

AMENDED IN SENATE JUNE 23, 2009

AMENDED IN ASSEMBLY JUNE 1, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 552**

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**Introduced by Assembly Member Furutani**

February 25, 2009

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~~An act to add Chapter 9 (commencing with Section 85500) to Part 50 of Division 7 of Title 3 of the Education Code, relating to community colleges, and making an appropriation therefor. An act to amend Section 3003.5 of the Penal Code, relating to sex offenders.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 552, as amended, Furutani. ~~California Community Colleges: career technical and vocational education: financing. Sex offenders.~~

*Existing law, as amended by Proposition 83, adopted by the voters at the November 7, 2006, statewide general election, makes it unlawful for any person who is required to register with law enforcement pursuant to a specified provision of the Sex Offender Registration Act to reside within 2,000 feet of any public or private school, or park where children regularly gather.*

*This bill would provide that this residency limitation applies regarding any public or private school including any or all of kindergarten and grades 1 to 12, inclusive. This bill would provide that the distance between the location where a registrant resides and a school or park, as specified, shall be measured property line to property line by the closest publicly accessible route. The initiative statute provides that any amendment of these provisions by the Legislature shall require a  $\frac{2}{3}$  vote of the membership of each house unless the amendment expands*

*the scope of its application or increases the punishments or penalties in which case it may be amended by a statute passed by majority vote of each house. Because this bill would amend the initiative statute to limit the scope of its application, it would require a  $\frac{2}{3}$  vote.*

Existing law establishes the California Community Colleges, which are administered by the Board of Governors of the California Community Colleges, as a segment of public postsecondary education in the state. Existing law requires the board to appoint a chief executive officer, who is known as the Chancellor of the California Community Colleges.

This bill would establish the Commission on Adequate Funding for Career Technical and Vocational Education at the California Community Colleges, which would be required to conduct a study and make recommendations regarding financing alternatives for career technical education, vocational education, and high-cost laboratory programs at the California Community Colleges. The bill would require the commission to submit a report of its findings and recommendations to the Legislature and the Governor within 18 months after the Board of Governors of the California Community Colleges certifies that adequate private funds have been obtained for the commission to complete its duties. The bill would provide for the collection of private funds and the expenditure of those moneys for the support of the commission, making a continuous appropriation of those funds.

Vote: ~~majority~~ $\frac{2}{3}$ . Appropriation: ~~yes~~-no. Fiscal committee: ~~yes~~ no. State-mandated local program: no.

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

1     SECTION 1. Section 3003.5 of the Penal Code is amended to  
 2     read:  
 3     3003.5. (a) Notwithstanding any other provision of law, when  
 4     a person is released on parole after having served a term of  
 5     imprisonment in state prison for any offense for which registration  
 6     is required pursuant to Section 290, that person may not, during  
 7     the period of parole, reside in any ~~single family~~ *single-family*  
 8     dwelling with any other person also required to register pursuant  
 9     to Section 290, unless those persons are legally related by blood,  
 10    marriage, or adoption. For purposes of this section, “~~single family~~  
 11    “*single-family* dwelling” shall not include a residential facility  
 12    which serves six or fewer persons.

1 (b) Notwithstanding any other provision of law, it is unlawful  
 2 for any person for whom registration is required pursuant to Section  
 3 290 to reside within 2000 feet of any public or private school, *as*  
 4 *specified in subdivision (g) of Section 3003*, or park where children  
 5 regularly gather. *For purposes of this section, 2,000 feet shall be*  
 6 *measured property line to property line by the closest publicly*  
 7 *accessible route traveled.*

8 (c) Nothing in this section shall prohibit municipal jurisdictions  
 9 from enacting local ordinances that further restrict the residency  
 10 of any person for whom registration is required pursuant to Section  
 11 290.

12 ~~SECTION 1. Chapter 9 (commencing with Section 85500) is~~  
 13 ~~added to Part 50 of Division 7 of Title 3 of the Education Code,~~  
 14 ~~to read:~~

15  
 16 ~~CHAPTER 9. FINANCING ALTERNATIVES FOR CAREER TECHNICAL~~  
 17 ~~AND VOCATIONAL EDUCATION AT THE CALIFORNIA COMMUNITY~~  
 18 ~~COLLEGES~~

19  
 20 ~~Article 1. General Provisions~~

21  
 22 ~~85500. The Legislature finds and declares all of the following:~~

23 ~~(a) The California Community Colleges play a vital role in the~~  
 24 ~~state's economy.~~

25 ~~(b) The existing financing structure for the California~~  
 26 ~~Community Colleges creates a financial disincentive to develop~~  
 27 ~~or continue existing career technical education, vocational~~  
 28 ~~education, and high-cost laboratory programs.~~

29 ~~(c) The need for career technical education, vocational~~  
 30 ~~education, and high-cost laboratory programs varies within~~  
 31 ~~region-specific industries where there is a shortage in the~~  
 32 ~~workforce.~~

33 ~~(d) Establishing a commission composed of representatives~~  
 34 ~~from the California Community Colleges, industry, and state~~  
 35 ~~government will help to provide recommendations to the~~  
 36 ~~Legislature on financing alternatives for career technical education,~~  
 37 ~~vocational education, and high-cost laboratory programs at the~~  
 38 ~~California Community Colleges.~~

39 ~~85502. As used in this chapter, "commission" means the~~  
 40 ~~Commission on Adequate Funding for Career Technical and~~

1 ~~Vocational Education at the California Community Colleges~~  
2 ~~established pursuant to Section 85510.~~

3

4 ~~Article 2. The Commission on Adequate Funding for Career~~  
5 ~~Technical and Vocational Education at the California Community~~  
6 ~~Colleges~~

7

8 ~~85510. (a) The Commission on Adequate Funding for Career~~  
9 ~~Technical and Vocational Education at the California Community~~  
10 ~~Colleges is hereby established.~~

11 ~~(b) (1) The commission shall be composed of nine voting~~  
12 ~~members, who shall be appointed as follows:~~

13 ~~(A) Three members appointed by the Governor, which shall~~  
14 ~~include a professor employed by the California Community~~  
15 ~~Colleges, an administrator employed by the California Community~~  
16 ~~Colleges, and a representative of a local workforce investment~~  
17 ~~board.~~

18 ~~(B) Three members appointed by the Senate Committee on~~  
19 ~~Rules, which shall include a professor employed by the California~~  
20 ~~Community Colleges, an administrator employed by the California~~  
21 ~~Community Colleges, and a representative of a local workforce~~  
22 ~~investment board.~~

23 ~~(C) Three members appointed by the Speaker of the Assembly,~~  
24 ~~which shall include a professor employed by the California~~  
25 ~~Community Colleges, an administrator employed by the California~~  
26 ~~Community Colleges, and a representative of a local workforce~~  
27 ~~investment board.~~

28 ~~(2) The commission shall also include the following ex officio,~~  
29 ~~nonvoting members:~~

30 ~~(A) The Chair of the Senate Committee on Education or a~~  
31 ~~member of that committee appointed by the Senate Committee on~~  
32 ~~Rules.~~

33 ~~(B) The Chair of the Assembly Committee on Higher Education~~  
34 ~~or a member of that committee appointed by the Speaker of the~~  
35 ~~Assembly.~~

36 ~~(C) A representative of the Legislative Analyst's Office.~~

37 ~~(D) A representative of the Department of Finance.~~

38 ~~(E) A representative of the California Workforce Investment~~  
39 ~~Board.~~

1 ~~(F) A representative of the Office of the Chancellor of the~~  
2 ~~California Community Colleges.~~

3 ~~(e) The commission shall elect a chair and a vice chair from~~  
4 ~~among the members specified in paragraph (1) of subdivision (b).~~  
5 ~~The term of office for the chair and vice chair shall be for the~~  
6 ~~duration of the commission.~~

7 ~~(d) The term of office for all members shall be for the duration~~  
8 ~~of the commission. A vacancy in the commission shall not affect~~  
9 ~~its powers and shall be filled in the same manner in which the~~  
10 ~~original appointment was made.~~

11 ~~(e) Five voting members of the commission shall constitute a~~  
12 ~~quorum at any meeting for transacting the business of the~~  
13 ~~commission, but a lesser number may conduct hearings.~~

14 ~~85513. Members of the commission shall serve without~~  
15 ~~compensation. However, all members of the commission may be~~  
16 ~~reimbursed for travel, subsistence, and other necessary expenses~~  
17 ~~incurred in the performance of their duties, to the extent that funds~~  
18 ~~are available for these purposes, in accordance with Section 85515.~~

19 ~~85515. State funds shall not be available to the commission~~  
20 ~~pursuant to this chapter, except that private donations collected~~  
21 ~~pursuant to Section 85530 may be expended to reimburse members~~  
22 ~~for expenses and for any other purpose of this chapter. The~~  
23 ~~commission shall not commence its duties pursuant to Section~~  
24 ~~85520 until the Board of Governors of the California Community~~  
25 ~~Colleges certifies that adequate funds have been obtained pursuant~~  
26 ~~to Section 85530 for the commission to complete its duties pursuant~~  
27 ~~to Section 85520.~~

28  
29 ~~Article 3. Powers and Duties of the Commission~~  
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31 ~~85520. (a) The commission shall gather facts and conduct a~~  
32 ~~study regarding financing alternatives for career technical~~  
33 ~~education, vocational education, and high-cost laboratory programs~~  
34 ~~at the California Community Colleges, for the purpose of making~~  
35 ~~recommendations to the Governor and Legislature pursuant to~~  
36 ~~subdivision (b).~~

37 ~~(b) The commission shall make recommendations to the~~  
38 ~~Governor and the Legislature, including, but not limited to, its~~  
39 ~~findings regarding financing alternatives for career technical~~  
40 ~~education, vocational education, and high-cost laboratory programs~~

1 at the California Community Colleges, and any other  
2 recommendations that the commission deems necessary to  
3 discharge its duties.

4 (e) Within 18 months after the Board of Governors of the  
5 California Community Colleges makes the certification described  
6 in Section 85515, the commission shall submit to the Governor  
7 and the Legislature a written report of its findings and  
8 recommendations pursuant to subdivision (b).

9 85523. The commission shall hold public meetings and hearings  
10 in any city that the commission deems necessary and proper.

11 85525. The commission may authorize any subcommittee or  
12 member of the commission to hold hearings and may request the  
13 attendance and testimony of any witnesses and the production of  
14 records, correspondence, and documents that the commission, any  
15 subcommittee of the commission, or any member of the  
16 commission deems necessary in order to implement this chapter.

17  
18 Article 4. Financial Provisions

19  
20 85530. (a) Subject to Sections 11005 and 11005.1 of the  
21 Government Code, the Board of Governors of the California  
22 Community Colleges may solicit, and the Director of Finance may  
23 accept on behalf of the commission, gifts, donations, and other  
24 financial support from private entities, for the purposes of this  
25 chapter. The Director of Finance, upon the Board of Governors of  
26 the California Community Colleges making the certification  
27 described in Section 85515, shall transfer funds received pursuant  
28 to this section to the commission, and these funds are continuously  
29 appropriated to the commission for expenditure for purposes of  
30 this chapter.

31 (b) Private entities may deposit gifts, donations, and other  
32 financial support with the state for the purposes of this chapter.