

AMENDED IN SENATE FEBRUARY 17, 2010

CALIFORNIA LEGISLATURE—2009–10 EIGHTH EXTRAORDINARY SESSION

ASSEMBLY BILL

No. 1

Introduced by Committee on Budget (Evans (Chair), Arambula, Beall, Blumenfeld, Brownley, Carter, Chesbro, De La Torre, Feuer, Hernandez, Hill, Huffman, Monning, Ruskin, and Swanson)

January 15, 2010

An act relating to the Budget Act of 2009.— An act to amend and supplement the Budget Act of 2009 (Chapter 1 of the 2009–10 Third Extraordinary Session) by amending Items 4265-001-0890 and 4265-111-0890 of Section 2.00 of that act, relating to the support of state government, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1, as amended, Committee on Budget. Budget Act of 2009.

~~This bill would express the intent of the Legislature to enact statutory changes relating to the Budget Act of 2009.~~

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

This bill would make changes in specified items in connection with federal funding for the State Department of Public Health for HIV/AIDS programs.

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 January 8, 2010.

This bill would state that it addresses the fiscal emergency declared by the Governor by proclamation issued on January 8, 2010, pursuant to the California Constitution.

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

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

1 ~~SECTION 1. It is the intent of the Legislature to enact statutory~~
2 ~~changes relating to the Budget Act of 2009.~~

3 *SECTION 1. The provisions of this act are subject to the*
4 *applicable provisions of the Budget Act of 2009 (Chapter 1 of the*
5 *2009–10 Third Extraordinary Session).*

6 *SEC. 2. Item 4265-001-0890 of Section 2.00 of the Budget Act*
7 *of 2009, as amended by Section 318 of Chapter 1 of the 2009-10*
8 *Fourth Extraordinary Session, is amended to read:*

9
10 4265-001-0890—For support of Department of Public Health,
11 for payment to Item 4265-001-0001, payable from the
12 Federal Trust Fund..... 219,476,000

- 13 Provisions:
- 14 1. Of the funds appropriated in this item, \$52,612,000
15 shall be available for administration, research, and
16 training projects. Notwithstanding Section 28.00, the
17 State Department of Public Health shall report under
18 that section any new project over \$200,000 or any in-
19 crease in excess of \$400,000 for an identified project.
 - 20 2. The Department of Finance may authorize the transfer
21 of expenditure authority from this item to Item 4265-
22 111-0890 in order to reflect modifications in the use
23 of federal bioterrorism grants. Transfers pursuant to
24 this provision may not be approved sooner than 30
25 days after notification in writing is provided to the
26 chairpersons of the committees in each house of the
27 Legislature that consider appropriations and the
28 Chairperson of the Joint Legislative Budget Commit-
29 tee, or no sooner than whatever lesser time the chair-

- 1 person of the joint committee, or his or her designee,
- 2 may in each instance determine.
- 3 3. Notwithstanding any other provision of law, federal
- 4 moneys made available for bioterrorism preparedness
- 5 pursuant to this act shall be available for expenditure
- 6 or encumbrance until August 30, 2010.
- 7 4. The State Department of Public Health shall notify
- 8 the fiscal and relevant policy committees of the Legis-
- 9 lature in a timely manner regarding the federal govern-
- 10 ment’s approval of the state’s application for coopera-
- 11 tive agreement for funding from the federal Centers
- 12 for Disease Control and Prevention’s Public Health
- 13 Preparedness and Response to Bioterrorism Program.
- 14 The notification shall include a summary of all policy
- 15 and fiscal changes made by the federal government to
- 16 the state’s application. If additional changes are made
- 17 throughout the fiscal year, the department shall notify
- 18 the fiscal and relevant policy committees of the Legis-
- 19 lature in a similar manner.
- 20 5. *The amount appropriated from the Federal Trust Fund*
- 21 *in this item for support of HIV/AIDS programs is*
- 22 *hereby reduced by \$3,541,000.*

23
 24 *SEC. 3. Item 4265-111-0890 of Section 2.00 of the Budget Act*
 25 *of 2009, as amended by Section 325 of Chapter 1 of the 2009-10*
 26 *Fourth Extraordinary Session, is amended to read:*

27
 28 4265-111-0890—For local assistance, Department of Public
 29 Health, for payment to Item 4265-111-0001, payable
 30 from the Federal Trust Fund..... 1,375,555,000
 31 Provisions:
 32 1. Of the funds appropriated in this item, \$61,868,000
 33 shall be available for administration, research, and
 34 training projects. Notwithstanding the provisions of
 35 Section 28.00, the State Department of Public Health
 36 shall report under that section any new project over
 37 \$200,000 or any increase in excess of \$400,000 for an
 38 identified project.
 39 2. Notwithstanding any other provision of law, federal
 40 moneys made available for bioterrorism preparedness

- 1 pursuant to this act shall be available for expenditure
- 2 or encumbrance until August 30, 2010.
- 3 3. Any provisions in Item 4265-111-0001 that are rele-
- 4 vant to this item shall apply to this item.
- 5 4. *The amount appropriated from the Federal Trust Fund*
- 6 *in this item for support of HIV/AIDS prevention, test-*
- 7 *ing, care, and support activities is hereby increased*
- 8 *by \$3,541,000.*

10 ~~SEC. 2.~~

11 ~~SEC. 4.~~ This act addresses the fiscal emergency declared by
 12 the Governor by proclamation on January 8, 2010, pursuant to
 13 subdivision (f) of Section 10 of Article IV of the California
 14 Constitution.

O