

**Senate Bill No. 84**

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Passed the Senate March 17, 2011

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*Secretary of the Senate*

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Passed the Assembly March 17, 2011

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*Chief Clerk of the Assembly*

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This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2011, at \_\_\_\_\_ o'clock \_\_\_\_M.

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*Private Secretary of the Governor*

## CHAPTER \_\_\_\_\_

An act to amend Item 0890-001-0001 of, and to add Items 0502-012-0022, 2120-011-0117, 2240-011-0101, 2240-011-0929, 2660-013-0042, 3360-011-0382, 3500-011-0100, 3500-013-3065, 3600-011-0321, 3680-011-0516, 3790-011-0263, 3940-011-0225, 3940-011-3147, 3960-011-0014, 3960-011-0018, 3960-011-0065, 3960-012-1003, 5180-011-0131, 8660-011-0470, 8660-011-3141, and 8660-012-0462 to, Section 2.00 of, and to add Section 39.00 to, the Budget Act of 2010 (Chapter 712 of the Statutes of 2010), relating to the support of state government, making an appropriation therefor, to take effect immediately, Budget Bill.

## LEGISLATIVE COUNSEL'S DIGEST

SB 84, Committee on Budget and Fiscal Review. Budget Act of 2010: revisions.

The Budget Act of 2010 (Chapter 712 of the Statutes of 2010) made appropriations for the support of state government during the 2010–11 fiscal year.

This bill would amend the Budget Act of 2010 by providing for the transfer of moneys from certain funds and accounts to the General Fund, as specified. This bill would amend the Budget Act of 2010 to authorize the Director of Finance to augment the appropriation for support of the Secretary of State by up to \$10,000,000 if the Secretary of State demonstrates why the funding is necessary to cover its costs for the statewide special election to be conducted before June 30, 2011, as specified. The bill would amend the Budget Act of 2010 to specify that certain bills of the 2011–12 Regular Session are other bills providing for appropriations related to the Budget Bill, as specified.

This bill would declare that it is to take effect immediately as a Budget Bill.

Appropriation: yes.

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

SECTION 1. Item 0502-012-0022 is added to Section 2.00 of the Budget Act of 2010, to read:

0502-012-0022—For transfer by the Controller, upon order of the Director of Finance, from the State Emergency Telephone Number Account to the General Fund as a loan..... (28,000,000)

Provisions:

1. The Director of Finance may transfer up to \$28,000,000 as a loan to the General Fund, which shall be repaid by June 30, 2013. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (a) the fund or account from which the loan was made has a need for the moneys, or (b) there is no longer a need for the moneys in the fund or account that received 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. 2. Item 0890-001-0001 of Section 2.00 of the Budget Act of 2010 is amended to read:

0890-001-0001—For support of Secretary of State..... 30,158,000

Schedule:

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|--|-------------|
| (1) 10-Filings and Registrations.....  | 47,372,000  |
| (2) 20-Elections.....  | 43,224,000  |
| (3) 30-Archives.....   | 10,242,000  |
| (4) 50.01-Administration and Technology.....   | 23,529,000  |
| (5) 50.02-Distributed Administration and Technology.....   | -23,529,000 |
| (6) Reimbursements.....  | -7,038,000  |
| (7) Amount payable from the Secretary of State's Business Fees Fund (Item 0890-001-0228).....      | -37,720,000 |
| (8) Amount payable from the Federal Trust Fund (Item 0890-001-0890).....                           | -24,361,000 |
| (9) Amount payable from the Victims of Corporate Fraud Compensation Fund (Item 0890-001-3042)..... | -1,561,000  |

Provisions:

1. The Secretary of State may not expend any special handling fees authorized by Chapter 999 of the Statutes of 1999 which are collected in excess of the cost of administering those special handling fees unless specifically authorized by the Legislature.
2. Of the amounts appropriated in this item, \$24,361,000 shall be used for operational costs associated with implementation of the Help America Vote Act of 2002 (42 U.S.C. Sec. 15301 et seq.).
3. Of the funds appropriated in this item, \$5,950,000 is available for preparing, printing, and mailing the state ballot pamphlet pursuant to Article 7 (commencing with Section 9080) of Chapter 1 of Division 9 of the Elections Code. Any unexpended funds pursuant to this provision shall revert to the General Fund.
4. The Director of Finance may augment this item by up to \$10,000,000 if the Secretary of State demonstrates why the funding is necessary to cover its costs for the statewide special election to be conducted before June 30, 2011. The Department of Finance shall provide notification of the adjustment to the Joint Legislative Budget Committee not more than 10 working days after the date of the approval of the adjustment.

SEC. 3. Item 2120-011-0117 is added to Section 2.00 of the Budget Act of 2010, to read:

2120-011-0117—For transfer by the Controller, upon order of the Director of Finance, from the Alcoholic Beverage Control Appeals Fund to the General Fund as a loan..... (500,000)

Provisions:

1. The Director of Finance may transfer up to \$500,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (a) the fund or account from which the loan was made has a need for the moneys, or (b) there is no longer a need for the moneys in the fund or ac-

count that received 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. 4. Item 2240-011-0101 is added to Section 2.00 of the Budget Act of 2010, to read:

2240-011-0101—For transfer by the Controller, upon order of the Director of Finance, from the School Facilities Fee Assistance Fund to the General Fund..... (880,000)

Provisions:

- 1. The Director of Finance may transfer additional amounts that are determined to be available.

SEC. 5. Item 2240-011-0929 is added to Section 2.00 of the Budget Act of 2010, to read:

2240-011-0929—For transfer by the Controller, upon order of the Director of Finance, from the Housing Rehabilitation Loan Fund to the General Fund as a loan..... (18,000,000)

Provisions:

- 1. The Director of Finance may transfer up to \$18,000,000 as a loan to the General Fund. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (a) the fund or account from which the loan was made has a need for the moneys, or (b) there is no longer a need for the moneys in the fund or account that received 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. 6. Item 2660-013-0042 is added to Section 2.00 of the Budget Act of 2010, to read:

2660-013-0042—For transfer by the Controller, upon order of the Director of Finance, from the State Highway Account, Transportation Tax Fund, to the General Fund as a loan..... (147,100,000)

Provisions:

1. The Director of Finance may transfer up to \$147,100,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (a) the fund or account from which the loan was made has a need for the moneys, or (b) there is no longer a need for the moneys in the fund or account that received 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.
2. The Director of Finance may authorize short-term cashflow loans from the General Fund to the State Highway Account to provide adequate cash for costs funded from that account. The total outstanding loan shall not exceed \$313,000,000 at any point in time. Repayment of these loans shall be made no later than 30 days after the date of enactment of the subsequent annual Budget Act after any loan is made pursuant to this section. No budgetary impact shall result from these loans.

SEC. 7. Item 3360-011-0382 is added to Section 2.00 of the Budget Act of 2010, to read:

3360-011-0382—For transfer by the Controller, upon order of the Director of Finance, from the Renewable Resource Trust Fund to the General Fund as a loan..... (20,000,000)

Provisions:

1. The Director of Finance may transfer up to \$20,000,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (a) the fund or account from which the loan was made has a need for the moneys, or (b) there is no longer a need for the moneys in the fund or account that received 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. 8. Item 3500-011-0100 is added to Section 2.00 of the Budget Act of 2010, to read:

3500-011-0100—For transfer by the Controller, upon order of the Director of Finance, from the California Used Oil Recycling Fund to the General Fund as a loan..... (2,500,000)

Provisions:

1. The Director of Finance may transfer up to \$2,500,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (a) the fund or account from which the loan was made has a need for the moneys, or (b) there is no longer a need for the moneys in the fund or account that received 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. 9. Item 3500-013-3065 is added to Section 2.00 of the Budget Act of 2010, to read:

3500-013-3065—For transfer by the Controller, upon order of the Director of Finance, from the Electronic Waste Recovery and Recycling Account, Integrated Waste Management Fund, to the General Fund as a loan..... (27,000,000)

Provisions:

1. The Director of Finance may transfer up to \$27,000,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (a) the fund or account from which the loan was made has a need for the moneys, or (b) there is no longer a need for the moneys in the fund or account that received 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. 10. Item 3600-011-0321 is added to Section 2.00 of the Budget Act of 2010, to read:

3600-011-0321—For transfer by the Controller, upon order of the Director of Finance, from the Oil Spill Response Trust Fund to the General Fund as a loan..... (40,000,000)

Provisions:

1. The Director of Finance may transfer up to \$40,000,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that any of the following circumstances exists: (a) the fund or account from which the loan was made has a need for the moneys, (b) an event, as described in Section 8670.48 of the Government Code, has occurred and necessary response funds are needed, or (c) there is no longer a need for the moneys in the fund or account that received 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. 11. Item 3680-011-0516 is added to Section 2.00 of the Budget Act of 2010, to read:

3680-011-0516—For transfer by the Controller, upon order of the Director of Finance, from the Harbors and Watercraft Revolving Fund to the General Fund as a loan..... (17,000,000)

Provisions:

1. The Director of Finance may transfer up to \$17,000,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that any of the following circumstances exists: (a) the fund or account from which the loan was made has a need for the moneys,

or (b) there is no longer a need for the moneys in the fund or account that received 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. 12. Item 3790-011-0263 is added to Section 2.00 of the Budget Act of 2010, to read:

3790-011-0263—For transfer by the Controller, upon order of the Director of Finance, from the Off-Highway Vehicle Trust Fund to the General Fund as a loan..... (21,000,000)

Provisions:

1. The Director of Finance may transfer up to \$21,000,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (a) the fund or account from which the loan was made has a need for the moneys, or (b) there is no longer a need for the moneys in the fund or account that received 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. 13. Item 3940-011-0225 is added to Section 2.00 of the Budget Act of 2010, to read:

3940-011-0225—For transfer by the Controller, upon order of the Director of Finance, from the Environmental Protection Trust Fund to the General Fund..... (1,175,000)

Provisions:

1. Notwithstanding Section 25270.11 of the Health and Safety Code, the Director of Finance may transfer \$1,175,000 from the Environmental Protection Trust Fund to the General Fund.

SEC. 14. Item 3940-011-3147 is added to Section 2.00 of the Budget Act of 2010, to read:

3940-011-3147—For transfer by the Controller, upon order of the Director of Finance, from the State Water Pollution Control Revolving Fund Small Community Grant Fund to the General Fund as a loan..... (3,000,000)

Provisions:

- 1. The Director of Finance may transfer up to \$3,000,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (a) the fund or account from which the loan was made has a need for the moneys, or (b) there is no longer a need for the moneys in the fund or account that received 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. 15. Item 3960-011-0014 is added to Section 2.00 of the Budget Act of 2010, to read:

3960-011-0014—For transfer by the Controller, upon order of the Director of Finance, from the Hazardous Waste Control Account to the General Fund as a loan..... (13,000,000)

Provisions:

- 1. The Director of Finance may transfer up to \$13,000,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (a) the fund or account from which the loan was made has a need for the moneys, or (b) there is no longer a need for the moneys in the fund or account that received 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. 16. Item 3960-011-0018 is added to Section 2.00 of the Budget Act of 2010, to read:

3960-011-0018—For transfer by the Controller, upon order of the Director of Finance, from the Site Remediation Account to the General Fund as a loan..... (1,000,000)

Provisions:

- 1. The Director of Finance may transfer up to \$1,000,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (a) the fund or account from which the loan was made has a need for the moneys, or (b) there is no longer a need for the moneys in the fund or account that received 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. 17. Item 3960-011-0065 is added to Section 2.00 of the Budget Act of 2010, to read:

3960-011-0065—For transfer by the Controller, upon order of the Director of Finance, from the Illegal Drug Lab Cleanup Account to the General Fund as a loan..... (1,000,000)

Provisions:

- 1. The Director of Finance may transfer up to \$1,000,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (a) the fund or account from which the loan was made has a need for the moneys, or (b) there is no longer a need for the moneys in the fund or account that received 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. 18. Item 3960-012-1003 is added to Section 2.00 of the Budget Act of 2010, to read:

3960-012-1003—For transfer by the Controller, upon order of the Director of Finance, from the Cleanup Loans and Environmental Assistance to Neighborhoods Account to the General Fund as a loan..... (500,000)

Provisions:

- 1. The Director of Finance may transfer up to \$500,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (a) the fund or account from which the loan was made has a need for the moneys, or (b) there is no longer a need for the moneys in the fund or account that received 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. 19. Item 5180-011-0131 is added to Section 2.00 of the Budget Act of 2010, to read:

5180-011-0131—For transfer by the Controller, upon order of the Director of Finance, from the Foster Family Home and Small Family Home Insurance Fund to the General Fund.... (3,000,000)

SEC. 20. Item 8660-011-0470 is added to Section 2.00 of the Budget Act of 2010, to read:

8660-011-0470—For transfer by the Controller, upon order of the Director of Finance, from the California High-Cost Fund-B Administrative Committee Fund to the General Fund as a loan..... (100,000,000)

Provisions:

- 1. The Director of Finance may transfer up to \$100,000,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (a) the fund or account from which the loan was made has a need for the moneys, or (b) there is no longer a need for the moneys

in the fund or account that received 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. 21. Item 8660-011-3141 is added to Section 2.00 of the Budget Act of 2010, to read:

8660-011-3141—For transfer by the Controller, upon order of the Director of Finance, from the California Advanced Services Fund to the General Fund as a loan..... (75,000,000)

Provisions:

1. The Director of Finance may transfer up to \$75,000,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (a) the fund or account from which the loan was made has a need for the moneys, or (b) there is no longer a need for the moneys in the fund or account that received 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. 22. Item 8660-012-0462 is added to Section 2.00 of the Budget Act of 2010, to read:

8660-012-0462—For transfer by the Controller, upon order of the Director of Finance, from the Public Utilities Commission Utilities Reimbursement Account to the General Fund as a loan..... (25,000,000)

Provisions:

1. The Director of Finance may transfer up to \$25,000,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (a) the fund or account from which the loan was made has a need for the moneys,

or (b) there is no longer a need for the moneys in the fund or account that received 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. 23. Section 39.00 is added to the Budget Act of 2010 (Chapter 712 of the Statutes of 2010), to read:

Sec. 39.00. The Legislature hereby finds and declares that the following bills of the 2011–12 Regular Session are other bills providing for appropriations related to the Budget Bill within the meaning of subdivision (e) of Section 12 of Article IV of the California Constitution: AB 93, AB 94, AB 95, AB 96, AB 97, AB 98, AB 99, AB 100, AB 101, AB 102, AB 103, AB 104, AB 105, AB 106, AB 107, AB 108, AB 109, AB 110, AB 111, AB 112, AB 113, AB 114, AB 115, AB 116, AB 117, AB 118, AB 119, AB 120, AB 121, AB 122, SB 70, SB 71, SB 72, SB 73, SB 74, SB 75, SB 76, SB 77, SB 78, SB 79, SB 80, SB 81, SB 82, SB 83, SB 84, SB 85, SB 86, SB 87, SB 89, SB 90, SB 91, SB 92, SB 93, SB 94, SB 95, SB 96, SB 97, SB 98, and SB 99.

SEC. 24. This act is a Budget Bill within the meaning of subdivision (e) of Section 12 of Article IV of the California Constitution and shall take effect immediately.



Approved \_\_\_\_\_, 2011

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*Governor*