

## Senate Bill No. 599

### CHAPTER 642

An act to amend Section 1973 of, and to add Section 27.6 to, the Business and Professions Code, and to add Sections 14206.1 and 14230.5 to the Unemployment Insurance Code, relating to workforce development, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor November 2, 2009. Filed with Secretary of State November 2, 2009.]

#### LEGISLATIVE COUNSEL'S DIGEST

SB 599, 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Private Postsecondary and Vocational Education Reform Act of 1989, which became inoperative on July 1, 2007, and was repealed on January 1, 2008, was administered by the Bureau for Private Postsecondary and Vocational Education in the Department of Consumer Affairs.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, 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 authorize local workforce

investment boards to work directly with institutions of higher education and other training providers approved by state or federal agencies, including private postsecondary institutions that participate in certain federal student financial aid programs, to quickly design education and training to fit the needs of the job seekers and employers they are serving. The bill would require, for purposes of the California Workforce Investment Act and any laws governing workforce development programs provided for under the federal American Recovery and Reinvestment Act of 2009, that entrance into a registered apprenticeship program is to be considered placement into a job.

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

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

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

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

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

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

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

(1) One million dollars (\$1,000,000) shall be transferred from the State Dentistry Fund to the Dentally Underserved Account on July 1, 2003. Of this amount, sixty-five thousand dollars (\$65,000) shall be used by the Dental Board of California in the 2003–04 fiscal year for operating expenses necessary to manage this 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 14206.1 is added to the Unemployment Insurance Code, to read:

14206.1. For purposes of disbursing economic recovery funds made available as part of the federal American Recovery and Reinvestment Act of 2009 (Public Law 111-5) to workforce development programs, local workforce investment boards may work directly with institutions of higher education and other training providers approved by state or federal government agencies, including private postsecondary institutions that participate in the federal student financial aid programs under Title IV of the Higher Education Act of 1965 and comply with applicable regulations pursuant to the federal act, to quickly design education and training to fit the needs of the job seekers and employers they are serving.

SEC. 4. Section 14230.5 is added to the Unemployment Insurance Code, to read:

14230.5. For purposes of this division and any laws governing workforce development programs provided for under the federal American Recovery and Reinvestment Act of 2009 (Public Law 111-5), entrance into a registered apprenticeship program shall be considered placement into a job.

SEC. 5. Section 1 of this act shall only become operative if Assembly Bill 48 of the 2009–10 Regular Session is also 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.

SEC. 6. 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 disburse economic recovery funds recently made available by Congress as part of the American Recovery and Reinvestment Act of 2009 to workforce development programs in the state and to extend the operation of a dental assistance program as quickly as possible, it is necessary that this act take effect immediately.