

**Assembly Bill No. 818**

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Passed the Assembly    September 15, 1995

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*Chief Clerk of the Assembly*

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Passed the Senate    September 15, 1995

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*Secretary of the Senate*

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This bill was received by the Governor this \_\_\_\_ day  
of \_\_\_\_\_, 1995, at \_\_\_\_ o'clock \_\_M.

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*Private Secretary of the Governor*

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## CHAPTER \_\_\_\_

An act to amend Section 17613 of the Government Code, to amend Sections 14205 and 14206 of the Penal Code, to amend Sections 4703 and 4703.2 of, and to add Section 95.31 to, the Revenue and Taxation Code, and to amend Section 1 of Chapter 241 of the Statutes of 1993, relating to state and local government, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

## LEGISLATIVE COUNSEL'S DIGEST

AB 818, Vasconcellos. State and local government.

(1) Existing law authorizes the Director of Finance, upon receipt of certain reports, to authorize the augmentation of the amount available for expenditure contained in any schedule in a specified budget act item or any amount appropriated in a local government claims bill, for reimbursement of claims of local agencies and school districts for costs mandated by the state.

This bill would remove the restriction that the augmentation be contained in a specified budget act item and would make other clarifying changes, as specified.

(2) Existing law imposes certain requirements on all local police and sheriff's departments with respect to the reporting of missing persons.

This bill would provide that these requirements shall not be operative after July 1, 1995, unless the governing body of that local agency adopts a resolution expressly making those requirements operative.

(3) Existing property tax law authorizes a county to adopt procedures utilizing a property tax losses reserve fund to cover losses that may occur in the amount of property tax liens as a result of special sales of tax-defaulted property. Existing law allows a county to credit moneys, that otherwise would be deposited in a property tax losses reserve fund, to the county general fund, where the reserve fund exceeds 2% of the total levies on the secured roll with respect to certain entities,



or, if the county so elects by September 1 of the fiscal year, where the amount of the fund exceeds 50% of total delinquent secured taxes and assessments for the fiscal year. Existing law provides that this election, once made, remains effective until the board of supervisors rescinds the election by September 1 of a subsequent fiscal year.

This bill would reduce the 2% limitation to 1%, and would allow the amount of the total delinquent secured taxes and assessments for the fiscal year to be maintained at not less than 25%. The bill would instead require any election or any rescission of the election to be made by October 31 of a subsequent fiscal year.

The bill would permit any eligible county, as defined, to participate in the State-County Property Tax Administration Program and would authorize specified loans under that program.

(4) Existing law requires the state to reimburse local agencies for state-mandated costs.

This bill would appropriate \$11,359,000 from the General Fund to the Controller for the payment of claims for reimbursement of specified state-mandated costs. It would also require the Controller to prepare claiming instructions and accept claims for specified state-mandated costs.

(5) Existing law permits the Director of Corrections to enter into an agreement with a city, county, or city and county to transfer prisoners in the custody of the Department of Corrections to a local correctional facility.

The bill would appropriate \$1,000,000 from any moneys appropriated to the Department of Corrections, to loan \$200,000 each to the Cities of Adelanto, Folsom, Delano, Shafter, and Taft which have entered into agreements pursuant to the above-mentioned provisions. The bill would provide that if these cities prevail on appeal in the matter of City of Adelanto v. State of California, the loans shall be offset against the judgment in favor of the cities.

(6) Existing law requires the State Board of Control to report to the Legislature when there is no sufficient appropriation available for the payment of a claim against the state allowed by the board.



This bill would appropriate \$1,800,683.38, as scheduled, to the executive officer of the State Board of Control to pay claims accepted by the State Board of Control.

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

Appropriation: yes.

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

SECTION 1. Section 17613 of the Government Code is amended to read:

17613. (a) The Director of Finance may, upon receipt of any report submitted pursuant to Section 17567, authorize the augmentation of the amount available for expenditure to reimburse costs mandated by the state, as defined in Section 17514, as follows:

(1) For augmentation of (A) any schedule in any item to reimburse costs mandated by the state in any budget act, or (B) the amount appropriated in a local government claims bill for reimbursement of the claims of local agencies, as defined by Section 17518, from the unencumbered balance of any other item to reimburse costs mandated by the state in that budget act or another budget act or in an appropriation for reimbursement of the claims of local agencies in another local government claims bill.

(2) For augmentation of (A) any schedule in any budget act item, or (B) any amount appropriated in a local government claims bill, when either of these augmentations is for reimbursement of mandated claims of school districts, as defined in Section 17519, when the source of this augmentation is (A) the unencumbered balance of any other scheduled amount in that budget act or another budget act, or (B) an appropriation in another local government claims bill, when either of these appropriations is for reimbursement of mandate claims of school districts. This paragraph applies only to appropriations that are made for the purpose of meeting the minimum funding guarantee for educational



programs pursuant to Section 8 of Article XVI of the California Constitution.

(b) No authorization for an augmentation pursuant to this section may be made sooner than 30 days after the notification in writing of the necessity therefor to the chairperson of the committee in each house which considers appropriations and the chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time as the chairperson of the joint committee, or his or her designee, may in each instance determine.

SEC. 2. Section 14205 of the Penal Code is amended to read:

14205. (a) All local police and sheriffs' departments shall accept any report, including any telephonic report, of a missing person, including runaways, without delay and shall give priority to the handling of these reports over the handling of reports relating to crimes involving property. In cases where the person making a report of a missing person or runaway, contacts, including by telephone, the California Highway Patrol, the California Highway Patrol may take the report, and shall immediately advise the person making the report of the name and telephone number of the police or sheriff's department having jurisdiction of the residence address of the missing person and of the name and telephone number of the police or sheriff's department having jurisdiction of the place where the person was last seen. In cases of reports involving missing persons, including, but not limited to, runaways, the local police or sheriff's department shall immediately take the report and make an assessment of reasonable steps to be taken to locate the person. If the missing person is under 12 years of age, or there is evidence that the person is at risk, the department shall broadcast a "Be On the Look-Out" bulletin, without delay, within its jurisdiction.

(b) If the person reported missing is under 12 years of age, or if there is evidence that the person is at risk, the local police, sheriff's department, or the California Highway Patrol shall submit the report to the Attorney



General's office within four hours after accepting the report. After the California Law Enforcement Telecommunications System online missing person registry becomes operational, the reports shall be submitted, within four hours after accepting the report, to the Attorney General's office through the use of the California Telecommunications System.

(c) In cases where the report is taken by a department, other than that of the city or county of residence of the missing person or runaway, the department, or division of the California Highway Patrol taking the report shall, without delay, and, in the case of children under 12 years of age or where there was evidence that the missing person was at risk, within no more than 24 hours, notify, and forward a copy of the report to the police or sheriff's department or departments having jurisdiction of the residence address of the missing person or runaway and of the place where the person was last seen. The report shall also be submitted by the department or division of the California Highway Patrol which took the report to the center.

(d) The requirements imposed by this section on local police and sheriff's departments shall not be operative after July 1, 1995, unless the governing body of that local agency adopts a resolution expressly making those requirements operative.

SEC. 3. Section 14206 of the Penal Code is amended to read:

14206. (a) (1) When any person makes a report of a missing person to a police department, sheriff's department, district attorney's office, California Highway Patrol, or other law enforcement agency, the report shall be given in person or by mail in a format acceptable to the Attorney General. That form shall include a statement authorizing the release of the dental or skeletal X-rays, or both, of the person reported missing and authorizing the release of a recent photograph of a person reported missing who is under 18 years of age. Included with the form shall be instructions which state that if the person reported missing is still missing 30 days



after the report is made, the release form signed by a member of the family or next of kin of the missing person shall be taken by the family member or next of kin to the dentist, physician and surgeon, or medical facility in order to obtain the release of the dental or skeletal X-rays, or both, of that person or may be taken by a peace officer, if others fail to take action, to secure those X-rays. Notwithstanding any other provision of law, dental or skeletal X-rays, or both, shall be released by the dentist, physician and surgeon, or medical facility to the person presenting the request and shall be submitted within 10 days by that person to the police or sheriff's department or other law enforcement agency having jurisdiction over the investigation. When the person reported missing has not been found within 30 days and no family or next of kin exists or can be located, the law enforcement agency may execute a written declaration, stating that an active investigation seeking the location of the missing person is being conducted, and that the dental or skeletal X-rays, or both, are necessary for the exclusive purpose of furthering the investigation. Notwithstanding any other provision of law, the written declaration, signed by a peace officer, is sufficient authority for the dentist, physician and surgeon, or medical facility to release the missing person's dental or skeletal X-rays, or both.

(2) The form provided under this subdivision shall also state that if the person reported missing is under 18 years of age, the completed form shall be taken to the dentist, physician and surgeon, or medical facility immediately when the law enforcement agency determines that the disappearance involves evidence that the person is at risk or when the law enforcement agency determines that the person missing is under 12 years of age and has been missing at least 14 days. The form shall further provide that the dental or skeletal X-rays, or both, and a recent photograph of the missing child shall be submitted immediately to the law enforcement agency. Whenever authorized under this subdivision to execute a written declaration to obtain the release of dental or skeletal X-rays, or both, is provided, the investigating law



enforcement agency may obtain those X-rays when a person reported missing is under 18 years of age and the law enforcement agency determines that the disappearance involves evidence that the person is at risk. In each case, the law enforcement agency may confer immediately with the coroner or medical examiners and may submit its report including the dental or skeletal X-rays, or both, within 24 hours thereafter to the Attorney General. The Attorney General's office shall code and enter the dental or skeletal X-rays, or both, into the center.

(b) When a person reported missing has not been found within 45 days, the sheriff, chief of police, or other law enforcement agency conducting the investigation for the missing person may confer with the coroner or medical examiner prior to the preparation of a missing person report. The coroner or medical examiner shall cooperate with the law enforcement agency. After conferring with the coroner or medical examiner, the sheriff, chief of police, or other law enforcement agency initiating and conducting the investigation for the missing person may submit a missing person report and the dental or skeletal X-rays, or both, and photograph received pursuant to subdivision (a) to the Attorney General's office in a format acceptable to the Attorney General.

Nothing in this section prohibits a parent or guardian of a child, reported to a law enforcement agency as missing, from voluntarily submitting fingerprints, and other documents, to the law enforcement agency accepting the report for inclusion in the report which is submitted to the Attorney General.

(c) The requirements imposed by this section on local police and sheriff's departments shall not be operative after July 1, 1995, unless the governing body of that local agency adopts a resolution expressly making those requirements operative.

SEC. 4. Section 95.31 is added to the Revenue and Taxation Code, to read:



95.31. (a) Notwithstanding any other provision of law, any eligible county may, upon the recommendation of the county assessor, and by resolution of the board of supervisors of that county adopted not later than December 1 of the fiscal year for which it is to first apply, elect to participate in the State-County Property Tax Administration Program. For purposes of this section, an eligible county shall mean a county in which additional property tax revenue allocated to school entities would reduce the amount of General Fund moneys apportioned to school entities. However, eligibility shall be terminated when, in combination with resources in the Educational Revenue Augmentation Fund, additional property tax revenues allocated to school entities will not result in a reduction in the General Fund apportionments.

(b) (1) In each of the 1995–96, 1996–97, and 1997–98 fiscal years, an eligible county participating in the State-County Property Tax Administration Program may receive a loan for up to the amount listed in paragraph (3). The loan shall be repaid by June 30 of the fiscal year following the year in which the loan is made. However, at the discretion of the Director of Finance, the loan may be renewed once for an additional 12-month period at the request of the participating county board of supervisors.

(2) If an eligible county elects to participate in the State-County Property Tax Administration Program, it shall enter into a contractual agreement with the Department of Finance. At a minimum, the contractual agreement shall include the following:

(A) The loan amount, as determined by the Director of Finance.

(B) Repayment provisions, including the interception of Motor Vehicle License Fee Account moneys apportioned pursuant to Section 11005 to repay the General Fund.

(C) A listing of the proposed use of the additional resources including, but not limited to:

- (i) Proposed new positions.
- (ii) Increased automation costs.



(D) An agreement to provide to the Department of Finance, by March 31 of the fiscal year in which the loan is made, a report projecting the impact of the increased funding in the current and subsequent fiscal year.

(3) Upon request of the Department of Finance, the Controller shall provide a loan to the following counties for up to the amount specified by the Director of Finance, not to exceed the following amounts:

Jurisdiction	Amount
Alameda .....	\$ 2,152,429
Alpine .....	3,124
Amador .....	80,865
Butte .....	381,956
Calaveras .....	109,897
Colusa .....	53,957
Contra Costa .....	2,022,088
Del Norte .....	36,203
El Dorado .....	302,795
Fresno .....	1,165,249
Glenn .....	59,197
Humboldt .....	210,806
Imperial .....	231,673
Inyo .....	100,080
Kern .....	1,211,318
Kings .....	138,653
Lake .....	117,376
Lassen .....	54,699
Los Angeles .....	13,451,670
Madera .....	212,991
Marin .....	790,490
Mariposa .....	46,476
Mendocino .....	160,435
Merced .....	298,004
Modoc .....	24,022
Mono .....	47,778
Monterey .....	795,819
Napa .....	366,020
Nevada .....	234,292
Orange .....	6,826,325



Placer .....	628,047
Plumas .....	80,606
Riverside .....	2,358,068
Sacramento .....	1,554,245
San Benito .....	90,408
San Bernardino .....	2,139,938
San Diego .....	5,413,943
San Francisco .....	1,013,332
San Joaquin .....	818,686
San Luis Obispo .....	736,288
San Mateo .....	2,220,001
Santa Barbara .....	926,817
Santa Clara .....	4,213,639
Santa Cruz .....	565,328
Shasta .....	342,399
Sierra .....	7,383
Siskiyou .....	91,164
Solano .....	469,207
Sonoma .....	1,035,049
Stanislaus .....	866,155
Sutter .....	147,436
Tehama .....	97,222
Trinity .....	24,913
Tulare .....	501,907
Tuolumne .....	126,067
Ventura .....	1,477,789
Yolo .....	278,309
Yuba .....	88,968

(4) The Department of Finance shall consider any or all of the following items in determining the extent to which a county has satisfied the terms and repaid the loan, pursuant to the contract, as offered under this part:

(A) County performance as indicated by the State Board of Equalization’s sample survey required pursuant to Section 15640 of the Government Code.

(B) Performance measures adopted by the California Assessors’ Association.

(C) Reduction of backlog of assessment appeals and Proposition 8 declines in value.



(D) County compliance with mandatory audits required by Section 469.

(E) Reduction of backlogs in new construction, changes in ownership, and supplemental roll.

(F) Other measures, as determined by the Director of Finance.

(5) The Director of Finance shall notify the Controller of any participating county that fails to comply with the terms of the agreement, including the repayment of the loan. When the Controller receives notice from the Director of Finance, the Controller shall make an apportionment to the General Fund on behalf of the participating county in the amount of that required payment for the purpose of making that payment. The Controller shall make that payment only from moneys credited to the Motor Vehicle License Fee Account in the Transportation Tax Fund to which the participating county is entitled at that time under Chapter 5 (commencing with Section 11001) of Part 5 of Division 2, and shall thereupon reduce, by the amount of the payment, the subsequent allocation or allocations to which the county would otherwise be entitled under that chapter.

(c) Funds appropriated for purposes of this section shall be used to enhance the property tax administration system by providing supplemental resources. Amounts provided to any county as a loan pursuant to this section shall not be used to supplant the current level of funding. In order to participate in the State-County Property Tax Administration Program, a participating county shall maintain a base staffing, including contract staff, and total funding level in the county assessor's office, independent of the loan proceeds provided pursuant to this act, equal to the levels in the 1994-95 fiscal year exclusive of amounts provided to the Assessor's Office pursuant to Item 9100-102-001 of the Budget Act of 1994. However, in a county in which the 1994-95 funding level for the assessor's office was higher than the 1993-94 level, the 1993-94 fiscal year staffing and funding levels shall be considered the base year for purposes of this section.



(d) A participating county may establish a tracking system whereby a work or function number is assigned to each appraisal or administrative activity. That system should provide statistical data on the number of production units performed by each employee and the positive and negative change in assessed value attributable to the activities performed by each employee.

(e) Notwithstanding Section 95.3, no amount of funds provided to an eligible county pursuant to this section shall result in any deduction from those property tax administrative costs that are eligible for reimbursement pursuant to Section 95.3.

SEC. 5. Section 4703 of the Revenue and Taxation Code is amended to read:

4703. In each county that elects to adopt the procedure authorized by this chapter there is hereby created a tax losses reserve fund.

(a) The tax losses reserve fund shall be used exclusively, as hereinafter provided, to cover losses that may occur in the amount of tax liens as a result of special sales of tax-defaulted property. Whenever in any year the amount of the tax losses reserve fund has reached an amount equivalent to 1 percent of the total of all taxes and assessments levied on the secured roll for that year for participating entities in the county, the amounts hereinafter authorized to be credited to that fund may, for the remainder of that year, be credited to the county general fund.

(b) The auditor and treasurer shall keep apportioned tax resources accounts in a manner that the balance of amounts apportioned to funds on an accrual basis shall be known by both officers. In addition, the auditor shall keep secured taxes receivable accounts in a manner as to establish accountability for the amounts receivable on the secured tax rolls. Secured tax rolls, as used in this chapter, include delinquent rolls prescribed by Section 2627.

SEC. 6. Section 4703.2 of the Revenue and Taxation Code is amended to read:



4703.2. (a) In any county electing to follow the procedure authorized by this chapter, the board of supervisors may, by October 31 of any fiscal year, on the recommendation of the county auditor, adopt a resolution electing to be governed by this section rather than the provisions of Section 4703. Upon adoption, a copy of this resolution shall be filed with the county auditor, the county treasurer, and the county tax collector. Except as otherwise provided in this subdivision, this election shall remain in effect each fiscal year unless the board of supervisors adopts another resolution by October 31 of a fiscal year electing to be governed instead by Section 4703. For the 1993–94 fiscal year only, the election to be governed by this section rather than Section 4703 may be made no later than January 15, 1994. For the 1994–95 fiscal year only, an election to be governed by this section rather than Section 4703 may be rescinded, upon the recommendation of the county auditor, by a resolution electing governance under Section 4703 that is adopted by the board of supervisors on any date during that fiscal year.

(b) In each county that elects to adopt the procedure authorized by this chapter and elects to be governed by this section rather than Section 4703 there shall be created a tax losses reserve fund.

(c) The tax losses reserve fund shall be used exclusively, as hereinafter provided, to cover losses that may occur in the amount of tax liens as a result of special sales of tax-defaulted property. In a county electing to be subject to this section rather than Section 4703, the tax losses reserve fund shall be maintained at not less than 25 percent of the total delinquent secured taxes and assessments for participating entities in the county as calculated at the end of the fiscal year. At the end of the fiscal year, amounts in the tax losses reserve fund that are in excess of 25 percent of the total delinquent secured taxes and assessments for participating entities in the county may be credited to the county general fund.

(d) The auditor and treasurer shall keep apportioned tax resources accounts in such a manner that the balance



of amounts apportioned to funds on an accrual basis shall be known by both officers. In addition, the auditor shall keep secured taxes receivable accounts in such a manner as to establish accountability for the amounts receivable on the secured tax rolls. Secured tax rolls as used in this chapter include delinquent rolls prescribed by Section 2627.

SEC. 7. Section 1 of Chapter 241 of the Statutes of 1993 is amended to read:

Section 1. The sum of one hundred fifteen million one hundred sixty-two thousand dollars (\$115,162,000) is hereby appropriated to the Controller for the payment of claims for reimbursement of state-mandated costs, according to the following schedule:

(a) One hundred fourteen million seven hundred twenty-nine thousand dollars (\$114,729,000) from the General Fund, to be allocated as follows:

(1) One million eight hundred seventy-three thousand dollars (\$1,873,000) for the reimbursement of claims of school districts and community colleges, as specified, to be allocated as follows:

(A) Eight hundred seventy-three thousand dollars (\$873,000) for the payment of claims of school districts seeking reimbursable state-mandated costs incurred pursuant to Chapter 1607 of the Statutes of 1984, Chapter 78 of the Statutes of 1988, and Chapter 1457 of the Statutes of 1989 (School Crimes Statistics Reporting and Validation), for the 1993–94 fiscal year.

(B) One million dollars (\$1,000,000) to cover deficiencies resulting from the enactment of Chapter 369 of the Statutes of 1992 in accordance with the following schedule:

One million dollars (\$1,000,000) for the payment of claims of school districts seeking reimbursable state-mandated costs incurred pursuant to Chapter 1659 of the Statutes of 1984 (Emergency Procedures) for the 1993–94 fiscal year.

(2) One hundred twelve million eight hundred fifty-six thousand dollars (\$112,856,000) for the



reimbursement of claims of other local governmental entities, as specified, to be allocated as follows:

(A) Five million three hundred twelve thousand dollars (\$5,312,000) for the payment of claims of counties seeking reimbursable state-mandated costs incurred pursuant to Chapter 955 of the Statutes of 1989 and State Department of Health Services Protocols (Sudden Infant Death Syndrome), for the 1990–91 through 1993–94 fiscal years.

(B) Ninety-five million six hundred fifty-nine thousand dollars (\$95,659,000) for the payment of claims of counties seeking reimbursable state-mandated costs incurred pursuant to Chapter 1747 of the Statutes of 1984; Chapter 1274 of the Statutes of 1985; and Division 9 of Title 2 of the California Code of Regulations (Handicapped and Disabled Students), for the 1986–87 through 1993–94 fiscal years.

(C) Nine million eight hundred eighty-five thousand dollars (\$9,885,000) to provide reimbursement of costs incurred under state-mandated programs for local agencies for the period of July 1, 1992, through September 2, 1992, to reimburse for those mandated programs identified in Provision 4 of Item 8885-111-101 of Chapter 587 of the Statutes of 1992, which was not in operation for this time period.

(D) Two million dollars (\$2,000,000) to restore funding for the 1992–93 fiscal year for the state-mandated program contained in Chapter 641 of the Statutes of 1986 (Open Meetings Act) for local agencies.

(b) Four hundred thirty-three thousand dollars (\$433,000) from the Restitution Fund to provide reimbursement of costs incurred under state-mandated programs.

(c) All amounts appropriated in paragraph (1) of subdivision (a) are for the purposes of meeting the funding guarantee for education programs pursuant to Section 8 of Article XVI of the California Constitution.

(d) If any of the scheduled amounts in subdivisions (a) and (b) are insufficient to provide full reimbursement of costs, the Controller may, upon notifying the Director of



Finance in writing, augment those deficient amounts from the unencumbered balance of any other scheduled amounts therein, except that unencumbered balances in any paragraph of subdivision (a) or (b) may be used to augment deficient amounts only in those items. No order may be issued pursuant to this provision unless written notification of necessity is provided to the chairperson of the committee in each house which considers appropriations and the Chairperson of the Joint Legislative Budget Committee or his or her designee.

SEC. 8. The sum of eleven million three hundred fifty-nine thousand dollars (\$11,359,000) is hereby appropriated from the General Fund to the Controller for the payment of claims for reimbursement of state-mandated local costs, according to the following schedule:

(a) The sum of five million five hundred ninety-nine thousand dollars (\$5,599,000) for the payment of claims from local agencies seeking reimbursable state-mandated costs incurred pursuant to Chapter 1579 of the Statutes of 1988 and Chapter 768 of the Statutes of 1991 (Law Enforcement/Inmate AIDS Testing), for the period from September 30, 1988, to June 30, 1994.

(b) The sum of one million two hundred fifteen thousand dollars (\$1,215,000) for the payment of claims from local agencies seeking reimbursable state-mandated costs incurred pursuant to Section 10500 of the Vehicle Code, of Chapter 337, Statutes of 1990 (Stolen Vehicle Notification), for the period from January 1, 1991, through June 30, 1996.

(c) The sum of two hundred fifteen thousand dollars (\$215,000) for the payment of claims from local agencies seeking reimbursable state-mandated costs incurred pursuant to subdivision (a) of Section 427.12, and Section 427.13, of the Health and Safety Code, of Chapter 961, Statutes of 1992, (Pacific Beach Safety: Water Quality and Closures), for the period from January 1, 1993, through June 30, 1996.

(d) The sum of one hundred ninety-one thousand dollars (\$191,000) for the payment of claims from local



agencies seeking reimbursable state-mandated costs incurred pursuant to paragraphs (1) and (2) of subdivision (b) of Section 264.2 of the Penal Code, of Chapter 999, Statutes of 1991 and Chapter 224, Statutes of 1992, and Section 13701 of the Penal Code, of Chapter 999, Statutes of 1991 (Rape Victim Counseling Center Notices), for costs incurred for Chapter 999, Statutes of 1991, the period from January 1, 1992, through June 30, 1996, and for Chapter 224, Statutes of 1992, on or after January 1, 1993, through June 30, 1996.

(e) The sum of five hundred fifty-one thousand dollars (\$551,000) for the payment of claims from local agencies seeking reimbursable state-mandated costs incurred pursuant to subdivision (g) of Section 853.6 of the Penal Code, of Chapter 1105, Statutes of 1992 (Misdemeanors: Booking and Fingerprinting), for costs incurred on or after January 1, 1993, through June 30, 1996.

(f) The sum of one million four hundred thirty-five thousand dollars (\$1,435,000) for the payment of claims from local agencies seeking reimbursable state-mandated costs incurred pursuant to Sections 1000.93, 1000.94, and 1000.95 of the Penal Code, of Chapter 221, Statutes of 1993 (Domestic Violence Treatment Program Approvals), for costs incurred on or after January 1, 1994, through June 30, 1996.

(g) The sum of four hundred forty thousand dollars (\$440,000) for payment of claims from school districts seeking reimbursable state-mandated costs incurred pursuant to Section 39831.5 of the Education Code and paragraph (3) of subdivision (c) of Section 22112 of the Vehicle Code, of Chapter 624, Statutes of 1992 (School Bus Safety), for costs incurred September 14, 1992, through June 30, 1996.

(h) The sum of one million seven hundred thirteen thousand dollars (\$1,713,000) for payment of claims from school districts seeking reimbursable state-mandated costs incurred pursuant to Sections 47605 and 47607 of the Education Code, of Chapter 781, Statutes of 1992 (Charter Schools), for costs incurred on or after January 1, 1993, through June 30, 1996.



(i) All amounts appropriated in subdivisions (g) and (h) of this section are for purposes of meeting the funding guarantee for education programs pursuant to Section 8 of Article XVI of the California Constitution.

SEC. 9. (a) The Controller shall prepare claiming instructions and accept claims from local agencies, school districts, and county offices of education seeking reimbursable state-mandated costs incurred pursuant to any of the following:

(1) Subdivisions (a), (b), and (c) of Section 10901 of the Health and Safety Code, Chapter 1603, Statutes of 1990 (Perinatal Services), for costs incurred on or after January 1, 1991, through June 30, 1996.

(2) Section 462 of the Health and Safety Code, Chapter 268, Statutes of 1991 (SIDS Contacts by Local Health Officers) for costs incurred from July 1, 1995, through June 30, 1996.

(3) Sections 324.2 and 324.3 of the Health and Safety Code, Chapter 1208, Statutes of 1976, Chapter 373, Statutes of 1991, and Chapter 759, Statutes of 1992 (Pupil Health Screenings) for costs incurred on or after July 1, 1992, through June 30, 1996.

(b) Payment of claims submitted to the Controller pursuant to this section shall not be made until funding for the state-mandated programs described in paragraphs (1), (2), and (3) of subdivision (a) is provided by a future appropriations act.

SEC. 10. (a) The sum of one million dollars (\$1,000,000) is hereby appropriated from any moneys appropriated to the Department of Corrections from the General Fund, to be distributed in the amount of two hundred thousand dollars (\$200,000) to each of the following cities that have contracts with the state pursuant to Article 1.5 (commencing with Section 2910) of Chapter 7 of Title 1 of Part 3 of the Penal Code:

- (1) Adelanto.
- (2) Folsom.
- (3) Delano.
- (4) Shafter.
- (5) Taft.



(b) The appropriation specified in subdivision (a) shall constitute a loan that each city shall repay at the rate of one hundred thousand dollars (\$100,000) per year, commencing on July 1, 1997, with interest paid at the rate earned on money in the Pooled Money Investment Account. However, if the cities specified in subdivision (a) continue to prevail on appeal in the matter of the City of Adelanto v. State of California, Superior Court No. 533586, then the loans shall be offset against the judgment in favor of the cities.

SEC. 11. The sum of one million eight hundred thousand six hundred eighty-three dollars and thirty-eight cents (\$1,800,683.38) is hereby appropriated to the executive officer of the State Board of Control for the payment of claims accepted by the State Board of Control in accordance with the following schedule:

Total for Fund: Item 5160-001-001(A),	
Budget Act 1995 .....	\$1,000.00
Total for Fund: Item 5160-101-001(A),	
Budget Act 1995 .....	\$320.00
Total for Fund: Bank and Corporation	
Tax Fund .....	\$31,914.65
Total for Fund: Compensation	
Insurance Fund .....	\$290.00
Total for Fund: Disability Fund .....	\$1,709.86
Total for Fund: Employment Develop-	
ment Department Contingent Fund .....	\$978.98
Total for Fund: Estate Tax Fund .....	\$1,517.26
Total for Fund: Federal Trust Fund .....	\$546.85
Total for Fund: General Fund .....	\$105,635.22
Total for Fund: Health Care Deposit	
Fund .....	\$1,978.86
Total for Fund: Inmates Welfare	
Fund .....	\$2,005.73
Total for Fund: Item 0250-001-001(B),	
Budget Act 1995 .....	\$211.07
Total for Fund: Item 0250-001-001(C),	
Budget Act 1995 .....	\$27,599.73



Total for Fund: Item 0820-001-001(E),	
Budget Act 1995 .....	\$59.43
Total for Fund: Item 0820-001-001(G),	
Budget Act 1995 .....	\$1,040.73
Total for Fund: Item 0840-001-001(A),	
Budget Act 1995 .....	\$847.09
Total for Fund: Item 0860-001-001(A),	
Budget Act 1995 .....	\$10,045.94
Total for Fund: Item 0860-001-001(B),	
Budget Act 1995 .....	\$47.45
Total for Fund: Item 0860-001-0019(A),	
Budget Act 1995 .....	\$285.00
Total for Fund: Item 0890-001-001(A),	
Budget Act 1995 .....	\$105.00
Total for Fund: Item 0890-001-001(B),	
Budget Act 1995 .....	\$70.00
Total for Fund: Item 1100-001-001(A),	
Budget Act 1995 .....	\$18,900.00
Total for Fund: Item 1390-001-758(A),	
Budget Act 1995 .....	\$661.80
Total for Fund: Item 1480-001-763(A),	
Budget Act 1995 .....	\$363.40
Total for Fund: Item 1600-001-780,	
Budget Act 1995 .....	\$74,650.00
Total for Fund: Item 1655-001-702(D),	
Budget Act 1995 .....	\$137.00
Total for Fund: Item 1700-001-001(A),	
Budget Act 1995 .....	\$80.30
Total for Fund: Item 1710-001-001(A),	
Budget Act 1995 .....	\$14,975.04
Total for Fund: Item 1730-001-001(A),	
Budget Act 1995 .....	\$5,595.57
Total for Fund: Item 1760-001-666(A),	
Budget Act 1995 .....	\$701.09
Total for Fund: Item 1760-001-666(B),	
Budget Act 1995 .....	\$27,955.46
Total for Fund: Item 1880-001-001(A),	
Budget Act 1995 .....	\$5,792.97



Total for Fund: Item 1900-001-830(A),	
Budget Act 1995 .....	\$217.17
Total for Fund: Item 1900-001-830(C),	
Budget Act 1995 .....	\$728.05
Total for Fund: Item 1920-001-835(A),	
Budget Act 1995 .....	\$61.07
Total for Fund: Item 1970-011-001(A),	
Budget Act 1995 .....	\$13,956.90
Total for Fund: Item 2100-001-001(C),	
Budget Act 1995 .....	\$6,346.00
Total for Fund: Item 2660-001-042(B),	
Budget Act 1995 .....	\$86,528.11
Total for Fund: Item 2720-001-044(A),	
Budget Act 1995 .....	\$31,580.04
Total for Fund: Item 2740-001-044(A),	
Budget Act 1995 .....	\$15,288.23
Total for Fund: Item 2920-001-001(A),	
Budget Act 1995 .....	\$375.00
Total for Fund: Item 3480-001-001(A),	
Budget Act 1995 .....	\$274.00
Total for Fund: Item 3480-001-001(F),	
Budget Act 1995 .....	\$99,183.49
Total for Fund: Item 3480-001-133 .....	\$2,177.66
Total for Fund: Item 3540-001-001(A),	
Budget Act 1995 .....	\$2,659.98
Total for Fund: Item 3540-001-001(B),	
Budget Act 1995 .....	\$1,890.00
Total for Fund: Item 3600-001-200(A),	
Budget Act 1995 .....	\$1,375.00
Total for Fund: Item 3600-001-200(C),	
Budget Act 1995 .....	\$4,206.79
Total for Fund: Item 3680-101-516(B),	
Budget Act 1995 .....	\$12,400.00
Total for Fund: Item 3790-001-001(A),	
Budget Act 1995 .....	\$495.98
Total for Fund: Item 3790-001-001(B),	
Budget Act 1995 .....	\$6,363.68
Total for Fund: Item 3860-001-001(A),	
Budget Act 1995 .....	\$152.97



Total for Fund: Item 3860-001-001(C),	
Budget Act 1995 .....	\$6,197.66
Total for Fund: Item 3860-001-001(E),	
Budget Act 1995 .....	\$196.62
Total for Fund: Item 3900-001-044(A),	
Budget Act 1995 .....	\$3,875.00
Total for Fund: Item 3910-001-837(A),	
Budget Act 1995 .....	\$5,811.00
Total for Fund: Item 3910-001-387(C),	
Budget Act 1995 .....	\$20,285.05
Total for Fund: Item 3960-001-014(A),	
Budget Act 1995 .....	\$6,686.44
Total for Fund: Item 4140-001-001(D),	
Budget Act 1995 .....	\$7,548.00
Total for Fund: Item 4260-001-001(1),	
Budget Act 1995 .....	\$285.30
Total for Fund: Item 4260-001-001(2),	
Budget Act 1995 .....	\$9,575.67
Total for Fund: Item 4300-001-001(A),	
Budget Act 1995 .....	\$5,696.07
Total for Fund: Item 4300-001-001(B),	
Budget Act 1995 .....	\$3,888.14
Total for Fund: Item 4300-003-001(A),	
Budget Act 1995 .....	\$15,296.26
Total for Fund: Item 4300-101-001(A),	
Budget Act 1995 .....	\$758.95
Total for Fund: Item 4310-003-101(A),	
Budget Act 1995 .....	\$259.00
Total for Fund: Item 4440-001-001(A),	
Budget Act 1995 .....	\$3,619.62
Total for Fund: Item 4440-011-001(A),	
Budget Act 1995 .....	\$5,860.26
Total for Fund: Item 5100-001-588,	
Budget Act 1995 .....	\$652.00
Total for Fund: Item 5100-001-870(A),	
Budget Act 1995 .....	\$5,260.39
Total for Fund: Item 5100-001-870(B),	
Budget Act 1995 .....	\$5,132.45



Total for Fund: Item 5160-001-001(A),	
Budget Act 1995 .....	\$8,349.84
Total for Fund: Item 5160-101-001(B),	
Budget Act 1995 .....	\$905.00
Total for Fund: Item 5180-001-001(A),	
Budget Act 1995 .....	\$834.00
Total for Fund: Item 5180-001-001(B),	
Budget Act 1995 .....	\$1,178.01
Total for Fund: Item 5180-001-001(C),	
Budget Act 1995 .....	\$125.00
Total for Fund: Item 5180-001-001(D),	
Budget Act 1995 .....	\$500.00
Total for Fund: Item 5180-001-001(F),	
Budget Act 1995 .....	\$420.00
Total for Fund: Item 5240-001-001(A),	
Budget Act 1995 .....	\$196,095.25
Total for Fund: Item 5240-001-001(B),	
Budget Act 1995 .....	\$350.00
Total for Fund: Item 5450-001-001,	
Budget Act 1995 .....	\$1,771.09
Total for Fund: Item 5460-001-001(A),	
Budget Act 1995 .....	\$4,007.38
Total for Fund: Item 5460-001-001(B),	
Budget Act 1995 .....	\$309.11
Total for Fund: Item 6110-001-001(B),	
Budget Act 1995 .....	\$57,435.93
Total for Fund: Item 6110-001-001(D),	
Budget Act 1995 .....	\$28,163.00
Total for Fund: Item 6110-005-001(A),	
Budget Act 1995 .....	\$119.34
Total for Fund: Item 6110-005-001(A3),	
Budget Act 1995 .....	\$137.00
Total for Fund: Item 6610-001-001(A),	
Budget Act 1995 .....	\$225,041.31
Total for Fund: Item 6610-301-782	
Budget Act 1995 .....	\$384,528.00
Total for Fund: Item 8350-001-001(3),	
Budget Act 1995 .....	\$10,308.13



Total for Fund: Item 8570-001-001(A),	
Budget Act 1995 .....	\$4,521.86
Total for Fund: Item 8570-001-001(B),	
Budget Act 1995 .....	\$312.33
Total for Fund: Item 8570-001-001(E),	
Budget Act 1995 .....	\$337.91
Total for Fund: Item 8660-001-412(A),	
Budget Act 1995 .....	\$4,084.59
Total for Fund: Item 8660-001-412(B),	
Budget Act 1995 .....	\$262.00
Total for Fund: Litigation Deposit	
Fund .....	\$41.76
Total for Fund: Local Jurisdiction	
Energy Assistance PVEA 429 Fund .....	\$17,448.70
Total for Fund: Motor Vehicle Account,	
Budget Act 1995 .....	\$144.00
Total for Fund: Personal Income Tax	
Fund .....	\$1,607.29
Total for Fund: Petroleum Violation	
Escrow Fund .....	\$81.58
Total for Fund: Public Employees Health	
Care Fund .....	\$155.48
Total for Fund: Public Employees	
Retirement Fund .....	\$6,415.59
Total for Fund: Retail Sales Tax	
Fund .....	\$19,534.37
Total for Fund: Senate Operating	
Fund .....	\$258.85
Total for Fund: Special Deposit Fund .....	\$15.00
Total for Fund: State Lottery Fund .....	\$902.00
Total for Fund: State Teachers' Retire-	
ment Fund .....	\$1,168.60
Total for Fund: Tax Relief and Refund	
Account .....	\$66,917.47
Total for Fund: Transportation Fund,	
State Highway Account .....	\$313.06
Total for Fund: Unclaimed Property	
Fund .....	\$17,312.26



Total for Fund: Unemployment	
Compensation Disability Fund .....	\$5,141.00
Total for Fund: Unemployment	
Fund .....	\$1,894.00
Total for Fund: Welfare Advance	
Fund .....	\$70.81

SEC. 12. 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 settle local government claims against the state for mandated costs and other claims against the state, and to end hardship to claimants, it is necessary for this act to take effect immediately.



Approved \_\_\_\_\_, 1995

\_\_\_\_\_  
*Governor*

