

AMENDED IN SENATE MAY 13, 2009
AMENDED IN SENATE APRIL 30, 2009
AMENDED IN SENATE APRIL 20, 2009
AMENDED IN SENATE APRIL 13, 2009

SENATE BILL

No. 599

Introduced by Senator Negrete McLeod

February 27, 2009

An act to amend Section 1973 of, and to add Section 27.6 to, the Business and Professions Code, and to ~~amend Section 14206 of~~ *add Section 14206.1* to the Unemployment Insurance Code, relating to workforce development, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 599, as amended, Negrete McLeod. Workforce development.

(1) The former Private Postsecondary and Vocational Education Reform Act of 1989, which became inoperative on July 1, 2007, and was repealed on January 1, 2008, was administered by the Bureau for Private Postsecondary and Vocational Education in the Department of Consumer Affairs. The former act generally effectuated legislative intent to ensure minimum standards of instructional quality and institutional stability in private postsecondary educational institutions and required the bureau, among other things, to review and investigate all institutions, programs, and courses of instruction approved under the act.

This bill would require the successor agency to the former Bureau for Private Postsecondary and Vocational Education in the Department of Consumer Affairs to transmit any available data regarding school

performance, as prescribed, it receives from any schools under its jurisdiction to the California Postsecondary Education Commission. However the bill would make this provision operative only if AB 48 of the 2009–10 Regular Session is enacted and becomes effective on or before January 1, 2010, and creates a successor agency to the former Bureau for Private Postsecondary and Vocational Education.

(2) The federal Workforce Investment Act of 1998 provides for workforce investment activities, including activities in which states may participate. Existing law contains various programs for job training and employment investment, including work incentive and employment training outreach programs. The act also, establishes local workforce boards to develop, implement, and coordinate local workforce investment plans, as prescribed. Existing law provides that it is the duty of the local board, among other things to, coordinate workforce investment activities in the local area, and take specified actions to promote economic development and job training programs in the local area.

~~This bill would additionally provide that it is the duty of the local board award grants or contracts to national, regional, or industry accredited private postsecondary educational institutions for job training services and education programs, for purposes of disbursing economic recovery funds recently made available as part of the American Recovery and Reinvestment Act of 2009 to workforce development programs, would provide that local workforce investment boards may work directly with institutions of higher education and other training providers, including accredited private postsecondary institutions, to quickly design education and training to fit the needs of the job seekers and employers they are serving. By imposing new duties on local workforce boards with regard to the provision of job training and education programs, the bill would impose a state-mandated local program.~~

(3) Existing law creates the California Dental Corps Loan Repayment Program of 2002 in the Dental Board of California, and transfers \$3,000,000 from the State Dentistry Fund to the Dentally Underserved Account of that fund for 3 specified fiscal years, through the 2005–06 fiscal year for purposes of the program. The program assists dentists who practice in an underserved area with loan repayment pursuant to an agreement between the board and the dentist, as specified.

This bill would require the board, on or after July 1, 2010, to extend the program and distribute the money remaining in the account until July 1, 2012.

~~(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

~~(5)~~

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

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.

State-mandated local program: ~~yes~~no.

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

1 SECTION 1. Section 27.6 is added to the Business and
2 Professions Code, to read:

3 27.6. The successor agency to the Bureau for Private
4 Postsecondary and Vocational Education shall transmit any
5 available data regarding school performance, including, but not
6 limited to, attendance and graduation rates, it receives from any
7 schools under its jurisdiction to the California Postsecondary
8 Education Commission.

9 SEC. 2. Section 1973 of the Business and Professions Code is
10 amended to read:

11 1973. (a) The Dentally Underserved Account is hereby created
12 in the State Dentistry Fund.

13 (b) The sum of three million dollars (\$3,000,000) is hereby
14 authorized to be expended from the State Dentistry Fund on this
15 program. These moneys are appropriated as follows:

16 (1) One million dollars (\$1,000,000) shall be transferred from
17 the State Dentistry Fund to the Dentally Underserved Account on
18 July 1, 2003. Of this amount, sixty-five thousand dollars (\$65,000)
19 shall be used by the Dental Board of California in the 2003–04
20 fiscal year for operating expenses necessary to manage this
21 program.

(2) One million dollars (\$1,000,000) shall be transferred from the State Dentistry Fund to the Dentally Underserved Account on July 1, 2004. Of this amount, sixty-five thousand dollars (\$65,000) shall be used by the Dental Board of California in the 2004–05 fiscal year for operating expenses necessary to manage this program.

(3) One million dollars (\$1,000,000) shall be transferred from the State Dentistry Fund to the Dentally Underserved Account on July 1, 2005. Of this amount, sixty-five thousand dollars (\$65,000) shall be used by the Dental Board of California in the 2005–06 fiscal year for operating expenses necessary to manage this program.

(c) Funds placed into the Dentally Underserved Account shall be used by the board to repay the loans per agreements made with dentists.

(1) Funds paid out for loan repayment may have a funding match from foundation or other private sources.

(2) Loan repayments may not exceed one hundred five thousand dollars (\$105,000) per individual licensed dentist.

(3) Loan repayments may not exceed the amount of the educational loans incurred by the dentist applicant.

(d) Notwithstanding Section 11005 of the Government Code, the board may seek and receive matching funds from foundations and private sources to be placed into the Dentally Underserved Account. The board also may contract with an exempt foundation for the receipt of matching funds to be transferred to the Dentally Underserved Account for use by this program.

(e) Funds in the Dentally Underserved Account appropriated in subdivision (b) or received pursuant to subdivision (d) are continuously appropriated for the repayment of loans per agreements made between the board and the dentists.

(f) On or after July 1, 2010, the board shall extend the California Dental Corps Loan Repayment Program of 2002 and distribute the money remaining in the account until July 1, 2012. Regulations that were adopted by the board for the purposes of the program shall apply.

~~SEC. 3.—Section 14206 of the Unemployment Insurance Code is amended to read:~~

~~14206. It shall be the duty of the local board to do all of the following:~~

1 ~~(a) Coordinate workforce investment activities in the local area~~
2 ~~with economic development strategies.~~

3 ~~(b) Promote participation of private sector employers in the~~
4 ~~local workforce investment system.~~

5 ~~(c) Develop and submit a local workforce investment plan to~~
6 ~~the Governor.~~

7 ~~(d) Select one-stop operators, with the agreement of the local~~
8 ~~chief elected official, annually review their operations, and~~
9 ~~terminate for cause the eligibility of such operators.~~

10 ~~(e) Award grants or contracts to eligible providers of youth~~
11 ~~activities in the local area on a competitive basis, consistent with~~
12 ~~the Workforce Investment Act of 1998, based upon the~~
13 ~~recommendations of the youth council.~~

14 ~~(f) Award grants or contracts to national, regional, or industry~~
15 ~~accredited private postsecondary institutions for job training~~
16 ~~services and education programs.~~

17 ~~(g) Identify, consistent with the Workforce Investment Act of~~
18 ~~1998, eligible providers of training services.~~

19 ~~(h) Identify eligible providers of intensive services and, when~~
20 ~~the one-stop operator does not provide intensive services to the~~
21 ~~local area, award contracts to those providers.~~

22 ~~(i) Develop local policy on the amount and duration of individual~~
23 ~~training accounts based upon the market rate for local training~~
24 ~~programs.~~

25 ~~(j) Conduct program oversight over workforce investment~~
26 ~~activities in the local area.~~

27 ~~(k) Negotiate with the local chief elected official in the local~~
28 ~~area and the Governor on local performance measures for the local~~
29 ~~area.~~

30 ~~(l) Assist in the development of a statewide employment~~
31 ~~statistics system, which shall be developed in conjunction with~~
32 ~~and shall utilize to the fullest extent possible, the Employment~~
33 ~~Development Department's labor market information system.~~

34 ~~SEC. 3. Section 14206.1 is added to the Unemployment~~
35 ~~Insurance Code, to read:~~

36 ~~14206.1. For purposes of disbursing economic recovery funds~~
37 ~~made available as part of the federal American Recovery and~~
38 ~~Reinvestment Act of 2009 (Public Law 111-5) to workforce~~
39 ~~development programs, local workforce investment boards may~~
40 ~~work directly with institutions of higher education and other~~

1 *training providers, including accredited private postsecondary*
2 *institutions, to quickly design education and training to fit the*
3 *needs of the job seekers and employers they are serving.*

4 SEC. 4. Section 1 of this bill shall only become operative if
5 Assembly Bill 48 is also enacted and becomes effective on or
6 before January 1, 2010, and that bill creates a successor agency to
7 the former Bureau for Private Postsecondary and Vocational
8 Education.

9 ~~SEC. 5. If the Commission on State Mandates determines that~~
10 ~~this act contains costs mandated by the state, reimbursement to~~
11 ~~local agencies and school districts for those costs shall be made~~
12 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
13 ~~4 of Title 2 of the Government Code.~~

14 ~~SEC. 6:~~

15 SEC. 5. This act is an urgency statute necessary for the
16 immediate preservation of the public peace, health, or safety within
17 the meaning of Article IV of the Constitution and shall go into
18 immediate effect. The facts constituting the necessity are:

19 In order to disburse economic recovery funds recently made
20 available by Congress as part of the American Recovery and
21 Reinvestment Act of 2009 to workforce development programs in
22 the state and to extend the operation of a dental assistance program
23 as quickly as possible, it is necessary that this act take effect
24 immediately.

25
26
27 CORRECTIONS: _____

28 Text—Page 1. _____