 of the Education Code and reflect year-to-date data and final yearend data.
9. Of the amount provided in this item, $881,000 is provided for the purpose of monitoring local educational agency compliance with state and federal laws and regulations governing special education.
10. 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, 2009. 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 travel costs associated with the type and number of reviews conducted, and an average cost per type of review.

11. Of the amount appropriated in this item, $832,000 ($600,000 reimbursements and $232,000 federal special education funds) shall be used to fund 6.0 positions and implement the provisions of Chapter 914 of the Statutes of 2004 for increased monitoring of nonpublic, nonsectarian schools.

12. 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 mental health services required by an individualized education plan pursuant to Chapter 493 of the Statutes of 2004.

13. Of the funds appropriated in this item, $1,726,000 is available on a one-time basis to implement the Child Nutrition Information and Payment System.

14. Of the funds appropriated in this item, $2,506,000 shall be used for the administration of the 21st Century Community Learning Centers Program.

15. Of the funds appropriated in this item, $180,000 in federal Carl D. Perkins Vocational and Technical Education Act of 2006 funding shall only be available to support a $180,000 interagency agreement with the California Career Resource Network to provide continuing support for the operations of that organization.

16. Of the amount appropriated in this item, $100,000 is available for an interagency agreement with the California Career Resource Network to develop career resource materials and information pursuant to Provision 1 of Item 6330-001-0001.

~~17. Of the funds appropriated in this item, $945,000 is available on a one-time basis from federal Title II funds for the State Department of Education (SDE) to contract services for the development of the California Longitudinal Teacher Integrated Data Education System (CALTIDES). By September 30, 2010, the SDE shall submit a detailed report of the expenditures authorized under this provision to the appropriate budget~~

~~and policy committees of the Legislature, the Legislative Analyst's Office, and the Department of Finance.~~

18. The following funds appropriated in this item are for the development of a comprehensive strategy to address data reporting requirements and the development of the California Longitudinal Pupil Achievement Data System (CALPADS) to meet the requirements of the federal No Child Left Behind Act of 2001 (P.L. 107-110) and Chapter 1002 of the Statutes of 2002:
    (a) $730,000 and 5.0 positions to support state operations for a comprehensive strategy to address data reporting requirements.
    (b) $2,588,000 and 1.0 position to support state operations related to the development of CALPADS. Up to $1,158,000 may be used to support the involvement of California School Information Services staff in the development of CALPADS.
    (c) $115,000 and 1.0 position to support workload associated with coordinating data collection and sharing for CALPADS and for the federal Education Data Exchange Network.
    (d) $9,549,000 in one-time federal Title VI funds is available for additional CALPADS implementation activities, including but not limited to, vendor costs associated with system integration, project management and oversight, Office of Technology Services costs, data system validation and verification, and costs associated with the administration and review of data requests to ensure compliance with state and federal privacy laws.
19. Of the funds appropriated in this item, $378,000 and 4.0 positions are provided to support workload for the federal School Improvement Grant (SIG) Program. Funds shall be allocated pursuant to legislation.
20. Of the funds appropriated in this item, $736,000 is available from the Child Care and Development Block Grant Fund on a one-time basis to purchase hardware, software, and to contract with a vendor to customize a solution for replacement of the Provider Accounting and Reporting Information System (PARI$). The State

Department of Education (SDE) shall require the vendor to propose a cost-effective solution in which interim functions that are duplicative of the Financial Information System for California (FI$Cal) will be decommissioned when FI$Cal is fully implemented. The SDE shall also require the vendor to address any modifications to the child care contracting process that may be implemented through legislation enacted during the current legislative session or through regulations deemed necessary to more fully utilize available appropriations in the solution to rewrite PARI$.

21. Of the funds appropriated in this item, $308,000 is available from Title II funds for an interagency agreement with the Commission on Teacher Credentialing to support teacher misassignment monitoring activities.

22. Of the funds appropriated in this item, $109,000 is provided in federal Title III funds to make permanent 1.0 existing limited-term position to support the English language learner component of the Mathematics and Reading Professional Development Program.

23. Of the funds appropriated in this item, $334,000 is available on a one-time basis to fund the second year of a three-year, independent evaluation as set forth in legislation enacted in the 2007–08 Regular Session related to federal school improvement.

24. Of the funds appropriated in this item, ~~$112,000~~ *$432,000* is available on a one-time basis to improve and expand the direct certification and verification processes of students in child nutrition programs.

25. Of the funds appropriated in this item, $1,050,000 is provided from one-time funds for activities described in Chapter 666 of the Statutes of 2008.

26. Of the funds appropriated in this item, $125,000 is available on an ongoing basis to support updates, as necessary, for existing parental notification and information templates and $260,000 is available on a one-time basis to support the development of additional translations of parental notification and information templates. The State Department of Education shall

submit, on or before September 1, 2010, a detailed report of expenditures of funds provided pursuant to this provision to the Department of Finance, the Legislative Analyst's Office, and the appropriate budget subcommittees of the Legislature. It is the intent of the Legislature that $125,000 in ongoing funds be provided for the 2009–10, 2010–11, and 2011–12 fiscal years.

27. Of the funds appropriated in this item, $1,500,000 is available on a one-time basis from federal Statewide Longitudinal Data Systems funds for the State Department of Education for systems integration of the California Longitudinal Teacher Integrated Data Education System.

28. Of the funds appropriated in this item, $1,636,000 is available from federal Title II funds on a one-time basis for the State Department of Education to fund 3.0 limited-term positions through June 30, 2010, and pay costs associated with the development of the California Longitudinal Teacher Integrated Data Education System.

29. Of the funds appropriated in this item, $1,100,000 is provided on a one-time basis, contingent on the receipt of Direct Certification, Team Nutrition, and Administrative Review and Training grants from the United States Department of Agriculture, to develop and implement school district training needed to implement federal requirements associated with the Child Nutrition program.

30. Of the funds appropriated in this item, $189,000 is provided from one-time carryover funds for the Coordinated Health/HIV Education Prevention Program.

31. Of the funds appropriated in this item, $945,000 is available from federal Title II funds for the Compliance, Monitoring, Interventions, and Sanctions (CMIS) Program. This program is designed to help school districts meet the highly qualified teacher requirements specified in the federal No Child Left Behind Act of 2001 (P.L. 107-110). By April 1, 2010, the State Department of Education shall submit a report on the

CMIS Program to the appropriate budget and policy committees of the Legislature, the Legislative Analyst's Office, and the Department of Finance. The report shall identify (a) the number of school districts that received CMIS support in the 2009–10 fiscal year and (b) the major components of the plans that those districts developed to respond to the federal highly qualified teacher requirements. For each participating district, the report shall provide longitudinal data on the number and percent of teachers who are and are not highly qualified. At a minimum, the 2009–10 report shall include finalized data for the 2008–09 fiscal year and initial data for the 2009–10 fiscal year. The report shall provide data separately for high- and low-poverty schools. For comparison, the report shall provide the same longitudinal data for the statewide average of all school districts as well as the average for school districts not receiving CMIS support.

SEC. 310. Item 6110-008-0001 is added to Section 2.00 of the Budget Act of 2009, to read:

6110-008-0001—For support of the Department of Education, as allocated by the Department of Education to the State Special Schools for student transportation allowances, Program 10.60.40..... 3,894,000

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.*
2. *The State Department of Education (SDE) shall obtain from the Department of Finance written approval prior to spending $924,000 in this item budgeted to address anticipated transportation contract increases in the 2009–10 fiscal year resulting from fuel and insurance costs. The Department of Finance shall act within 30 days of receiving justification from the SDE for the increased costs.*

SEC. 311. Item 6110-008-0046 of Section 2.00 of the Budget Act of 2009 is repealed.

~~6110-008-0046—For support of Department of Education, as allocated by the Department of Education to the State Special Schools for student transportation allowances, payable from the Public Transportation Account, State Transportation Fund..... 3,894,000~~

~~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.~~

~~2. The State Department of Education shall obtain from the Department of Finance written approval prior to spending $924,000 in this item budgeted to address anticipated transportation contract increases in the 2009–10 fiscal year resulting from fuel and insurance costs. The Department of Finance shall act within 30 days of receiving justification from the State Department of Education for the increased costs.~~

SEC. 312. Item 6110-102-0231 of Section 2.00 of the Budget Act of 2009 is amended to read:

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, pursuant to Article 1 (commencing with Section 104350) of Chapter 1 of Part 3 of Division 103 of the Health and Safety Code..... ~~18,998,000~~ *17,868,000*

SEC. 313. Item 6110-102-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

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.... ~~1,813,000~~ *2,113,000*

1. Of the funds appropriated in this item, $300,000 reflects one-time carryover funds.

SEC. 314. Item 6110-104-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~329,409,000~~ *329,326,000*

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.....	~~199,480,000~~ *199,430,000*
(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....	~~48,183,000~~ *48,171,000*
(3)	10.10.011.010-School Apportionments, for Supplemental Instruction, Low STAR-Grades 2–6 for the purposes of Section 37252.8 of the Education Code.....	~~16,427,000~~ *16,423,000*
(4)	10.10.011.011-School Apportionments, for Supplemental Instruction, Core Academic K–12 for the purposes of Section 37253 of the Education Code....	~~65,319,000~~ *65,302,000*

Provisions:

1. Notwithstanding any other provision of law, for the fiscal year, the Superintendent of Public Instruction shall allocate a minimum of $8,715 for supplemental summer school programs in each school district for which the prior fiscal year enrollment was less than 500 and that, in the 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 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's or charter school's enrollment multiplied by 120 hours, multiplied by the hourly rate for the fiscal year.
3. Notwithstanding any other provision of law, the rate of reimbursement shall be $4.08 per hour of supplemental instruction.
4. Notwithstanding any other provision of law, if the funds in this item are insufficient to fund otherwise valid claims, the Superintendent of Public Instruction shall adjust the rates to conform to available funds.
5. Of the funds appropriated in this item, $0 is provided for the purpose of a cost-of-living adjustment.
6. 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.

7. Notwithstanding any other provision of law, an additional $90,117,000 in expenditures for this item has been deferred until the following fiscal year.
8. Rates or hours shall be adjusted in voluntary programs as necessary to fully meet demand in mandatory programs and remain within the amount provided for this purpose in the annual Budget Act.
9. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ *0.32* percent for a statewide decline in average daily attendance.

SEC. 315. Item 6110-108-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-108-0001—For local assistance, Department of Education (Proposition 98), Program 20-Instructional Support, the Supplemental School Counseling Program, established pursuant to Article 4.5 (commencing with Section 52378) of Chapter 9 of Part 28 of Division 4 of Title 2 of the Education Code..... ~~208,433,000~~ *208,391,000*

Provisions:

1. Of the funds appropriated in this item, $0 is provided for the purpose of a cost-of-living adjustment.
2. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ *0.32* percent for a statewide decline in average daily attendance.

SEC. 316. Item 6110-109-0001 is added to Section 2.00 of the Budget Act of 2009, to read:

6110-109-0001—For local assistance, Department of Education, Program 10-Instruction, Title XIV of the American Recovery and Reinvestment Act of 2009..... 0

Schedule:

(1) 10-Instruction..... 548,000,000

(2) Reimbursements..... −548,000,000

Provisions:

1. The funds appropriated in this item are for restoring levels of state support for elementary and secondary

education pursuant to Title XIV of the American Recovery and Reinvestment Act of 2009 (P.L. 111-5).

2. The funds appropriated in this item are for mitigating K–12 revenue limit reductions, as well as reductions made to basic aid districts. Of the total funds appropriated in this item, 94.88 percent shall be distributed to nonbasic aid districts and charter schools, 3.24 percent shall be distributed to basic aid districts, and 1.88 percent shall be distributed to county offices of education. Allocations shall be based on average daily attendance.

SEC. 317. Item 6110-111-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-111-0001—For local assistance, Department of Education (Proposition 98), Program 10-Instruction, 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 Division 3 of Title 2 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 Division 3 of Title 2 of the Education Code..... ~~214,381,000~~ *618,714,000*

Schedule:

(1) 10.10.006-Pupil Transportation..... ~~208,295,000~~ *612,628,000*

(2) 10.10.008-Small School District Bus Replacement..... 6,086,000

Provisions:

1. Of the funds appropriated in this item, $0 is for the purpose of providing a cost-of-living adjustment.

SEC. 318. Item 6110-111-0046 of Section 2.00 of the Budget Act of 2009 is repealed.

~~6110-111-0046—For local assistance, Department of Education (from the Public Transportation Account, State Transportation Fund), Program 10.10.006-Instruction, 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 Division 3 of Title 2 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 Division 3 of Title 2 of the Education Code..... 313,886,000~~

SEC. 319. Item 6110-111-3116 of Section 2.00 of the Budget Act of 2009 is repealed.

~~6110-111-3116—For local assistance, Department of Education (from the Mass Transportation Fund, State Transportation Fund), Program 10.10.006-Instruction, 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 Division 3 of Title 2 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 Division 3 of Title 2 of the Education Code..... 90,447,000~~

SEC. 320. Item 6110-113-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-113-0001—For local assistance, Department of Education (Proposition 98), for purposes of California's pupil testing program..... 86,215,000

Schedule:

(1)	20.70.030.005-Assessment Review and Reporting.....	2,192,000
(2)	20.70.030.006-STAR Program.....	50,059,000
(3)	20.70.030.007-English Language Development Assessment.....	1,630,000
(4)	20.70.030.008-High School Exit Examination.....	7,200,000

(5) 20.70.030.209-Assessment Apportionments..... 25,134,000
(6) 20.70.030.015-California High School Proficiency Examination..... 1,244,000
(7) Reimbursements..... −1,244,000

Provisions:

1. The funds appropriated in this item shall be for the pupil testing programs authorized by Chapter 3 (commencing with Section 48412) of Part 27 of Division 4 of Title 2 of the Education Code and Chapter 5 (commencing with Section 60600), Chapter 6 (commencing with Section 60800), Chapter 7 (commencing with Section 60810), and Chapter 9 (commencing with Section 60850) of Part 33 of Division 4 of Title 2 of the Education Code.
2. The funds appropriated in Schedule (2) are provided for approved contract costs for the development and administration of the California Standards Tests, the Standards-Based Tests in Spanish, the California Alternate Performance Assessment (CAPA), the Designated Primary Language Test, and the California Modified Assessment, as part of the STAR Program. District apportionments provided in Schedule (5) shall be $5 per pupil for the CAPA.
3. The funds appropriated in Schedule (3) shall be available for approved contract costs for administration of the California English Language Development Test (CELDT) meeting the requirements of Chapter 7 (commencing with Section 60810) of Part 33 of Division 4 of Title 2 of the Education Code. Incentive funding of $5 per pupil is provided in Schedule (5) for district apportionments for the CELDT. 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 federal No Child Left Behind Act of 2001 (P.L. 107-110) regarding English language learners by the State Department of Education.
4. The funds appropriated in Schedule (4) include funds for approved contract costs for the administration of

the California High School Exit Examination (CAHSEE) pursuant to Chapter 9 (commencing with Section 60850) of Part 33 of Division 4 of Title 2 of the Education Code. The State Board of Education shall establish the amount of funding to be apportioned to school districts for the CAHSEE. The amount of funding to be apportioned per test shall not be valid without the approval of the Department of Finance.

5. The funds appropriated in Schedule (4) shall be used for seven annual administrations of the California High School Exit Examination. Grade 12 pupils may take up to five administrations of the examination, grade 11 pupils may take up to two, and grade 10 pupils are required to take one.

6. It is the intent of the Legislature that the State Department of Education (SDE) develop a plan to streamline existing programs to eliminate duplicative tests and minimize the instructional time lost to test administration. The SDE shall ensure that all statewide tests meet industry standards for validity and reliability.

7. Funds provided to local educational agencies from Schedules (2), (3), (4), and (5) 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 STAR Program, the California English Language Development Test, and the California High School Exit Examination. Local educational agencies receiving funding from these schedules shall reduce their estimated and actual mandate reimbursement claims by the amount of funding provided to them from these schedules.

8. Notwithstanding Section 28.50, the Department of Finance may adjust Schedules (6) and (7) to reflect changes in actual reimbursements from the contractor for the California High School Proficiency Examination.

9. Federal funds provided in Item 6110-113-0890 for statewide testing purposes shall be fully expended

before General Fund resources provided in this item are expended for the same purposes.

10. The funds appropriated in Schedule (5) may be used to pay approved apportionment costs from the 2008–09 and the 2009–10 fiscal years for the STAR Program, the California English Language Development Test, and the California High School Exit Examination.

11. The State Department of Education (SDE) shall not expend funds from this item until the Department of Finance approves an SDE expenditure plan to ensure that the SDE maximizes contract savings and minimizes apportionment payment deferrals for the 2008–09 and 2009–10 fiscal years. After an expenditure plan is approved by the Department of Finance, the SDE shall provide a copy of the approved plan to the Legislative Analyst's Office and the appropriate fiscal and policy committees of the Legislature.

12. In implementing the reductions for the 2008–09 and 2009–10 fiscal years, the State Department of Education shall not eliminate any state assessments funded by this item.

SEC. 321. Item 6110-119-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~18,834,000~~ *18,831,000*

Provisions:

1. Of the funds appropriated in this item, $0 is provided for the purpose of a cost-of-living adjustment.
2. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ *0.32* percent for a statewide decline in average daily attendance.

SEC. 322. Item 6110-119-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-119-0890—For local assistance, Department of Education, Program 10.30.060.002-Title I Program for Neglected and Delinquent Children, payable from the Federal Trust Fund..... ~~2,461,000~~ *2,504,000*

Provisions:

1. Of the funds appropriated in this item, $43,000 is provided in one-time carryover funds to support the existing program.

SEC. 323. Item 6110-122-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

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 Division 4 of Title 2 of the Education Code..... ~~6,104,000~~ *6,102,000*

Provisions:

1. Of the funds appropriated in this item, $1,500,000 shall be allocated to Specialized Secondary Programs established prior to the 1991–92 fiscal year that operate in conjunction with the California State University.
2. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ *0.32* percent for a statewide decline in average daily attendance.
3. Of the amount appropriated in this item, $0 is provided for a cost-of-living adjustment.

SEC. 324. Item 6110-124-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

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 Division 4 of Title 2 of the Education Code..... ~~50,885,000~~
50,874,000

Provisions:

1. An additional $4,294,000 in expenditures for this purpose has been deferred to the 2010–11 fiscal year.
2. Of the funds appropriated in this item, $0 is for the purpose of providing a cost-of-living adjustment.
3. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ *0.32* percent for a statewide decline in average daily attendance.

SEC. 325. Item 6110-125-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-125-0001—For local assistance, Department of Education (Proposition 98)..... ~~63,073,000~~
63,061,000

Schedule:

(1) 10.40.030.004-Refugee Children School Grant Program..... 1,649,000

(2) 20.10.006-English Language Acquisition Program, pursuant to Chapter 4 (commencing with Section 400) of Part 1 of Division 1 of Title 1 of the Education Code..... ~~63,073,000~~
63,061,000

(3) Reimbursements..... −1,649,000

Provisions:

1. Of the funds appropriated in this item, $0 is provided for the purpose of a cost-of-living adjustment.
2. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ *0.32* percent for a statewide decline in average daily attendance.

SEC. 326. Item 6110-125-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-125-0890—For local assistance, Department of Education, payable from the Federal Trust Fund..... ~~297,826,000~~ *309,933,000*

Schedule:

(1) 10.30.010-Title I, Migrant Education..... ~~127,719,000~~ *138,143,000*

(2) 20.10.004-Title III, Language Acquisition..... ~~170,107,000~~ *171,790,000*

Provisions:

1. Of the funds appropriated in Schedule (1), 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.

2. Of the funds appropriated in Schedule (1), $3,500,000 is provided in one-time carryover funds to support the following existing program activities: (a) extended day/week and summer/intersession programs to help prepare middle and secondary students for the high school exit exam, (b) investments aimed at upgrading curricula, instructional materials, educational software, and assessment procedures, (c) tutorials and intensified instruction, and (d) investments in technology used to improve the proficiency of limited-English-proficient pupils.

3. Of the funds appropriated in Schedule (2), $1,683,000 is provided in one-time carryover funds to support the existing program.

SEC. 327. Item 6110-126-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-126-0890—For local assistance, Department of Education, Program 20.60.290-Instructional Support, Title I, Part B of the federal Elementary and Secondary Education Act (Reading First program) payable from the Federal Trust Fund..... ~~47,974,000~~
26,512,000

Provisions:

1. The funds appropriated in this item are for Reading First programs pursuant to Article 1 (commencing with Section 51700) of Chapter 5 of Part 28 of Division 4 of Title 2 of the Education Code. ~~It is the intent of the Legislature that all participating school districts receive funding at the rates established in paragraph (3) of subdivision (c) of Section 51700 for six years. A participating school district shall not receive funding from this item for more than six years.~~

~~2. Of the funds appropriated in this item, $3,658,000 shall be available for Reading First's statewide and regional infrastructure, including its six regional technical assistance centers.~~

~~3. By May 1, 2010, the State Department of Education shall provide the Legislature with all of the following: (a) the number of school districts receiving grants, (b) the number of K–3 teachers funded, (c) the number of K–12 special education teachers served, and (d) the average per-teacher grant amount.~~

~~4. By May 1, 2010, the State Department of Education 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 to 2008–09, inclusive, 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 Division 4 of Title 2 of the Education Code.~~

2. Of the funds appropriated in this item, $2,800,000 shall be available for Reading First's statewide and

regional infrastructure, including its eight regional technical assistance centers. The State Department of Education, in consultation with the technical assistance centers, shall submit an expenditure report by November 30, 2010, to the Department of Finance and the Legislative Analyst's Office. This report shall include, at a minimum, the sum and distribution of participating schools and teachers and expenditure information for each technical assistance center by category of personnel, training, training materials, travel, general expense, and indirect costs.

3. Of the funds appropriated in this item, $23,712,000 is provided in one-time carryover funds. These funds shall be available to support Reading First-appropriate activities including, but not limited to, teacher training, teacher assessments, student assessments, remedial programs, classroom materials, reading coaches, external resource specialists, and the implementation of research-based instructional strategies, such as response to instruction and intervention. First priority for funding shall be given to support Reading First Special Education Teacher Professional Development (SETPD) Pilot Program applicants. Second priority shall be given to other currently participating local educational agencies to provide an amount equivalent to no more than six years of funding. All participants in Priority 1 and 2, as specified in this provision, shall receive a maximum of $8,000 per teacher for each equivalent year of funding.

4. Funds that are not needed for the purposes specified in Provisions 2 and 3 shall be available to support Reading First-appropriate activities, including, but not limited to, the activities specified in Provision 3, and shall be distributed to former and current Reading First and Priority 1 Special Education Teacher Professional Development Pilot Program local educational agencies, prorated across all participating teachers.

SEC. 328. Item 6110-134-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-134-0890—For local assistance, Department of Education, payable from the Federal Trust Fund..... ~~1,737,878,000~~ *2,751,266,000*

Schedule:

(1) 10.30.006-Statewide System of School Support..... 10,000,000

(2) 10.30.014-Title I, Corrective Action—Local Educational Agencies..... ~~54,872,000~~ *119,744,000*

(2.5) 10.30.015-Title I, Corrective Action—Local Educational Agencies, American Recovery and Reinvestment Act..... 44,996,000

(3) 10.30.004-School Improvement Grants, Corrective Action..... ~~61,462,000~~ *74,672,000*

(3.5) 10.30.016—School Improvement Grant, Corrective Action, American Recovery and Reinvestment Act..... 346,348,000

(4) 10.30.060-Title I-ESEA..... ~~1,611,544,000~~ *1,615,544,000*

(5) 10.30.061-Title I—ESEA, American Recovery and Reinvestment Act..... 539,962,000

Provisions:

1. In administering the accountability system required by this item, the State Department of Education shall align the forms, processes, and procedures required of local educational agencies in a manner that they may be utilized for the purposes of implementing the Public Schools Accountability Act of 1999, as established by Chapter 6.1 (commencing with Section 52050) of Part 28 of Division 4 of Title 2 of the Education Code, so that duplication of effort is minimized at the local level.
2. The funds appropriated in Schedule (1) shall be available for the purposes established by Article 4.2 (commencing with Section 52059) of Chapter 6.1 of Part 28 of Division 4 of Title 2 of the Education Code.
4. The State Department of Education shall provide to the Legislature, the Legislative Analyst's Office, and

the Department of Finance~~,~~ a letter by April 15, 2010, reporting expenditures and anticipated savings for each schedule, based on available information.

~~5. The funds appropriated in Schedules (2) and (3) shall be available for purposes established by Article 3.1 (commencing with Section 52055.57(c)) of Chapter 6.1 of Part 28 of Division 4 of Title 2 of the Education Code.~~

6. 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 claims for district assistance and intervention teams and other technical assistance providers. 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.

7. The funds appropriated in Schedules (2) and (2.5) shall be distributed according to the Title I basic grant formula. Of the funds appropriated in Schedule (2), $64,872,000 are one-time carryover funds.

8. The funds appropriated in Schedules (3) and (3.5) are for purposes of Title I, Part A, Section 1116 and 1117 of the federal No Child Left Behind Act (P.L. 107-110) and shall first be used to fund the LEA Corrective Action program established by Article 3.1 (commencing with Section 52055.57) of Chapter 6.1 of Part 28 of Division 4 of Title 2 of the Education Code, with the remainder to be apportioned to programs pursuant to legislation. Of the funds appropriated in Schedule (3), $13,210,000 are one-time carryover funds.

9. Of the funds appropriated in Schedule (4), $4,000,000 is provided in one-time carryover funds to support the existing program.

SEC. 329. Item 6110-136-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-136-0890—For local assistance, Department of Education, Program 10.30-Instruction, payable from the Federal Trust Fund..... ~~14,190,000~~ *20,499,000*

Schedule:

(1) 10.30.065-McKinney-Vento Homeless Children Education..... ~~7,193,000~~ *12,712,000*

(2) 10.30.030-Title I-Even Start Program.... ~~6,997,000~~ *7,787,000*

Provisions:

1. Of the funds appropriated in Schedule (1), $400,000 is provided in one-time carryover funds to support the existing program.

2. Of the funds appropriated in Schedule (2), $790,000 is provided in one-time carryover funds to support the existing program.

SEC. 330. Item 6110-140-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-140-0001—For local assistance, Department of Education (Proposition 98), Program 20-Instructional Support..... 0

Schedule:

(1) 20.80.001-Student Friendly Services.... 500,000

(2) 20.90.001.020-California School Information Services Administration..... ~~4,444,000~~ *3,899,000*

(3) 20.90.001.030-California School Information Services Administration Independent Project Oversight..... 150,000

(4) Amount payable from the Educational Telecommunication Fund (Item 6110-140-0349)..... ~~−5,094,000~~ *−4,549,000*

Provisions:

1. The Superintendent of Public Instruction shall allocate the funds appropriated in Schedule (1) for the Student Friendly Services program.

2. The funds appropriated in Schedule (2) shall be for allocation to the Fiscal Crisis and Management Assistance Team for costs associated with administration of the California School Information Services 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: (a) CSIS capacity for additional district cohorts, (b) readiness of self-identified districts for participation in new CSIS cohorts, (c) CSIS operations budget, and (d) CSIS readiness to implement additional phases of state reporting and records transfer.

~~4. Of the funds appropriated in Schedule (2), $545,000 is available on a three-year limited-term basis to support positions and administrative costs associated with the implementation plan developed pursuant to Provision 5 of Item 6110-101-0349 of the Budget Act of 2006 (Chs. 47 and 48, Stats. 2006).~~

5. The State Department of Education and ~~CSIS~~ *the California School Information Services* shall jointly report by October 1, 2009, to the Department of Finance, the Legislative Analyst's Office, and the budget committees of the Legislature on the workload activities performed by each entity to prepare for the implementation of ~~CALPADS~~ *the California Longitudinal Pupil Achievement Data System (CALPADS).*

SEC. 331. Item 6110-140-0349 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-140-0349—For local assistance, Department of Education, for payment to Item 6110-140-0001, payable from the Educational Telecommunication Fund..... ~~5,094,000~~
4,549,000

SEC. 332. Item 6110-156-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-156-0890—For local assistance, Department of Education, Program 10.50.010.001-Adult Education, payable from the Federal Trust Fund..... ~~75,126,000~~
79,082,000

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 department 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 $500,000 pursuant to 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~~ *department'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 Government Auditing Standards 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 (OMB), Circular No. A-133, Audits of States, Local Governments, and Non-Profit Organizations.

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 audit 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~~ *department* 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~~ *$500,000* of federal awards, and that do not have an organizationwide audit performed. These limited-scope audits shall be conducted in accordance with the State Department of Education audit guidelines and OMB, Circular No. A-133. The ~~State Department of Education~~ *department* 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 American Institute of Certified Public Accountants (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~~ *department* 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 of each year, the State Department of Education shall report to the appropriate subcommittees of the Assembly Committee on Budget and the Senate Committee on Budget and Fiscal Review on the following aspects of Title II of the federal Workforce Investment Act of 1998: (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 districts, community colleges, community-based organizations, or 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 (English as a Second Language (ESL), ESL-Citizenship, adult basic education, or adult secondary education) included in the performance targets of participating agencies.

It is the intent of the Legislature that the Legislature and the department 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.

4. The State Department of Education shall continue to ensure that outcome measures for State Department of Mental Health and State Department of Developmental Services clients are set at a level where these clients will continue to be eligible for adult education services in the current fiscal year and beyond to the full extent authorized under federal law. The State Department of Education shall also consult with the State Department of Mental Health, State Department of Developmental Services, and Department of Finance for this purpose.

5. Of the funds appropriated in this item, $3,088,000 is provided in one-time carryover funds.

SEC. 333. Item 6110-161-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-161-0001—For local assistance, Department of Education (Proposition 98), Program 10.60-Special Education Programs for Exceptional Children..... ~~3,121,060,000~~ *3,149,874,000*

Schedule:

(1) 10.60.050.003-Special education instruction..... ~~3,050,415,000~~ *3,079,229,000*

(2) 10.60.050.080-Early Education Program for Individuals with Exceptional Needs..... 85,040,000

(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 2009–10 fiscal year pursuant to Sections 14002 and 41301 of the Education Code, for apportionment pursuant to Part 30 (commencing with Section 56000)

of Division 4 of Title 2 of the Education Code, superseding all prior law.

2. Of the funds appropriated in Schedule (1), up to ~~$13,154,000~~ *$13,151,000*, plus any cost-of-living adjustment, 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.

3. Of the funds appropriated in Schedule (1), up to ~~$10,049,000~~ *$10,047,000*, plus any cost-of-living adjustment, 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 Division 4 of Title 2 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), up to ~~$5,242,000~~ *$5,241,000*, plus any cost-of-living adjustment (COLA), shall be available for regional occupational centers and programs that serve pupils having disabilities; up to ~~$87,640,000~~ *$87,623,000*, plus any COLA, shall be available for regionalized program specialist services; and up to ~~$2,597,000~~ *$2,596,000*, plus any COLA, shall be available 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), up to $3,000,000 is provided for extraordinary costs associated with single placements in nonpublic, nonsectarian schools, pursuant to Section 56836.21 of the Education

Code. Pursuant to legislation, these funds shall also provide reimbursement for costs associated with pupils residing in licensed children's institutes.

6. Of the funds appropriated in Schedule (1), up to $205,022,000, plus any cost-of-living adjustment (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. Funds available for infant units shall be allocated 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 2009–10 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 Division 4 of Title 2 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.

9. Notwithstanding any other provision of law, state funds appropriated in Schedule (2) in excess of the amount necessary to fund the deficited entitlements pursuant to Section 56432 of the Education Code and Provision 10 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 special education local plan areas, shall ensure local interagency coordination and collaboration in the provision of early intervention services, including 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 2009–10 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), up to $188,000, plus any cost-of-living adjustment, shall be available to fully fund the declining enrollment of necessary small special education local plan areas 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), 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), up to $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), up to $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), 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 (20 U.S.C. Sec. 1400 et seq.).

17. Of the funds appropriated in Schedule (1), up to $200,000 shall be used for research and training in cross-cultural assessments.

18. Of the amount specified in Schedule (1), up to $31,000,000 shall be used to provide mental health services required by an individual education plan pursuant to the federal Individuals with Disabilities Education Improvement Act of 2004 (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), $0 is provided for cost-of-living adjustments.

20. Of the amount provided in Schedule (2), $0 is provided for cost-of-living adjustments.

21. Of the amount appropriated in this item, up to $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, 2010, to the fiscal committees of both houses 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 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.

22. Of the funds appropriated in this item, up to $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 federal Individuals with Disabilities Education Improvement Act of 2004 (20 U.S.C. Sec. 1400 et seq.), and Section 2122 of the federal Elementary and Secondary Education Act of 1965 (20 U.S.C. Sec. 6301 et seq.). 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.

23. Notwithstanding any other provision of law, state funds appropriated in Schedule (1) in excess of the amount necessary to fund the defined entitlement shall be to fulfill other shortages in entitlements budgeted in this schedule by the State Department of Education, upon Department of Finance approval, to any program funded under Schedule (1).

24. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ *0.32* percent for a statewide decline in average daily attendance.

25. Of the funds appropriated in Schedule (1), the amount resulting from increases in federal funds reflected in the calculation performed in paragraph (1) of subdivision (c) of Section 56836.08 of the Education Code shall be allocated based on an equal amount per average daily attendance and added to each special educa-

tion local plan area's base funding, consistent with paragraphs (1) to (4), inclusive, of subdivision (b) of Section 56836.158 of the Education Code. This amount may be up to ~~$32,300,000~~ *$53,458,000* less adjustments for state operations and preschool. When the final amount is determined, the State Department of Education shall provide this information to the Department of Finance and the budget committees of each house of the Legislature.

SEC. 334. Item 6110-161-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-161-0890—For local assistance, Department of Education, payable from the Federal Trust Fund, Program 10.60-Special Education Programs for Exceptional Children..... ~~1,205,067,000~~ *1,860,208,000*

Schedule:

(1)	10.60.050.012-Local Agency Entitlements, IDEA Special Education.....	~~1,026,258,000~~ *1,047,413,000*
(2)	10.60.050.013-State Agency Entitlements, IDEA Special Education.....	1,821,000
(3)	10.60.050.015-IDEA, Local Entitlements, Preschool Program.....	63,437,000
(4)	10.60.050.021-IDEA, State Level Activities.....	70,720,000
(5)	10.60.050.030-P.L. 99-457, Preschool Grant Program.....	37,841,000
(6)	10.60.050.031-IDEA, State Improvement Grant, Special Education.....	2,196,000
(7)	10.60.050.032-IDEA, Family Empowerment Centers.....	2,794,000
(8)	*10.60.050.033-IDEA, Part B–Grants to States—ARRA.....*	*613,472,000*
(9)	*10.60.050.034-IDEA, Part B–Preschool Grants—ARRA.....*	*20,514,000*

Provisions:

1. If the funds for Part B of the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) (IDEA) that are actually received by the state exceed ~~$1,198,276,000~~ *$1,219,431,000*, 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 ~~$1,198,276,000~~ *$1,219,431,000* may be used for state administrative expenses upon approval of the Department of Finance. If the funds for Part B of the IDEA that are actually received by the state are less than ~~$1,198,276,000~~ *$1,219,431,000*, 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 the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) permanent formula.
4. Of the funds appropriated in Schedule (4), 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 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 Department of Education, these activities *shall* 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 Disability 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 the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) and the special education funding formula required pursuant to Chapter 7.2 (commencing with Section 56836) of Part 30 of Division 4 of Title 2 of the Education Code, without waiting 30 days, but shall provide a notice to the Legislature each time a transfer occurs.

9. Of the funds appropriated in Schedule (4), $69,000,000 shall be used exclusively to support mental health services that are provided during the 2009–10 fiscal year by county mental health agencies pursuant to Chapter 26.5 (commencing with Section 7570) of Division 7 of Title 1 of the Government Code and that are included within an individualized education program pursuant to the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.). Each county office of education receiving these funds shall contract, on behalf of special education local planning areas in its county, with the county mental health agency to provide specified mental health services. This funding 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 provision of the mental health services provided in the 2009–10 fiscal year. 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 the 2004–05 fiscal year for mental health services provided pursuant to Chapter 26.5 (commencing with Section 7570) of Division 7 of Title 1 of the Government Code.

10. Of the funds appropriated in Schedule (6), $2,196,000 is provided on a one-time basis for science-based professional development as part of the State Personnel Development grant.

11. Of the funds appropriated in Schedule (1), up to $3,894,000 shall be available for transfer to the State Special Schools for student transportation allowances. However, of these funds, the State Department of Education (SDE) shall obtain written approval from the Department of Finance prior to spending $924,000 to address transportation contract increases in the 2008–09 or 2009–10 fiscal year resulting from fuel and insurance costs. The Department of Finance shall act within 30 days of receiving justification from the SDE for the increased costs.

SEC. 335. Item 6110-166-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-166-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund for purposes of Article 5 (commencing with Section 54690) of Chapter 9 of Part 29 of Division 4 of Title 2 of the Education Code, Partnership Academies Program..... 23,490,000

Schedule:

(1) 10.70.070.001-California Partnership Academies..... 23,490,000

(2) 10.70.070.002-“Green” California Partnership Academies..... ~~4,000,000~~ *4,438,000*

(3) Reimbursements..... ~~−4,000,000~~
−4,438,000

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.
2. The State Department of Education shall not authorize new partnership academies without the approval of the Department of Finance and 30-day notification to the Joint Legislative Budget Committee.
3. Notwithstanding Provisions 1 and 2, the funds appropriated in Schedule (2) shall be available consistent with Article 5 (commencing with Section 54690) of Chapter 9 of Part 29 of Division 4 of Title 2 of the Education Code and pursuant to ~~legislation enacted in the 2008–09 Regular Session~~ *Chapter 757 of the Statutes of 2008*.
4. *Of the funds appropriated in Schedule (2), $438,000 in reimbursements is provided on a one-time basis to support "Green" Partnership Academies.*

SEC. 336. Item 6110-166-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-166-0890—For local assistance, Department of Education, Program 10.70-Vocational Education, payable from the Federal Trust Fund..... ~~128,813,000~~
139,597,000

Provisions:

1. The funds appropriated in this item include federal Carl D. Perkins Career and Technical Education Act of 2006 funds for the current fiscal year to be transferred to the community colleges by means of interagency agreements for the purpose of funding career technical 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.

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, $10,784,000 is provided from one-time carryover funds for vocational education programs.

SEC. 337. Item 6110-167-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

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 Career Technical Education Incentive Program established pursuant to Article 7.5 (commencing with Section 52460) of Chapter 9 of Part 28 of Division 4 of Title 2 of the Education Code..... ~~5,158,000~~ *5,157,000*

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 Career Technical 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. This provision does not 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.

2. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ *0.32* percent for a statewide decline in average daily attendance.
3. Of the amount appropriated in this item, $0 is provided for a cost-of-living adjustment.

SEC. 338. Item 6110-170-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-170-0001—For local assistance, Department of Education, ~~Program 20-Career Technical Education,~~ pursuant to Section 88532 of the Education Code..... 0

Schedule:

(1) ~~Career~~ *20.40.800-Career* Technical Education..... ~~18,840,000~~ *20,208,000*

(2) Reimbursements..... ~~−18,840,000~~ *−20,208,000*

Provisions:

1. Funding in this item shall be provided through a transfer from Schedule (21) of Item 6870-101-0001, pursuant to an interagency agreement between the Office of the Chancellor of the California Community Colleges and the State Department of Education.
2. *Of the funds appropriated in this item, $1,368,000 reflects one-time reimbursement authority to complete five projects funded in the 2008–09 fiscal year.*

SEC. 339. Item 6110-181-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

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 of Division 4 and Chapter 3.34 (commencing with Section 44730) of Part 25 of Division 3 of Title 2 of the Education Code..... ~~17,558,000~~ *17,555,000*

Provisions:

1. Of the funds appropriated in this item, $0 is for the purpose of a cost-of-living adjustment.
2. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ *0.32* percent for a statewide decline in average daily attendance.
3. As a part of the support system authorized by paragraph (5) of subdivision (a) of Section 51871 of the Education Code, the California Technology Assistance Project regional consortia shall assist school districts in using pupil achievement data to inform instruction and improve pupil learning. The regional consortia shall also support the identification and dissemination of best practices in the area of data-driven instructional improvement.

SEC. 340. Item 6110-181-0140 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-181-0140—For local assistance, Department of Education, ~~Program 20.10-Instructional Support,~~ payable from the California Environmental License Plate Fund, for purposes of Section 21190 of the Public Resources Code..... 360,000

Schedule:

(1) 20.10.055-Environmental Education..... 548,000

(2) Reimbursements..... −188,000

SEC. 341. Item 6110-182-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-182-0001—For local assistance, Department of Education (Proposition 98), Program 20.20.030-K–12 High-Speed Network..... 10,404,000

Provisions:

1. Expenditure authority of no greater than $15,600,000 is provided for the K–12 High-Speed Network.
   (a) Of the amount authorized for expenditure in this provision, $1,300,000 of unexpended cash reserves from the following appropriations are available to continue management and operation

of the network during the ~~2008–09~~ *2009–10* fiscal year: Item 6440-001-0001, Schedule (a), Provision 44 of Chapter 52~~,~~ *of the* Statutes of 2000; Item 6440-001-0001, Schedule (1), Provision 24 of Chapter 106~~,~~ *of the* Statutes of 2001; Item 6440-001-0001, Schedule (1), Provision 24 of Chapter 379~~,~~ *of the* Statutes of 2002; Item 6440-001-0001, Schedule (1), Provision 22 of Chapter 157~~,~~ *of the* Statutes of 2003; and Item 6110-182-0001, Chapter 208~~,~~ *of the* Statutes of 2004.

(b) Of the amount authorized for expenditure in this provision, $4,600,000 shall be funded by E-rate and California Teleconnect Fund moneys. The lead educational agency or the Corporation for Education Network Initiatives in California (CENIC), or both, shall submit quarterly reports to the Department of Finance and the Legislature on funds received from E-rate and the California Teleconnect Fund.

(c) For the ~~2008–09~~ *2009–10* fiscal year, all major subcontracts of the K–12 High-Speed Network program shall be excluded from both the eligible program costs on which indirect costs are charged and from the calculation of the indirect cost rate based on that year's data. For purposes of this provision, a major subcontract is defined as a subcontract for services in an amount in excess of $25,000.

SEC. 342. Item 6110-183-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-183-0890—For local assistance, Department of Education, Program 20.10.045-Safe and Drug Free Schools and Communities Act (Part A of Title IV of P.L. 107-110), payable from the Federal Trust Fund..... ~~26,931,000~~
29,231,000

Provisions:

1. Local educational agencies shall give priority in the expenditure of the funds appropriated in 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 State Department of Education's compliance review procedures.

2. Of the funds appropriated in this item, $2,300,000 is provided from one-time carryover funds for the Safe and Drug Free Schools Program.

SEC. 343. Item 6110-189-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-189-0001—For local assistance, Department of Education (Proposition 98), Program 20.20.020.005-Instructional Support, 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 (Instructional Materials Block Grant)..... ~~416,338,000~~ *416,254,000*

Provisions:

1. The funds in this item shall be allocated to school districts to purchase standards-aligned instructional materials.
2. Of the funds appropriated in this item, $0 is provided for the purpose of a cost-of-living adjustment.
3. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ *0.32* percent for a statewide decline in average daily attendance.

SEC. 344. Item 6110-193-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-193-0001—For local assistance, State Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 20.60-Staff Development..... ~~32,387,000~~ *32,380,000*

Schedule:

(1) 20.60.070-Instructional Support: Bilingual Teacher Training Assistance Program..... ~~2,132,000~~ *2,131,000*

(2) 20.60.060-Instructional Support: Teacher Peer Review..... ~~29,854,000~~ *29,848,000*

(3) 20.60.110-Instructional Support: Improving School Effectiveness-Reader Services for Blind Teachers..... 401,000

Provisions:

1. The amount appropriated in Schedule (1) shall be 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. Of the funds appropriated in Schedule (1), $0 is for the purpose of providing a cost-of-living adjustment.
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. If the funds are insufficient to fully fund growth in this program, the State Department of Education may adjust the per-participant rate to conform to available funds. Funds appropriated in Schedule (2) include $0 for the purpose of providing a cost-of-living adjustment.
4. The amount appropriated in Schedule (3) shall be allocated for the purposes of the Reader Services for Blind Teachers Program, 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), $0 is for the purpose of providing a cost-of-living adjustment.
6. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ *0.32* percent for a statewide decline in average daily attendance.

SEC. 345. Item 6110-193-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-193-0890—For local assistance, Department of Education, Program 20.60-Instructional Support, Part B of Title II of the Elementary and Secondary Education Act (Mathematics and Science Partnership Grants) payable from the Federal Trust Fund..... ~~21,304,000~~ *27,865,000*

Provisions:

1. Of the funds appropriated in this item, $6,561,000 is provided in one-time carryover funds to support the California Mathematics and Science Partnership grant program.

SEC. 346. Item 6110-195-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-195-0890—For local assistance, Department of Education, Program 20.60-Instructional Support, Part A of Title II of the Elementary and Secondary Education Act (Teacher and Principal Training and Recruiting Fund), payable from the Federal Trust Fund..... 316,836,000

Schedule:

(1) 20.60.280-Improving Teacher Quality Local Grants..... 310,932,000
(2) 20.60.270-Administrator 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) shall be for the Administrator Training Program authorized pursuant to Article 4.6 (commencing with Section 44510)

of Chapter 3 of Part 25 of Division 3 of Title 2 of the Education Code.

2. The funds appropriated in Schedule (3) shall be for transfer to the University of California, which shall use the funds for the Subject Matter Projects pursuant to Article 1 (commencing with Section 99200) of Chapter 5 of Part 65 of Division 14 of Title 3 of the Education Code.

3. Of the funds appropriated in Schedule (2), up to $500,000 may be used to provide professional development for private school teachers and administrators in accordance with federal law. By October 15, 2010, the State Department of Education shall submit to the appropriate budget and policy committees of the Legislature, the Legislative Analyst's Office, and the Department of Finance a report of the number of private school teachers and administrators served under this provision and the type of professional development provided.

SEC. 347. Item 6110-196-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-196-0001—For local assistance, Department of Education (Proposition 98), for transfer by the Controller to Section A of the State School Fund, for allocation by the Superintendent of Public Instruction to school districts, county offices of education, and other agencies for the purposes of Proposition 98 educational programs funded in this item, in lieu of the amount that otherwise would be appropriated pursuant to any other statute..... ~~1,928,645,000~~ *1,827,110,000*

Schedule:

(1) 30.10.010-Special Program, Child Development, Preschool Education..... ~~429,376,000~~ *373,378,000*

(1.5) 30.10.020-Child Care Services..... ~~2,027,364,000~~ *2,004,687,000*

(a) 30.10.020.001-Special Program, Child Development, General Child Development Programs..... ~~779,669,000~~ *779,849,000*

(c) 30.10.020.004-Special Program, Child Development, Migrant Day Care..... 36,246,000

(d) 30.10.020.007-Special Program, Child Development, Alternative Payment Program..... 258,811,000

(e) 30.10.020.011-Special Program, Child Development, Alternative Payment Program—Stage 2..... ~~427,868,000~~ *439,620,000*

(f) 30.10.020.012-Special Program, Child Development, Alternative Payment Program—Stage 3 Setaside..... ~~389,429,000~~ *393,373,000*

(g) 30.10.020.008-Special Program, Child Development, Resource and Referral..... 19,438,000

(i) 30.10.020.015-Special Program, Child Development, Extended Day Care..... ~~31,801,000~~ *5,000,000*

(j) 30.10.020.096-Special Program, Child Development, Allowance for Handicapped..... 2,011,000

(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..... ~~63,304,000~~ *51,552,000*

(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..... 6,637,000

(o) 30.10.020.014-Special Program, Child Development, Accounts Payable..... 4,000,000

(3) 30.10.020.908-Special Program, Child Development, Cost-of-Living Adjustments..... 0

(4) 30.10.020.909-Special Program, Child Development, Growth Adjustments..... ~~18,916,000~~ *0*

(5) Amount payable from the Federal Trust Fund (Item 6110-196-0890)..... ~~−547,011,000~~ *−550,955,000*

Provisions:

1. (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. When approved pursuant to Section 8447 of the Education Code, any changes to the market rate limits, adjustment factors or regions shall be utilized by the State Department of Education and the State Department of Social Services in various programs under the jurisdiction of either department.

(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 Division 1 of Title 1 of the Education Code shall be used only to reimburse child care costs up to the ~~75th~~ *85th* percentile of the rates charged by providers offering the same type of child care for the same age child in that region ~~effective July 1, 2009~~, based on the ~~2007~~ *2005* Regional Market Rate Survey data.

2. Of the amount appropriated in Schedule (1), $50,000,000 is available for ~~Prekindergarten~~ *prekindergarten* and ~~Family Literacy~~ *family literacy* preschool programs pursuant to Chapter 211 of the Statutes of 2006. Of the amount appropriated in Schedule (1), $5,000,000 is available for the provision of wraparound care to children enrolled in state preschool programs. The Superintendent of Public Instruction shall assign priority for these funds to children enrolled in prekindergarten and family literacy *preschool* programs authorized by Section 8238.4 of the Education Code.

3. Funds in Schedule (1.5)(*l*) shall be reserved for activities to improve the quality and availability of child care, pursuant to the following:

(a) ~~$1,964,262~~ *$1,930,629* is for the schoolage care and resource and referral earmark.

(b) ~~$11,062,664~~ *$10,873,244* is for the infant and toddler earmark and shall be used for increasing the supply of quality child care for infants and toddlers.

(c) $2,969,000 in one-time federal funding is available for use in the 2009–10 fiscal year. ~~First priority shall be to fully fund Trustline workload as determined by the Department of Social Services in conjunction with the Department of Education.~~ The remaining funds shall be used for child care and development quality expenditures identified by the State Department of Education (SDE) and approved by the Department of Finance.

(d) From the remaining funds in Schedule (1.5)(*l*), 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 which administrative costs shall be minimized to allow for maximum enrollment, with priority for funding given to programs at community colleges that have demonstrated high completion rates; $2,500,000 for training license-exempt child care providers, with priority given to participants serving subsidized children; $8,000,000* for contracting with the State Department of Social Services (DSS) for increased inspections of child care facilities~~,~~*;* $1,000,000 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~~,~~*;* $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, or construction of child care facilities. *Of the amounts specified in this provision, first priority shall be to fully fund Trustline registration workload as determined by the DSS in conjunction with the SDE.*

4. Of the amount appropriated in Schedule (1.5)(*l*), $15,000,000 shall be for child care worker recruitment and retention programs pursuant to Section 8279.7 of the Education Code, and $320,000 shall be for the Child Development Training Consortium.

5. (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 State Department of Social Services (DSS).

(b) The SDE shall provide quarterly information regarding 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) By September 30 and March 30 of each year, 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 next two fiscal years as well as local attrition experience. DSS shall utilize data provided by the SDE, including key variables from the prior fiscal year and the first two months of the current fiscal year, to provide coordinated estimates in November of each year for each of the three stages of care for preparation of the Governor's Budget,

and shall utilize data from at least the first two quarters of the current fiscal year, and any additional monthly data as they become available for preparation of the May Revision. The DSS shall share its assumptions and methodology with the SDE in the preparation of the Governor's Budget.

(d) The SDE shall coordinate with the DSS to identify annual general subsidized child care program expenditures for Temporary Assistance for Needy Families-eligible children. The SDE shall modify existing reporting forms as necessary to capture this data.

(e) 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.

6. 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 Section 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.

7. 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.

8. (a) Notwithstanding any other provision of law, the income eligibility limits pursuant to Section 8263.1 of the Education Code that were ~~applicable to~~ *in effect for* the 2007–08 ~~and 2008–09~~ fiscal ~~years~~ *year* shall remain in effect for the 2009–10 fiscal year.

(b) Notwithstanding any other provision of law, the ~~State Department of Social Services shall, in consultation with the State Department of Education, adjust the family fee schedule for child care providers to reflect a state median income of $66,166 annually for a family of four. The fee schedule shall retain a flat fee per family and begin at income levels at which families currently begin paying fees. The revised fee schedule shall increase the lowest fees by $2 per day and continue to increase fees on a sliding scale up to a maximum of 10 percent of income at a lower point in the income eligibility spectrum when compared to the current schedule~~ *family fee schedule that was in effect for the 2007–08 and 2008–09 fiscal years shall remain in effect for the 2009–10 fiscal year, and shall retain a flat fee per family*.

~~(c) Notwithstanding any other provision of law, the State Department of Social Services shall submit the revised family fee schedule for approval by the Department of Finance no later than 15 days after enactment of the 2009 Budget Act. The Department of Finance shall approve or revise the fee schedule within 30 days of receipt and shall notify the Department of Education of the approved fee schedule, which shall implement the new fee schedule for the 2009–10 fiscal year without delay.~~

9. Of the amounts provided in this item, $0 is available to provide a cost-of-living adjustment for Schedules (1), (1.5)(a), (1.5)(c), (1.5)(d), (1.5)(g), (1.5)(i), (1.5)(j), and (1.5)(n). The maximum standard reim-

bursement rate shall not exceed $34.38 per day for general child care programs and $21.22 per day for state preschool programs. Furthermore, the migrant child care and 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 conform.

10. Of the amounts provided in this item, ~~$18,916,000~~ *$0* is available to provide a growth adjustment for Schedules (1), (1.5)(a), (1.5)(c), (1.5)(d), (1.5)(i), and (1.5)(j).

11. Notwithstanding any other provision of law, the funds in Schedule (1.5)(m) are appropriated exclusively for developing and maintaining a centralized eligibility list in each county pursuant to Section 8227 of the Education Code. By November 1 of each year, 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 of implementation and operation of the eligibility lists in each county, and number of children and families on the list for each county.

12. Notwithstanding Section 8278.3 of the Education Code or any other provision of law, up to $5,000,000 of the Child Care Facilities Revolving Fund balance may be allocated for use on a one-time basis for renovations and repairs to meet health and safety standards, to comply with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and to perform emergency repairs, that were the result of an unforeseen event and are necessary to maintain continued normal operation of the child care and development program. These funds shall be made available to school districts and contracting agencies that provide subsidized center-based services pursuant to the Child Care and Development Services Act (Chapter 2 (commencing with Section 8200) of Part 6 of Division 1 of Title 1 of the Education Code).

13. (a) The State Department of Education *(SDE)* shall collect the following information *through the use*

of consultant services, based on consultation with the State Department of Social Services regarding the selection of the data to be collected. The SDE shall require the contractor to coordinate with the Alternative Payment Monitoring Unit to validate the findings of the survey for those data elements that can be collected during the course of regularly scheduled compliance reviews of center-based child care and alternative payment providers ~~based on consultation with the Department of Social Services regarding the selection of the data to be collected~~, *to the extent practicable*:

(1) Profiles of the subsidized population, disaggregated for each major program, *including, but not limited to, half-day State Preschool, General Child Care, Alternative Payment Programs, and CalWORKs Child Care,* sufficient to determine both the numbers and ages of children and proportion of subsidized children and families by type of subsidized care (e.g., family child care homes, centers, license-exempt providers); by family income and family size; the numbers and proportions of children utilizing more than one type of subsidized child care; the work status of parents of children receiving subsidized child care; the numbers and proportions of children in full-time care and in part-time care; the ages of children at time of entry into a subsidized child care program; and the numbers and proportions of foster children receiving subsidized child care.

(2) For each major program, *as specified in paragraph (1),* quantify the family fees collected, ~~quantify~~ *estimate* the family ~~co-payments~~ *copayments* collected, provide the number and proportion of children and families paying family fees, *estimate the* number and proportion of children and families ~~paying co-payments,~~ *subject to copayments* and

the number of children and families exempted from family fees ~~per~~ *by* income ~~category by~~ *level and* family size. In addition, identify and classify the reasons for fee exemptions.

(3) Within and across all major programs, *as specified in paragraph (1),* determine the monthly rates of attrition of families. Also, for each program determine the number and percentage of families receiving child care ~~due to the following reasons:~~ *by category of eligibility and need pursuant to subdivision (a) of Section 8263 of the Education, Code, including, but not limited to,* child protective services, foster care, seeking work, working, or in training programs leading to work, and the relative distribution of families entering the system by family income and size.

(4) For each alternative payment-based program, determine the incidence, relative proportion, and dollar magnitude of actual care payments per child and family that are in excess of or below the current mean-market rates. Classify the occurrences in percentage increments from the mean-market rate.

(b) The data shall be provided to the *State* Department of Social Services, the Department of Finance, and the Legislative Analyst no later than September 1, 2010.

14. The funds appropriated in Schedule (1.5)(i), 30.10.020.015 for Extended Day Care, shall be available to provide services until August 31, 2009. It is the intent of the Legislature that any child who may be displaced as a result of this program's becoming inoperative be provided services under the state's subsidized child care, After School Education and Safety Program, or both.

15. Notwithstanding any other provision of law, funds in Schedule (1.5)(o) are available for accounts payable for non-CalWORKs child care programs and to reimburse non-CalWORKs alternative payment programs

for actual and allowable costs incurred for additional services, pursuant to Section 8222.1 of the Education Code. The State Department of Education shall give priority for the allocation of these funds for accounts payable.

SEC. 348. Item 6110-196-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-196-0890—For local assistance, Department of Education, payable from the Federal Trust Fund..... ~~547,011,000~~ *550,955,000*

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. Of the funds appropriated in this item, $10,000,000 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.
4. Of the funds appropriated in this item, $2,969,000 is available on a one-time basis for quality projects from federal Child Care and Development Block Grant funds appropriated prior to the 2009 federal fiscal year.
5. Of the funds appropriated in this item, ~~$19,293,000~~ *$27,423,000* is available on a one-time basis for CalWORKs Stage 3 child care from federal Child Care and Development Block Grant funds appropriated prior to the 2009 federal fiscal year.

SEC. 349. Item 6110-197-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-197-0890—For local assistance, Department of Education, payable from the Federal Trust Fund, 21st Century Community Learning Centers Program..... ~~129,371,000~~ *169,371,000*

Schedule:

(1) 30.10.080-Special Program, Child Development, 21st Century Community Learning Centers Program..... ~~129,371,000~~ *169,371,000*

Provisions:

1. The State Department of Education 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 each high school program funded, the amount of the annual grant and actual funds expended, the numbers of pupils served and planned to be served, and the average cost per pupil per day. If the average cost per pupil 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 pupil per day, the department shall not count attendance unless the pupil 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 pupils is restricted to any particular subgroup of pupils 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. Of the funding provided in this item, $40,000,000 is available from one-time carryover funds from prior years.

3. The State Department of Education shall, by March 1, 2010, provide a report to the Department of Finance and the Legislative Analyst's Office that includes, allocation and expenditure data for all programs funded

in this item in the past three years, the reasons for carryover, and the planned uses of carryover funds.

SEC. 350. Item 6110-198-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

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.... ~~57,917,000~~ *57,905,000*

Schedule:

(1) 20.60.220-Cal-SAFE Academic and Supportive Services..... ~~19,804,000~~ *19,800,000*

(2) 20.60.221-All Services for Non-converting Pregnant Minors Programs..... ~~13,330,000~~ *13,327,000*

(3) 30.10.020-Cal-SAFE Child Care..... ~~24,783,000~~ *24,778,000*

Provisions:

1. The amounts appropriated in Schedules (1), (2), and (3) are based on estimates of the amounts required by existing programs for operation of Cal-SAFE programs in the current year. By October 31 of each year, the State Department of Education (SDE) shall submit to the Department of Finance current expenditure data for both the prior fiscal year and the current year showing each agency's allocation and supporting detail including average daily attendance and child care attendance and enrollment data. The SDE shall also provide estimates of average daily attendance and child care to be provided in the budget year.
2. Funds appropriated in Schedule (2) 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 Cal-SAFE revenue limit must provide child care within the revenue limit funding for children of pupils comprising base year average daily attendance.

3. Of the funds appropriated in this item, $0 is for the purpose of providing a cost-of-living adjustment.

4. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ *0.32* percent for a statewide decline in average daily attendance. No funds may be allocated for the addition of new Cal-SAFE agencies unless an existing grantee ceases providing services. Any allocations for new agencies shall be limited to the amount previously allocated to the agency withdrawing services; however, in no case shall allocations for authorized agencies exceed the amount appropriated in this item.

5. Notwithstanding Section 26.00, the State Department of Education may transfer expenditure authority between Schedule (1) Cal-SAFE Academic and Supportive Services and Schedule (2) All Services for Nonconverting Pregnant Minors Programs, to accurately reflect expenditures in these programs, upon approval of the Department of Finance and notification of the Legislature.

6. In the event that funding in this item is insufficient to serve all eligible pupils, the State Department of Education shall prorate the amounts in Schedules (1) and (2).

SEC. 351. Item 6110-198-0890 is added to Section 2.00 of the Budget Act of 2009, to read:

6110-198-0890—For local assistance, Department of Education, American Recovery and Reinvestment Act (P.L. 111-5), payable from the Federal Trust Fund..... 110,137,000

Schedule:

(2) 30.10.020.001-Special Program, Child Development, General Child Development Programs..... 17,347,000

(2.4) 30.10.020.004-Special Program, Child Development, Migrant Day Care..... 3,087,000

(3) 30.10.020.007-Special Program, Child Development, Alternative Payment Program..... 15,743,000

(3.5) 30.10.020.011-Special Program, Child Development, Alternative Payment Program-Stage 2..... 36,272,000

(3.6) 30.10.020.012-Special Program, Child Development, Alternative Payment Program-Stage 3..... 18,905,000

(4) 30.10.020.901-Special Program, Child Development, Quality Improvement..... 18,783,000

Provisions:

1. Of the funds appropriated in Schedule (4), $5,273,000 is for activities to improve the quality of child care for infants and toddlers and $1,758,000 is for the improvement of the quality of care for children from birth to five years of age, as identified by the State Department of Education and approved by the Department of Finance.

2. The State Department of Education shall ensure that provider contracts include provisions that advise families receiving services with American Recovery and Reinvestment Act funds in General Child Care, Migrant Day Care, and Alternative Payment programs that they will cease to receive services when these funds are exhausted, unless they can be accommodated through attrition in capped programs funded with Proposition 98 General Fund funds, federal base Child Care and Development Block Grant funds, or both.

SEC. 352. Item 6110-201-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-201-0890—For local assistance, Department of Education, Program 30.20-Child Nutrition, payable from the Federal Trust Fund..... ~~1,757,891,000~~ *2,034,917,000*

Schedule:

(1) 30.20.010-Child Nutrition Programs..... ~~1,725,441,000~~ *2,002,467,000*

(2) 30.20.040-Summer Food Service Program..... 32,450,000

Provisions:

1. Of the amount appropriated in Schedule (1), $3,989,000 is provided from one-time federal funds for Fresh Fruit and Vegetable Program grants to local educational agencies.

SEC. 353. Item 6110-202-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-202-0001—For local assistance, Department of Education, Program 30.20.010-Child Nutrition Programs..... 11,075,000

Provisions:

1. Funds appropriated are for child nutrition programs pursuant to Section 41311 of the Education Code. Claims for reimbursement of meals pursuant to this appropriation shall be submitted no later than September 30, ~~2009~~ *2010*, to be eligible for reimbursement.
2. Funds appropriated 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, $0 is for the purpose of providing a cost-of-living adjustment.
4. Of the funds appropriated in this item, $195,000 is for the purpose of providing a growth adjustment due to an increase in the projected number of meals served.

SEC. 354. Item 6110-203-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... 134,044,000

Schedule:

(1) 30.20.010-Child Nutrition Programs.... 134,386,000

(2) Reimbursements..... −342,000

Provisions:

1. Funds appropriated in Schedule (1) 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, ~~2009~~ *2010*, to be eligible for reimbursement.
2. Funds designated for child nutrition programs in Schedule (1) 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.
4. Of the funds appropriated in this item, $0 is for the purpose of providing a cost-of-living adjustment.
5. Of the funds appropriated in this item, $8,359,000 is for the purpose of providing a growth adjustment due to an increase in the projected number of meals served.
6. If the appropriation in this item is insufficient to fully fund all eligible reimbursement claims pursuant to Section 49430.5 of the Education Code, the State Department of Education shall reimburse eligible claims at a prorated share of the funds appropriated ~~by~~ *in* this item.
7. The State Department of Education shall notify the Department of Finance in writing 30 days prior to

paying prior year reimbursement claims from this item pursuant to Section 16304.1 of the Government Code. No reimbursements shall be made prior to final approval of the Department of Finance.

SEC. 355. Item 6110-211-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

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, in accordance with Section 47634.1 of the Education Code..... 226,501,000

Schedule:

(1) 20.60.036.003-Instructional Support: Categorical Programs for Charter Schools..... 163,970,000

(2) 20.60.036.006-Instructional Support: Economic Impact Aid for Charter Schools..... 62,531,000

Provisions:

1. The State Department of Education shall provide an estimate of average daily attendance expected to be claimed for this item for the 2010–11 fiscal year to the Department of Finance and the Legislative Analyst's Office by October 1 of each year, for use in developing the Governor's Budget. The State Department of Education shall provide an update of the estimate by March 31 of each year, for preparation of the May Revision.
2. An additional $5,947,000 in expenditures for ~~this item~~ *Schedule (1)* has been deferred until the 2010–11 fiscal year.
3. *Funds appropriated in Schedule (1) are provided solely for the purpose for which categorical block grants are calculated pursuant to paragraph (1) of subdivision (c) of Section 47634.1 of the Education Code. Funds appropriated in Schedule (2) are provided solely for the purpose for which categorical block grants are calculated pursuant to paragraph (2) of*

subdivision (c) of Section 47634.1 of the Education Code.

4. The Department of Finance may transfer funds between Schedules (1) and (2) as needed to ensure that the Charter School Categorical Block Grant is funded consistent with the provisions of Section 47634.1 of the Education Code, provided that the total amount allocated to charter schools in Schedule (1) is the result of applying the same proportional cut that other categorical programs received pursuant to Section 12.42. The Department of Finance may not authorize such a transfer sooner than 30 days after notifying the Chairperson of the Joint Legislative Budget Committee in writing of the necessity to authorize the transfer.

SEC. 356. Item 6110-220-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-220-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, ~~Charter~~ *20.60.036-Charter* School Facility Grant Program, as set forth in Section 47614.5 of the Education Code..... 56,720,000

SEC. 357. Item 6110-228-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-228-0001—For local assistance, Department of Education (Proposition 98), Program 20.60.020.011-School Safety Block Grant, for transfer by the Controller to Section A of the State School Fund for allocation by the Superintendent of Public Instruction..... ~~61,010,000~~
60,990,000

Provisions:

1. The funds appropriated are 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) of Chapter 2 of Part 19 of Division 1 of Title 1 of the

Education Code. An additional $38,720,000 in expenditures for this purpose has been deferred to the ~~2009–10~~ *2010–11* fiscal year. Of the amount deferred, $1,000,000 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 Division 1 of Title 1 of the Education Code.

2. Of the funds appropriated in this item, $0 is for the purpose of providing a cost-of-living adjustment.
3. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ *0.32* percent for a statewide decline in average daily attendance.
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 comprehensive school safety plans. 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.

SEC. 358. Item 6110-240-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-240-0001—For local assistance, Department of Education (Proposition 98)..... ~~3,048,000~~ *3,047,000*

Schedule:

(1) 10.80.030-Instruction: International Baccalaureate Diploma Program..... 1,269,000

(2) 20.70-Instructional Support: Assessments (Advanced Placement Fee Waiver Program)..... ~~1,779,000~~ *1,778,000*

Provisions:

1. The funds appropriated in Schedule (1) shall be for the International Baccalaureate Diploma Program authorized by Chapter 12.5 (commencing with Section 52920) of Part 28 of Division 4 of Title 2 of the Education Code.

2. The funds appropriated in Schedule (2) shall be for grants for advanced placement examination fees as authorized by Chapter 8.3 (commencing with Section 52240) of Part 28 of Division 4 of Title 2 of the Education Code.
3. Of the funds appropriated in this item, $0 is for the purpose of providing a cost-of-living adjustment.
4. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ *0.32* percent for a statewide decline in average daily attendance.

SEC. 359. Item 6110-240-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... 3,670,000

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 examination fee reimbursements has been fully satisfied may be used on a one-time basis for preadvanced 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 neither create nor imply any continuing obligation to fund the alternative activities beyond the ~~2008–09~~ *2009–10* fiscal year.

SEC. 360. Item 6110-243-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-243-0001—For local assistance, Department of Education (Proposition 98), *Program 10-Instruction*, 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 (commencing with Section 41505) of Chapter 3.2 of Part 24 of Division 3 of Title 2 of the Education Code..... ~~95,666,000~~ *95,647,000*

Provisions:

1. Of the funds appropriated in this item, $0 is provided for the purpose of a cost-of-living adjustment.
2. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ *0.32* percent for a statewide decline in average daily attendance.

SEC. 361. Item 6110-244-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

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 pursuant to Article 4 (commencing with Section 41520) of Chapter 3.2 of Part 24 of Division 3 of Title 2 of the Education Code..... ~~132,443,000~~ *112,773,000*

Provisions:

1. Of the funds appropriated in this item, $3,329,000 is available to support the Teacher Credentialing Block Grant regional infrastructure.
2. It is the intent of the Legislature that first-year holders of preliminary teaching credentials, as defined in subdivision (b) of Section 44259 of the Education Code, be afforded first priority for funding appropriated in this item. To the extent that any funds appropriated in this item remain after all first-year holders of preliminary teaching credentials have been served, those funds may be used to serve second-year holders of preliminary teaching credentials.

3. 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 2.
4. Of the funds appropriated in this item, $0 is provided for a cost-of-living adjustment for a total per-participant rate of $4,069.
5. The funds in this item shall be made available only to beginning teachers, as defined in Section 44279.1 of the Education Code, serving in their first or second year of service in California.

SEC. 362. Item 6110-245-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

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, pursuant to Article 5 (commencing with Section 41530) of Chapter 3.2 of Part 24 of Division 3 of Title 2 of the Education Code ..... ~~272,469,000~~ *272,414,000*

Provisions:

1. Of the funds appropriated in this item, $0 is for the purpose of providing a cost-of-living adjustment.
2. The funds appropriated in this item reflect a reduction to the base of ~~0.3~~ *0.32* percent for a decline in statewide average daily attendance.
3. Local educational agencies may use these funds to award incentive grants to teachers with certification by the National Board for Professional Teaching Standards that are teaching in low-performing schools pursuant to Article 13 (commencing with Section 44395) of Chapter 2 of Part 25 of Division *3 of Title* 2 of the Education Code.

SEC. 363. Item 6110-246-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-246-0001—For local assistance, Department of Education (Proposition 98), *Program 10-Instruction*, 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 (commencing with Section 41540) of Chapter 3.2 of Part 24 of Division 3 of Title 2 of the Education Code..... ~~966,809,000~~ *966,595,000*

Provisions:

1. Of the funds appropriated in this item, $0 is provided for the purpose of a cost-of-living adjustment.
2. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ *0.32* percent for a statewide decline in average daily attendance.
3. Notwithstanding any other provision of law, an additional $100,118,000 in expenditures for this item has been deferred until the following fiscal year.

SEC. 364. Item 6110-247-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-247-0001—For local assistance, Department of Education (Proposition 98), *Program 10-Instruction*, 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 (commencing with Section 41570) of Chapter 3.2 of Part 24 of Division 3 of Title 2 of the Education Code..... ~~461,642,000~~ *461,549,000*

Provisions:

1. Of the funds appropriated in this item, $0 is provided for the purpose of a cost-of-living adjustment.
2. The funds appropriated in this item also reflect a reduction to the base funding of ~~0.3~~ *0.32* percent for a statewide decline in average daily attendance.

SEC. 365. Item 6110-248-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-248-0001—For local assistance, Department of Education (Proposition 98), *Program 20-Instructional Support*, 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 (commencing with Section 41510) of Chapter 3.2 of Part 24 of Division 3 of Title 2 of the Education Code..... ~~17,902,000~~ *17,899,000*

Provisions:

1. Of the funds appropriated in this item, $0 is for the purpose of providing a cost-of-living adjustment.
2. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ *0.32* percent for a statewide decline in average daily attendance.
3. Notwithstanding any other provision of law, up to $400,000 of the funds appropriated in this item may be used for contracts with county offices of education to provide regional training in safe school planning and crisis response and for statewide coordination of such training.
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 of the Statutes of 1999. 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.

SEC. 366. Item 6110-268-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-268-0001—For local assistance, Department of Education (Proposition 98), *Program 20-Instructional Support*, Child Oral Health Assessments Program, pursuant to ~~Article 4 (commencing with~~ Section ~~49452.8)~~ *49452.8* of ~~Chapter 9 of Part 27 of~~ the Education Code..... 4,400,000

Provisions:

1. 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 child oral health assessments. 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.

SEC. 367. Item 6110-488 is added to Section 2.00 of the Budget Act of 2009, to read:

6110-488—Reappropriation (Proposition 98), Department of Education. Notwithstanding any other provision of law, the balances from the following items are available for reappropriation for the purposes specified in Provisions 1 and 2 of this item:

0001—General Fund

(1) $282,000 or whatever greater or lesser amount reflects the unexpended balance of the amount appropriated for preschool education and child care programs in Schedules (1) and (1.5) of Item 6110-196-0001 of the Budget Act of 2004 (Ch. 208, Stats. 2004)

(2) $143,000 or whatever greater or lesser amount reflects the unexpended balance of the amount appropriated for preschool education and child care programs in Schedules (1) and (1.5) of Item 6110-196-0001 of the Budget Act of 2005 (Chs. 38 and 39, Stats. 2005)

(3) $2,546,000 or whatever greater or lesser amount reflects the unexpended balance of the amount appropriated for preschool education and child care programs in Schedules (1) and (1.5) of Item 6110-196-0001 of the Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

(4) $32,017,000 or whatever greater or lesser amount reflects the unexpended balance of the amount appropriated for CalWORKs Stage 2 and Stage 3 child care programs in Schedules (1.5)(e) and (1.5)(f) of Item 6110-196-0001 of the Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

(5) $2,911,000 or whatever greater or lesser amount reflects the unexpended balance of the amount appropriated for preschool education and child care programs in Schedules (1) and (1.5) of Item 6110-196-0001 of the Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

(6) $27,636,000 or whatever greater or lesser amount reflects the unexpended balance of the amount appropriated for CalWORKs Stage 2 and Stage 3 child care programs in Schedules (1.5)(e) and (1.5)(f) of Item 6110-196-0001 of the Budget Act of 2008 (Chs. 268 and 269, Stats. 2008).

(7) $18,400,000 or whatever greater or lesser amount reflects the unexpended balance of the amount appropriated for the Charter School Facility Grant Program in Item 6110-220-0001 of the Budget Act of 2009 (Ch. 1, 2009–10 3rd Ex. Sess.)

Provisions:

1. The sum of $65,535,000 is hereby reappropriated to the State Department of Education for transfer by the Controller to Section A of the State School Fund for allocation by the Superintendent of Public Instruction for the purpose of funding State Preschool Programs. The amount reappropriated pursuant to this provision is for use in the 2009–10 fiscal year.

2. The sum of $18,400,000 is hereby reappropriated to the State Department of Education for transfer by the Controller to Section A of the State School Fund for allocation by the Superintendent of Public Instruction for the purpose of funding school district revenue limit apportionments. The amount reappropriated pursuant to this provision is for use in the 2009–10 fiscal year.

SEC. 368. Item 6110-490 is added to Section 2.00 of the Budget Act of 2009, to read:

6110-490—Reappropriation, Department of Education. 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.

0660–Public Buildings Construction Fund

(1) Item 6110-301-0660, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), as reappropriated by Item 6110-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

(1) 80.80.50-Career and Technical Education Complex and Service Yard—Construction and equipment

(2) Item 6110-301-0660, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

(2) 80.80.052-New Gymnasium and Pool Center—Construction and equipment

(3) Item 6110-301-0660, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

(1) 80.80.089-Kitchen and Dining Hall Renovation—Construction

(4) Item 6110-301-0660, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

(2) 80.80.50-Career and Technical Education Complex and Service Yard—Construction

(5) Item 6110-301-0660, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

(3) 80.80.089-Kitchen and Dining Hall Renovation—Construction

SEC. 369. Item 6110-492 is added to Section 2.00 of the Budget Act of 2009, to read:

6110-492—Reappropriation, Department of Education. Notwithstanding any other provision of law, the balance of the appropriation provided in Item 6110-001-3085 of the Budget Act of 2008 (Chs. 268 and 269, Stats. 2008) is reappropriated and shall be available for encumbrance or expenditure until June 30, 2010, to contract with mental health/educational professionals to support the involvement of local educational agencies in local mental health planning and implementation efforts pursuant to the Mental Health Services Act (Proposition 63, as approved by the voters at the November 2, 2004, statewide general election).

SEC. 370. Item 6360-011-0407 is added to Section 2.00 of the Budget Act of 2009, to read:

6360-011-0407—For transfer by the Controller from the Teacher Credentials Fund to the General Fund..... (540,000)

Provisions:

1. Notwithstanding any other provision of law, the Controller shall transfer $540,000 from the Teacher Credentials Fund to the General Fund to reflect recovery of 20 percent of the General Fund transfer provided in the 2005–06 fiscal year.

SEC. 371. Item 6360-011-0408 is added to Section 2.00 of the Budget Act of 2009, to read:

6360-011-0408—For transfer by the Controller from the Test Development and Administration Account, Teacher Credentials Fund to the General Fund..... (2,160,000)

Provisions:

1. Notwithstanding any other provision of law, the Controller shall transfer $2,160,000 from the Test Development and Administration Account, Teacher Credentials Fund to the General Fund to reflect recovery of 80 percent of the General Fund transfer provided in the 2005–06 fiscal year.

SEC. 372. Item 6440-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6440-001-0001—For support of University of California..... ~~2,641,355,000~~
2,374,705,000

Schedule:

(1) Support..... ~~2,557,859,000~~
3,157,859,000

(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

(7.5) Unallocated Reduction..... −266,650,000

(8) Reimbursements —American Recovery and Reinvestment Act of 2009 (Public Law 111-5)..... −600,000,000

Provisions:

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

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

Funds appropriated in this item may be used for capital expenditures as well as payment of debt service associated with the Energy Partnership Program, whereby the University of California will receive financial incentives from state investor-owned utilities to undertake energy conservation projects. The use of state operations funding for these energy savings projects may not infringe on the university's funding for its instructional support activities. The Director of Finance may authorize program expenditures for the list of planned projects not sooner than 30 days after notification in writing is provided to the chairpersons of

the committees in each house of the Legislature that consider 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. The list of planned projects submitted for approval for a given funding cycle should be ~~all-inclusive~~ *all inclusive* and may include projects that eventually may not be initiated during that funding cycle. A project not included on the list of planned projects for that funding cycle, but with which the university wishes to proceed during the budget year, may be treated as an exempted project as described above and reported in a manner consistent with the reporting procedures in subdivision (e) of Section 28.00. No later than November 15 of each year, the university shall prepare a report describing the identified projects funded under the Energy Partnership Program in the prior year. The report shall include the cost of each project, how the cost is being funded, including the amount funded from support budget funds and investor-owned utility incentive awards, and the projected amount of energy savings. These reports will sunset at the end of the program.

3. The funds appropriated in Schedule (2) are for support of University of California programs 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 funds 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 in Schedule (2) are expended solely for the support of the program identified in that schedule.

4. 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.

5. Of the funds appropriated in Schedule (1), $2,762,129 is for payment of energy service contracts in connection with the issuance of State Public Works Board Energy Efficiency Revenue Bonds.

6. Of the funds 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.

7. Of the funds 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 intent of the Legislature to annually provide funds for that repayment purpose through the 2010–11 fiscal year.

8. Of the funds appropriated in Schedule (1), $1,897,200 is for the California State Summer School for Mathematics and Science (COSMOS). The University of California shall report on the outcomes and effectiveness of COSMOS every five years, commencing April 1, 2011.

9. Of the funds appropriated in Schedule (1), $1,125,000 is provided to continue support for science and math resource centers to implement the Science and Math Teacher Initiative. The University of California (UC) shall report to the Legislature and the Governor by February 1 of each year on its progress toward increasing the quality and supply of science and mathematics teachers resulting from implementation of the Science and Math Teacher Initiative. This report shall include the following information: (a) annual number of mathematics and science teachers awarded credentials (by each UC campus) beginning with the 2004–05 academic year (before the state first provided funding for the initiative), (b) an expenditure plan on the use of the funds appropriated in this item, (c) the effectiveness of the initiative's different components and activ-

ities, including an identification of best practices, and (d) the job placement of students who earn a mathematics or science teaching credential, including the location of the K–12 school of employment and whether it is in an urban, rural, or suburban setting.

10. ~~The Legislature expects the University of California to enroll a total of 198,520 state-supported full-time equivalent students (FTES) during the 2009–10 academic year, inclusive of the enrollments specified in Provisions 11 and 12. This enrollment target does not include nonresident students and students enrolled in non-state-supported summer programs.~~ The University of California shall report to the Legislature by March 15, 2010, on whether it has met ~~the~~ *its* 2009–10 academic year enrollment ~~goal~~ *goals*.

11. Of the funds appropriated in Schedule (1), $2,025,000 is to support 135 full-time equivalent students in the Program in Medical Education (PRIME) at the Irvine, Davis, San Diego, San Francisco, and Los Angeles campuses. 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, 2010, on (a) its progress in implementing the PRIME program and (b) the use of the total funds provided for this program from both state and nonstate resources.

12. (a) The amount in Schedule (1) includes $1,720,000 to continue increased enrollments in nursing programs beyond the levels served in 2005–06 as follows:
    (1) $1,617,000 for full cost of a minimum of 122 full-time equivalent students in entry-level clinical nursing programs and entry-level master's degree programs in nursing.
    (2) $103,000 for supplemental marginal cost funding for 20 master's degree level nursing students.

    (b) The ~~university~~ *University of California* shall report to the Legislature and the Governor by May 1, 2010, on the total enrollment in the 2009–10

academic year in the baccalaureate nursing degree programs, the entry-level clinical and master's degree nursing programs, and the master's of science nursing degree programs.

13. It is the intent of the Legislature that the University of California submit an annual report by March 1 of each year through the 2010–11 fiscal year to the Joint Legislative Budget Committee, legislative fiscal subcommittees, and the Department of Finance on the university's progress in reforming its compensation policies and practices, reflecting the criteria specified in Provision 27 of Item 6440-001-0001 of the Budget Act of 2006 (Chs. 47 and 48, Stats. 2006).

14. Of the funds appropriated in Schedule (1), $19,300,000 is for student academic preparation and education programs (SAPEP) and is to be matched with $12,000,000 from existing university resources, for a total of $31,300,000 for these programs. The University of California shall provide a plan to the Department of Finance and the fiscal committees of each house of the Legislature for expenditure of both state and university funds for SAPEP by September 1 of each year.

16. To the extent funds are available in Schedule (1), and contingent upon the receipt of an equal amount of private sector matching funds, the University of California shall allocate funds for the California Institute for Quantitative Biosciences for the purpose of enhancing innovative, cost-effective technologies and therapies in health care.

17. It is the intent of the Legislature that to the greatest extent possible the University of California limit any reductions to student support services and that the university examine the possibility of increases to the student-faculty ratio and phase out support of excess course units.

18. On or before April 1, 2009, the Director of Finance and the Treasurer shall determine whether the provisions of Section 99030 of the Government Code have been met.

19. On or before January 10, 2010, the University of California shall provide a report to the Legislature and the Governor that describes the implementation of the unallocated reductions in the Budget Act of 2008 (Chs. 268 and 269, Stats. 2008) and in the Budget Act of 2009 (Ch. 1, 2009–10 3rd Ex. Sess.). The report shall include, but not be limited to, information about changes in enrollment and in personnel costs, including compensation increases and decreases; receipt of funds related to the American Recovery and Reinvestment Act of 2009; new fee revenues; and other general purpose funding sources.

20. Notwithstanding Provision 14, if the budget reductions contained in this item require the University of California to make budget reductions to the Student Academic Preparation and Education Programs (SAPEP), those reductions shall be no greater, proportionally, than the reduction in overall General Fund support. The university shall submit a report on the reductions made to SAPEP to the fiscal committees of each house of the Legislature no later than April 1, 2010.

21. Of the funds appropriated in Schedule (1), $150,000 in one-time funds shall be used for the Institute of Governmental Studies of the University of California at Berkeley.

SEC. 373. Item 6440-001-0234 of Section 2.00 of the Budget Act of 2009 is amended to read:

6440-001-0234—For support of the University of California, payable from the Research Account, Cigarette and Tobacco Products Surtax Fund..... ~~14,515,000~~
13,090,000

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 tobacco use, nicotine addiction

and its treatment, the effects of secondhand smoke, and public health issues surrounding tobacco use.

2. Notwithstanding subdivision (a) of Section 1.80, the funds appropriated in this item are available for expenditure until June 30, 2012.

SEC. 374. Item 6440-402 is added to Section 2.00 of the Budget Act of 2009, to read:

6440-402—University of California, Santa Barbara and San Diego Campuses.

Provisions:

1. (a) The Santa Barbara Campus-Bioengineering Building is authorized pursuant to Section 15820.21 of the Government Code.

(b) The San Diego Campus-Marine Ecosystem Sensing, Observation, and Modeling Laboratory is authorized pursuant to Section 15821.21 of the Government Code.

SEC. 375. Item 6440-491 is added to Section 2.00 of the Budget Act of 2009, to read:

6440-491—Reappropriation, University of California. The balances of the appropriations provided in the following citations are reappropriated for the purposes and subject to the limitations in those appropriations, unless otherwise specified:

0660—Public Buildings Construction Fund

(1) Item 6440-301-0660, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

Berkeley Campus:

(2) 99.01.260-Helios Energy Research Facility—Preliminary plans, working drawings, construction, and equipment

6048—2006 University Capital Outlay Bond Fund

(1) Item 6440-301-6048, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), as reappropriated by Item 6440-491, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

Irvine Campus:

(2.5) 99.09.360-Primary Electrical Improvements Step 3-Working drawings and construction

Santa Cruz Campus:

(18) 99.07.185-Infrastructure Improvements Phase 2—Working drawings

(2) Item 6440-301-6048, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), as reappropriated by Item 6440-491, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

Davis Campus:

(3) 99.03.360-Electrical Improvements Phase 4—Construction

Merced Campus:

(5) 99.11.045-Social Sciences and Management Building—Construction

Riverside Campus:

(8) 99.05.220-Boyce and Webber Hall Renovations—Construction

Santa Barbara Campus:

(13) 99.08.145-Davidson Library Addition and Renewal—Working drawings

(2.5) Item 6440-302-6048, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

San Diego Campus:

(8) Structural and Materials Engineering Building—Construction

(3) Item 6440-302-6048, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

Berkeley Campus:

(1) 99.01.250-Birge Hall Infrastructure Improvements—Construction

Riverside Campus:

(5) 99.05.225-East Campus Infrastructure Improvements Phase 2—Working drawings and construction

Agriculture and Natural Resources:

(6) 99.10.065-Hopland Research and Extension Center Field Laboratory and Multipurpose Facility—Construction

(4) Item 6440-304-6048, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), as reappropriated by Item 6440-491, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

Davis Campus:

(1.5) 99.03.365-Telemedicine Resource Center and Rural PRIME Facility—Construction and equipment

(5) Item 6440-305-6048, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

Irvine Campus:

(1) 99.09.380-Telemedicine/PRIME Health Equity Education Facility—Construction and equipment

San Diego Campus:

(2) 99.06.395-Telemedicine/PRIME Health Equity Education Facility—Construction and equipment

(6) Item 6440-304-6048, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

San Francisco Campus:

(1) 99.02.155-Telemedicine and PRIME Urban Underserved Education Facilities—Construction

SEC. 376. Item 6440-492 is added to Section 2.00 of the Budget Act of 2009, to read:

6440-492—Reappropriation, University of California. Notwithstanding any other provision of law, the period to liquidate encumbrances of the appropriations in the following citations is extended to June 30, 2011:

6041—2004 Higher Education Capital Outlay Bond Fund

(1) Item 6440-301-6041, Budget Act of 2004 (Ch. 308, Stats. 2004), as reappropriated by Item 6440-491, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005)

Davis Campus:

(3) 99.03.310-Seismic Corrections, Phase 4—Construction

Merced Campus:

(23) 99.11.035-Logistical Support Service Facilities—Construction and equipment

(2) Item 6440-301-6041, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), as reappropriated by Item 6440-491, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

Irvine Campus:

(3) 99.09.340-Computer Science Unit 3—Equipment

Riverside Campus:

(5) 99.05.200- Environmental Health and Safety Expansion—Preliminary plans

San Diego Campus:

(9) 99.06.355-Mayer Hall Addition and Renovation—Equipment

(10) 99.06.370-Music Building—Construction

Santa Cruz Campus:

(13) 99.07.130-Humanities and Social Services Facilities—Equipment

(14) 99.07.165-McHenry Project—Construction

(3) Item 6440-302-6041, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), as reappropriated by Item 6440-491, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

Davis Campus:

(1) 99.03.315-Electrical Improvements, Phase 3—Construction

(3) 99.03.345-Steam Expansion Phase 1—Construction

Irvine Campus:

(4) 99.09.350-Engineering Unit 3—Construction

Riverside Campus:

(6) 99.05.190-Materials and Science Engineering Building—Construction

Division of Agriculture and Natural Resources:

(7) 99.10.055-Lindcove Research and Extension Center Laboratory Facility—Construction

6048—2006 University Capital Outlay Bond Fund

(1) Item 6440-301-6048, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), as reappropriated by Item 6440-491, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

Davis Campus:

(1.3) 99.03.355-King Hall Renovation and Expansion—Working drawings

Riverside Campus:

(5) 99.05.210-Culver Center for the Arts—Construction

San Diego Campus:

(8) 99.06.385-Chilled Water and Electrical Distribution Improvements—Working drawings

Santa Barbara Campus:

(11) 99.08.135-Arts Building Seismic Correction and Renewal—Working drawings

(12) 99.08.145- Davidson Library Addition and Renewal—Preliminary plans

(13) 99.08.150-Phelps Hall Renovation—Preliminary plans and working drawings

Santa Cruz Campus:

(17) 99.07.180-Infrastructure Improvements, Phase 1—Working drawings

(18) 99.07.185-Infrastructure Improvements, Phase 2—Preliminary plans

(19) 99.07.190-Biomedical Sciences Facility—Working drawings

(2) Item 6440-301-6048, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

Davis Campus:

(2) 99.03.350-Veterinary Medicine 3B—Working drawings

(3) Item 6440-304-6048, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

San Francisco Campus:

(3) 99.02.155-Telemedicine and PRIME Urban Underserved Education Facilities—Working drawings

SEC. 377. Item 6600-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6600-001-0001—For support of Hastings College of the Law.... ~~10,300,000~~ *9,270,000*

Provisions:

1. The appropriation made in this item is exempt from Section 31.00.

SEC. 378. Item 6610-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6610-001-0001—For support of California State University ..... ~~2,538,502,000~~ *2,272,402,000*

Schedule:

(1) Support ..... ~~2,538,502,000~~ *3,138,502,000*

(1.5) Unallocated reduction ..... −266,100,000

(2) Reimbursements—ARRA ..... −600,000,000

Provisions:

1. The appropriations made in this item are exempt from Section 31.00, 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 Division 8 of Title 3 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 until June 30, 2010.
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 until June 30, 2011.
5. Of the funds appropriated in Schedule (1), $2,713,000 is provided to continue support for enhancing the ca-

pacity of science and math teacher credential programs to implement the Science and Math Teacher Initiative. The California State University (CSU) shall report to the Legislature and the Governor by May 1 of each year on its progress toward increasing the quality and supply of science and mathematics teachers resulting from implementation of the Science and Math Teacher Initiative. This report shall include the following information: (a) annual number of mathematics and science teachers awarded credentials (by each CSU campus) beginning with the 2004–05 academic year (before the state first provided funding for the initiative), (b) an expenditure plan on the use of the funds appropriated in this item, (c) the effectiveness of the initiative's different components and activities, including an identification of best practices, and (d) the job placement of students who earn a math or science teaching credential, including the location of the K–12 school of employment and whether it is in an urban, rural, or suburban setting.

6. ~~The Legislature expects the California State University to enroll a total of 342,893 state-supported full-time equivalent students (FTES) during the 2009–10 academic year, inclusive of the enrollments specified in Provision 7. This enrollment target does not include nonresident students and students enrolled in non-state-supported summer programs.~~ The California State University shall ~~provide a preliminary~~ report to the Legislature by March 15, 2010, ~~and a final report by May 1, 2010,~~ on whether it has met ~~the~~ *its* 2009–10 academic year enrollment goal.

7. The amount in Schedule (1) includes $6,251,000 for the following purposes:

   (a) $6,251,000 to continue increased enrollments in nursing programs beyond the levels served in 2005–06 as follows:

      (1) $560,000 for supplemental marginal cost funding for 280 FTES in entry-level master's degree nursing programs pursuant to Article 8 (commencing with Section 89270) of

Chapter 2 of Part 55 *of Division 8 of Title 3* of the Education Code.

(2) $1,720,000 for full cost of a minimum of 163 FTES in entry level master's degree nursing programs.

(3) $371,000 for full cost of 35 FTES in baccalaureate degree nursing programs.

(4) $3,600,000 for full cost of 340 FTES in baccalaureate degree nursing programs.

(c) The California State University shall report to the Legislature and the Governor by May 1, 2010, on the total enrollment in the 2009–10 academic year in the baccalaureate nursing degree and entry-level master's nursing degree programs.

8. 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.

9. Of the amount appropriated in Schedule (1), $52,000,000 is appropriated for student academic preparation and student support services programs. The California State University shall provide $45,000,000 to support the Early Academic Assessment Program and the Educational Opportunity Program.

10. It is the intent of the Legislature that to the greatest extent possible the California State University limit any reductions to student support services and that the university examine the possibility of increases to the student-faculty ratio and phase out support of excess course units.

11. On or before April 1, 2009, the Director of Finance and the Treasurer shall determine whether the provisions of Section 99030 of the Government Code have been met.

12. On or before January 10, 2010, the California State University shall provide a report to the Legislature and the Governor that describes the implementation of the unallocated reductions in the Budget Act of 2008

(Chs. 268 and 269, Stats. 2008) and the Budget Act of 2009 (Ch. 1, 2009–10 3rd Ex. Sess.) The report shall include, but not be limited to, information about changes in enrollment, changes in personnel costs including compensation increases and decreases, and receipt of funds related to the American Recovery and Reinvestment Act, new fee revenues, and other general purpose funding sources.

13. Notwithstanding Provision 9, if the budget reductions contained in this item necessitate the California State University to make budget reductions to its student academic preparation and outreach programs, those reductions shall be no greater, proportionally, than the reduction in overall General Fund support. The university shall submit a report on reductions made to these programs to the fiscal committees of each house of the Legislature no later than April 1, 2010.

SEC. 379. Item 6610-490 is added to Section 2.00 of the Budget Act of 2009, to read:

6610-490—Reappropriation, California State University. 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, 2010:

0785—1988 Higher Education Capital Outlay Bond Fund

(1) Item 6610-002-0785, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

6041—2004 Higher Education Capital Outlay Bond Fund

(1) Item 6610-002-6041, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

SEC. 380. Item 6610-491 is added to Section 2.00 of the Budget Act of 2009, to read:

6610-491—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:

0660—Public Buildings Construction Fund

(1) Item 6610-301-0660, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

Bakersfield Campus:

(1) 06.50.066-Art Center and Satellite Plant—Working drawings and construction

Maritime Academy:

(2) 06.51.010-Physical Education Replacement—Preliminary plans, working drawings, and construction

Monterey Bay Campus:

(3) 06.74.008-Academic Building II—Preliminary plans, working drawings, and construction

Channel Islands Campus:

(4) 06.83.003-Classroom and Faculty Office Renovation and Addition—Construction

San Luis Obispo Campus:

(5) 06.96.116-Center for Science—Construction

6041—2004 Higher Education Capital Outlay Bond Fund

(1) Item 6610-302-6041, Budget Act of 2004 (Ch. 208, Stats. 2004), as reappropriated by Item 6440-491, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

Maritime Academy:

(9) 06.51.009-Simulation Center—Construction

Pomona Campus:

(12) 06.98.108-Science Renovation, Seismic—Construction

San Luis Obispo Campus:

(16) 06.96.115-Engineering and Architecture Renovation and Replacement, Phase II—Construction

(2) Item 6610-302-6041, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

Bakersfield Campus:

(1) 06.50.065-Nursing Renovation—Preliminary plans, working drawings, and construction

(3) Item 6610-301-6041, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008

Channel Islands Campus:

(3) 06.83.005-Entrance Road—Construction

(4) Item 6610-302-6041, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

San Bernardino Campus:

(1) 06.78.073-Access Compliance Barrier Removal—Preliminary plans, working drawings, and construction

6048—2006 University Capital Outlay Bond Fund

(1) Item 6610-301-6048, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), as reverted by Item 6610-496, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

East Bay Campus:

(2) 06.64.082-Student Services Replacement Building—Construction

Humboldt Campus:

(3) 06.67.087-Behavioral and Social Sciences, Phase 1—Equipment

(2) Item 6610-302-6048, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

Maritime Academy:

(1) 06.51.009-Simulation Center—Equipment

San Bernardino Campus:

(4) 06.78.092-Science Building Renovation and Addition, Phase II—Equipment

(5) 06.78.093-College of Education—Equipment

Stanislaus Campus:

(7) 06.92.064-Science II (Seismic)—Equipment

San Luis Obispo Campus:

(8) 06.96.115-Engineering and Architecture Renovation and Replacement, Phase II—Equipment

(3) Item 6610-301-6048, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), as reappropriated by Item 6610-491, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

Channel Islands Campus:

(8) 06.83.005-Entrance Road—Preliminary plans and working drawings

San Francisco Campus:

(10) 06.84.105-School of the Arts—Acquisition

Pomona Campus:

(14) 06.98.109-College of Business Administration—Working drawings and construction

(4) Item 6610-302-6048, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

Systemwide:

(1) 06.48.300-Nursing Facility Improvements—Preliminary plans, working drawings, construction, and equipment

Bakersfield Campus:

(2) 06.50.064-Math and Computer Science Building—Equipment

(3) 06.50.065-Nursing Renovation—Equipment

Fullerton Campus:

(5) 06.62.095-College of Business and Economics—Equipment

Humboldt Campus:

(6) 06.67.098-Forbes PE Complex Renovation—Equipment

San Bernardino Campus:

(9) 06.78.095-Palm Desert Off-Campus Center, Phase III—Equipment

Sonoma Campus:

(10) 06.90.086-Music/Faculty Office Building—Equipment

Pomona Campus:

(11) 06.98.108-Science Renovation (Seismic)—Equipment

SEC. 381. Item 6610-492 is added to Section 2.00 of the Budget Act of 2009, to read:

6610-492—Reappropriation, California State University. Notwithstanding any other provision of law, the period to liquidate encumbrances of the appropriations in the following citations is extended until June 30, 2011:

6028—2002 Higher Education Capital Outlay Bond Fund

(1) Item 6610-301-6028, Budget Act of 2002 (Ch. 379, Stats. 2002), as reappropriated by Item 6610-491, Budget Act of 2003 (Ch. 157, Stats. 2003), and Item 6610-493, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

San Diego Campus:

(8) 06.80.152-Telecommunications Infrastructure—Construction

6041—2004 Higher Education Capital Outlay Bond Fund

(1) Item 6610-301-6041, Budget Act of 2004 (Ch. 208, Stats. 2004)

Systemwide:

(1) 06.48.315-Minor Capital Outlay—Preliminary plans, working drawings, and construction

(2) Item 6610-302-6041, Budget Act of 2004 (Ch. 208, Stats. 2004), as reappropriated by Item 6610-491, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and Item 6610-493, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

Northridge Campus:

(11) 06.82.085-Science 1 Replacement—Construction

San Bernardino Campus:

(14) 06.78.093-College of Education Building—Preliminary plans, working drawings, and construction

(3) Item 6610-302-6041, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), as reappropriated by Item 6610-491, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

Fresno Campus:

(3) 06.56.093-Library Addition and Renovation—Working drawings and construction

Long Beach Campus:

(7) 06.71.111-Library Addition and Renovation—Working drawings and construction

San Luis Obispo:

(12) 06.96.115-Engineering and Architecture Renovation and Replacement, Phase II—Equipment

6048—2006 University Capital Outlay Bond Fund

(1) Item 6610-301-6048, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)
Systemwide:
(1) 06.48.315-Minor Capital Outlay—Preliminary plans, working drawings, and construction
Monterey Bay Campus:
(5) 06.74.007-Infrastructure Improvements—Equipment
(2) Item 6610-301-6048, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)
San Luis Obispo Campus:
(12) 06.96.116-Center for Science—Working drawings

SEC. 382. Item 6610-494 is added to Section 2.00 of the Budget Act of 2009, to read:

6610-494—Reappropriation, California State University. Notwithstanding any other provision of law, the period to liquidate encumbrances of the following citation is extended to June 30, 2011:
6048—2006 University Capital Outlay Bond Fund
(1) Item 6610-002-6048, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

SEC. 383. Item 6870-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6870-001-0001—For support of Board of Governors of the California Community Colleges..... 10,155,000
Schedule:

(1)	10-Apportionments.....	1,196,000
(2)	20-Special Services and Operations.....	~~17,390,000~~ *18,390,000*
(3)	30.01-Administration.....	4,453,000
(4)	30.02-Administration—Distributed.....	−4,453,000
(5)	Reimbursements.....	~~−8,431,000~~ *−9,431,000*

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.

(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. The funds appropriated in Schedule (5) reflect $140,000 to support a position through an interagency agreement with the Department of Corrections and Rehabilitation for the purpose of coordinating and administering funds to districts for department staff training and instruction services.

3. The funds appropriated in Schedules (2) and (5) reflect an interagency agreement with the California Emergency Management Agency for $400,000 in reimbursements to conduct emergency planning and preparedness training for community college districts.

4. The funds appropriated in Schedules (2) and (5) reflect an interagency agreement with the Employment Development Department for $600,000 in reimbursements

to support economic and workforce development activities such as the Nursing Initiative and other programs related to the federal Workforce Investment Act of 1998 (29 U.S.C. Sec. 2801 et seq.).

SEC. 384. Item 6870-002-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6870-002-0890—For support of Board of Governors of the California Community Colleges, Program ~~20.30.090-Math~~ *20.98.001-Math* and Science Teacher Initiative, payable from the Federal Trust Fund..... 40,000

Provisions:

1. The funds appropriated in this item are available to support personnel and operating expenses necessary for the implementation of the Math and Science Teacher Initiative program pursuant to a one time grant from the United States Department of Education pursuant to Public Law 105-277.

SEC. 385. Item 6870-101-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6870-101-0001—For local assistance, Board of Governors of the California Community Colleges (Proposition 98)..... ~~3,810,595,000~~ *3,114,494,000*

Schedule:

(1) 10.10.010-Apportionments..... ~~2,919,262,000~~ *2,721,006,000*

(2) 10.10.020-Apprenticeship..... ~~14,641,000~~ *9,955,880*

(3) 10.10.030-Growth for Apportionments..... ~~175,213,000~~ *0*

(4) 20.10.004-Student Success for Basic Skills Students..... ~~33,100,000~~ *27,804,000*

(5) 20.10.005-Student Financial Aid Administration..... ~~52,203,000~~ *52,884,000*

(6) 20.10.020-Disabled Students..... ~~118,461,000~~ *96,057,240*

(7) 20.10.045-Special Services for CalWORKs Recipients..... ~~43,580,000~~ *37,043,000*

(8) 20.10.060-Foster Care Education Program..... 5,254,000

(9) 20.10.070-Matriculation..... ~~104,857,000~~ *68,248,760*

(10) 20.20.020-Academic Senate for the Community Colleges..... ~~467,000~~ *317,560*

(11) 20.20.041-Equal Employment Opportunity pursuant to Ch. 1169, Stats. 2002..... ~~1,747,000~~ *1,187,960*

(12) 20.20.050-Part-time Faculty Health Insurance..... ~~1,000,000~~ *680,000*

(13) 20.20.051-Part-time Faculty Compensation..... ~~50,828,000~~ *34,563,040*

(14) 20.20.055-Part-time Faculty Office Hours..... ~~7,172,000~~ *4,876,960*

(15) 20.30.011-Telecommunications and Technology Services..... ~~26,197,000~~ *21,217,380*

(16) 20.30.050-Economic Development..... ~~46,790,000~~ *31,817,200*

(17) 20.30.070-Transfer Education and Articulation..... ~~1,424,000~~ *968,320*

(18) 20.40.026-Physical Plant and Instructional Support..... ~~27,345,000~~ *0*

(19) 20.10.010-Extended Opportunity Programs and Services and Special Services..... ~~125,960,000~~ *102,137,400*

(20) 20.30.045-Fund for Student Success.... ~~6,158,000~~ *5,262,820*

(21) 20.70.010-Career Technical Education..... ~~20,000,000~~ *0*

(22) 20.80.010-Campus ~~Childcare~~ *Child Care* Tax Bailout..... ~~6,836,000~~ *4,648,480*

(23) 20.95.010-Nursing Program Support.... ~~22,100,000~~ *18,564,000*

(24) 97.20.001-Unallocated Reduction.... −130,000,000

(25) 97.20.005-Unallocated..... 130,000,000

(26) Reimbursements..... −130,000,000

Provisions:

1. The funds appropriated in this item are for transfer by the Controller during the 2009–10 fiscal year to Section B of the State School Fund.
2. Notwithstanding any other provision of law, 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.
3. The funds appropriated in Schedule (1) for Apportionments include $31,409,000 to encourage district-level accountability efforts pursuant to Section 84754.5 of the Education Code. It is intended that the Chancellor of the California Community Colleges submit an annual report on district-specific accountability measures by March 19 of each year. This report shall reflect outcomes from the most recently completed fiscal year

for which data is available pursuant to Section 84754.5 of the Education Code.

4. Of the funds appropriated in Schedule (1), Apportionments:

(a) Up to $100,000 is for a maintenance allowance, pursuant to Section 54200 of Title 5 of the California Code of Regulations.

(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 pursuant to Section 58508 of Title 5 of the California Code of Regulations.

~~5. Of the amount appropriated in Schedule (1), $10,000,000 shall only be available for noncredit instruction to prepare pupils to pass the California High School Exit Examination (CAHSEE). The first priority shall be to serve high school pupils from the classes of 2007 and 2008 who met all other graduation requirements except for passage of the CAHSEE. Remaining funds may be used to support other necessary noncredit courses for other pupils who not only did not pass the CAHSEE, but who did not complete other coursework necessary to meet high school graduation requirements. These funds are intended to supplement but not supplant existing funding for these purposes.~~

6. Notwithstanding any other provision of law, the Chancellor of the California Community Colleges shall not reduce district workload obligations for a lack of a funded cost-of-living adjustment.

7. (a) ~~Of the~~ *The* amount appropriated in Schedule (2) for the Apprenticeship Program~~, up to $14,641,000~~ 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 $5.06 per hour. For purposes of this provision, each hour of teaching time may include up to 10 minutes for passing time and breaks.

8. Funds appropriated in Schedule (3), Growth for Apportionments, shall be available first to any districts bringing online in the current fiscal year newly accredited colleges or California Postsecondary Education Commission-approved educational centers. It is the intent of the Legislature that increases in basic foundation allocations to each college be funded prior to additional growth in full-time equivalent students. The Chancellor of the California Community Colleges shall provide a report by November 1 of each year, to the Department of Finance and the Legislative Analyst, on the number of new centers and colleges added for the current fiscal year and those anticipated to be added for the prospective budget year. This report shall also detail the specific funding adjustments provided for basic foundation allocations to each college and center for the current fiscal year.

9. Notwithstanding any other provision of law, funds appropriated in Schedule (3) for Growth for Apportionments 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 courses and other courses in con-

flict with existing law for the purpose of calculating a district's three-year overcap adjustment. The Board of Governors of the California Community Colleges shall implement the criteria required by subdivision (a) of Provision 5 of Item 6870-101-0001 of the Budget Act of 2003 (Ch. 157, Stats. 2003) for the allocation of funds appropriated in Schedules (1) and (3), so as to ensure 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. The funds appropriated in Schedule (4), Student Success for Basic Skills Students, shall be allocated as follows:

(a) ~~$1,600,000~~ *$1,344,000* for faculty and staff development to improve curriculum, instruction, student services, and program practices in the areas of basic skills and English as a Second Language (ESL) programs. The Office of the Chancellor of the California Community Colleges shall select a district, utilizing a competitive process, to carry out these faculty and staff development activities. All colleges receiving funds pursuant to subdivision (b) shall be provided with the opportunity to participate in the faculty and staff development programs specified in this subdivision. The chancellor shall report on the use of these funds by the selected district to the Legislative Analyst and the Department of Finance not later than September 1, 2010.

(b) ~~$31,500,000~~ *$26,460,000* for allocation by the chancellor to community college districts for improving outcomes of students who enter college needing at least one course in ESL or basic skills, with particular emphasis on students transitioning from high school.

(c) Funding specified in subdivisions (a) and (b) shall be distributed to eligible applicants pursuant to Chapter 489 of the Statutes of 2007.

(d) The Office of the Chancellor shall work jointly with the Department of Finance and the Legislative Analyst to ~~develop~~ *evaluate and refine, as necessary, the* annual accountability measures for this program. It is the intent of the Legislature that annual performance accountability measures for this program utilize, to the extent possible, data available as part of the accountability system developed pursuant to Section 84754.5 of the Education Code. By ~~November 1, 2010,~~ *September 1, 2009,* the chancellor shall submit ~~a report~~ *the first in a series of reports* to the Governor and Legislature on ~~the annual accountability measures developed pursuant to this process~~ *basic skills accountability using system and college level data*.

11. (a) Of the funds appropriated in Schedule (5) for Student Financial Aid Administration, not less than ~~$10,561,000~~ *$11,034,000* is available to provide $0.91 per 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 (5), not less than ~~$4,642,000~~ *$4,850,000* 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) Funding provided to community college districts in subdivisions (a) and (b) ~~of this provision~~ is provided to directly offset any mandated costs claimed by community college districts pursuant to Commission on State Mandates Test Claims 99-TC-13 (Enrollment Fee Collection) and 00-TC-15 (Enrollment Fee Waivers).

(d) (1) Of the amount appropriated in Schedule (5), $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: (A) the California Community Colleges (CCC) remain affordable, (B) financial aid and tax credits are available to cover enrollment fees and help with books and other costs, and (C) 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 Internet Web site 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 (5), 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 item, 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 offering personal assistance to these students 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) Funding provided to community college districts in ~~Subdivision (d)(2) of Provision 11~~ *paragraph (2) of this subdivision (d)* is provided to directly offset any mandated costs claimed by community college districts pursuant to the Commission on State Mandates test claim 02-TC-28 (Cal Grants) *and 02-TC-21 (Tuition Fee Waivers)*.

(4) 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 or 2006–07, whichever is greater.

(5) It is the intent of the Legislature that the Office of the Chancellor of the California Community Colleges provide the Legislature

with a report not later than April 1, 2010, on the use of the funds allocated pursuant to paragraphs (1) and (2) of this subdivision (d), 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.

(6) It is the intent of the Legislature that the chancellor report by May 15, 2010, in the manner and using the factors set forth in paragraph (5) of subdivision (c) of Provision 11 of Item 6870-101-0001 of the Budget Act of 2007, on the impact of outreach efforts on student headcount and FTES enrollment for the 2006–07 and 2007–08 academic years.

12. (a) The funds appropriated in Schedule (6) for the Disabled Students Program are for assisting districts in funding the excess direct instructional cost of providing special support services or instruction, or both, to disabled students enrolled at community colleges, and for state hospital programs, as mandated by federal law.

(b) Of the amount appropriated in Schedule (6), no less than ~~$3,945,000~~ *$3,166,000* shall be used to address deficiencies identified by the federal Office of Civil Rights (OCR), as determined by the Office of the Chancellor of the California Community Colleges.

(c) Of the amount appropriated in Schedule (6), at least ~~$943,000~~ *$757,000* 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 Office of the Chancellor. 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 (6), ~~$1,246,000~~ *$1,000,000* shall be for state hospital adult education programs at the hospitals served by the Coast and Kern 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 any portion of the 2009–10 fiscal year, remaining 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 2009–10 fiscal year, the Proposition 98 base funding levels for community colleges and DDS shall be adjusted accordingly.

(e) Of the funds appropriated in Schedule (6) for the Disabled Student Services, no less than ~~$9,600,000~~ *$7,704,000* shall be allocated to support high-cost sign language interpreter services and real-time captioning equipment or other communication accommodations for hearing-impaired students based on a 4-to-1 state-to-local district match.

13. The funds appropriated in Schedule (7), 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 care services, and coordination with county welfare offices to determine eligibility and availability of services. All services funded in Schedule (7) 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.

(g) Campus-based case management, limited to on-campus assistance and services not provided by county case workers that do not supplant other counseling and academic support services funded through existing California Community Colleges categorical programs.

Of the amount appropriated in Schedule (7), ~~$15,000,000~~ *$12,750,000* is for child care and does 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 2009–10 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 engaged 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 and work participation requirements, 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 positions. 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 Office of the Chancellor by October 15 of each year. If the chancellor approves the use of funds for direct instructional workload, the Office of the Chancellor shall submit a report to the Department of Finance and the Joint Legislative Budget Committee by November 15, 2009, that (a) identifies the enrollment of new CalWORKs students, (b) states whether and why additional classes were needed to accommodate the needs of CalWORKs students, and (c) sets forth an expenditure plan for the balance of funds.

As a condition of receipt of the funds appropriated in Schedule (7), by the fourth week following the end

of the semester or quarter term commencing in January 2010, each participating community college shall submit to the Office of the Chancellor 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 number 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~~ *practicable*, reporting from colleges utilize data gathered for federal reporting requirements at the state and local level. Further, it is intended that the Office of the Chancellor compile the information for annual reports to the Legislature, the Governor, the Legislative Analyst, the Department of Finance, and the State Department of Social Services by November 15 of each year.

First priority for expenditures of any funds appropriated in Schedule (7) 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, 2009, 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 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 Office of the Chancellor 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.

Of the funds appropriated in Schedule (7) for the Special Services for CalWORKs Recipients Program, no less than ~~$8,000,000~~ *$6,800,000* is to provide direct workstudy wage reimbursement for students served under this program, and ~~$1,000,000~~ *$850,000* is available for campus job development and placement services.

14. Funds appropriated in Schedule (7) for the Special Services for CalWORKs Recipients Program 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.

15. (a) Funds provided in Schedule (8) for the Foster Care Education Program 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 training.

(b) Funds provided in Schedule (8) 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.

(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 State Department of Social Services shall facilitate the participation of county welfare departments in the foster and relative/kinship care education program.

16. (a) Funds appropriated in Schedule (9) for the Matriculation Program are for the purpose of student matriculation pursuant to Article 1 (commencing with Section 78210) of Chapter 2 of Part 48 of Division 7 of Title 3 of the Education Code.

(b) Of the amount appropriated in Schedule (9), ~~$20,000,000~~ *$13,017,000* 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. The funds in Schedule (13) for the Part-time Faculty Compensation Program 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 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) ~~$24,197,000~~ *$19,637,380* of the funds provided in Schedule (15) for the Telecommunications and Technology Services Program 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 for the following purposes:

(1) Provision of access to statewide multimedia hosting and delivery services for system colleges and districts.

(2) Provision of systemwide Internet, audio bridging, and telephony.

(3) Technical assistance and planning, cooperative purchase agreements, and faculty and staff development in a manner consistent with paragraph (3) of subdivision (b) of Provision 17 of Item 6870-101-0001 of Section 2.00 of the Budget Act of 1996 (Ch. 162, Stats. 1996).

(4) Ongoing support for the California Virtual Campus Distance Education Program.

(5) Ongoing support for programs designed to use technology in assisting accreditation and the alignment of curricula across K–20 segments in California.

(6) Support for technology pilots and ongoing technology programs and applications that serve to maximize the utility and economy of scale of the technology investments of the community college system towards improving learning outcomes.

In addition, a portion of the funds provided in this subdivision 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 subdivision (a) of Provision 21 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).

(b) The Office of the Chancellor of the California Community Colleges shall develop the reporting

criteria for all programs funded by this item and shall submit that for review along with an annual progress report on program implementation to the Legislative Analyst, the Office of the Secretary for Education, and the Department of Finance no later than December 1 of each year. Reporting shall include summaries of allocations and expenditures by program and by district, where applicable.

(c) Of the funds provided in Schedule (15), ~~$2,000,000~~ *$1,580,000* is for ongoing support and expansion of the California Partnership for Achieving Student Success (Cal-PASS) program. As a condition of receipt of these funds, the grantee shall submit to the Office of the Chancellor, by October 15 of each year, all of the following: (1) a report that includes the numbers and percentages of institutions and school districts that have signed agreements and the number and percentage that have actively submitted data in the current year and (2) an annual financial audit, as prescribed by the chancellor, that includes an accounting of all funding sources and all uses of funds by funding source. The report and audit also shall be submitted to the Legislative Analyst, the Department of Finance, and the appropriate budget subcommittees. It is the intent of the Legislature that all reporting requirements contained in this subdivision shall be completed using funds provided to the grantee.

19. Of the funds provided in Schedule (16) for the Economic and Workforce Development Program:

(a) ~~$22,830,000~~ *$15,524,000* is allocated for regional business resources assistance and innovation network centers. Each allocation 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) ~~$7,822,000~~ *$5,319,000* is allocated for industry-driven regional education and training collaboratives. These allocations shall be made on a competitive basis and the amounts shall not be restricted to any predetermined limit, but rather shall be funded on their individual merits.

(c) ~~$3,609,000~~ *$2,454,000* is allocated for statewide network leadership, organizational development, coordination, information and support services, or other program purposes.

(d) ~~$4,529,000~~ *$3,080,000* 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) ~~$8,000,000~~ *$5,440,200* is allocated for the establishment of a Responsive Incumbent Worker Training Fund, which will serve to expand the delivery of performance improvement training to employers and incumbent workers in high-growth industries. Funds shall also be used to develop programs that integrate basic skills and career technical education curriculum in ways that provide students with seamless educational coursework that transitions students into high-tech and high-demand job sectors.

(f) The following provisions apply to the expenditure of funds within subdivisions (a) and (b): 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 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) to increase the level of subsidized training otherwise available.

(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 project requirements into the guidelines for audits of economic development projects.

(h) Primary objectives of the Economic and Workforce Development Program are 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 created. As part of the annual report on the performance of the Economic and Workforce 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 improvement training, credit and noncredit instruction, and job placements created as a result of each center and collaborative.

20. (a) The funds appropriated in Schedule (17) for the Transfer Education and Articulation Program are available to support transfer and articulation projects and common course numbering projects.

(b) Funding provided to community college districts from Schedule (17) is provided to directly offset any mandated costs claimed by community college districts pursuant to Chapter 737 of the Statutes of 2004.

21. (a) ~~$13,673,000~~ *One-half* of the funds appropriated in Schedule (18) ~~is~~ *are* available for the following purposes:

(1) Scheduled maintenance and special repairs of facilities. 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 for 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, 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.

(2) Hazardous substances abatement, cleanup, and repairs.

(3) Architectural barrier removal projects that meet the requirements of the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.) 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.

(b) ~~$13,672,000~~ *One-half* of the funds appropriated in Schedule (18) ~~is~~ *are* available for replacement of instructional equipment and library materials. 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 chancellor may waive all or a portion of the matching requirement based upon a review of a district's financial condition. The funds provided for instructional equipment and library materials shall not be used for personal services costs or operating expenses. The chancellor shall allocate funds to districts on the basis of actual reported FTES and may establish a minimum allocation per district. The question of whether a district has complied with its resolution shall be reviewed under the annual audit of that district.

(c) The funds appropriated in Schedule (18) shall be available for expenditure until June 30, ~~2010~~ *2011*.

22. Of the funds appropriated in Schedule (19) for Extended Opportunity Programs and Services, ~~$106,786,000~~ *$89,188,000* is for Extended Opportunity Programs and Services (EOPS) in accordance with Article 8 (commencing with Section 69640) of Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code. 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. In addition, ~~$15,505,000~~ *$12,949,400* 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 Division 7 of Title 3 of the Education Code. The Board of Governors of the California Community Colleges shall allocate funds on a priority basis to local programs on the basis of need for student services.

23. Of the funds appropriated in Schedule (19) for the Extended Opportunity Programs and Services, no less than $6,900,000 shall be available to support additional textbook assistance grants to community college students as an allowable expenditure consistent with paragraph (10) of subdivision (b) of Section 69648 of the Education Code. In addition, these funds shall not supplant the amount of resources used for ~~text book~~ *textbook* grants in 2001–02.

24. The funds appropriated in Schedule (20) for the Fund for Student Success is for additional targeted student services, to be expended as follows:

(a) ~~$1,921,000~~ *$1,642,000* 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 fiscal year support level for the Puente Project. All funding shall be allocated directly to participating districts in accordance with their participation agreement.

(b) Up to ~~$2,459,000~~ *$2,102,000* is for the Mathematics, Engineering and Science Achievement (MESA) Program. For each dollar allocated, the recipient district shall provide $1 in matching funds.

(c) No less than ~~$1,778,000~~ *$1,518,820* 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 8.

25. 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 (6), (9), (11), and (19) 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.

26. The funds appropriated ~~in Schedule (21)~~ for the Career Technical Education Program are for the purpose of aligning career-technical education curriculum between K–12 and community colleges in targeted industry-driven programs offered through the Economic and Workforce Development Program. Prior to the allocation of these funds, the Chancellor of the California Community Colleges, in conjunction with the State Department of Education, shall submit a proposed expenditure plan for the funds contained in this item, and the rationale therefor, to the Department of Finance by August 1, 2009, for approval.

Of the funds appropriated ~~in Schedule (21)~~ *for the Career Technical Education Program, no more than* $2,500,000 is available for the development and enhancement of health-related career pathway programs in grades 7 to 12, inclusive, and for the articulation and alignment of health-related curriculum between schools with pupils in kindergarten and grades 1 to 12, inclusive, and the California Community Colleges.

27. The funds appropriated in Schedule (22) for the Campus ~~Childcare~~ *Child Care* Tax Bailout shall be allocated by the Chancellor of the California Commu-

nity Colleges 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~~ *proportional* 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.

28. With regard to the funds appropriated in Schedule (23), Nursing Program Support, all of the following shall apply:
    (a) ~~$14,000,000~~ *$11,760,000* shall be used to provide support for nursing program enrollment and equipment needs consistent with paragraph (2) of subdivision (a) of Section 2 of Chapter 514 of the Statutes of 2001. Funding for nursing enrollment shall provide a marginal increase in funding in addition to the amount provided for each full-time equivalent student for regular growth in apportionments.
    (b) ~~$8,100,000~~ *$6,804,000* shall be used to provide diagnostic and support services, preentry coursework, alternative program delivery model development, and other services to reduce the incidence of student attrition in nursing programs.
    (c) Funds shall be allocated according to the following criteria:
        (1) The degree to which the funds provided would be used to increase student enrollment in nursing programs beyond the level of full-time equivalent students served in the 2008–09 academic year.
        (2) The district's level of attrition from nursing programs and the suitability of planned expenditures to address attrition levels.

(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.

(4) For districts with attrition rates of 15 percent or more, new funding shall focus on attrition reduction. For districts with attrition rates below 15 percent, new funding shall focus on enrollment expansion.

(d) On or before March 1 of each year, 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 include all of the following: (1) the amount of funding received, (2) the number of nursing full-time equivalent students served in the 2006–07 academic year, and the additional number of nursing full-time equivalent students served with funding provided in this item in each subsequent year, (3) the district's attrition and completion rates in the 2006–07 academic year and subsequent years, (4) any equipment or infrastructure-related items acquired with the funds appropriated in this item, and (5) the number of new and existing faculty receiving annual stipend awards.

29. Notwithstanding any other provision of law, the Chancellor of the California Community Colleges may reduce community college district base workload measures to match available funding under Schedule (1), which reflects a base reduction of $120,000,000, and local revenues designated to support community college district general apportionments. It is the intent of the Legislature that community college districts, to the greatest extent possible, shall implement any necessary workload reductions in areas other than basic skills, workforce training, and transfer. On or before March 1, 2010, the chancellor shall provide the Leg-

islature and the Director of Finance with a report on the implementation of this provision.

30. Notwithstanding any other provision of law, the Chancellor of the California Community Colleges shall allocate categorical funds as specified in legislation enacted in 2009. Pursuant to the conditions specified in that legislation, districts may utilize funds allocated from Schedules (2), (9), (10), (11), (12), (13), (14), (16), (17), (18), (21), and (22) as further specified in that legislation.

SEC. 386. Item 6870-103-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... 66,829,000

Schedule:

(1) Rental and administration..... 68,911,000

(2) Reimbursements..... −2,082,000

Provisions:

1. ~~The funds appropriated in this item are for transfer by the Controller to Section B of the State School Fund.~~*The Controller shall transfer funds appropriated in this item for base rental, fees, and insurance as and when provided for in the schedule submitted by the State Public Works Board or the Department of Finance. Notwithstanding the payment dates in any related Facility Lease or Indenture, the schedule may provide for an earlier transfer of funds to ensure debt requirements are met and base rental payments are paid in full when due.*

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.

SEC. 387. Item 6870-111-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~56,741,000~~ *76,287,000*

(3.5) 20.30.034-Corrections Training Program..... 2,610,000

(4) 20.30.011-Telecommunications and Technology Infrastructure..... 292,000

(5) 20.30.050-Economic Development..... ~~1,340,000~~ *10,540,000*

(6) Reimbursements..... ~~−75,095,000~~ *−103,841,000*

Provisions:

1. The funds appropriated in Schedules (1) and (3) are for transfer by the Controller to Section B of the State School Fund.
2. The funds appropriated in Schedule (1) are to fund additional fixed, variable, and one-time costs for providing support services and instruction for CalWORKs students that 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 Office of the Chancellor of the California Community Colleges describing 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. The funds appropriated in Schedule (3.5) reflect an interagency agreement with the Department of Correc-

tions and Rehabilitation to support the delivery of staff training and instruction services to the department's staff throughout the state. These funds shall not be made available to the community colleges until 30 days after the interagency agreement is provided to the Legislature.

4. The funds appropriated in Schedule (4) shall be used to support Phase 2 of the CCCTran project.

5. ~~The~~ *Of the* funds appropriated in Schedule (5), *$1,340,000* shall be used to support an interagency agreement between the Office of the Chancellor of the California Community Colleges and the Department of Transportation for the purpose of providing assistance and training in business management practices to small and disadvantaged businesses in an effort to increase their capacity to be successful in bidding for state transportation contracts.

6. The funds appropriated in Schedule (5) reflect an increase of $3,200,000 to support interagency agreements between the Office of the Chancellor of the California Community Colleges and the Employment Development Department for the following purposes:

(a) Offering bridging courses and programs for licensed vocational nurses, paramedics, or independent duty corpsmen to meet the requirements for taking and successfully completing examinations to become a registered nurse.

(b) Expanding enrollments in allied health occupation programs in community colleges.

7. The funds appropriated in Schedule (5) reflect an increase of $6,000,000 to support interagency agreements between the Office of the Chancellor of the California Community Colleges and the Employment Development Department for the continued support of the Governor's Nursing Initiative.

SEC. 388. Item 6870-295-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... 3,000

Schedule:

(1) ~~98.01.000.184-Health~~ *98.01.001.184-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)..... 1,000

(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 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 to this provision unless written notification of the necessity therefor is provided 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 his or her designee.

SEC. 389. Item 6870-301-6028 of Section 2.00 of the Budget Act of 2009 is repealed.

~~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..... 12,387,000~~

~~Schedule:~~

~~San Diego Community College District~~

~~San Diego City College~~

~~(1) 40.47.103-Child Development Center—Preliminary plans and working drawings..... 594,000~~

~~West Valley-Mission Community College District~~

~~Districtwide~~

~~(2) 40.69.301-Fire Alarm System Replacement—Construction..... 11,793,000~~

SEC. 390. Item 6870-301-6041 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~20,246,000~~ *7,031,000*

Schedule:

Coast Community College District

Orange Coast College

(1) 40.11.313-Music Building Modernization—Preliminary plans and working drawings..... 343,000

Los Rios Community College District

American River College

(2) 40.27.108-Life Science and Fine Arts Modernization—Preliminary plans and working drawings..... 128,000

Santa Clarita Community College District

College of the Canyons

(3) 40.54.117-Administration/Student Services—Preliminary plans and working drawings..... 236,000

~~Siskiyou Joint Community College District~~

~~College of the Siskiyous~~

~~(4) 40.59.104-Science Complex Modernization—Construction and equipment..... 13,215,000~~

State Center Community College District

Fresno City College

(5) 40.64.109-Old Administration Building, North and East Wings, Phase III—Preliminary plans and working drawings.... 153,000

Ventura County Community College District

Ventura College

(6) 40.65.305-Buildings APP, S, and DP Modernization—Construction and equipment..... 5,294,000

Yuba Community College District

Yuba College

(7) 40.71.111-Building 1100 Learning Resource Center Renovation—Preliminary plans and working drawings..... 877,000

SEC. 391. Item 6870-301-6049 of Section 2.00 of the Budget Act of 2009 is amended to read:

6870-301-6049—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 2006 California Community College Capital Outlay Bond Fund..... ~~155,809,000~~

204,082,000

Schedule:

Antelope Valley Community College District

Antelope Valley College
(1) 40.03.115-Health and Science Building—Equipment..... 1,716,000
El Camino Community College District
El Camino College Compton Center
(2) 40.14.116-Infrastructure Replacement Phase 1—Construction..... 29,480,000
(3) 40.14.202-Infrastructure Replacement Phase 2—Preliminary plans and working drawings..... 1,040,000
Imperial Community College District
Imperial Valley College
(4) 40.21.105-Building 400 Modernization—Preliminary plans and working drawings..... 209,000
Kern Community College District
Bakersfield College
(5) 40.22.112-Performing Arts Modernization—Preliminary plans and working drawings..... 1,637,000
Long Beach Community College District
Long Beach City College, Pacific Coast Campus
(6) 40.25.117-Multi-Disciplinary Academic Building—Construction and equipment..... 15,793,000
Los Angeles Community College District
East Los Angeles College
(7) 40.26.107-Fine and Performing Arts Center—Equipment..... 2,824,000
Los Rios Community College District
Cosumnes River College
(8) 40.27.214-North East Buildings Modernization—Preliminary plans and working drawings..... 178,000
Monterey Peninsula Community College District
Monterey Peninsula College
(9) 40.32.107-Modernize Humanities, Business, and Student Services Buildings—Preliminary plans and working drawings..... 403,000

Redwoods Community College District
College of the Redwoods
(10) 40.42.107-New Science/Humanities Building Seismic ~~Replacement—Construction~~ *Replacement—Working drawings and construction*..... ~~27,304,000~~ *28,047,000*
Riverside Community College District
Moreno Valley Center
(11) 40.44.208-Phase III Student Academic Services Building—Preliminary plans and working drawings..... 437,000
South Orange County Community College District
Irvine Valley College
(12) 40.45.131-Life Sciences Building—Construction and equipment..... 16,111,000
Santa Barbara Community College District
Santa Barbara City College
(12.5) 40.53.122-High Technology Center—Construction and equipment..... 22,522,000
Sequoias Community College District
College of the Sequoias
(13) 40.56.116-Administration Building Remodel for Efficiency—Preliminary plans and working drawings..... 603,000
Tulare Center
(14) 40.56.200-Phase I Site Development and Facilities—Construction and equipment..... 55,414,000
Siskiyou Joint Community College District
College of the Siskiyous
(14.5) 40.59.104-Science Complex Modernization—Construction and equipment..... 13,215,000
Sonoma County Junior Community College
Santa Rosa Junior College
(15) 40.61.104-Health, Physical Education and Wellness Complex—Preliminary plans and working drawings..... 2,317,000

~~Chabot-Los~~ *Chabot-Las* Positas Community College District
Chabot College
(16) 40.62.116-Math-Science Modernization—Preliminary plans and working drawings..... 163,000
Ventura County Community College District
Ventura College
(17) 40.65.308-Studio Arts Building Modernization—Preliminary plans and working drawings..... 180,000
West Valley-Mission Community College District
Districtwide
(18) 40.69.301-Fire Alarm System Replacement—Construction..... 11,793,000

SEC. 392. Item 6870-490 is added to Section 2.00 of the Budget Act of 2009, to read:

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:
0785—1988 Higher Education Capital Outlay Bond Fund
(1) Item 6870-301-0785, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)
Los Angeles Community College District
Los Angeles City College
(1) 40.26.209-Jefferson Hall Modernization—Construction and equipment
South Orange County Community College District
Irvine Valley College
(2) 40.45.131-Life Sciences Building—Working drawings
6028—2002 Higher Education Capital Outlay Bond Fund
(1) Item 6870-301-6028, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)
Desert Community College District
College of the Desert

(1) 40.10.113-Water and Sewer Infrastructure Replacement—Construction

San Luis Obispo County Community College District

Cuesta College

(4.5) 40.51.112-Theater Arts Building—Equipment

6041—2004 Higher Education Capital Outlay Bond Fund

(1) Item 6870-301-6041, Budget Act of 2004 (Ch. 208, Stats. 2004), as reappropriated by Item 6870-490, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), and Item 6870-491, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and reverted by Item 6870-497, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and reappropriated by Item 6870-490, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007) and Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

Los Angeles Community College District

Los Angeles Pierce College

(26) 40.26.505-Child Development Center—Equipment

Copper Mountain Community College District

Copper Mountain College

(76) 40.72.100-Multi-Use Sports Complex—Equipment

(2) Item 6870-301-6041, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), as reappropriated by Item 6870-491, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and reverted by Item 6870-497, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), and reappropriated by Item 6870-490, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007) and Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

Los Angeles Community College District

Los Angeles Harbor College

(15) 40.26.304-Child Development Center—Equipment

Rio Hondo Community College District

Rio Hondo College

(30) 40.43.108-Learning Resource/High Technology Center—Equipment

(3) Item 6870-301-6041, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), as reappropriated by Item 6870-490, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007) and Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

Chaffey Community College District

Chaffey College

(1) 40.08.112-Health and Physical Science Building Renovation—Construction

Citrus Community College District

Citrus College

(2) 40.09.123-Vocational Technology Building—Equipment

Santa Barbara Community College District

Santa Barbara City College

(4) 40.53.123-Drama/Music Building Modernization—Construction and equipment

(4) Item 6870-303-6041, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

San Mateo County Community College District

College of San Mateo

(1) 40.52.208-Demolition of Seismic Hazardous Buildings—Construction

(5) Item 6870-301-6041, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

Cerritos Community College District

Cerritos College

(1) 40.07.121-Gymnasium Seismic Retrofit—Construction

Siskiyou Joint Community College District

College of the Siskiyous

(3) 40.59.104-Science Complex Modernization—Working drawings

West Valley-Mission Community College District

Districtwide

(4) 40.69.301-Fire Alarm System Replacement—Working drawings

6049—2006 California Community College Capital Outlay Bond Fund

(1) Item 6870-303-6049, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), as reappropriated by Item 6870-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

Butte-Glenn Community College District

Butte College

(1) 40.05.108-Instructional Arts Building—Equipment

Citrus Community College District

Citrus College

(3) 40.09.126-Student Services Building—Equipment

Grossmont-Cuyamaca Community College District

Cuyamaca College

(4) 40.19.118-Business/CIS Building—Construction and equipment

Grossmont College

(5) 40.19.210-Health Sciences Building—Construction and equipment

Hartnell Community College District

Hartnell East Campus

(6) 40.20.103-Center for Applied Technology—Equipment

Kern Community College District

Porterville College

(8) 40.22.307-Wellness Center—Equipment

Los Angeles Community College District

Los Angeles City College

(9) 40.26.208-Franklin Hall Modernization—Equipment

Los Angeles Pierce College

(11) 40.26.510-Physical Education Building Renovation—Equipment

Los Angeles Trade-Technical College

(12) 40.26.703-Renovate and Modernize Building A—Equipment

Los Angeles Valley College

(13) 40.26.804-Child Development Center—Equipment

Mt. San Antonio Community College District

Mt. San Antonio College

(16) 40.33.116-Design and Online Tech Center—Construction and equipment

Napa Valley Community College District
Napa Valley College
(17) 40.35.104-Library/Learning Resource Center—Construction and equipment
North Orange County Community College District
Cypress College
(18) 40.36.102-Humanities Building 1 Renovation—Construction
Fullerton College
(19) 40.36.203-South Science Building Replacement—Construction
Rio Hondo Community College District
Rio Hondo College
(20) 40.43.109-Physical Education Facilities—Construction and equipment
State Center Community College District
Willow International Center
(27) 40.64.501-Academic Facilities, Phase II—Equipment
Ventura County Community College District
Moorpark College
(28) 40.65.113-Health Science Expansion/Replacement—Equipment
Oxnard College
(29) 40.65.207-OCTV Auditorium—Equipment
West Hills Community College District
West Hills College at Coalinga
(30) 40.67.104-Wellness Center—Construction and equipment
West Hills College at Lemoore
(31) 40.67.206-Multi-Use Sports Complex—Construction and equipment
West Kern Community College District
Taft College
(32) 40.68.104-Tech Arts Modernization—Construction
Copper Mountain Community College District
Copper Mountain College
(33) 40.72.101-Remodel for Efficiency—Construction and equipment

(2) Item 6870-301-6049, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), as reverted by Item 6870-497, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), and reappropriated by Item 6870-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

Allan Hancock Community College District

Allan Hancock College

(1) 40.02.118-One-Stop Student Services Center—Construction and equipment

Contra Costa Community College District

Los Medanos College

(10) 40.13.316-Art Area Remodel—Construction

San Francisco Community College District

City College of San Francisco, Chinatown Center

(36) 40.48.301-Campus Building—Construction

San Joaquin Delta Community College District

San Joaquin Delta College

(37) 40.49.108-Goleman Learning Resource Center Modernization—Construction and equipment

West Valley-Mission Community College District

West Valley College

(51) 40.69.110-Science and Math Building Renovation—Construction

(3) Item 6870-303-6049, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

Cabrillo Community College District

Cabrillo College

(1) 40.06.113-Visual Arts Reconstruction (Building 300)—Working drawings, construction, and equipment

Ohlone Community College District

Ohlone College

(2) 40.16.113-Below Grade Water Intrusion Repair—Construction

Grossmont-Cuyamaca Community College District

Cuyamaca College

(3) 40.19.119-LRC Expansion/Remodel, Phase I—Working drawings, construction, and equipment

Los Angeles Community College District

East Los Angeles College

(4) 40.26.109-Bailey Library Modernization/Addition—Construction and equipment

Los Angeles Mission College

(5) 40.26.411-Media Arts Center—Construction and equipment

San Mateo County Community College District

Cañada College

(6) 40.52.105-Reconstruction of Academic Facilities—Construction and equipment

West Kern Community College District

Taft College

(7) 40.68.105-TIL Center—Construction and equipment

(4) Item 6870-301-6049, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

Antelope Valley Community College District

Antelope Valley College

(1) 40.03.115-Health and Science Building—Construction

Barstow Community College District

Barstow College

(2) 40.04.105-Wellness Center—Construction and equipment

Chaffey Community College District

Ralph M. Lewis Fontana Center

(3) 40.08.201-Fontana Center Phase III, Academic Building—Construction and equipment

Coast Community College District

Orange Coast College

(4) 40.11.312-Consumer and Science Laboratory Building—Construction and equipment

El Camino Community College District

El Camino College

(5) 40.14.115-Social Science Remodel for Efficiency—Construction and equipment

El Camino College Compton Center

(5.5) 40.14.116-Infrastructure Replacement Phase I—Working drawings

Los Angeles Community College District

Los Angeles Harbor College
(6) 40.26.305-Library/Learning Resource Center—Construction
Los Angeles Trade-Technical College
(7) 40.26.705-Learning Assistance Center Renovation—Construction and equipment
Los Rios Community College District
Sacramento City College
(10) 40.27.313-Performing Arts Modernization—Construction
Mt. San Antonio Community College District
Mt. San Antonio College
(11) 40.33.117-Administration Building Remodel—Construction and equipment
North Orange County Community College District
Fullerton College
(12) 40.36.204-Technology and Engineering Complex—Construction and equipment
Redwoods Community College District
College of the Redwoods
(14) 40.42.106-Student Services/Administration and Performing Arts Building—Construction
Riverside Community College District
Riverside City College
(16) 40.44.104-Nursing/Science Building—Construction and equipment
San Joaquin Delta Community College District
San Joaquin Delta College
(18) 40.49.109-Cunningham Math/Science Replacement—Construction
Santa Clarita Community College District
College of the Canyons
(20) 40.54.116-Library Addition—Construction and equipment
Santa Monica Community College District
Santa Monica College
(21) 40.55.110-Student Services and Administration Building—Construction and equipment
Sierra Joint Community College District
Sierra College

(24) 40.58.108-Child Development Center—Construction and equipment
Sonoma County Junior College District
Santa Rosa Junior College
(25) 40.61.401-Public Safety Training Center Advanced Laboratory and Office Complex—Construction and equipment
West Hills Community College District
West Hills College, Coalinga
(26) 40.67.105-Agricultural Science Facility—Construction and equipment

Provisions:

1. Notwithstanding any other provision of law, the reappropriations made in this item shall be available for encumbrance as follows:
(a) Preliminary plans and working drawings until June 30, 2011.
(b) Construction and equipment until June 30, 2013.

SEC. 393. Item 6870-491 is added to Section 2.00 of the Budget Act of 2009, to read:

6870-491—Reappropriation, Board of Governors of the California Community Colleges. Notwithstanding any other provision of law, the period to liquidate encumbrances of the following citations is extended to June 30, 2011:
0574—1998 Higher Education Capital Outlay Bond Fund
(1) Item 6870-301-0574, Budget Act of 2001 (Ch. 106, Stats. 2001), as amended by Chapter 891 of the Statutes of 2001, and as reappropriated by Item 6870-490, Budget Act of 2002 (Ch. 379, Stats. 2002) and Budget Act of 2004 (Ch. 208, Stats. 2004), and reverted by Item 6870-497, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)
Compton Community College District
Compton College
(15) 40.12.107-Seismic Replacement/Expansion LRC—Equipment
(16) 40.12.109-Child Development Center—Equipment

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) and Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), and reverted by Item 6870-497, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

Grossmont-Cuyamaca Community College District

Cuyamaca College

(23) 40.19.116-Science and Technology Mall—Equipment

Lake Tahoe Community College District

Lake Tahoe College

(30) 40.23.111-Learning Resource Center—Equipment

Santa Clarita Community College District

College of the Canyons

(69) 40.54.112-Classroom/High Tech Center—Equipment

Ventura County Community College District

Moorpark College

(84) 40.65.109-Child Development Center—Equipment

(2) Item 6870-301-6028, Budget Act of 2004 (Ch. 208, Stats. 2004), as reappropriated by Item 6870-490, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005)

Allan Hancock Joint Community College District

Allan Hancock College

(1) 40.02.117-Skills Center Replacement—Construction and equipment

Foothill-De Anza Community College District

Foothill College

(5) 40.15.211-Seismic Replacement-Student Services—Equipment

North Orange County Community College District

Cypress College

(11) 40.36.101-Piazza Infrastructure Repair—Construction

(3) Item 6870-301-6028, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

San Bernardino Community College District
San Bernardino Valley College
(2) 40.46.215-North Hall Seismic Replacement—Preliminary plans and working drawings
(3) 40.46.216-North Hall/Media Communications Seismic Replacement—Preliminary plans and working drawings
(4) 40.46.217-Chemistry and Physical Science Seismic Replacement—Preliminary plans and working drawings
6041—2004 Higher Education Capital Outlay Bond Fund
(1) Item 6870-301-6041, Budget Act of 2004 (Ch. 208, Stats. 2004), as reappropriated by Item 6870-490, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005) and Item 6870-491, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and reverted by Item 6870-497, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and reappropriated by Item 6870-490, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), and reverted by Item 6870-497, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), and reappropriated by Item 6870-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)
Allan Hancock Joint Community College District
Allan Hancock College
(1) 40.02.114-Science Health Occupations Complex—Construction and equipment
Contra Costa Community College District
Los Medanos College
(7) 40.13.314-Math, Science, Technology Building—Equipment
Foothill-De Anza Community College District
De Anza College
(9) 40.15.109-Chemistry Building Conversion to Math Lab—Equipment
(11) 40.15.111-Kirsch Center for Environmental Studies—Equipment
(13) 40.15.113-Science Center—Equipment
Foothill College
(14) 40.15.207-Life Sciences—Construction and equipment

Grossmont-Cuyamaca Community College District
Cuyamaca College
(15) 40.19.117-Communication Arts Building—Equipment
Grossmont College
(16) 40.19.208-New Digital Arts Lab—Equipment
Los Rios Community College District
Cosumnes River College
(29) 40.27.210-Science Building Modernization—Construction
Merced Community College District
Merced College
(31) 40.30.116-Science Building Remodel—Equipment
Riverside Community College District
Riverside City College
(40) 40.44.103-Quadrangle Building Modernization—Construction and equipment
Santa Barbara Community College District
Santa Barbara City College
(53) 40.53.122-High Technology Center—Working drawings
Santa Clarita Community College District
College of the Canyons
(54) 40.54.113-Laboratory Expansion—Equipment
Chabot-Las Positas Community College District
Las Positas College
(60) 40.62.216-Multi-Disciplinary Education Building—Equipment
Southwestern Community College District
Otay Mesa Center
(62) 40.63.200-Phase I Buildings—Equipment
West Kern Community College District
Taft College
(70) 40.68.101-Child Development Center—Equipment
Yuba Community College District
Yuba College
(74) 40.71.107-Engineering, Math, and Science Remodel—Equipment
Woodland Center

(75) 40.71.307-Learning Resources/Technology Center—Equipment

(2) Item 6870-301-6041, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), as reappropriated by Item 6870-491, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and reverted by Item 6870-497, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), and reappropriated by Item 6870-490, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007) and Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

Kern Community College District

Porterville College

(10) 40.22.306-Science Modernization—Preliminary plans, working drawings, and construction

Los Rios Community College District

Sacramento City College

(19) 40.27.311-North Gym Building Modernization—Construction

Palo Verde Community College District

Palo Verde College

(26) 40.37.104-Fine and Performing Arts—Preliminary plans and working drawings

Santa Clarita Community College District

College of the Canyons

(40) 40.54.114-Physical Education Addition—Equipment

West Kern Community College District

Taft College

(49) 40.68.103-Science Modernization—Construction and equipment

6049—2006 California Community College Capital Outlay Bond Fund

(1) Item 6870-301-6049, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), as reappropriated by Item 6870-490, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), and reverted by Item 6870-497, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

Allan Hancock Joint Community College District

Allan Hancock College

(1) 40.02.118-One-Stop Student Services Center—Working drawings
Contra Costa Community College District
Los Medanos College
(5) 40.13.316-Art Area Remodel—Preliminary plans and working drawings
Los Angeles Community College District
East Los Angeles College
(6) 40.26.108-Multi-Media Classrooms—Working drawings
Los Rios Community College District
American River College
(7) 40.27.105-Fine Arts Instructional Space Expansion—Working drawings
Cosumnes River College
(8) 40.27.212-Science Building Instructional Expansion—Working drawings
Sacramento City College
(9) 40.27.312-Fine Arts Building Modernization—Working drawings
Mt. San Jacinto Community College District
Menifee Valley Center
(10) 40.34.213-General Classroom Building—Working drawings
Palomar Community College District
Palomar College
(12) 40.38.114-Multi-Disciplinary Building—Working drawings
South Orange County Community College District
Saddleback College
(13) 40.45.217-Learning Resource Center Renovation—Working drawings
San Bernardino Community College District
Crafton Hills College
(14) 40.46.106-Learning Resource/Technology Center—Working drawings
San Joaquin Delta Community College District
San Joaquin Delta College

(17) 40.49.108-Goleman Learning Resource Center Modernization—Preliminary plans and working drawings

Sequoias Community College District

College of the Sequoias

(19) 40.56.115-Nursing and Allied Health Center—Preliminary plans and working drawings

West Valley-Mission Community College District

West Valley College

(20) 40.69.110-Science and Math Building Renovation—Preliminary plans and working drawings

Feather River Community College District

Feather River College

(22) 40.73.105-Learning Resource Center and Technology Building—Working drawings

SEC. 394. Item 6870-492 is added to Section 2.00 of the Budget Act of 2009, to read:

6870-492—Reappropriation, California Community Colleges, Proposition 98. The following amounts are hereby reappropriated for apportionments and shall be available for encumbrance or expenditure until June 30, 2010, for the purpose of partially backfilling a projected shortfall in local property tax revenues from the 2009–10 fiscal year for community colleges:

(1) $3,722,000 from Schedule (1) of Item 6870-101-0001 of the Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

(2) $997,000 from Schedule (3) of Item 6870-101-0001 of the Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

(3) $49,000 from Schedule (6) of Item 6870-101-0001 of the Budget Act of 2003 (Ch. 157, Stats. 2003)

(4) $224,000 from Schedule (16) of Item 6870-101-0001 of the Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

SEC. 395. Item 6870-493 is added to Section 2.00 of the Budget Act of 2009, to read:

6870-493—Reappropriation, Board of Governors of the California Community Colleges. The balances of the appropriations provided in the following citations are reappropriated for the purposes specified in Provision 1 and shall be available for encumbrance or expenditure until June 30, 2010:

(1) Item 6870-002-0890, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

Provisions:

1. The funds appropriated in this item are available to support personnel and operating expenses necessary for the implementation of the community college logistics program pursuant to a grant from the United States Department of Labor pursuant to Public Law 105-220.

SEC. 396. Item 6870-497 is added to Section 2.00 of the Budget Act of 2009, to read:

6870-497—Reversion, Board of Governors of the California Community Colleges. As of June 30, 2009, the balances specified below of the appropriations provided for in the following citations shall revert to the funds from which the appropriations were made:

0574—1998 Higher Education Capital Outlay Bond Fund

(1) Item 6870-301-0574, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), as reappropriated by Item 6870-490, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

Rio Hondo Community College District

Rio Hondo College

(2) 40.43.106-Applied Technology Building Reconstruction—Construction..... 1,467,000

6041—2004 Higher Education Capital Outlay Bond Fund

(1) Item 6870-301-6041, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005)

State Center Community College District

Fresno City College

(43) 40.64.108-Student Services Building Remodel—Construction..... 68,000

6049—2006 California Community College Capital Outlay Bond Fund

(1) Item 6870-301-6049, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

San Francisco Community College District

City College of San Francisco, Phelan Campus

(16) 40.48.110-Classroom/Lab Complex for Theater, Music, Visual, and Media Arts—Preliminary plans..... 727,000

(2) Item 6870-301-6049, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), as partially reverted by Item 6870-497, and reappropriated by Item 6870-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

Los Rios Community College District

American River College

(20) 40.27.105-Fine Arts Instructional Space Expansion—Construction..... 811,000

Cosumnes River College

(22) 40.27.212-Science Building Instructional Expansion—Construction..... 1,558,000

Santa Barbara Community College District

Santa Barbara City College

(40) 40.53.122-High Technology Center—Construction and equipment..... 30,672,000

Shasta-Tehama-Trinity Joint Community College District

Shasta College

(45) 40.57.103-Library Addition—Construction..... 1,403,000

(3) Item 6870-301-6049, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

Redwoods Community College District

College of the Redwoods

(15) 40.42.107-New Science/Humanities Building Seismic Replacement—Working drawings..... 1,110,000

(4) Item 6870-303-6049, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), as reappropriated by Item 6870-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

Hartnell Community College District
Hartnell East Campus
(6) 40.20.103-Center for Applied Technology—Construction..... 676,000
Los Rios Community College District
Folsom Lake College
(14) 40.27.505-Physical Education Space, Phase I—Construction..... 1,278,000
Merced Community College District
Merced College
(15) 40.30.119-Allied Health Center—Construction..... 3,217,000
Riverside Community College District
Norco Campus
(21) 40.44.308-Industrial Technology Facility, Phase III—Construction..... 1,494,000
State Center Community College District
Willow International Center
(27) 40.64.501-Academic Facilities, Phase II—Construction..... 622,000

SEC. 397. Item 7100-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-001-0001—For support of Employment Development Department, for payment to Item 7100-001-0870..... ~~32,300,000~~
31,145,000

Provisions:

1. (a) Of the funds appropriated in this item, ~~$9,202,000~~ *$8,047,000* is to support the development of the Automated Collection Enhancement System (ACES). These funds may not be used for any other purpose or for items outside the approved project scope. Changes in the project scope must receive approval using the established administrative and legislative reporting requirements.

(b) The Director of Finance is authorized to increase *or decrease* this item to fund ACES implementation workload upon receipt of a new post-vendor procurement special project report. Notwithstand-

ing any other provision of law, any ~~augmentation~~ *adjustment* under this provision shall be authorized not sooner than 30 days after 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. The ACES procurement process for the prime solution provider is in accordance with Chapter 556 of the Statutes of 2005.

(c) The Department of Finance shall report to the Legislature the number of positions to be administratively established for the Employment Development Department.

SEC. 398. Item 7100-001-0185 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-001-0185—For support of Employment Development Department, for payment to Item 7100-001-0870, payable from the Employment Development *Department* Contingent Fund..... ~~87,800,000~~ *67,600,000*

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 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. Notwithstanding any other provision of law and sections of this act, the Director of Employment Development may augment this item to make interest payments on an Unemployment Fund loan secured to pay Unemployment Insurance (UI) benefits. The Employment Development Department will notify the Department of Finance by September 1, 2009, 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.

4. Of the funds appropriated in this item, $21,000 is to support the development of the Automated Collection Enhancement System. These funds may not be used for any other purpose or for items outside the approved project scope. Changes in the project scope must receive approval using the established administrative and legislative reporting requirements.
5. Subdivision (b) of Provision 1 of Item 7100-001-0001 also applies to this item.
6. 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 Program and shall provide justification for its continuance by September 13, 2009.

SEC. 399. Item 7100-001-0514 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-001-0514—For support of Employment Development Department, for payment to Item 7100-001-0870, payable from the Employment Training Fund..... ~~81,427,000~~ *46,427,000*

Provisions:

1. Upon order of the Director of Finance, funds disencumbered from Employment Training Fund training contracts during the 2009–10 fiscal year that have not reverted as of July 1, 2009, 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 funds appropriated in this item, $21,000 is to support the development of the Automated Collection Enhancement System. These funds may not be used for any other purpose or for items outside the approved project scope. Changes in the project scope must receive approval using the established administrative and legislative reporting requirements.
4. Subdivision (b) of Provision 1 of Item 7100-001-0001 also applies to this item.

SEC. 400. Item 7100-001-0588 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-001-0588—For support of Employment Development Department, for payment to Item 7100-001-0870, payable from the Unemployment Compensation Disability Fund.... ~~239,558,000~~ *235,240,000*

Provisions:

1. The Employment Development Department shall submit on October 1, 2009, and April 20, 2010, to the Department of Finance for its review and approval, an estimate of expenditures for both the current and budget year, 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.

2. Of the funds appropriated in this item, $1,035,000 is to support the development of the Automated Collection Enhancement System. These funds may not be used for any other purpose or for items outside the approved project scope. Changes in the project scope must receive approval using the established administrative and legislative reporting requirements.

3. Subdivision (b) of Provision 1 of Item 7100-001-0001 also applies to this item.

4. (a) Of the funds appropriated in this item, $11,261,000 is to support the development of the Disability Insurance Automation Project. These funds may not be used for any other purpose or for items outside the approved project scope. Changes in the project scope must receive approval using the established administrative and legislative reporting requirements.

(b) The Director of Finance is authorized to increase or decrease this item to fund Disability Insurance Automation Project implementation workload upon receipt of a new postvendor procurement special project report. Notwithstanding any other provision of law, any adjustment under this provision shall be authorized not sooner than 30 days after 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.

(c) The Department of Finance shall report to the Legislature the number of positions to be administratively established for the Employment Development Department.

SEC. 401. Item 7100-001-0869 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-001-0869—For support of state programs under the Workforce Investment Act (WIA), Employment Development Department, payable from the Consolidated Work Program Fund..... ~~152,297,000~~ *232,396,000*

Schedule:

(1) 61.35-WIA Administration and Program Services..... ~~19,995,000~~ *35,186,000*

(2) 61.40-WIA Growth Industries..... ~~7,309,000~~ *5,700,000*

(3) 61.50-WIA Industries with a Statewide Need..... ~~20,500,000~~ *29,100,000*

(4) 61.60-WIA Removing Barriers for Special Needs Populations..... ~~12,929,000~~ *64,338,000*

(5) 61.70-WIA Rapid Response Activities..... ~~42,064,000~~ *53,072,000*

(5.5) 61.80-WIA Special Grants..... 4,500,000

(6) 62.10-National Emergency Grant Program..... 45,000,000

(7) Reimbursements..... −4,500,000

Provisions:

1. Provision 1 of Item 7100-001-0588 also applies to Schedules (1) and (5) of this item.

1.5. For Schedules (2), (3), and (4), the Employment Development Department (EDD) shall submit on October 1, 2009, and April 20, 2010, to the Department of Finance for its review and approval an estimate of expenditures for both the current and prior 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 (2) to (4), inclusive, if the additional funding is consistent with the expenditure plan for WIA discre-

tionary funds in this item and meets the four requirements set forth in subdivision (b) of Section 28.00. Any such augmentation exceeding $250,000 may be authorized not 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 not sooner than whatever lesser time the Chairperson of the Joint Legislative Budget Committee, or his or her designee, may in each instance determine.

1.7. For Schedules (2), (3), and (4), in the event that the Employment Development Department is notified of a reduction in federal Workforce Investment Act (WIA) 15-percent discretionary funds, the Department of Finance may decrease expenditure authority for Schedules (2) to (4), inclusive. Any such decrease that exceeds $250,000 may be authorized not sooner than 30 days after notification in writing 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 not 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 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

(1) to (4), 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 of the Legislature, and the Chairperson of the Joint Legislative Budget Committee within 30 days of the date of the transfer.

4. The increase in funds appropriated in this item by the act adding this provision shall be paid only from revenues in the fund that are attributable to revenues other than fines, penalties, or any other source that is a General Fund revenue of the state.

SEC. 402. Item 7100-001-0870 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-001-0870—For support of Employment Development Department, payable from the Unemployment Administration Fund-Federal		~~575,965,000~~ *854,184,000*
Schedule:		
(1) 10-Employment and Employment Related Services	~~167,362,000~~ *203,430,000*	
(2) 21-Tax Collections and Benefit Payments	~~717,449,000~~ *900,256,000*	
(3) 22-California Unemployment Insurance Appeals Board	~~91,199,000~~ *124,870,000*	
(4) 30.01-General Administration	54,388,000	
(5) 30.02-Distributed General Administration	−51,004,000	
(6) 50-Employment Training Panel	~~76,101,000~~ *41,101,000*	
(7) Reimbursements	−22,916,000	
(8) Amount payable from the General Fund (Item 7100-001-0001)	~~−32,300,000~~ *−31,145,000*	

(9) Amount payable from the Employment Development Department Benefit Audit Fund (Item 7100-001-0184)..... −14,558,000

(10) Amount payable from the Employment Development Contingent Fund (Item 7100-001-0185)..... ~~−87,800,000~~ *−67,600,000*

(11) Amount payable from the Employment Training Fund (Item 7100-001-0514)..... ~~−81,427,000~~ *−46,427,000*

(12) Amount payable from the Unemployment Compensation Disability Fund (Item 7100-001-0588)..... ~~−239,558,000~~ *−235,240,000*

(12.5) Amount payable from the Unemployment Fund—Federal (Item 7100-001-0871)..... 0

(13) Amount payable from the School Employees Fund (Item 7100-001-0908).... −971,000

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.

SEC. 403. Item 7100-001-0871 is added to Section 2.00 of the Budget Act of 2009, to read:

7100-001-0871—For support of Employment Development Department, for payment to Item 7100-001-0870, payable from the Unemployment Fund—Federal..... 0

Provisions:

1. The Director of Finance is authorized to augment this item to fund unemployment insurance modernization projects through funds made available from the American Recovery and Reinvestment Act (P.L. 111-

5). These projects include, but are not be limited to, implementation of an Alternate Base Period and conversion of the Single Client Database to a relational database management system. Notwithstanding any other provision of law, any adjustment under this provision shall be authorized not sooner than 30 days after 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 any lesser time than the chairperson of the joint committee may in each instance determine.

SEC. 404. Item 7100-011-0185 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-011-0185—For transfer by the Controller from the Employment Development Department Contingent Fund, to the General Fund..... ~~(489,000)~~ *(20,689,000)*

Provisions:

1. Notwithstanding any other provision of law, the Controller shall transfer to the General Fund the unencumbered balance, as determined by the Director of Finance, in the Employment Development Department Contingent Fund as of June 30, 2010.

SEC. 405. Item 7100-011-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-011-0890—For support of Employment Development Department, payable from the Federal Trust Fund, for transfer to the Unemployment Administration Fund—Federal..... ~~(575,965,000)~~ *(854,184,000)*

SEC. 406. Item 7100-021-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-021-0890—For support of Employment Development Department, payable from the Federal Trust Fund, for transfer to the Consolidated Work Program Fund..... ~~(152,297,000)~~ *(232,396,000)*

SEC. 407. Item 7100-101-0588 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-101-0588—For local assistance, Employment Development Department, for Program 21—Tax collections and benefit payments, payable from the Unemployment Compensation Disability Fund..... ~~5,116,229,000~~ *5,131,282,000*

Provisions:

1. Provision 1 of Item 7100-001-0588 also applies to this item.
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. Apart from the estimate of expenditures that the Employment Development Department provides to the Department of Finance on October 1 and April 20 of each year, the Department of Finance is authorized to approve requests for expenditure adjustments for this item in those amounts made necessary by changes in either workload or payments, 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 2009–10 fiscal year that are within or in excess of amounts appropriated in this act for that year. The Department of Finance shall approve or modify the request for change in expenditures within seven working days of receipt of the request. If the Department of Finance does not approve or modify the request, the Employment Development Department shall consider the assumptions and calculations approved as submitted. The Department of Finance shall notify the Legislature of any

modifications to expenditures made pursuant to this provision.

SEC. 408. Item 7100-101-0869 of Section 2.00 of the Budget Act of 2009 is amended to read:

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..... ~~320,616,000~~ *357,658,000*

Provisions:

1. Provision 1 of Item 7100-001-0588 also applies to this item.

Provisions:

1. The increase in funds appropriated in this item by the act adding this provision shall be paid only from revenues in the fund that are attributable to revenues other than fines, penalties, or any other source that is a General Fund revenue of the state.

SEC. 409. Item 7100-101-0871 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-101-0871—For local assistance, Employment Development Department, for Program 21—Tax collections and benefit payments, payable from the Unemployment Fund—Federal..... ~~7,816,107,000~~ *30,153,102,000*

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.
3. Provision 3 of Item 7100-101-0588 also applies to this item.

SEC. 410. Item 7100-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-101-0890—For local assistance, Employment Development Department, payable from the Federal Trust Fund, for transfer to the Consolidated Work Program Fund..... ~~(320,616,000)~~ *(357,658,000)*

SEC. 411. Item 7100-111-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-111-0890—For local assistance, Employment Development Department, payable from the Federal Trust Fund, for transfer to the Unemployment Fund—Federal..... ~~(7,816,107,000)~~ *(30,153,102,000)*

SEC. 412. Item 7120-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

7120-001-0890—For support of the California Workforce Investment Board, payable from the Federal Trust Fund..... ~~3,030,000~~ *3,320,000*

Schedule:

(1) 10-California Workforce Investment Program..... ~~3,280,000~~ *3,570,000*

(2) Reimbursements..... −250,000

Provisions:

1. The Secretary of ~~the~~ Labor and Workforce Development ~~Agency~~, 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.

SEC. 413. Item 7350-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

7350-001-0001—For support of Department of Industrial Relations..... ~~66,894,000~~ *26,794,000*

Schedule:

(1) 10-Self-Insurance Plans.....	~~3,858,000~~ *3,818,000*
(2) 20-Mediation/Conciliation.....	2,458,000
(3) 30-Division of Workers' Compensation.....	170,008,000
(4) 36-Commission on Health and Safety and Workers' Compensation.....	3,341,000
(5) 40-Division of Occupational Safety and Health.....	~~107,919,000~~ *109,449,000*
(6) 50-Division of Labor Standards Enforcement.....	~~50,402,000~~ *51,685,000*
(7) 60-Division of Apprenticeship Standards.....	13,064,000
(8) 70-Division of Labor Statistics and Research.....	3,685,000
(9) 80-Claims, Wages, and Contingencies.....	1,182,000
(10) 94.01-Administration.....	34,942,000
(11) 94.02-Distributed Administration.....	−34,942,000
(13) Reimbursements.....	−2,343,000
(14) Reimbursements for Division of Workers' Compensation.....	−1,558,000
(15) Amount payable from the Farmworker Remedial Account (Item 7350-001-0023).....	−102,000
(16) Amount payable from the Cal-OSHA Targeted Inspection and Consultation Fund (Item 7350-001-0096).....	−9,785,000
(17) Amount payable from the Workers' Compensation Managed Care Fund (Item 7350-001-0132).....	−359,000

(18) Amount payable from the Industrial Relations Construction Industry Enforcement Fund (Item 7350-001-0216)..... −63,000

(19) Amount payable from the Workers' Compensation Administration Revolving Fund (Item 7350-001-0223)..... −170,925,000

(20) Amount payable from the Asbestos Consultant Certification Account (Item 7350-001-0368)..... −368,000

(21) Amount payable from the Asbestos Training Approval Account (Item 7350-001-0369)..... −134,000

(22) Amount payable from the Self-Insurance Plans Fund (Item 7350-001-0396)..... −3,818,000

(23) Amount payable from the Elevator Safety Account (Item 7350-001-0452)..... −21,283,000

(24) Amount payable from the Pressure Vessel Account (Item 7350-001-0453)..... −5,335,000

(25) Amount payable from the Garment Manufacturers Special Account (Item 7350-001-0481)..... −500,000

(26) Amount payable from the Employment Training Fund (Item 7350-001-0514).... −3,287,000

(27) Amount payable from the Uninsured Employers' Account, Uninsured Employers Benefits Trust Fund (Item 7350-001-0571)..... −5,314,000

(28) Amount payable from the Federal Trust Fund (Item 7350-001-0890)..... −29,619,000

(29) Amount payable from the Industrial Relations Unpaid Wage Fund (Item 7350-001-0913)..... −3,587,000

(30) Amount payable from the Industrial Relations Unpaid Wage Fund (Section 96.6 of the Labor Code)..... −500,000

(31) Amount payable from the Electrician Certification Fund (Item 7350-001-3002)..... −2,698,000

(32) Amount payable from the Garment Industry Regulations Fund (Item 7350-001-3004)..... −2,962,000

(33) Amount payable from the Apprenticeship Training Contribution Fund (Item 7350-001-3022)..... −7,079,000

(34) Amount payable from the Workers' Occupational Safety and Health Education Fund (Item 7350-001-3030)..... −1,220,000

(35) Amount payable from the Workers' Compensation Return-to-Work Fund (Item 7350-001-3031)..... −499,000

(36) Amount payable from the Car Wash Worker Restitution Fund (Item 7350-001-3071)..... −80,000

(37) Amount payable from the Car Wash Worker Fund (Item 7350-001-3072)..... −202,000

(38) Amount payable from the Occupational Safety and Health Fund (Item 7350-001-3121)..... ~~−15,403,000~~
−41,760,000

(39) Amount payable from the State Public Works Enforcement Fund (Item 7350-001-3150)..... −1,283,000

(40) Amount payable from the Labor Enforcement and Compliance Fund (Item 7350-001-3152)..... −15,233,000

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 Program and shall provide justification for its continuance by September 13, 2009.

SEC. 414. Item 7350-001-3121 of Section 2.00 of the Budget Act of 2009 is amended to read:

7350-001-3121—For support of Department of Industrial Relations, for payment to Item 7350-001-0001, payable from the Occupational Safety and Health Fund ..... ~~15,403,000~~
41,760,000

Provisions:

1. Of the amount appropriated in this item, $1,530,000 shall be used to conduct a targeted outreach campaign to reduce the incidence of heat-related illness in the California workplace. Funds shall be focused on direct outreach to workers identified by the Department of Industrial Relations as most at risk of suffering from heat-related illness and their employers, in order to educate them on how best to prevent heat-related illness, and to better inform them of their rights and responsibilities under the law. None of these funds shall be expended on television air time, and no more than 50 percent of these funds may be expended on the purchase of radio air time or other media. Any media utilized in this outreach campaign shall reference a toll-free hotline number to file a complaint or to receive information about employee and employer rights and responsibilities regarding safety and health. The department shall track the amount and cost of any radio air time purchased, number of calls, actions taken, and outcomes achieved and report to the Legislature by April 1, 2010, with the intent that the data collected will better inform the design of future outreach.

SEC. 415. Item 7350-001-3150 is added to Section 2.00 of the Budget Act of 2009, to read:

7350-001-3150—For support of Department of Industrial Relations, for payment to Item 7350-001-0001, payable from the State Public Works Enforcement Fund..... 1,283,000

SEC. 416. Item 7350-001-3152 is added to Section 2.00 of the Budget Act of 2009, to read:

7350-001-3152—For support of Department of Industrial Relations, for payment to Item 7350-001-0001, payable from the Labor Enforcement and Compliance Fund..... 15,233,000

SEC. 417. Item 7350-011-0001 is added to Section 2.00 of the Budget Act of 2009, to read:

7350-011-0001—For transfer by the Controller to the State Public Works Enforcement Fund..... (1,283,000)

Provisions:

1. The amount transferred in this item is a loan to the State Public Works Enforcement Fund. This loan shall be repaid no later than June 30, 2012, with interest calculated at the rate earned by the Pooled Money Investment Account at the time of transfer.

SEC. 418. Item 7350-012-0001 is added to Section 2.00 of the Budget Act of 2009, to read:

7350-012-0001—For transfer by the Controller to the Occupational Safety and Health Fund..... (14,506,000)

Provisions:

1. The amount transferred in this item is a loan to the Occupational Safety and Health Fund. This loan shall be repaid no later than June 30, 2010.

SEC. 419. Item 7980-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

7980-001-0001—For support of Student Aid Commission..... 12,623,000

Schedule:

(1) 15-Financial Aid Grants Program..... 13,049,000

(1.5) 50-California Loan Program..... 514,000

(2) 80.01-Administration and Support Services..... 3,376,000

(3) 80.02-Distributed Administration and Support Services..... −3,376,000

(4) Reimbursements..... −296,000

(4.5) Amount payable from the Student Loan Operating Fund (Item 7980-001-0784)..... −514,000

(5) Amount payable from the Federal Trust Fund (Item 7980-001-0890)..... −130,000

Provisions:

1. The funds appropriated in this item are available only for the Student Aid Commission's state operations activities.
2. Of the funds appropriated in Schedule (1), up to $369,000 is available for expenditure to support enhancement of the Student Aid Commission's Grant Delivery System.
3. Of the funds appropriated in Schedule (1), $850,000 is only available for the support of 7.0 auditor positions and 1.0 audit supervisor position for the purpose of conducting program compliance reviews for institutions participating in the Cal Grant Program under Chapter 1.7 (commencing with Section 69430) of Part 42 of Division 5 of Title 3 of the Education Code and the Assumption Program of Loans for Education under Article 5 (commencing with Section 69612) of Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code, *and other specialized grant programs as deemed necessary by the Student Aid Commission*, with the objective of auditing higher risk institutions once every three years. The audits shall emphasize verification of applicant eligibility, fund disbursement, and payment reconciliation. The ~~Student Aid Commission~~ *commission* shall prioritize its review of institutions that have demonstrated noncompliance in prior audits. *The commission may also conduct compliance reviews of the California Student Opportunity and Access Program under Article 4 (commencing with Section 69560) of Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code.* The commission shall report to the Legislature and the ~~Governor~~ *Department of Finance* by September 30, 2009, on the institutions audited *in the 2007–08 and 2008–09 fiscal years*, the rate of noncompliance with each major program re-

quirement, *the amount of funding that was not expended in compliance with applicable requirements, the amount of funding repaid due to noncompliance,* and the steps taken to address noncompliance.

4. (a) This item reflects $514,000 payable from the Student Loan Operating Fund for the purpose of funding, on a limited-term basis, 6.0 positions in the Federal Policy and Programs Division. Those positions shall be continued until a sale or other authorized transaction is completed pursuant to Chapter 182 of the Statutes of 2007, which is anticipated to occur in the 2010−11 fiscal year.

SEC. 420. Item 7980-101-0784 is added to Section 2.00 of the Budget Act of 2009, to read:

7980-101-0784—For local assistance, Student Aid Commission, Cal Grant Program, for payment to Item 7980-101-0001, payable from the Student Loan Operating Fund..... 32,000,000

SEC. 421. Item 8260-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

8260-001-0001—For support of California Arts Council.....		1,116,000
Schedule:		
(1) 90-California Arts Council.....	~~3,222,000~~ *3,247,000*	
(2) Reimbursements.....	−197,000	
(3) Amount payable from the Graphic Design License Plate Account (Item 8260-001-0078).....	−874,000	
(4) Amount payable from the Federal Trust Fund (Item 8260-001-0890).....	~~−1,035,000~~ *−1,060,000*	

SEC. 422. Item 8260-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

8260-001-0890—For support of California Arts Council, for payment to Item 8260-001-0001, payable from the Federal Trust Fund..... ~~1,035,000~~
1,060,000

SEC. 423. Item 8260-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

8260-101-0890—For local assistance, California Arts Council, payable from the Federal Trust Fund..... ~~100,000~~
578,000

SEC. 424. Item 8380-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

8380-001-0001—For support of Department of Personnel Administration..... 6,645,000

Schedule:

(1)	30-Personnel Management.....	~~17,613,000~~ *18,131,000*
(2)	40.01-Administration.....	4,416,000
(3)	40.02-Distributed Administration.....	−4,416,000
(4)	54-Benefits Administration.....	36,964,000
(5)	Reimbursements.....	~~−19,106,000~~ *−19,624,000*
(6)	Amount payable from the Flexelect Benefit Fund (Item 8380-001-0821).....	−1,266,000
(7)	Amount payable from the Deferred Compensation Plan Fund (Item 8380-001-0915).....	−15,144,000
(8)	Amount payable from the Vision Care Program for State Annuitants Fund (Item 8380-001-8049).....	−8,784,000
(9)	Amount payable from the Central Service Cost Recovery Fund (Item 8380-001-9740).....	−3,632,000

Provisions:

1. The Department of Personnel Administration may use funds appropriated in this item to complete comprehensive salary surveys that include private and public

employers, geographical data, and total compensation. The department shall provide to the appropriate fiscal and policy committees of each house of the Legislature and the Legislative Analyst, within 30 days of completion, each completed salary survey report.

2. Of the funds appropriated in this item, $350,000 may be spent by the Department of Personnel Administration to contract with one or more recruitment contractors to locate and develop a pool of prospective health care professionals for various state departments that employ medical, mental health, or dental professionals. It is the intent of the Legislature that these contracts will be structured on a performance basis with payments tied to the successful hiring of state staff. Should the Director of Finance, upon receiving a recommendation ~~of~~ *from* the Director of the Department of Personnel Administration, determine that it would be in the interests of the state to expand the dollar amount committed to this project, he or she may submit to the Chairperson of the Joint Legislative Budget Committee and the Legislative Analyst a report describing the number of individuals who have been successfully hired to permanent positions in affected departments as a result of the recruitment contractors' work to date and the anticipated benefits (including funds that affected departments would revert to the State Treasury due to decreased overtime and contracted personnel costs) that would result from an expansion of the funds committed to this project. Not less than 30 days after submitting the report described above, the Director of Finance may augment this item by an amount not exceeding $1,500,000 in order to increase health care personnel recruitment efforts.

3. The Department of General Services, with the consent of the Department of Personnel Administration and the State Personnel Board, may enter into a lease, lease-purchase agreement, or lease with an option to purchase for a build-to-suit facility for the ~~co-location~~ *colocation* of the Department of Personnel Administration and the State Personnel Board in the Sacramen-

to area, subject to Department of Finance approval of the terms and conditions of the agreement. At least 30 days prior to entering into any agreement, the Department of General Services shall notify the chairpersons of the committees in each house of the Legislature that consider appropriations and the Joint Legislative Budget Committee of the terms and conditions of the agreement. If the Joint Legislative Budget Committee does not express any opposition, the Department of General Services may proceed with the agreement after 30 days from when the Department of General Services gave notice to the chairpersons.

SEC. 425. Item 8380-004-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

8380-004-0001—For support of Department of Personnel Administration..... ~~15,734,000~~ *1,088,000*

Schedule:

(1) 54-Benefits Administration..... ~~15,734,000~~ *1,088,000*

Provisions:

1. The funds appropriated in this item are available for expenditure until January 1, 2012~~per~~, *pursuant to* Section 22877 of the Government Code.

2. No funds appropriated in this item or in any other item of this act may be used or expended to fund the Rural Health Care Equity Program described in Section 22877 of the Government Code, except that funds may be used or expended to fund the Rural Health Care Equity Program for members of State Bargaining Unit 5. This provision implements the Legislature's decision, consistent with subdivision (b) of Section 3517.6 of, and Sections 3517.61 and 3517.7 of, the Government Code, and other applicable provisions of law, not to approve the expenditure of funds for the Rural Health Care Equity Program for any state employees other than those employees in State Bargaining Unit 5.

SEC. 426. Item 8570-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

8570-001-0001—For support of Department of Food and Agriculture		80,810,000
Schedule:		
(1) 11-Agricultural Plant and Animal Health; Pest Prevention; Food Safety Services	~~116,049,000~~ *117,049,000*	
(2) 21-Marketing, Commodities, and Agricultural Services	15,685,000	
(3) 31-Assistance to Fairs and County Agricultural Activities	3,239,000	
(4) 41.01-Executive, Management, and Administrative Services	19,151,000	
(5) 41.02-Distributed Executive, Management, and Administrative Services	−17,987,000	
(6) 51-General Agricultural Activities	26,814,000	
(7) Reimbursements	−9,350,000	
(8) Amount payable from the Motor Vehicle Account, State Transportation Fund (Item 8570-001-0044)	−6,218,000	
(9) Amount payable from the Department of Agriculture Account, Department of *Food and* Agriculture Fund (Item 8570-001-0111)	−15,954,000	
(10) Amount payable from the Fair and Exposition Fund (Item 8570-001-0191)	−3,916,000	
(11) Amount payable from the Harbors and Watercraft Revolving Fund (Item 8570-001-0516)	−3,508,000	
(12) Amount payable from the *Department of* Agriculture Building Fund (Item 8570-001-0601)	−3,369,000	
(13) Amount payable from the Federal Trust Fund (Item 8570-001-0890)	~~−38,799,000~~ *−39,799,000*	

(14) Amount payable from the Antiterrorism Fund (Item 8570-001-3034)..... −547,000

(15) Amount payable from the Satellite Wagering Account (Item 8570-012-0192)..... −480,000

Provisions:

1. The Secretary of Food and Agriculture shall furnish annual reports on all expenditures from all fund sources for emergency detection and eradication activities relating to agricultural plant or animal pests or diseases as defined by (a) no other program funds are available to be used to detect or eradicate such pest or disease; and (b) the pest or disease is not considered established in California and the pest or disease infests or infects plants or animals of commercial or noncommercial agriculture, ornamental horticultural, or habitat of significance, to the Director of Finance and the Chairperson of the Joint Legislative Budget Committee. The report shall specify the amount expended by funding source, the activities performed, the pest or disease, the location where the pest was detected, the location where the eradication efforts were performed, and the animal or plant affected for each emergency detection or eradication.
2. Notwithstanding any other provision of law, $1,500,000 of the amount appropriated in Schedule (1) shall be made available for use by the Department of Food and Agriculture for the Weed Management Area Program.
3. On or before January 10, 2011, the Department of Food and Agriculture shall submit to the office of the State Chief Information Officer and the Joint Legislative Budget Committee, a report identifying the workload levels for positions supporting the information technology projects that are part of the Emerging Threats budget augmentation.
4. Notwithstanding any other provision of law, $343,415 of the funds appropriated in this item shall be made available for the implementation of the Global Warming Solutions Act of 2006 *(Ch. 488, Stats. 2006)*.

Funding made available in this provision to implement the act shall not result in a reduction of funding for county agricultural commissioners.

Of the amounts appropriated in this ~~section~~ *item* to implement the Global Warming Solutions Act of 2006, expenditures shall only be used to develop improved greenhouse gas emission reduction methods that are the maximum technology feasible and cost-effective while maintaining a viable food production system. Such methods shall be demonstrated as part of an agricultural system and may include, but are not limited to, energy efficiency improvements, manure management, animal husbandry practices, methane capture, conservation tillage practices, agricultural biomass recycling and reuse, water conservation and improved irrigation efficiency, increase integrated pest management activities, and improved cropping system.

SEC. 427. Item 8570-001-0111 of Section 2.00 of the Budget Act of 2009 is amended to read:

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 *Food and* Agriculture Fund..... 15,954,000

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.

SEC. 428. Item 8570-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

8570-001-0890—For support of Department of Food and Agriculture, for payment to Item 8570-001-0001, payable from the Federal Trust Fund..... ~~38,799,000~~

39,799,000

SEC. 429. Item 8855-011-0001 is added to Section 2.00 of the Budget Act of 2009, to read:

8855-011-0001—For transfer by the Controller to the State Audit Fund..... (1,600,000)

Provisions:

1. The amount transferred in this item is a loan to the State Audit Fund. This loan shall be repaid not later than June 30, 2010. It is the intent of the Legislature that the amount transferred in this item be used to address costs associated with the Bureau of State Audits' American Recovery and Reinvestment Act (ARRA) (P.L. 111-5) workload, including preparedness work and early internal control testing of ARRA programs.

SEC. 430. Item 8860-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

8860-001-0001—For support of Department of Finance..... 19,423,000

Schedule:

(1) 10-Annual Financial Plan..... 22,874,000

(2) 15-Financial Information System for California (FI$Cal) Project Support..... 3,414,000

(3) 20-Program and Information System Assessments..... 14,720,000

(4) 30-Supportive Data..... 13,308,000

(4.5) 35-American Recovery and Reinvestment Act Oversight..... 4,100,000

(5) 40.01-Administration..... 6,263,000

(6) 40.02-Distributed Administration..... −6,263,000

(7) Reimbursements..... ~~−21,181,000~~ *−25,281,000*

(8) Amount payable from Unallocated Special Funds (Item 8860-011-0494).... −594,000

(9) Amount payable from Unallocated Bond Funds—Select (Item 8860-011-0797).... −130,000

(10) Amount payable from Other Unallocated Nongovernmental Cost Funds (Item 8860-011-0988)..... −355,000

(11) Amount payable from Local Streets and Road Improvement, Congestion Relief, and Traffic Safety Account of 2006, Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 (Item 8860-001-6065)..... −111,000

(12) Amount payable from Central Service Cost Recovery Fund (Item 8860-001-9740)..... −12,522,000

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 2009–10 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 Presentation System (GBPS), the following provisions apply:
   (a) From time to time, but no later than December 1, 2009, 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's Office—45 copies, the Office of the Legislative ~~Counsel—six~~ *Counsel—6* copies, offices of the Members of the Legislature—120 copies, the Rules Committees of the Assembly and Senate—5 copies each, 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, 131 printed and bound hard copies of the Governor's Budget and Governor's Budget Summary shall be provided as follows: ~~two~~ *2* 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 129 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. Whenever the Department of Finance submits to the Legislature changes to the Governor's Budget or to the Budget Bill, these requests shall be provided in hard copy form to the Legislature including the appropriate staff of the fiscal committees and the Legislative Analyst's Office. Whenever the Department of Finance releases a document summarizing changes proposed for the Governor's Budget or to the Budget Bill, the Department of Finance shall provide the summaries in hard copy form to the Legislature including the appropriate staff of the fiscal committees and the Legislative Analyst's Office.

(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, 2010, for the purpose of providing continuity of services.

6. It is the intent of the Legislature that the $4,100,000 appropriated to the Department of Finance in Schedule (4.5) be used, subject to the provisions of Section 8.55, to address costs of the state's American Recovery and Reinvestment Act (ARRA) (P.L. 111-5) coordinating task force, the Inspector General appointed by the Governor, and the efforts of the Office of State Audits and Evaluations (OSAE) to assist the Inspector General appointed by the Governor and to assist departments with ARRA compliance. It is the intent of the Legislature that new staff hired to assist the Inspector General be very limited in number, and that these staff appointments all be limited-term in nature. It is the intent of the Legislature that approximately $500,000 of the $4,100,000 appropriated in Schedule (4.5) be used to support OSAE activities described above. It is the intent of the Legislature that approximately $500,000 of the $4,100,000 appropriated in Schedule (4.5) be used to support activities of the Inspector General. It is the intent of the Legislature that $200,000 of the $4,100,000 appropriated in Schedule (4.5) be used to support operating expenses, equipment, and travel costs of the activities described in this provision and that no additional travel expenses be requested for these activities in the 2009–10 fiscal year in any future request for funds described in Section 8.55. It is the intent of the Legislature that $400,000 of the $4,100,000 appropriated in Schedule (4.5) be used to support activities of the ARRA coordinating task force. It is the intent of the Legislature that $2,500,000 of the $4,100,000 appropriated in Schedule (4.5) be available to the task force solely to acquire, deploy, and operate the information technology necessary for the state to meet the data collection, tracking, and reporting requirements of ARRA, and to provide the public with full transparency of the uses of ARRA funds in California through a readily accessible and comprehensive Internet Web site.

SEC. 431. Item 8885-295-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

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 Controller for claims for costs incurred during the specified periods..... ~~142,000,000~~ *76,420,000*

Schedule:

(1) For payment of the following mandate claims for costs incurred in the 2004–05 through 2007–08 fiscal years..... ~~134,000,000~~ *76,420,000*

~~(a) Crime Victim Rights (Ch. 411, Stats. 1995) (CSM-96-358-01)~~

(b) Threats Against Peace Officers (Ch. 1249, Stats. 1992; Ch. 666, Stats. 1995) (CSM-96-365-02)

(c) Custody of Minors-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-Tabulation by Precinct (Ch. 697, Stats. 1999) (00-TC-08)

(i) Brendon Maguire Act (Ch. 391, Stats. 1988) (CSM-4357)

(j) Medi-Cal Beneficiary Death Notices (Chs. 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 (Ch. 1114, Stats. 1979) (CSM-2753)~~

~~(t) Mentally Disordered Offenders' Extended Commitments Proceedings (Ch. 435, Stats. 1991) (98-TC-09)~~

(u) Sexually Violent Predators (Chs. 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)~~

(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 of Peace Officers and Firefighters (Ch. 1120, Stats. 1996) (97-TC-25)

~~(hh) Post Mortem Examinations (Ch. 284, Stats. 2000) (00-TC-18)~~

~~(ii) False Reports of Police Misconduct (Ch. 590, Stats. 1995) (00-TC-26)~~

(jj) Crime Victim's Domestic Violence Incident Reports (Ch. 1022, Stats. 1999) (99-TC-08)

(kk) Peace Officer Personnel Records: Unfounded Complaints and Discovery (Ch. 630, Stats. 1978; Ch. 741, Stats. 1994) (00-TC-24)

(*ll*) Domestic Violence Arrests and Victims Assistance (Chs. 698, 701, and 703, Stats. 1998) (98-TC-14)

~~(mm) Post Conviction: DNA Court Proceedings (Ch. 943, Stats. 2001) (00-TC-21, 01-TC-08)~~

~~(nn) DNA Database and Amendment to Post Mortem Examinations: Unidentified Bodies (Ch. 822, Stats. 2000; Ch. 467, Stats. 2001) (00-TC-27; 02-TC-39)~~

~~(oo) Handicapped and Disabled Students II (Ch. 1128, Stats. 1994; Ch. 654, Stats. 1996) (02-TC-40; 02-TC-49)~~

~~(pp) Costs 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)~~

~~(qq) Binding Arbitration (Ch. 906, Stats. 2000)(01-TC-07)~~

~~(rr) Firearm Hearings for Discharged Inpatients(Ch. 578, Stats. 1999)~~

(2) For payment of mandate claims for the 2005–06, 2006–07, and 2007–08 fiscal years for the Public Safety Officers Procedural Bill of Rights Act (Ch. 675, Stats. 1990) (CSM-4499)..... ~~8,000,000~~ *0*

(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 2009–10 fiscal year..... 0

(a) Adult Felony Restitution (Ch. 1123, Stats. 1977) (04-LM-08)

(b) AIDS/Search Warrant (Ch. 1088, Stats. 1988) (CSM-4392)

(c) Animal Adoption (Ch. 752, Stats. 1998) (04-PGA-01, 98-TC-11)

(d) Binding Arbitration (Ch. 906, Stats. 2000) (01-TC-07)

(e) Conservatorship: Developmentally Disabled Adults (Ch. 1304, Stats. 1980) (04-LM-13)

(f) Coroners Costs (Ch. 498, Stats. 1977) (04-LM-07)

(g) Crime Victims Rights (Ch. 411, Stats. 1995) (CSM-96-358-01)

(h) Deaf Teletype Equipment (Ch. 1032, Stats. 1980) (04-LM-11)

(i) Developmentally Disabled Attorneys' Service (Ch. 694, Stats. 1975) (04-LM-03)

(j) DNA Database and Amendment to Post Mortem Examinations: Unidentified Bodies (Ch. 822, Stats. 2000; Ch. 467, Stats. 2001) (00-TC-27; 02-TC-39)

(k) Domestic Violence Information (Ch. 1609, Stats. 1984) (CSM-4222)

(l) Elder Abuse, Law Enforcement Training (Ch. 444, Stats. 1997) (98-TC-12)

(m) Extended Commitment, Youth Authority (Ch. 267, Stats. 1998) (98-TC-13)

(n) False Reports of Police Misconduct (Ch. 590, Stats. 1995) (00-TC-26)

(o) Filipino Employee Surveys (Ch. 845, Stats. 1978) (CSM-2142)

(p) Fire Safety Inspections of Care Facilities (Ch. 993, Stats. 1989) (01-TC-16)

(q) Firearm Hearings for Discharged Inpatients (Chs. 578, Stats. 1999) (99-TC-11)

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

(s) Guardianship/Conservatorship Filings (Ch. 1357, Stats. 1976) (04-LM-15)

(t) Handicapped Voter Access Information (Ch. 494, Stats. 1979) (CSM-4363)

(u) Inmate AIDS Testing (Ch. 1597, Stats. 1988) (CSM-4369)

(v) Judicial Proceedings (Ch. 644, Stats. 1980) (CSM-4366)

(w) Law Enforcement Sexual Harassment Training (Ch. 126, Stats. 1993) (97-TC-07)

(x) Local Coastal Plans (Ch. 1330, Stats. 1976) (CSM-4431)

(z) Mentally Disordered Offenders' Treatment as a Condition of Parole (Ch. 228, Stats. 1989; Ch. 706, Stats. 1994) (00-TC-28, 05-TC-06)

(aa) Mentally Disordered Offenders' Extended Commitments Proceedings (Ch. 435, Stats. 1991) (98-TC-09)

(bb) Mentally Disordered Sex Offenders' Recommitments (Ch. 1036, Stats. 1978) (04-LM-09)

(cc) Mentally Retarded Defendants Representation (Ch. 1253, Stats. 1980) (04-LM-12)

(dd) Missing Persons Report (Ch. 1456, Stats. 1988; Ch. 59, Stats. 1993) (CSM-4255, CSM-4484, and CSM-4368)

(ee) Not Guilty by Reason of Insanity (Ch. 1114, Stats. 1979) (CSM-2753)

(ff) Pacific Beach Safety (Ch. 961, Stats. 1992) (CSM-4432)

(gg) Perinatal Services (Ch. 1603, Stats. 1990) (CSM-4397)

(hh) Personal Alarm Devices (8 Cal. Code Regs. 3401(c)) (CSM-4087)

(ii) Photographic Record of Evidence (Ch. 875, Stats. 1985) (98-TC-07)

(jj) Pocket Masks (Ch. 1334, Stats. 1987) (CSM-4291)

(kk) Post Conviction: DNA Court Proceedings (Ch. 943, Stats. 2001) (00-TC-21, 01-TC-08)

(ll) Post Mortem Examinations (Ch. 284, Stats. 2000) (00-TC-18)

(mm) Prisoner Parental Rights (Ch. 820, Stats. 1991) (CSM-4427)

(nn) Senior Citizens Property Tax Deferral (Ch. 1242, Stats. 1977) (CSM-4359)

(oo) Sex Crime Confidentiality (Ch. 502, Stats. 1992; Ch. 36, Stats. 1994, 1st Ex. Sess.) (98-TC-21)

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

(rr) SIDS Autopsies (Ch. 955, Stats. 1989) (CSM-4393)

(ss) SIDS Contacts by Local Health Officers (Ch. 268, Stats. 1991) (CSM-4424)

(tt) SIDS Notices (Ch. 453, Stats. 1974) (04-LM-01)

(uu) SIDS Training for Firefighters (Ch. 1111, Stats. 1989) (CSM-4412)

(vv) Stolen Vehicle Notification (Ch. 337, Stats. 1990) (CSM-4403)

(ww) Structural and Wildland Firefighter Safety Clothing and Equipment (8 Cal. Code Regs. 3401 to 3410, incl.) (CSM-4261 to CSM-4281)

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

(yy) Very High Fire Hazard Severity Zones (Ch. 1188, Stats. 1992) (97-TC-13)

(zz) Victims Statements-Minors (Ch. 332, Stats. 1981) (04-LM-14)

(aaa) Racial Profiling: Law Enforcement Training (Ch. 684, Stats. 2000) (01-TC-01)

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. The funds appropriated in this item shall be allocated only for the payment of claims as required by Chapter 4 (commencing with Section 17550) of Part 7 of Division 4 of Title 2 of the Government Code, and that payment shall be made pursuant to Article 5 (commencing with Section 17615) of that chapter. Notwithstanding any other provision of law, interest shall be paid from funds appropriated in this item only to the extent, and in the amount, authorized by Section 17561.5 of the Government Code.
2. Notwithstanding any other provision of law, the payment of estimated reimbursement claims for the 2008–09 fiscal year shall not be made from this appropriation.
3. The Controller shall offset payments made from the appropriation in this item to recoup the amount of any unallowable mandate claim costs determined by desk or field audits.
4. Notwithstanding any other provision of law, accounts receivable for recoveries that result in savings as described in Provision 3 shall have no effect upon the positive balance of the General Fund. The savings may be used to pay claims for costs incurred to carry out the cited state mandates in this item.
5. Of the funds appropriated in Schedule (1), $21,500,000 may be used to fund the initial reimbursement claims for mandates approved during the 2008–09 fiscal year.
6. *The Department of Finance, in consultation with the California State Association of Counties, shall review all mandates funded under this item relating to elections. The department shall submit a report to the Joint*

Legislative Budget Committee, by October 1, 2009, with recommendations regarding simplifying the reimbursement process for these mandates, including replacement of the current mandates' parameters and guidelines with a reasonable reimbursement methodology. The Controller's office shall not disburse, prior to June 1, 2010, any funds appropriated under this item to pay election mandate claims, unless the Director of Finance has submitted a letter to the Joint Legislative Budget Committee and the Controller's office indicating that the director has reached an agreement with the California Association of Counties on either the revised mandate reimbursement process proposed by the Department of Finance or an alternative, simplified mandate reimbursement process proposed by the California Association of Counties.

7. The Department of Finance and the Department of Justice shall review the mandates funded under this item relating to domestic violence and rape counseling. The departments shall submit a report to the Joint Legislative Budget Committee, by January 1, 2010, with recommendations regarding consolidating the mandated requirements, coordinating the mandated requirements with voter-approved measures, and, if appropriate, reallocating funding for these mandates to victims' assistance programs.

8. The Department of Finance shall review the mandate reimbursement process and shall submit a report to the Joint Legislative Budget Committee, by April 1, 2010, with a recommendation regarding simplifying the mandate reimbursement process and reducing its costs.

SEC. 432. Item 8940-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

8940-001-0001—For support of Military Department.....		41,683,000
Schedule:		
(1) 10-Army National Guard.....	~~74,019,000~~	
	74,470,000	

(2) 20-Air National Guard..... 21,546,000
(3) 30.01-Office of the Adjutant General.... 11,116,000
(4) 30.02-Distributed Office of the Adjutant General..... −11,029,000
(5) 35-Military Support to Civil Authority..... 20,069,000
(6) 40-Military Retirement..... 3,035,000
(7) 50-California Cadet Corps..... 348,000
(8) 55-California State Military Reserve..... 478,000
(9) 65-California National Guard Youth Programs..... 18,434,000
(11) Reimbursements..... −19,881,000
(12) Amount payable from the Armory Discretionary Improvement Account (Item 8940-001-0485)..... −158,000
(13) Amount payable from the Federal Trust Fund (Item 8940-001-0890)..... −76,294,000
(14) Amount payable from the Mental Health Services Fund (Item 8940-001-3085).... −451,000

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.
3. Of the funds appropriated in this item, $631,000 shall be used to provide mandatory employee compensation increases for state active duty employees, as follows: (a) $316,000 shall provide the remaining half-year funding needed for the compensation increase effective January 1, 2009~~;~~ *and* (b) $315,000 shall provide half-year funding for a compensation increase effective January 1, 2010, and shall only be available for expenditure upon passage of a federal active duty compen-

sation increase in the federal budget. The funds provided in this ~~paragraph~~ *provision* shall be expended pursuant to Sections 320 and 321 of the Military and Veterans Code, which requires state active duty employees to receive the same compensation increases as their counterparts on federal active duty. Any unspent funds pursuant to this paragraph shall revert to the General Fund.

SEC. 433. Item 8940-001-3085 is added to Section 2.00 of the Budget Act of 2009, to read:

8940-001-3085—For support of the California Military Department, for payment to Item 8940-001-0001, payable from the Mental Health Services Fund..... 451,000

SEC. 434. Item 8955-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

8955-001-0001—For support of Department of Veterans Affairs..... ~~198,932,000~~
192,132,000

Schedule:

(1)	10-Farm and Home Loans to Veterans.....	2,241,000
(2)	20-Veterans Claims and Rights.....	4,463,000
(3)	30.01-Headquarters.....	23,112,000
(4)	30.10-Veterans Home of California at Yountville.....	91,179,000
(5)	30.20-Veterans Home of California at Barstow.....	21,286,000
(6)	30.30-Veterans Home of California at Chula Vista.....	30,710,000
(7)	30.40-Veterans Home of California-Greater Los Angeles Ventura County (GLAVC).....	~~30,703,000~~ *23,903,000*
(8)	30.50-Veterans Home of California at Redding.....	290,000

(9) 30.60-Veterans Home of California at Fresno..... 290,000
(10) 50.01-General Administration..... 20,714,000
(11) 50.02-Distributed General Administration..... −20,714,000
(12) Reimbursements..... −1,093,000
(13) Amount payable from the Veterans Service Office Fund (Item 8955-001-0083)..... −52,000
(14) Amount payable from the Northern California Veterans Cemetery Perpetual Maintenance Fund (Item 8955-001-0238)..... −50,000
(15) Amount payable from the Veterans' Farm and Home Building Fund of 1943 (Item 8955-001-0592)..... −2,241,000
(16) Amount payable from the Federal Trust Fund (Item 8955-001-0890)..... −1,692,000
(17) Amount payable from the Mental Health Services Fund (Item 8955-001-3085)..... −214,000

Provisions:

1. Of the funds appropriated in this item, $2,000,000 shall be expended only for the replacement of equipment and furnishings directly related to the care of the members at Veterans Homes of California.
2. The Secretary of Veterans Affairs shall report annually on all expenditures pursuant to Provision 1 to the Director of Finance, the Chairperson of the Joint Legislative Budget Committee, and the chairpersons of the fiscal committees of each house of the Legislature. The report shall specify the following: (a) the equipment purchased, (b) the amount expended, (c) the vendor from whom it was purchased, (d) the method of purchase, (e) the purpose and use of the equipment, (f) the location of the equipment by Home and Program Unit, and (g) the life expectancy of the equipment. The report shall also include planned expenditures of equipment as specified for the forthcoming five fiscal years.

3. Of the funds appropriated in Schedule (4), 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 administration 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.
4. Of the funds appropriated in Schedule (4), up to $118,000 shall be used to restore the Yountville Veterans Home's no-cost nonprescription drug benefit to the level provided in the 2004–05 fiscal year. It is the intent of the Legislature that this benefit shall be consistent with that provided at the Chula Vista and Barstow Veterans Homes.
5. Notwithstanding any other provision of law, the Department of Veterans Affairs is not required to comply with Chapter 615 of the Statutes of 2006 during the 2009–10 fiscal year because no appropriation has been provided to support the activities required by Chapter 615 of the Statutes of 2006.

SEC. 435. Item 9100-101-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

9100-101-0001—For local assistance, Tax Relief..... ~~479,318,000~~ *444,578,000*

Schedule:

(1) 50-Homeowners' Property Tax Relief..... 444,578,000

~~(5) 60-Subventions for Open Space..... 34,740,000~~

Provisions:

1. Schedule (1) 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 in that 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.

2. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for Schedule (1) 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 of 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 committee, or his or her designee, may in each instance determine.

~~3. Schedule (5) 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 in that schedule shall be in lieu of the appropriation for the same purpose contained in Section 16100 or 16140 of the Government Code. The Controller shall allocate these funds in accordance with Section 16144 of the Government Code.~~

SEC. 436. Item 9350-104-6065 is added to Section 2.00 of the Budget Act of 2009, to read:

9350-104-6065—Local assistance-shared revenues for support of Local Streets and Road Improvement, Congestion Relief, and Traffic Safety Account of 2006, Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006.... 700,000,000

Provisions:

1. Of the funds appropriated in this item, $258,205,000 is for cities or a city and a county and $441,795,000 is for counties or a city and a county.

2. The Controller shall allocate these funds on a first-come, first-served basis, following notification from the Department of Finance that the city, county, or city and county has submitted a complete plan for the expenditure of funds pursuant to Section 8879.65 of the Government Code.

3. The following conditions shall apply for cities, counties, or a city and county receiving funds:

(a) A city, county, or city and county shall have received its full allocation for the 2007–08 fiscal year.

(b) A city, county, or city and county shall have submitted information for the 2007–08 fiscal year allocation as required in subdivision (c) of Section 9979.65 of the Government Code.

(c) A city, county, or city and county shall agree that funds received from this item for the 2009–10 fiscal year will be used for projects that are not currently fully funded with a dedicated funding source or sources.

(d) A city, county, or city and county shall agree to encumber the funds in this item from the 2009–10 fiscal year allocation before July 1, 2010.

(e) A city, county, or city and county shall report to the Department of Finance the total balance of unencumbered funds in the cities, counties, or city and counties existing account as described in subparagraphs (A) and (C) of paragraph (2) of subdivision (i) of Section 8879.23 of the Government Code.

(f) A city, county, or city and county shall certify that the total balance of unobligated or unencumbered funds in the account as described in subparagraphs (A) and (C) of paragraph (2) of subdivision (i) of Section 8879.23 of the Government Code is no more than the sum balance of three months of anticipated apportionments from the Highway Users Tax Account in the Transportation Tax Fund, as described in Sections 2104, 2105, 2106, 2107, and 2107.5 of the Streets and High-

way Code, and from the Transportation Investment Fund, as described in Section 7104 of the Revenue and Taxation Code.

If a city, county, or city and county has an unobligated or unencumbered balance that exceeds the sum balance of the three months of anticipated apportionments, it shall not increase its existing unobligated or unencumbered street (Gas Tax) or road fund balance, by the time the time the next report is submitted to the Controller pursuant to Section 2151 of the Streets and Highways Code.

If a city, county, or city and county has an unobligated or unencumbered balance that is less than the sum balance of the three months of anticipated apportionments, it may permit its fund balance to grow until the unencumbered balance is no more than the sum balance of three months of anticipated apportionments from the Highway Users Tax Account in the Transportation Tax Fund and the Transportation Investment Fund.

(g) For the purposes of this item, "unobligated" and "unencumbered" mean any portion of funding that is not designated, through prior approval by the city council or county board of supervisors, for the use on the planning, review, design, or construction phase of a project currently underway at the time of the annual street or road report.

4. Any of the funds that are not allocated by July 1, 2010, shall revert to the Local Streets and Road Improvement, Congestion Relief, and Traffic Safety Account of 2006 to be appropriated in future years.

SEC. 437. Item 9655-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

9655-001-0001—For Augmentation for Statewide Accounts Receivable Management Enhancements..... ~~3,309,000~~ *1,175,000*

Provisions:

1. Amounts appropriated by this item shall be transferred, upon approval by the Director of Finance, to augment any other General Fund item of appropriation, department, board, commission, or other state entity. Transfers shall be made to fund expenditures for statewide accounts receivable management enhancements.
2. Notwithstanding any other provision of law, upon approval of the ~~Department~~ *Director* of Finance, expenditure authority may be transferred among Items 9655-001-0001 and 9655-001-0494 and 9655-001-0988 as necessary to fund costs for statewide accounts receivable management enhancements.
3. In the event that expenditures for statewide accounts receivable management enhancements exceed the amount appropriated by this item, the Director of Finance may allocate an additional amount 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~~ *chairpersons* of the fiscal committees in each house *of the Legislature*.
4. $108,000 shall be transferred, upon approval by the Director of Finance, to Item 0840-001-0001, as necessary to enhance statewide accounts receivable reporting and to improve accounts receivable management practices.
5. No later than December 31, 2010, the Controller shall submit a report to the ~~Department~~ *Director* of Finance that describes: (a) a summary on supplemental receivables reporting and discharged accounts from all departments for periods prescribed by the ~~Department~~ *Director* of Finance, and (b) recommendations for enhancing revenue opportunities and process improvements.

SEC. 438. Item 9655-001-0494 of Section 2.00 of the Budget Act of 2009 is amended to read:

9655-001-0494—For Augmentation for Statewide Accounts Receivable Management Enhancements, payable from unallocated special funds..... ~~4,274,000~~ *3,125,000*

Provisions:

1. Provisions 1, 2, and 3 of Item 9655-001-0001 also apply to this item, except references to General Fund appropriations shall instead refer to special fund appropriations.

SEC. 439. Item 9800-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

9800-001-0001—For Augmentation for Employee Compensation..... ~~44,533,000~~ *40,742,000*

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.
2. The funds appropriated in this item are for compensation increases and increases in benefits related thereto of employees whose compensation, or portion thereof, is chargeable to the General Fund, to be allocated by executive order by the ~~Department~~ *Director* 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. It is the intent of the Legislature that all proposed augmentations for increased employee compensation costs, including, but not limited to, base salary increases, pay increases to bring one group of employees into a pay equity position with another group of public employees, and recruitment and retention differentials,

be budgeted and considered on a comprehensive, statewide basis. Therefore, the Legislature declares its intent to reject any proposed augmentations that are not included in Item 9800 in the 2010–11 Budget Act, given that this is the item where the funds to implement comprehensive statewide compensation policies, including those adopted pursuant to collective bargaining, are considered. This provision shall not apply to augmentations for increased employee compensation costs resulting from mandatory judicial orders to raise pay for any group of employees or augmentations for increased compensation costs, or approvals for departments to provide increased employee compensation levels, that are included in bills separate from the Budget Act.

4. The funds appropriated by this item and any other item may not be used or expended to fund any compensation proposal in the last, best, and final offer made by the state employer to State Bargaining Unit 6 implemented on September 18, 2007. Nothing in this act shall be construed as legislative approval for the expenditure of funds in accordance with that state employer's last, best, and final offer, as required by subdivision (b) of Section 3517.8 of the Government Code.

5. This item contains funds estimated to be necessary to implement side letters, appendices, or other addenda to a memorandum of understanding (collectively referred to as "pending agreements") that have been determined by the Joint Legislative Budget Committee to require legislative approval prior to their implementation, but which may not have been approved in separate legislation as of the date of the passage of this act. In the event that the Legislature does not approve separate legislation to authorize implementation of any of the pending agreements, the ~~Department~~ *Director* of Finance shall not allocate any funds related to those pending agreements pursuant to Provision 2, and the expenditure of funds for those pending agreements

shall not be deemed to have been approved by the Legislature.

6. As of July 31, 2010, the unencumbered balances of the above appropriation shall revert to the General Fund.

SEC. 440. Item 9800-001-0494 of Section 2.00 of the Budget Act of 2009 is amended to read:

9800-001-0494—For Augmentation for Employee Compensation, payable from other unallocated special funds..... ~~51,832,000~~ *51,589,000*

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.
2. The funds appropriated in this item are for compensation increases and increases in benefits related thereto of employees whose compensation, or portion thereof, is chargeable to special funds, to be allocated by executive order by the ~~Department~~ *Director* 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 any other provision of law, upon approval of the ~~Department~~ *Director* of Finance, expenditure authority may be transferred between this item and Item 9800-001-0988 as necessary to fund costs for 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.
4. It is the intent of the Legislature that all proposed augmentations for increased employee compensation

costs, including, but not limited to, base salary increases, pay increases to bring one group of employees into a pay equity position with another group of public employees, and recruitment and retention differentials, be budgeted and considered on a comprehensive, statewide basis. Therefore, the Legislature declares its intent to reject any proposed augmentations that are not included in Item 9800 in the 2010–11 Budget Act, given that this is the item where the funds to implement comprehensive statewide compensation policies, including those adopted pursuant to collective bargaining, are considered. This provision shall not apply to augmentations for increased employee compensation costs resulting from mandatory judicial orders to raise pay for any group of employees or augmentations for increased compensation costs, or approvals for departments to provide increased employee compensation levels, that are included in bills separate from the Budget Act.

5. The funds appropriated by this item and any other item may not be used or expended to fund any compensation proposal in the last, best, and final offer made by the state employer to State Bargaining Unit 6 implemented on September 18, 2007. Nothing in this act shall be construed as legislative approval for the expenditure of funds in accordance with that state employer's last, best, and final offer, as required by subdivision (b) of Section 3517.8 of the Government Code.

6. This item contains funds estimated to be necessary to implement side letters, appendices, or other addenda to a memorandum of understanding (collectively referred to as "pending agreements") that have been determined by the Joint Legislative Budget Committee to require legislative approval prior to their implementation, but which may not have been approved in separate legislation as of the date of the passage of this act. In the event that the Legislature does not approve separate legislation to authorize implementation of any of the pending agreements, the ~~Department~~ *Direc-*

tor of Finance shall not allocate any funds related to those pending agreements pursuant to Provision 2, and the expenditure of funds for those pending agreements shall not be deemed to have been approved by the Legislature.

7. As of July 31, 2010, the unencumbered balances of the above appropriation shall no longer be available for expenditure.

SEC. 441. Item 9800-001-0988 of Section 2.00 of the Budget Act of 2009 is amended to read:

9800-001-0988—For Augmentation for Employee Compensation, payable from other unallocated nongovernmental cost funds..... ~~25,529,000~~ *25,410,000*

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.
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~~ *Director* 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 any other provision of law, upon approval of the ~~Department~~ *Director* of Finance, expenditure authority may be transferred between Item 9800-001-0494 and this item as necessary to fund costs for 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.

4. It is the intent of the Legislature that all proposed augmentations for increased employee compensation costs, including, but not limited to, base salary increases, pay increases to bring one group of employees into a pay equity position with another group of public employees, and recruitment and retention differentials, be budgeted and considered on a comprehensive, statewide basis. Therefore, the Legislature declares its intent to reject any proposed augmentations that are not included in Item 9800 in the 2010–11 Budget Act, given that this is the item where the funds to implement comprehensive statewide compensation policies, including those adopted pursuant to collective bargaining, are considered. This provision shall not apply to augmentations for increased employee compensation costs resulting from mandatory judicial orders to raise pay for any group of employees or augmentations for increased compensation costs, or approvals for departments to provide increased employee compensation levels, that are included in bills separate from the Budget Act.

5. The funds appropriated by this item and any other item may not be used or expended to fund any compensation proposal in the last, best, and final offer made by the state employer to State Bargaining Unit 6 implemented on September 18, 2007. Nothing in this act shall be construed as legislative approval for the expenditure of funds in accordance with that state employer's last, best, and final offer, as required by subdivision (b) of Section 3517.8 of the Government Code.

6. This item contains funds estimated to be necessary to implement side letters, appendices, or other addenda to a memorandum of understanding (collectively referred to as "pending agreements") that have been determined by the Joint Legislative Budget Committee to require legislative approval prior to their implementation, but which may not have been approved in sep-

arate legislation as of the date of the passage of this act. In the event that the Legislature does not approve separate legislation to authorize implementation of any of the pending agreements, the ~~Department~~ *Director* of Finance shall not allocate any funds related to those pending agreements pursuant to Provision 2, and the expenditure of funds for those pending agreements shall not be deemed to have been approved by the Legislature.

7. As of July 31, 2010, the unencumbered balances of the above appropriation shall no longer be available for expenditure.

SEC. 442. Item 9840-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

9840-001-0001—For Augmentation for Contingencies or Emergencies..... 44,100,000

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 ~~2008–09~~ *2009–10* 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 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.

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 fiscal committees in each house of the Legislature, 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~~ *Director* 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 ~~2008–09~~ *2009–10* 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 fiscal committees in each house of the Legislature, no later than 10 days after the effective date of the approval. Each notification for an emergency expense 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 disas-

ter 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~~ *Director* of Finance shall provide, to the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the fiscal committees in each house of the Legislature, 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~~ *Director* of Finance from any state agency, department, board, commission, or other state entity 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 ~~made by this act~~ shall not exceed the following during any fiscal year:

   (a) 30 percent of the amount ~~scheduled~~ *appropriated*, for those ~~scheduled amounts~~ *appropriations made by this act* that are $4,000,000 or less.

   (b) 20 percent of the amount ~~scheduled~~ *appropriated*, for those ~~scheduled amounts~~ *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 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 deter-

mination that requests meet the requirements of Provision 2.

SEC. 443. Section 3.55 is added to the Budget Act of 2009, to read:

SEC. 3.55. Notwithstanding any other provision of law, upon the order of the Director of Finance, the Controller's Office shall, as jointly determined with the Public Employees' Retirement System, reduce statewide budget items appropriation authority for two months in the 2009–10 fiscal year to recover Preferred Provider Organization premiums paid in excess by members and employers in previous fiscal years.

SEC. 444. Section 3.60 of the Budget Act of 2009 is amended to read:

SEC. 3.60. (a) Notwithstanding any other provision of law, the employers' retirement contributions for the 2009–10 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)~~ *(PERS)* or the Judges' Retirement System II 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	16.574%
Miscellaneous, Second Tier	16.470%
State Industrial	17.236%
State Safety	~~18.411%~~ *18.099%*
Peace Officer/Firefighter	~~26.064%~~ *25.848%*
Highway Patrol	~~32.149%~~ *28.438%*
Judges' Retirement System II	20.227%

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 contributions for 2009–10 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. 445. Section 3.90 of the Budget Act of 2009 is amended to read:

SEC. 3.90. (a) Notwithstanding any other provision of this act, each item of appropriation in this act, with the exception of those items for the California State University, the University of California, Hastings College of the Law, *the Bureau of State Audits*, the Legislature (including the Legislative Counsel Bureau), and the judicial branch, shall be reduced, as appropriate, to reflect a reduction in employee compensation achieved through the collective bargaining process for represented employees or through existing administration authority and a proportionate reduction for nonrepresented employees (utilizing existing authority of the administration to adjust compensation for nonrepresented employees) in the total amounts of ~~$1,024,326,000~~ *$1,074,326,000* from General Fund items and $688,375,000 from items relating to other funds. The Director of Finance shall allocate the necessary reductions to each item of appropriation to accomplish the employee compensation reductions required by this section.

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

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

SEC. 446. Section 4.01 of the Budget Act of 2009 is amended to read:

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 of the Statutes of 2004). These reductions

shall not apply to the University of California, Hastings College of the Law, California State University, the Legislature, or the ~~judicial branch~~ *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 collective 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 Section 3527 of the Government Code.

(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 of the Legislature 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. 447. Section 4.12 of the Budget Act of 2009 is amended to read:

SEC. 4.12. ~~Notwithstanding any other provision of law, any positions that have been proposed to be added for the State Water Project for the 2009–10 fiscal year are neither approved nor disapproved until future action is taken by the Legislature~~ *Of the funds provided in this act to the Department of Water Resources for the implementation of the Delta Habitat Conservation and Conveyance Program, funding shall be used only for planning workload related to the program and shall not be used for the physical construction of an alternative conveyance facility*.

SEC. 448. Section 4.85 is added to the Budget Act of 2009, to read:

SEC. 4.85. The Controller shall transfer to the General Fund the amount remaining in the State Public Works Board, 1995 Series A, 1996 Series A, and 1998 Series A Energy Efficiency Bonds, Public Buildings Construction Fund.

SEC. 449. Section 8.55 is added to the Budget Act of 2009, to read:

SEC. 8.55. (a) It is the intent of the Legislature that the State of California comply with requirements associated with its receipt of funds pursuant to the American Recovery and Reinvestment Act (ARRA), Public Law 111-5. To supplement required activities related to ARRA that are being funded in various items of this act, the Legislature has provided funds to the Bureau of State Audits to act as the central, independent auditing and oversight agency required under various provisions of ARRA. In addition, the Legislature has provided funds to the Director of Finance intended to coordinate oversight and administration activities related to use of ARRA funds by state agencies, including data collection, tracking, and reporting.

(b) (1) The $1,600,000 General Fund loan provided in this act to the Bureau of State Audits and the $4,100,000 General Fund loan provided in this act to the Director of Finance shall be reimbursed from federal ARRA funds, including principally or exclusively the 0.5 percent of total ARRA funds authorized to be spent on certain centralized state oversight activities in Office of Management and Budget Memorandum M-09-18 of May 11, 2009, or similar guidance or legislation, or other available federal funds. The Director of Finance shall cooperate with the Bureau of State Audits, as required, to facilitate reimbursement of these and any other federal moneys the bureau is authorized to expend related to its ARRA auditing and oversight activities.

(2) Should any expenditures of the loan amounts authorized in this section ultimately be determined by the federal government not to be reimbursable, the Director of Finance is required and authorized to reduce and transfer to the General Fund any appropriations in this act for state operations in departments under the control of the Governor that benefited generally from the use of the General Fund loan to the extent necessary to pay off any outstanding balance of the loan.

(c) The Bureau of State Audits may request additional General Fund loans or the authority to expend federal ARRA funds related to statewide auditing and oversight in amounts of up to $1,067,000. In the event that General Fund loans are requested, they shall be reimbursed from federal funds in a manner similar to that described in subdivision (b). The Bureau of State Audits shall provide such requests to the Chairperson of the Joint Legislative Budget Committee and provide copies of such requests to the

Legislative Analyst and the Director of Finance. Any such request shall include a detailed description and justification for previous and anticipated uses of funds related to this section. The additional General Fund loans or authority to expend the federal ARRA funds described above shall not be made available to the Bureau of State Audits until 30 days after the request is provided to the Chairperson of the Joint Legislative Budget Committee or at such earlier date as the chairperson of the joint committee may determine. The Legislature requests that the Bureau of State Audits provide to the Director of Finance, the Chairperson of the Joint Legislative Committee, and the Legislative Analyst an estimate of the funds it will require for ARRA statewide oversight and auditing activities in each fiscal year during which it will be undertaking such activities as soon as possible. The Bureau of State Audits may amend this estimate of the funds it will require for ARRA activities after the initial submission of this document.

(d) The Director of Finance shall provide to the Chairperson of the Joint Legislative Budget Committee, when appropriate, a comprehensive plan describing statewide ARRA oversight and auditing activities anticipated for the entire period during which such ARRA oversight and auditing will be necessary. The report shall, at a minimum, describe all of the following: (1) the amount of ARRA funds expected to be available to be spent on statewide accountability and oversight activities (including data collection, tracking, and reporting) based on definitive federal guidance or legislation concerning this matter, (2) a description of the roles of each entity in state government to be involved in statewide oversight and auditing activities related to ARRA, (3) specific citations, as appropriate, of federal guidance, regulations, or legislation that require each function of each entity in state government involved in ARRA statewide oversight and auditing activities, (4) detailed descriptions of why any proposed activities not specifically required in federal guidance, regulations, or legislation will be undertaken, and (5) the amount of ARRA federal funds for statewide accountability and oversight (including data collection, tracking, and reporting) expected to be needed in each fiscal year during which ARRA statewide oversight and auditing activities will be required. The Director of Finance shall include costs for ARRA statewide auditing and oversight activities of the Bureau of State Audits in the comprehensive plan and may amend

the comprehensive report after its initial submission to account for costs identified by the bureau.

(e) The Director of Finance may request additional General Fund loans or the authority to expend federal ARRA funds related to statewide auditing and oversight in amounts exceeding those in subdivision (b) but in no case may the Director of Finance request funding for the 2009–10 fiscal year in excess of that available for its activities during that fiscal year, as described in item 5 of the comprehensive report described in subdivision (d). The additional loans or authority to expend funds described in this subdivision shall not be made available to the Director of Finance until 30 days after both the comprehensive report described in subdivision (d) and the request for these loans or funds is provided to the Chairperson of the Joint Legislative Budget Committee or at such earlier date as the chairperson of the joint committee may determine. In the event that General Fund loans are requested, they shall be reimbursed from federal funds in a manner similar to that described in subdivision (b).

(f) The Bureau of State Audits may request additional General Fund loans or the authority to expend federal ARRA funds related to statewide auditing and oversight in amounts exceeding those in subdivisions (b) and (c), but it is the intent of the Legislature that the bureau not request funding for the 2009–10 fiscal year in excess of that specified in the estimate of required funds that the bureau will submit or amend pursuant to subdivision (c). The additional loans or authority to expend funds described in this subdivision shall not be made available to the Bureau of State Audits until 30 days after the request for these loans or funds is provided to the Chairperson of the Joint Legislative Budget Committee or at such earlier date as the chairperson of the joint committee may determine. In the event that General Fund loans are requested, they shall be reimbursed from federal funds in a manner similar to that described in subdivision (b).

(g) Except for the $2,500,000 authorized in Provision 6 of Item 8860-001-0001 of Section 2.00, no funds provided in this section or in any other item of this act may be expended by the Director of Finance, the ARRA inspector general, a state department under the control of the Governor, or the ARRA task force for a centralized statewide database of ARRA spending until 30 days after a detailed justification of the federal requirements therefor

has been submitted to the Chairperson of the Joint Legislative Budget Committee or at such earlier date as the chairperson of the joint committee may determine. This request may be combined with the comprehensive report described in subdivision (d).

(h) It is the intent of the Legislature that funds provided to the Director of Finance pursuant to this section address costs of the state's ARRA coordinating task force, the Inspector General appointed by the Governor, and the Office of State Audits and Evaluation's efforts described herein and provide full transparency to the public in the use of ARRA funds.

SEC. 450. Section 12.00 of the Budget Act of 2009 is amended to read:

SEC. 12.00. For the purposes of Article XIII B of the California Constitution, there is hereby established a state "appropriations limit" of ~~$81,000,000,000~~ *$80,984,000,000* for the 2009–10 fiscal year.

Any judicial action or proceeding to attack, review, set aside, void, or annul the "appropriations limit" for the 2009–10 fiscal year shall be commenced within 45 days of the effective date of this act.

SEC. 451. Section 12.32 of the Budget Act of 2009 is amended to read:

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 chairpersons of the committees in each house of the Legislature that consider 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 Division 3 of Title 2 of the Education Code, the total appropriations for Proposition 98 for the 2009–10 fiscal year are ~~$40,523,751,000~~ *$36,301,084,000* or ~~42.2~~ *40.1* percent of total General Fund revenues and transfers subject to the state

appropriations limit. General Fund revenues appropriated for school districts are ~~$35,827,600,000~~ *$32,351,995,000* or ~~37.3~~ *35.7* percent of total General Fund revenues and transfers subject to the state appropriations limit. General Fund revenues appropriated for community college districts are ~~$4,587,827,000~~ *$3,836,897,000* or ~~4.8~~ *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 ~~$108,324,000~~ *$112,192,000* or 0.1 percent of total General Fund revenues and transfers subject to the state appropriations limit.

SEC. 452. Section 12.42 of the Budget Act of 2009 is amended to read:

SEC. 12.42. (a) The amounts appropriated in the items set forth in subdivision (b) are each hereby reduced by the percentage determined by dividing ~~1,211,296,000~~ *1,317,610,000* by the sum of the amounts appropriated in the items set forth in subdivision (b).

(b) Subdivision (a) shall apply to Items 6110-103-0001, 6110-104-0001, 6110-105-0001, 6110-107-0001, 6110-108-0001, *6110-111-0001*, 6110-113-0001, 6110-119-0001, 6110-122-0001, 6110-124-0001, 6110-125-0001, 6110-137-0001, 6110-144-0001, 6110-150-0001, 6110-151-0001, 6110-156-0001, 6110-158-0001, 6110-166-0001, 6110-167-0001, 6110-181-0001, 6110-182-0001, 6110-188-0001, 6110-189-0001, 6110-190-0001, 6110-193-0001, 6110-195-0001, 6110-198-0001, 6110-204-0001, 6110-208-0001, 6110-209-0001, ~~6110-211-0001,~~ 6110-220-0001, 6110-224-0001, 6110-227-0001, 6110-228-0001, 6110-232-0001, 6110-240-0001, 6110-242-0001, 6110-243-0001, 6110-244-0001, 6110-245-0001, 6110-246-0001, 6110-247-0001, 6110-248-0001, 6110-260-0001, 6110-265-0001, 6110-266-0001, 6110-267-0001, 6110-268-0001 ~~and~~, 6360-101-0001, *and Schedule (1) of Item 6110-211-0001* of Section 2.00 of this act.

SEC. 453. Section 12.45 is added to the Budget Act of 2009, to read:

SEC. 12.45. The Director of Finance shall, for all agencies and departments paid through the Uniform State Payroll System, reduce as necessary the appropriations in the items set forth in Section 2.00 to recognize the change in the accounting method for

the payment of state employee salaries pursuant to Section 13302 of the Government Code.

SEC. 454. Section 12.50 is added to the Budget Act of 2009, to read:

SEC. 12.50. The amount appropriated in Item 7980-101-0001 of Section 2.00 is hereby reduced by $37,600,000.

SEC. 455. Section 12.55 is added to the Budget Act of 2009, to read:

SEC. 12.55. The Director of Finance shall permit the California African-American Museum to utilize $293,000 from the Exposition Park Improvement Fund for the replacement, repair, and other upgrades of critical infrastructure costs for the museum.

SEC. 456. Section 13.10 is added to the Budget Act of 2009, to read:

SEC. 13.10. (a) The amount appropriated in Item 0110-001-0001 of Section 2.00 is hereby reduced by $2,783,000.

(b) The amount appropriated in Item 0120-011-0001 of Section 2.00 is hereby reduced by $5,477,000.

(c) (1) The amount appropriated in Schedule (1) of Item 0130-021-0001 of Section 2.00 is hereby reduced by $188,000.

(2) The amount transferred in Schedule (2) of Item 0130-021-0001 of Section 2.00 is hereby reduced by $94,000.

(3) The amount transferred in Schedule (3) of Item 0130-021-0001 of Section 2.00 is hereby reduced by $94,000.

(d) The amount appropriated in Item 0160-001-0001 of Section 2.00 is hereby reduced by $7,546,000.

(e) The amount appropriated in Item 8855-001-0001 of Section 2.00 is hereby reduced by $514,000.

SEC. 457. Section 13.25 is added to the Budget Act of 2009, to read:

SEC. 13.25. (a) Notwithstanding any other provision of law, the Director of Finance may reduce amounts in any item of appropriation in Section 2.00 to reflect reorganizations and consolidations of departments or functions of departments that are approved by the Legislature.

(b) 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. 458. Section 13.50 is added to the Budget Act of 2009, to read:

SEC. 13.50. (a) (1) It is the intent of the Legislature to eliminate the following eight entities as of January 1, 2010:

0510	*Secretary of State and Consumer Services*
0520	*Secretary of Business, Transportation and Housing*
0530	*Secretary of California Health and Human Services*
0540	*Secretary of the Natural Resources Agency*
0555	*Secretary for Environmental Protection*
0558	*Secretary for Education*
0559	*Labor and Workforce Development Agency*
0650	*Office of Planning and Research*

(2) Notwithstanding any other provision of law, the Director of Finance shall, pursuant to subdivision (c), make all necessary adjustments to the items of appropriation for the entities described in paragraph (1) to reflect the elimination of those agencies. It is the intent of the Legislature to enact legislation in the 2009–10 Regular Session, or in an extraordinary session, of the Legislature to provide the necessary statutory changes to implement this section.

(b) Notwithstanding any other provision of law, as of January 1, 2010, it is the intent that the following functions shall be transferred as follows:

(1) Advisors to the Governor from various entities to the Office of the Governor, including advisors for guidance on environmental policy, not to exceed $3,260,000 and 21.0 positions on a full-year basis.

(2) State Clearinghouse and Planning Unit for the California Environmental Quality Act, from the Office of Planning and Research to the State Air Resources Board.

(3) California Volunteers, from Office of Planning and Research to the Department of Housing and Community Development.

(4) Census-related activities from Office of Planning and Research to the Department of Finance.

(5) Pass-through of federal stimulus funds, from Office of Planning and Research to the Department of Finance and the Office of Governor.

(6) Office of Privacy Protection, from Secretary of State and Consumer Services to the Department of Consumer Affairs.

(7) Uniform film permits, from the Secretary of Business, Transportation and Housing to the Department of Parks and Recreation.

(8) Film tax credit administration, from the Secretary of Business, Transportation and Housing to the Department of Housing and Community Development.

(9) Office of Tourism, from the Secretary of Business, Transportation and Housing to the Department of Housing and Community Development.

(10) Small Enterprise Expansion Program, from the Secretary of Business, Transportation and Housing to the Department of Housing and Community Development.

(11) California Infrastructure and Economic Development Bank, from the Secretary of Business, Transportation and Housing to the Department of Housing and Community Development.

(12) Centralized departmental functions, from the Secretary for Environmental Protection to the Department of Toxic Substances Control for coordination.

(13) Certified Unified Program Agency, from the Secretary for Environmental Protection to the Department of Toxic Substances Control.

(14) California River Parkways Program, from the Secretary of the Natural Resources Agency to the Department of Water Resources.

(15) San Joaquin River Restoration program, from the Secretary of the Natural Resources Agency to the Department of Water Resources and Department of Fish and Game based on their existing roles.

(16) CALFED Science program, from the Secretary of the Natural Resources Agency to the Department of Water Resources.

(17) Oceans program, from the Secretary of the Natural Resources Agency to the State Coastal Conservancy.

(18) Strategic growth program, from the Secretary of the Natural Resources Agency to the State Air Resources Board.

(19) Office of Health Information Integrity, from the Secretary of California Health and Human Services to the State Department of Health Care Services.

(20) Office of Systems Integration, from the Secretary for California Health and Human Services to the Office of the State Chief Information Officer.

(21) Health Information Exchange, from the Secretary of California Health and Human Services to the State Department of Health Care Services.

(22) Employer and Employee Education, from the Labor and Workforce Development Agency to the Department of Industrial Relations.

(23) Labor law enforcement oversight, including functions of the Economic and Employment Enforcement Coalition, from the Labor and Workforce Development Agency to the Department of Industrial Relations.

(24) California Business Investment Services, from the Labor and Workforce Development Agency to the California Workforce Investment Board.

(25) Economic Strategy Panel from the Labor and Workforce Development Agency to the California Workforce Investment Board.

(c) Notwithstanding any other provision of law, any functions not described in subdivision (b) that are performed by the entities described in subdivision (a) shall be eliminated as of January 1, 2010, and any budgeted funds for eliminated functions shall, on February 1, 2010, revert to the fund from which the appropriations were made. It is the intent of the Legislature that at least $6,000,000 shall revert to the General Fund, and $16,000,000 shall revert to other funds. In implementing this section, the Legislature encourages the Governor to identify additional savings that can be achieved through administrative efficiencies or elimination of duplicative efforts.

(d) Pursuant to the authority in subdivision (a) of Section 13.25, the Director of Finance is authorized to transfer any funds from an eliminated entity to an entity listed in subdivision (b) in order to facilitate the transition of spending authority.

(e) The Director of Finance shall, on or before February 1, 2010, report to the fiscal committees of each house of the Legislature and the Legislative Analyst's Office on the elimination of the entities described in subdivision (a). The report shall include a summary of the functions moved and functions eliminated. This summary shall include associated dollars by fund source and positions for the 2009–10 fiscal year and as to be proposed for the 2010–11 fiscal year. The report may also include any proposed legislation related to the elimination of each entity, lessons learned

from the transition process, or any other relevant information. The director may satisfy this reporting requirement, at his or her option, by presenting the report with materials presented with the Governor's budget issued on or before January 10, 2010.

SEC. 459. Section 15.30 is added to the Budget Act of 2009, to read:

SEC. 15.30. (a) Notwithstanding any other provision of law, the Director of Finance may reduce items of appropriation in this act to reflect information technology and related savings achieved by state agencies, as identified by the State Chief Information Officer pursuant to the Governor's Reorganization Plan No. One of 2009 or Section 11545 of the Government Code. It is the intent of the Legislature that the reductions authorized by this section total at least $100,000,000 for General Fund items of appropriation; however, in achieving these and other savings, the State Chief Information Officer shall take no action with respect to IT budgets or projects that might reasonably be anticipated to cause a significant reduction in General Fund revenue collections.

(b) The Director of Finance shall report the reductions in writing to the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the committees of each house of the Legislature that consider appropriations not more than 30 days after the reductions are made. The report shall list the reductions by department and agency.

SEC. 460. Section 17.50 is added to the Budget Act of 2009, to read:

SEC. 17.50. The amount appropriated in Item 4170-101-0001 of Section 2.00 is hereby reduced by $9,483,000.

SEC. 461. Section 17.80 is added to the Budget Act of 2009, to read:

SEC. 17.80. (a) The amount appropriated in Item 4200-001-0001 of Section 2.00 is hereby reduced by $418,000.

(b) The amount appropriated in Item 4200-102-0001 of Section 2.00 is hereby reduced by $1,671,000.

(c) The amount appropriated in Item 4200-103-0001 of Section 2.00 is hereby reduced by $29,837,000.

SEC. 462. Section 18.00 is added to the Budget Act of 2009, to read:

SEC. 18.00. (a) The amount appropriated in Item 4260-101-0001 of Section 2.00 is hereby reduced by $2,766,088,000.

(b) Schedule (7) of Item 4260-101-0001 of Section 2.00 is hereby deleted.

(c) Provision 13 is added to Item 4260-101-0001 of Section 2.00, to read:

13. It is the intent of the Legislature to actively pursue the receipt of federal funds within the Medicaid (Medi-Cal) Program which are past due from the federal government, including, but not limited to: (a) disability insurance benefits that resulted in state expenditures instead of federal Medicare expenditures, (b) the retroactive payment of Part B premiums due to systemic errors by the federal Social Security Administration, (c) needed adjustments to formulas that penalize California, such as the Medicare Part D "clawback," and (d) receipt of federal funds due to California under various existing Medi-Cal waiver programs.

(d) The amount appropriated in Item 4260-111-0001 of Section 2.00 is hereby reduced by $4,303,000.

(e) Provision 3 is added to Item 4260-111-0001 of Section 2.00, to read:

3. The State Department of Health Care Services shall convene a diverse workgroup as applicable that, at a minimum, represents families enrolled in the California Children's Services (CCS) Program, counties, specialty care providers, children's hospitals, and medical suppliers to discuss the administrative structure of the CCS Program, including eligibility determination processes, the use and content of needs assessment tools in case management, and the processes used for treatment authorizations. The purpose of this workgroup will be to identify methods for streamlining, administrative cost-efficiencies, and better utilization of both state and county staff, as applicable, in meeting the needs of children and families accessing the CCS Program. The department may provide the policy and fiscal committees of each house of the Legislature with periodic updates of outcomes as appropriate.

(f) The amount appropriated in Item 4260-113-0001 of Section 2.00 is hereby reduced by $47,265,000.

SEC. 463. Section 18.10 is added to the Budget Act of 2009, to read:

SEC. 18.10. (a) The amount appropriated in Item 4265-001-0001 of Section 2.00 is hereby reduced by $6,981,000.

(b) The amount appropriated in Item 4265-111-0001 of Section 2.00 is hereby reduced by $62,967,000.

(c) Provision 2 is added to Item 4265-111-0001 of Section 2.00, to read:

2. It is the intent of the Legislature that the funds appropriated in this item be used to maintain core active surveillance activities to meet federal reporting requirements and to continue HIV/AIDS prevention and education efforts for which federal funds are not available.

(d) Provision 3 is added to Item 4265-111-0001 of Section 2.00, to read:

3. The appropriation in this item for the Alzheimer's Research Centers shall be used for direct services, including, but not limited to, diagnostic screening, case management, disease management, support for caregivers, and related services necessary for positive client outcomes.

SEC. 464. Section 18.20 is added to the Budget Act of 2009, to read:

SEC. 18.20. (a) The amount appropriated in Item 4280-101-0001 of Section 2.00 is hereby reduced by $71,581,000.

(b) Provision 2 is added to Item 4280-101-0001 of Section 2.00, to read:

2. It is the intent of the Legislature, during these unprecedented fiscal times, to maintain the integrity of the Healthy Families Program to continue to provide health, dental, and vision coverage to low-income children. However, assistance from philanthropic organizations and other sources will be necessary in order for California to obtain its full allotment of federal funds to support this program. In the event funds are not available, it is the intent of the Legislature for the Managed Risk Medical Insurance Board to utilize its existing authority to establish a waiting list of children for enrollment in the program.

(c) The amount appropriated in Item 4280-102-0001 of Section 2.00 is hereby reduced by $3,046,000.

SEC. 465. Section 18.30 is added to the Budget Act of 2009, to read:

SEC. 18.30. The amount appropriated in Item 4300-101-0001 of Section 2.00 is hereby reduced by $214,828,000.

SEC. 466. Section 18.40 is added to the Budget Act of 2009, to read:

SEC. 18.40. (a) The amount appropriated in Item 4440-001-0001 of Section 2.00 is hereby reduced by $8,447,000.

(b) The amount appropriated in Item 4440-103-0001 of Section 2.00 is hereby reduced by $113,380,000.

(c) The amount appropriated in Item 4440-104-0001 of Section 2.00 is hereby reduced by $52,000,000.

(d) (1) Provision 1 of Item 4440-104-0001 of Section 2.00 is hereby deleted.

(2) Provision 3 is added to Item 4440-104-0001 of Section 2.00, to read:

3. These funds are for costs incurred in the 2006–07, 2007–08, 2008–09, and 2009–10 fiscal years. The first priority of funds appropriated in this item shall be used to offset the mandate reimbursement claims for the 2006–07 fiscal year. Remaining funds may be used to offset the mandate reimbursement claims for the 2007–08, 2008–09, and 2009–10 fiscal years.

(e) The amount appropriated in Item 4440-111-0001 of Section 2.00 is hereby reduced by $3,547,000.

SEC. 467. Section 18.50 is added to the Budget Act of 2009, to read:

SEC. 18.50. (a) The amount appropriated in Item 5180-001-0001 of Section 2.00 is hereby reduced by $7,748,000.

(b) Provision 9 of Item 5180-001-0001 of Section 2.00 is hereby deleted.

(c) The amount appropriated in Item 5180-101-0001 of Section 2.00 is hereby reduced by $615,501,000.

(d) The amount appropriated in Item 5180-111-0001 of Section 2.00 is hereby reduced by $532,134,000.

(e) Schedule (5) of Item 5180-111-0001 of Section 2.00 is hereby deleted.

(f) The amount appropriated in Item 5180-153-0001 of Section 2.00 is hereby reduced by $16,421,000.

SEC. 468. Section 18.60 is added to the Budget Act of 2009, to read:

SEC. 18.60. Provision 4 is added to Item 0250-301-3037 of Section 2.00, to read:

4. The Judicial Branch may enter into a lease-purchase agreement with the County of Santa Clara for the New Family

Justice Center Courthouse project that will provide lease payments to the county subject to approval by the Director of Finance. The County of Santa Clara shall transfer responsibility, or responsibility and title, of the existing court facilities in the County of Santa Clara prior to the approval of a lease-purchase agreement. At least 30 days prior to entering into any agreement, the Judicial Council shall notify the chairpersons of the committees in each house of the Legislature that consider appropriations and the Joint Legislative Budget Committee of the terms and conditions of the agreement. If the joint committee does not express any opposition, the Judicial Council may proceed with the agreement after 30 days from when the Judicial Branch gave notice to the chairpersons.

SEC. 469. Section 24.60 is added to the Budget Act of 2009, to read:

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 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. 470. Section 24.65 of the Budget Act of 2009 is repealed.

~~SEC. 24.65. (a) Notwithstanding any other provision of law, the Director of Finance is authorized to repay General Fund budgetary obligations, infrastructure bond debts, and the Economic Recovery Bonds, including reimbursement to the General Fund for these costs, in the 2009–10 fiscal year from the Debt Retirement Fund, pursuant to Government Code Section 8880.4.5.~~

~~(b) Expenditures and reimbursements authorized by this section will result in overall General Fund savings. It is not the intent of the Legislature in enacting this section to provide additional expenditure authority to state programs.~~

SEC. 471. Section 25.25 is added to the Budget Act of 2009, to read:

SEC. 25.25. Notwithstanding any other provision of law, a sum not to exceed $15,200,000 is appropriated from various special and nongovernmental cost funds and reimbursements, other than

General Fund revenue sources, to the 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 Section 12432 of the Government Code. Assessments in support of the expenditures for the 21st Century Project shall be made quarterly and the total amounts assessed from these funds in the 2009–10 fiscal year shall not exceed the total expenditure incurred by the Controller for the 21st Century Project that are attributable to those funds in the 2009–10 fiscal year.

SEC. 472. Section 25.50 of the Budget Act of 2009 is amended to read:

SEC. 25.50. Notwithstanding any other provision of law, an amount not to exceed ~~$822,000~~ *$770,000* is hereby appropriated from various funds to the Controller, as specified below, for reimbursement of costs for the ongoing maintenance and support of the Apportionment Payment System:

0046	Public Transportation Account	~~$ 18,000~~
		$ 16,000
0062	Highway Users Tax Account	~~282,000~~
		265,000
0064	Motor Vehicle License Fee Account	~~16,000~~
		15,000
0330	Local Revenue Fund	~~93,000~~
		87,000
0877	DMV Local Agency Collection Fund	2,000
0932	Trial Court Trust Fund	~~161,000~~
		151,000
0965	Timber Tax Fund	1,000
0969	Public Safety Account	~~249,000~~
		233,000
	Total, All Funds	~~$822,000~~
		$770,000

The Controller shall assess these funds for the costs of the Apportionment Payment System because apportionment payments in excess of $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 Controller for the Apportionment Payment System for the 2009–10 fiscal year.

SEC. 473. Section 35.50 of the Budget Act of 2009 is amended to read:

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 before any transfer to the Budget Stabilization Account.

(b) For purposes of subdivision (f) of Section 12 of Article IV of the California Constitution, "all appropriations from the General Fund for that fiscal year" shall not include any transfer to the Budget Stabilization Account to retire Economic Recovery Bonds because that amount is reflected in the "amount of any General Fund moneys transferred to the Budget Stabilization Account."

(c) For purposes of subdivision (f) of Section 12 of Article IV of the California Constitution, the estimate of General Fund revenues for the 2009–10 fiscal year pursuant to this act, as passed by the Legislature, is ~~$98,567,200,000~~ *$93,244,800,000*.

(d) For purposes of subdivision (b) of Section 20 of Article XVI of the California Constitution, General Fund revenues shall be defined as revenues and transfers before any transfer to the Budget Stabilization Account, excluding any proceeds from Economic Recovery Bonds, as estimated in the enacted State Budget.

SEC. 474. Notwithstanding any other provision of this act, it is the intent of the Legislature that this act not make any appropriation of funds from the General Fund of the state within the meaning of subdivision (d) of Section 12 of Article IV of the California Constitution, except appropriations for the public schools, and therefore any item, section, or provision of this act that purports to make an appropriation from the General Fund, except an appropriation for the public schools, shall not be operative and shall have no force or effect.

SEC. 475. This act addresses the fiscal emergency declared by the Governor by proclamation on December 19, 2008, pursuant to subdivision (f) of Section 10 of Article IV of the California Constitution.

~~SECTION 1. Section 5891 of the Welfare and Institutions Code is amended to read:~~

~~5891. (a) The funding established pursuant to this act shall be utilized to expand mental health services. Except as authorized in paragraph (7) of subdivision (a) of Section 5892, these funds shall not be used to supplant existing state or county funds utilized to provide mental health services. Except as authorized in paragraph (7) of subdivision (a) of Section 5892, state shall continue to provide financial support for mental health programs with not less than the same entitlements, amounts of allocations from the General Fund and formula distributions of dedicated funds as provided in the last fiscal year which ended prior to the effective date of this act. The state shall not make any change to the structure of financing mental health services, which increases a county's share of costs or financial risk for mental health services unless the state includes adequate funding to fully compensate for such increased costs or financial risk. These funds shall only be used to pay for the programs authorized in Section 5892. These funds may not be used to pay for any other program. These funds may not be loaned to the state General Fund or any other fund of the state, or a county general fund or any other county fund for any purpose other than those authorized by Section 5892.~~

~~(b) Notwithstanding subdivision (a), the Controller may use the funds created pursuant to this part for loans to the General Fund as provided in Sections 16310 and 16381 of the Government Code. Any such loan shall be repaid from the General Fund with interest computed at 110 percent of the Pooled Money Investment Account rate, with interest commencing to accrue on the date the loan is made from the fund. This subdivision does not authorize any transfer that would interfere with the carrying out of the object for which these funds were created.~~

~~SEC. 2. Section 5892 of the Welfare and Institutions Code is amended to read:~~

~~5892. (a) In order to promote efficient implementation of this act allocate the following portions of funds available in the Mental Health Services Fund in 2005–06 and each year thereafter:~~

~~(1) In 2005–06, 2006–07, and in 2007–08 10 percent shall be placed in a trust fund to be expended for education and training programs pursuant to Part 3.1.~~

~~(2) In 2005–06, 2006–07 and in 2007–08 10 percent for capital facilities and technological needs distributed to counties in accordance with a formula developed in consultation with the California Mental Health Directors Association to implement plans developed pursuant to Section 5847.~~

~~(3) Twenty percent for prevention and early intervention programs distributed to counties in accordance with a formula developed in consultation with the California Mental Health Directors Association pursuant to Part 3.6 (commencing with Section 5840) of this division. Each county's allocation of funds shall be distributed only after its annual program for expenditure of such funds has been approved by the Mental Health Services Oversight and Accountability Commission established pursuant to Section 5845.~~

~~(4) The allocation for prevention and early intervention may be increased in any county which the department determines that such increase will decrease the need and cost for additional services to severely mentally ill persons in that county by an amount at least commensurate with the proposed increase. The statewide allocation for prevention and early intervention may be increased whenever the Mental Health Services Oversight and Accountability Commission determines that all counties are receiving all necessary funds for services to severely mentally ill persons and have established prudent reserves and there are additional revenues available in the fund.~~

~~(5) The balance of funds shall be distributed to county mental health programs for services to persons with severe mental illnesses pursuant to Part 4 (commencing with Section 5850), for the children's system of care and Part 3 (commencing with Section 5800), for the adult and older adult system of care.~~

~~(6) Five percent of the total funding for each county mental health program for Part 3 (commencing with Section 5800), Part 3.6 (commencing with Section 5840), and Part 4 (commencing with Section 5850) of this division, shall be utilized for innovative programs pursuant to an approved plan required by Section 5830 and such funds may be distributed by the department only after such programs have been approved by the Mental Health Services Oversight and Accountability Commission established pursuant to Section 5845.~~

~~(7) Prior to the distribution of funds under paragraphs (1) to (5), inclusive, effective July 1, 2009, the sum of two hundred twenty-six million seven hundred thousand dollars ($226,700,000) shall be redirected to support the Early and Periodic Screening, Diagnosis and Treatment (EPSDT) Program as administered by the State Department of Mental Health for the 2009–10 fiscal year. For the 2010–11 fiscal year prior to the distribution of funds under paragraphs (1) to (5), inclusive, effective July 1, 2010, the sum of two hundred twenty-six million seven hundred thousand dollars ($226,700,000) shall be redirected to support the EPSDT program, except that this amount may be adjusted to fund caseload as appropriate in the EPSDT program, but the total amount redirected for the 2010–11 fiscal year shall not exceed the sum of two hundred thirty-four million dollars ($234,000,000). This paragraph shall become inoperative on July 1, 2011.~~

~~(b) In any year after 2007–08, programs for services pursuant to Part 3 (commencing with Section 5800), and Part 4 (commencing with Section 5850) of this division may include funds for technological needs and capital facilities, human resource needs, and a prudent reserve to ensure services do not have to be significantly reduced in years in which revenues are below the average of previous years. The total allocation for purposes authorized by this subdivision shall not exceed 20 percent of the average amount of funds allocated to that county for the previous five years pursuant to this section.~~

~~(c) The allocations pursuant to subdivisions (a) and (b) shall include funding for annual planning costs pursuant to Section 5848. The total of such costs shall not exceed 5 percent of the total of annual revenues received for the fund. The planning costs shall include funds for county mental health programs to pay for the costs of consumers, family members and other stakeholders to participate in the planning process and for the planning and implementation required for private provider contracts to be significantly expanded to provide additional services pursuant to Part 3 (commencing with Section 5800), and Part 4 (commencing with Section 5850) of this division.~~

~~(d) Prior to making the allocations pursuant to subdivisions (a), (b) and (c), the department shall also provide funds for the costs for itself, the California Mental Health Planning Council and the Mental Health Services Oversight and Accountability Commission~~

~~to implement all duties pursuant to the programs set forth in this section. Such costs shall not exceed 5 percent of the total of annual revenues received for the fund. The administrative costs shall include funds to assist consumers and family members to ensure the appropriate state and county agencies give full consideration to concerns about quality, structure of service delivery or access to services. The amounts allocated for administration shall include amounts sufficient to ensure adequate research and evaluation regarding the effectiveness of services being provided and achievement of the outcome measures set forth in Part 3 (commencing with Section 5800), Part 3.6 (commencing with Section 5840), and Part 4 (commencing with Section 5850) of this division.~~

~~(e) In 2004–05 funds shall be allocated as follows:~~

~~(1) 45 percent for education and training pursuant to Part 3.1 (commencing with Section 5820) of this division.~~

~~(2) 45 percent for capital facilities and technology needs in the manner specified by paragraph (2) of subdivision (a).~~

~~(3) 5 percent for local planning in the manner specified in subdivision (c) and~~

~~(4) 5 percent for state implementation in the manner specified in subdivision (d).~~

~~(f) Each county shall place all funds received from the State Mental Health Services Fund in a local Mental Health Services Fund. The Local Mental Health Services Fund balance shall be invested consistent with other county funds and the interest earned on such investments shall be transferred into the fund. The earnings on investment of these funds shall be available for distribution from the fund in future years.~~

~~(g) All expenditures for county mental health programs shall be consistent with a currently approved plan or update pursuant to Section 5847.~~

~~(h) Other than funds placed in a reserve in accordance with an approved plan, any funds allocated to a county which have not been spent for their authorized purpose within three years shall revert to the state to be deposited into the fund and available for other counties in future years, provided however, that funds for capital facilities, technological needs or education and training may be retained for up to 10 years before reverting to the fund.~~

~~(i) If there are still additional revenues available in the fund after the Mental Health Services Oversight and Accountability Commission has determined there are prudent reserves and no unmet needs for any of the programs funded pursuant to this section, including all purposes of the Prevention and Early Intervention Program, the commission shall develop a plan for expenditures of such revenues to further the purposes of this act and the Legislature may appropriate such funds for any purpose consistent with the commission's adopted plan which furthers the purposes of this act.~~

~~SEC. 3. As an amendment of an initiative statute, Sections 1 and 2 of this act shall become effective only upon approval by the voters at a statewide election.~~

~~SEC. 4. This act addresses the fiscal emergency declared by the Governor by proclamation on December 19, 2008, pursuant to subdivision (f) of Section 10 of Article IV of the California Constitution.~~

~~SEC. 5. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:~~

~~In order to present these provisions amending Proposition 63 to the voters at the earliest opportunity, it is necessary that this bill take effect immediately.~~

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