

Senate Bill No. 10

CHAPTER 3

An act to add and repeal Section 42250.2 of the Education Code, relating to school facilities, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor March 2, 1998. Filed with Secretary of State March 2, 1998.]

LEGISLATIVE COUNSEL'S DIGEST

SB 10, Johnston. School facilities repayment waiver.

(1) Existing law permits the State Allocation Board to allocate funds from the School Facilities Bond Act of 1992 for the expenses of purchasing and installing air-conditioning equipment and insulation materials only for schools operated on a year-round multitrack schedule in a manner that increases school capacity and reduces or eliminates the school district's need for the construction of additional classroom space. Existing law requires a school district that has received an allocation of these funds for a school that was scheduled to begin operating year round in the second subsequent fiscal year but that did not begin operating year round in that fiscal year, to repay the amount allocated with interest to the State School Building Fund.

This bill would, upon finding that there is hardship, permit the State Allocation Board to waive the repayment requirement for funds allocated in the 1993-94 and 1994-95 school years to the Amador County Unified School District. The bill would be repealed on January 1, 2000.

(2) The 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 42250.2 is added to the Education Code, to read:

42250.2. (a) Notwithstanding any other provision of law, the State Allocation Board may waive the repayment requirement set forth in subdivision (c) of Section 42250.1 for the Amador County Unified School District if the State Allocation Board finds that there is hardship due to declining enrollment or no growth. The authority to waive provided by this section shall apply only to funds allocated in accordance with Section 42250.1 to the Amador County Unified School District during the 1993-94 and 1994-95 school years.



(b) This section shall remain in effect only until January 1, 2000, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2000, deletes or extends that date.

SEC. 2. Due to the unique circumstances of the Amador County Unified School District because of pupil enrollment demographics, the Legislature hereby finds and declares that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution. This special legislation is, therefore, necessarily applicable only to the Amador County Unified School District.

SEC. 3. 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 for the State Allocation Board to grant a repayment waiver to the Amador County Unified School District, which has suffered from declining enrollment, it is necessary for this act to take effect immediately.

