

AMENDED IN SENATE JANUARY 25, 2012
AMENDED IN SENATE JANUARY 19, 2012
AMENDED IN SENATE JANUARY 11, 2012
AMENDED IN SENATE MAY 11, 2011
AMENDED IN SENATE APRIL 5, 2011
AMENDED IN SENATE MARCH 22, 2011

SENATE BILL

No. 730

Introduced by Senator Kehoe

February 18, 2011

An act relating to the payment of claims against the state, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 730, as amended, Kehoe. Claims against the state: appropriation.

Existing law authorizes a procedure for the payment of claims against the state.

This bill would appropriate ~~\$13,262,000~~ \$12,992,000 from specified funds to the Department of Justice to pay for specified settlements of claims against the state.

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

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

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

1 SECTION 1. The sum of ~~thirteen million two hundred sixty-two~~
 2 ~~thousand dollars (\$13,262,000)~~ *twelve million nine hundred*
 3 *ninety-two thousand dollars (\$12,992,000)* is hereby appropriated
 4 to the Department of Justice to be allocated in accordance with
 5 the following schedule:

6 (a) The sum of one million five hundred thousand dollars
 7 (\$1,500,000) is hereby appropriated from the State Parks and
 8 Recreation Fund to pay for the settlement in the case of Aaron
 9 Ciccotti, Harold Ciccotti, and Bradley Ciccotti v. State of California
 10 (Merced County Superior Court, 2011, No. CV000577). Any funds
 11 appropriated in excess of the amounts required for the payment of
 12 this claim shall revert to the State Parks and Recreation Fund on
 13 June 30 of the fiscal year in which the final payment is made.

14 (b) (1) The sum of ~~eleven million seven hundred sixty-two~~
 15 ~~thousand dollars (\$11,762,000)~~ *four hundred ninety-two thousand*
 16 *dollars (\$11,492,000)* is hereby appropriated from the General
 17 Fund to be allocated in accordance with the following schedule:

18 (A) The sum of six million dollars (\$6,000,000) to pay the
 19 settlements and accumulated interest in the cases of Environmental
 20 Protection Information Center v. California Department of Forestry
 21 and Fire Protection (Humboldt County Superior Court, 2011, No.
 22 CV990445), and Steelworkers of America v. California Department
 23 of Forestry and Fire Protection (Humboldt County Superior Court,
 24 2011, No. CV990452).

25 (B) The sum of three hundred twelve thousand dollars
 26 (\$312,000) to pay the settlement and accumulated interest in
 27 California School Boards Association, et al. v. State of California
 28 (San Diego County Superior Court, 2011, No. 37-2007-00082249).

29 (C) The sum of ~~four million five hundred thousand dollars~~
 30 ~~(\$4,500,000)~~ *two hundred thirty thousand dollars (\$4,230,000)* to
 31 pay the settlement and accumulated interest in Mather Development
 32 Partners IV, L.P. v. EdFund, Inc., et al. (Sacramento County
 33 Superior Court, 2011, No. 34-2011-00095194).

34 (D) The sum of nine hundred fifty thousand dollars (\$950,000)
 35 to pay the settlement and accumulated interest in Entertainment
 36 Merchants' Association v. Brown (United States Supreme Court,
 37 2011, No. 08-1448, referred to the United States Court of Appeals
 38 for the Ninth Circuit, 2012, No. 07-16620).

1 (2) Any funds appropriated in excess of the amounts required
2 for the payment of the claims described in paragraph (1) shall
3 revert to the General Fund on June 30 of the fiscal year in which
4 the final payment is made.

5 SEC. 2. This act is an urgency statute necessary for the
6 immediate preservation of the public peace, health, or safety within
7 the meaning of Article IV of the Constitution and shall go into
8 immediate effect. The facts constituting the necessity are:

9 In order to pay judgment and settlement claims against the state
10 and end hardship to claimants as quickly as possible, it is necessary
11 for this act to take effect immediately.