

AMENDED IN ASSEMBLY APRIL 5, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

**ASSEMBLY BILL**

**No. 326**

**Introduced by Assembly Member Leonard**  
*(Coauthors: Assembly Members Bates, Battin, Briggs, Cox,  
Cunneen, Dickerson, House, Olberg, and Runner)*

February 11, 1999

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An act to add Chapter 17 (commencing with Section 7440) to Title 7 of Part 3 of the Penal Code, relating to financing the construction of ~~prison~~ *correctional* facilities by providing the funds necessary therefor through the issuance and sale of bonds of the State of California and by providing for the handling and disposition of those funds.

LEGISLATIVE COUNSEL'S DIGEST

AB 326, as amended, Leonard. ~~Prison~~—*Correctional facilities* construction.

(1) Existing law authorizes the construction of correctional facilities, as specified.

This bill, in addition, would authorize the Department of Corrections to construct and establish 6 medium, maximum, or combination thereof, security prisons throughout the State of California.

(2) Existing law contains various bond acts to finance the construction of state correctional facilities, including the New Prison Construction Bond Act of 1990, under which the proceeds of the sale of bonds in the amount of \$450,000,000 is available for the acquisition, construction, renovation,

remodeling, and deferred maintenance of state youth and adult correctional facilities.

This bill would enact the ~~New Prison Construction Bond Act of 1999~~ *State and Local Youth and Adult Offender Drug Rehabilitation Bond Act of 2000*, which, if adopted, would authorize the issuance, pursuant to the State General Obligation Bond Law, of bonds in ~~an unspecified amount~~ *the amount of \$4,100,000,000* to provide for the construction of the 6 state prisons described in (1) above, *the capital improvement of existing state and local facilities* and ~~for the purpose of refinancing~~ *to refinance* interim debt incurred for ~~these purposes~~ *the treatment, rehabilitation, and punishment of adult and juvenile offenders.*

The bill would provide for submission of the bond act to the voters at the March 7, 2000, statewide primary election in accordance with specified law.

Vote: <sup>2</sup>/<sub>3</sub>. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

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

1 SECTION 1. (a) The Department of Corrections is  
2 hereby authorized to construct and establish six medium,  
3 maximum, or combination thereof, security prisons  
4 throughout the State of California.

5 (b) The location of the prisons established pursuant to  
6 this act shall be consistent with the department's  
7 Five-Year Facilities Master Plan for the fiscal years  
8 1999–2000 to 2003–04, inclusive.

9 (c) The department shall provide space in the prisons  
10 established pursuant to this act to accommodate the need  
11 of inmates needing drug and alcohol rehabilitation.

12 (d) The number of rehabilitation spaces shall be  
13 consistent with the needs identified in the department's  
14 Five-Year Facilities Master Plan for the fiscal years  
15 1999–2000 to 2003–04, inclusive.

16 SEC. 2. Chapter 17 (commencing with Section 7440)  
17 is added to Title 7 of Part 3 of the Penal Code, to read:

18





1 ~~and the chairperson and the vice chairperson of the Joint~~  
2 ~~Legislative Budget Committee.~~

3 ~~7443. The 1999 Prison Construction Committee is~~  
4 ~~hereby created. The committee shall consist of the~~  
5 ~~Controller, the Treasurer, and the Director of Finance, or~~  
6 ~~their designated representatives. A majority may act for~~  
7 ~~the committee. The Treasurer shall chair the committee.~~  
8 ~~That committee shall be the "committee," as that term is~~  
9 ~~used in the State General Obligation Bond Law.~~

10 ~~When funds are appropriated to the Department of~~  
11 ~~Corrections, the Department of Corrections is the~~  
12 ~~"board" for the purpose of the State General Obligation~~  
13 ~~Bond Law and this chapter.~~

14 ~~7444.~~

15

16 *CHAPTER 17. STATE AND LOCAL YOUTH AND ADULT*  
17 *OFFENDER DRUG REHABILITATION BOND ACT OF 2000*

18

19 *Article 1. General Provisions*

20

21 *7440. This chapter shall be known and may be cited*  
22 *as the State and Local Youth and Adult Offender Drug*  
23 *Rehabilitation Bond Act of 2000.*

24 *7441. (a) It is the intent of the Legislature to provide*  
25 *funding for the capital construction of state and local*  
26 *facilities for the treatment, rehabilitation, and*  
27 *punishment of juvenile and adult offenders. Neither the*  
28 *counties nor the state have sufficient options for*  
29 *providing a continuum of care for juvenile and adult*  
30 *offenders that provides for all of the following:*

31 *(1) Swift, certain, and effective rehabilitative*  
32 *treatment and penalties for all offenders.*

33 *(2) Treatment of offenders whose criminality results*  
34 *from substance abuse or mental disorders.*

35 *(3) Community service for offenders at the local level*  
36 *when appropriate and allowed by law.*

37 *(4) Ensuring appropriate supervision in secure and*  
38 *nonsecure settings.*

39 *(5) Providing alternatives to commitment to state and*  
40 *local correctional facilities when allowed by law.*



1 (b) Public safety is a primary purpose of this chapter.  
2 By their overwhelming support for Proposition 184, the  
3 “Three Strikes Initiative,” at the November 8, 1994,  
4 general election, the people of the State of California  
5 have demanded that violent, serious, and repeat felons be  
6 incarcerated with longer sentences. The passage of  
7 Proposition 184 has adversely impacted the temporary  
8 and long-term capacity of local and state correctional  
9 facilities, creating a serious safety risk.

10 (c) Numerous state and county adult and juvenile  
11 facilities throughout California are dilapidated and  
12 overcrowded, and expansion of available bed capacity is  
13 critical. Capital improvements are necessary to protect  
14 the life and safety of persons confined or employed in  
15 these facilities, and to upgrade health and sanitary  
16 conditions to avoid threatened closures or the imposition  
17 of court-ordered sanctions.

18 7442. As used in this chapter, the following terms have  
19 the following meanings:

20 (a) “Committee” means the 2000 State and Local  
21 Youth and Adult Offender Drug Rehabilitation Bond  
22 Finance Committee created pursuant to Section 7446.

23 (b) “Fund” means the 2000 Local Youth Offender  
24 Drug Rehabilitation Bond Fund, the 2000 Local Adult  
25 Offender Drug Rehabilitation Bond Fund, or the 2000  
26 State Adult Offender Drug Rehabilitation Bond Fund, as  
27 created pursuant to Section 7443.

28

29 *Article 2. The State and Local Youth and Adult*  
30 *Offender Drug Rehabilitation Program*

31

32 7443. Of the proceeds of bonds issued and sold  
33 pursuant to this chapter, one billion nine hundred million  
34 dollars (\$1,900,000,000), shall be deposited in the 2000  
35 Local Adult Offender Drug Rehabilitation Bond Fund,  
36 which is hereby created, two hundred million dollars  
37 (\$200,000,000) shall be deposited in the 2000 Local Youth  
38 Offender Drug Rehabilitation Bond Fund, which is  
39 hereby created, and two billion dollars (\$2,000,000,000)



1 shall be deposited in the 2000 State Adult Offender Drug  
2 Rehabilitation Bond Fund, which is hereby created.

3 7444. (a) Moneys in the 2000 Local Adult Offender  
4 Drug Rehabilitation Bond Fund shall be used for the  
5 construction, renovation to increase or maintain capacity,  
6 remodeling, and replacement of local facilities for the  
7 treatment, rehabilitation, and punishment of adult  
8 offenders. Up to one and  $\frac{1}{2}$  percent of moneys in the  
9 fund may be used by the Board of Corrections for  
10 administration of this chapter.

11 (b) In order to be eligible to receive money for the  
12 purposes specified in this section, a county shall apply in  
13 the manner and form prescribed by the Board of  
14 Corrections.

15 (c) Allocation of funds shall be subject to future  
16 appropriation by the Legislature, and shall be made based  
17 on the following criteria:

18 (1) County matching funds of at least 25 percent shall  
19 be provided as determined by statute, except that this  
20 requirement may be modified or waived by statute  
21 where the Legislature determines that it is necessary to  
22 facilitate the expeditious and equitable construction of  
23 local correctional facilities. The greater the percentage of  
24 matching funds that a county provides, the higher  
25 priority the county shall be given for allocation of moneys.

26 (2) The county, or a group of counties acting together,  
27 have developed a plan that identifies the county  
28 continuum of care model for prevention, intervention,  
29 supervision, treatment, and incarceration of adult  
30 offenders. The plan shall identify how the county will  
31 maximize all funding sources, including local criminal  
32 justice, local social services, federal and state programs,  
33 and education, for providing appropriate services for  
34 adult offenders. The plan shall demonstrate that the  
35 county has utilized, to the greatest extent practicable,  
36 alternatives to jail incarceration. The plan also shall  
37 identify the capital needs for fully providing the services  
38 outlined in the county model.

39 (d) Counties that have begun to plan, construct, or  
40 renovate facilities after January 1, 1999, but prior to the



1 enactment of this chapter, shall remain eligible to receive  
2 state matching funds.

3 7445. (a) Moneys in the 2000 Local Youth Offender  
4 Drug Rehabilitation Bond Fund shall be used for the  
5 construction, renovation to increase or maintain capacity,  
6 remodeling, and replacement of local facilities for the  
7 treatment, rehabilitation, and punishment of juvenile  
8 offenders, and may be used for capital improvement,  
9 rehabilitation, or renovation performed by local juvenile  
10 community service work crews. Up to one and  $\frac{1}{2}$   
11 percent of moneys in the fund may be used by the Board  
12 of Corrections for administration of this title.

13 (b) In order to be eligible to receive money for the  
14 purposes specified in this section, a county shall apply in  
15 the manner and form prescribed by the Board of  
16 Corrections.

17 (c) Allocation of funds shall be subject to future  
18 appropriation by the Legislature, and shall be made based  
19 on the following criteria:

20 (1) County matching funds of at least 25 percent shall  
21 be provided as determined by statute, except that this  
22 requirement may be modified or waived by statute  
23 where the Legislature determines that it is necessary to  
24 facilitate the expeditious and equitable construction of  
25 local correctional facilities. The greater the percentage of  
26 matching funds that a county provides, the higher  
27 priority the county shall be given for allocation of moneys.

28 (2) The county, or a group of counties acting together,  
29 have developed a plan that identifies the county  
30 continuum of care model for prevention, intervention,  
31 supervision, treatment, and detention of juvenile  
32 offenders. The plan shall identify how the county will  
33 maximize all funding sources, including local criminal  
34 justice, local social services, federal and state programs,  
35 and education, for providing appropriate services for  
36 juvenile offenders. The plan shall demonstrate that the  
37 county has utilized, to the greatest extent practicable,  
38 alternatives to detention. The plan also shall identify the  
39 capital needs for fully providing the services outlined in  
40 the county model.



1 (d) Counties that have begun to plan, construct, or  
2 renovate facilities after January 1, 1999, but prior to the  
3 enactment of this chapter, shall remain eligible to receive  
4 state matching funds.

5 7446. The moneys in the State Adult Offender Drug  
6 Rehabilitation Bond Fund shall be used for the  
7 construction of the six state correctional facilities  
8 authorized pursuant to the act that enacted this chapter.  
9 In addition, moneys in the fund may be used to help  
10 mitigate capital costs of school districts and local  
11 governments impacted by those facilities, provided the  
12 cost of the mitigation does not exceed two million dollars  
13 (\$2,000,000) per school district or local government.  
14 Moneys deposited in the fund may also be used for the  
15 refinancing of interim debt incurred for any of the  
16 purposes specified in this section.

17 7447. (a) The Youth and Adult Offender Drug  
18 Rehabilitation Financing Authority is hereby created in  
19 the Board of Corrections. The composition of the  
20 authority shall be established by statute. The authority  
21 shall evaluate plans prepared pursuant to paragraph (2)  
22 of subdivision (c) of Section 7444 and paragraph (2) of  
23 subdivision (c) of Section 7445. Staff support to the  
24 authority shall be performed by existing staff for the  
25 Board of Corrections. In addition, the authority may  
26 allocate any state and federal juvenile justice grant funds  
27 that are appropriated to it by the Legislature.

28 (b) The Board of Corrections shall not be deemed a  
29 responsible agency, as defined in Section 21069 of the  
30 Public Resources Code, or otherwise be subject to the  
31 California Environmental Quality Act (Division 13  
32 (commencing with Section 21000) of the Public  
33 Resources Code) for any activities undertaken or funded  
34 pursuant to this title only as they relate to the allocation  
35 of funds to local government. This subdivision does not  
36 exempt any local agency from the requirements of the  
37 California Environmental Quality Act.

38 7448. Money in the funds may only be expended for  
39 projects specified in this chapter as allocated in  
40 appropriations made by the Legislature.



Article 3. Fiscal Provisions

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7449. Bonds in the total amount of four billion one hundred million dollars (\$4,100,000,000), exclusive of refunding bonds, or so much thereof as is necessary, may be issued and sold to provide funds to be used for carrying out the purposes expressed in this chapter to be used to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code. The bonds shall, when sold, be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both principal of, and interest on, the bonds as the principal and interest become due and payable.

7450. The bonds authorized by this chapter shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), and all of the provisions of that law apply to the bonds and to this title and are hereby incorporated in this chapter as though set forth in full in this chapter.

7451. (a) Solely for the purpose of authorizing, pursuant to the State General Obligation Bond Law, the issuance and sale of the bonds authorized by this chapter, the 2000 State and Local Youth and Adult Offender Drug Rehabilitation Bond Finance Committee is hereby created. For purposes of this chapter, the 2000 State and Local Youth and Adult Offender Drug Rehabilitation Bond Finance Committee is “the committee” as that term is used in the State General Obligation Bond Law. The committee consists of the Controller, the Treasurer, the Director of Finance, and the Chair of the Board of Corrections, and the Director of the Youth and Adult Correctional Agency. The Treasurer shall serve as chairperson of the committee. A majority of the committee may act for the committee.

(b) For purposes of the State General Obligation Bond Law, the 2000 State and Local Youth and Adult Offender



1 *Drug Rehabilitation Financing Authority in the Board of*  
2 *Corrections is designated “the board.”*

3 7452. *The committee shall determine whether or not*  
4 *it is necessary or desirable to issue bonds authorized*  
5 *pursuant to this chapter in order to carry out the actions*  
6 *specified in Article 2 (commencing with Section 7443)*  
7 *and, if so, the amount of bonds to be issued and sold.*  
8 *Successive issues of bonds may be authorized and sold to*  
9 *carry out those actions progressively, and it is not*  
10 *necessary that all of the bonds authorized to be issued be*  
11 *sold at any one time.*

12 7453. *There shall be collected each year and in the*  
13 *same manner and at the same time as other state revenue*  
14 *is collected, in addition to the ordinary revenues of the*  
15 *state, a sum in an amount required to pay the principal*  
16 *of, and interest on, the bonds each year, and it is the duty*  
17 *of all officers charged by law with any duty in regard to*  
18 *the collection of the revenue to do and perform each and*  
19 *every act which is necessary to collect that additional*  
20 *sum.*

21 7454. *All money deposited in the funds that is derived*  
22 *from premium and accrued interest on bonds sold shall*  
23 *be reserved in the fund and shall be available for transfer*  
24 *to the General Fund as a credit to expenditures for bond*  
25 *interest.*

26 7455. *The committee is hereby authorized and*  
27 *empowered to create a debt or debts, liability or*  
28 *liabilities, of the State of California, in the aggregate*  
29 *principal amount of \_\_\_\_\_ dollars (\$ \_\_\_\_\_) four*  
30 *billion one hundred million dollars (\$4,100,000,000),*  
31 *exclusive of refunding bonds, in the manner provided in*  
32 *this chapter. That debt or debts, liability or liabilities, shall*  
33 *be created for the purpose of providing the fund to be*  
34 *used for the object and work specified in Section 7446*  
35 *7455 and to be used to reimburse the General Obligation*  
36 *Bond Expense Revolving Fund pursuant to Section*  
37 *16724.5 of the Government Code.*

38 ~~7445. The committee may determine whether or not~~  
39 ~~it is necessary or desirable to issue any bonds authorized~~  
40 ~~under this chapter, and if so, the amount of bonds then to~~



1 ~~be issued and sold. The committee may authorize the~~  
2 ~~Treasurer to sell all or any part of the bonds herein~~  
3 ~~authorized at such time or times as may be fixed by the~~  
4 ~~Treasurer.~~

5 ~~7446. The moneys in the fund shall be used for the~~  
6 ~~construction of the six state correctional facilities~~  
7 ~~authorized pursuant to the act that enacted this chapter.~~  
8 ~~In addition, moneys in the fund may be used to help~~  
9 ~~mitigate capital costs of school districts and local~~  
10 ~~governments impacted by those facilities, provided the~~  
11 ~~cost of the mitigation does not exceed two million dollars~~  
12 ~~(\$2,000,000) per school district or local government.~~  
13 ~~Moneys deposited in the fund may also be used for the~~  
14 ~~refinancing of interim debt incurred for any of the~~  
15 ~~purposes specified in this section.~~

16 ~~7447. (a) All bonds herein authorized, which shall~~  
17 ~~have been duly sold and delivered as herein provided;~~  
18 ~~shall constitute valid and legally binding general~~  
19 ~~obligations of the State of California, and the full faith and~~  
20 ~~credit of the State of California is hereby pledged for the~~  
21 ~~punctual payment of both the principal thereof and~~  
22 ~~interest thereon.~~

23 ~~(b) There shall be collected annually in the same~~  
24 ~~manner and at the same time as other state revenue is~~  
25 ~~collected, that sum, in addition to the ordinary revenues~~  
26 ~~of the state, that is required to pay the principal of, and~~  
27 ~~interest on those bonds, and it is hereby made the duty of~~  
28 ~~all officers charged by law with any duty in regard to the~~  
29 ~~collection of that revenue to do and perform each and~~  
30 ~~every act which shall be necessary to collect that~~  
31 ~~additional sum.~~

32 ~~(c) All money deposited in the fund that has been~~  
33 ~~derived from premiums or accrued interest on bonds sold~~  
34 ~~shall be available for transfer to the General Fund as a~~  
35 ~~credit to expenditures for bond interest.~~

36 ~~(d) All money deposited in the fund pursuant to any~~  
37 ~~provision of law requiring repayments to the state that is~~  
38 ~~financed by the proceeds of the bonds authorized by this~~  
39 ~~chapter shall be available for transfer to the General~~  
40 ~~Fund. When transferred to the General Fund that money~~



1 ~~shall be applied as a reimbursement to the General Fund~~  
2 ~~on account of the principal of and interest on the bonds~~  
3 ~~which have been paid from the General Fund.~~

4 ~~7448.~~

5 7456. Notwithstanding Section 13340 of the  
6 Government Code, there is hereby appropriated from  
7 the General Fund in the State Treasury for the purpose  
8 of this chapter such an amount as will equal the following:

9 (a) That sum annually as will be necessary to pay the  
10 principal of and the interest on the bonds issued and sold  
11 pursuant to this chapter.

12 (b) That sum as is necessary to carry out the provisions  
13 of Section 7449, which sum is appropriated without  
14 regard to fiscal years.

15 ~~7449. For the purpose of carrying out this chapter, the~~  
16 ~~Director of Finance may authorize, by executive order,~~  
17 ~~the withdrawal from the General Fund of an amount or~~  
18 ~~amounts not to exceed the amount of the unsold bonds~~  
19 ~~which the committee has authorized, by resolution, to be~~  
20 ~~sold for the purpose of carrying out this chapter. Any~~  
21 ~~amounts withdrawn shall be deposited in the fund and~~  
22 ~~shall be disbursed by the committee in accordance with~~  
23 ~~this chapter. Any money made available under this~~  
24 ~~section to the board shall be returned by the board to the~~  
25 ~~General Fund from moneys received from the sale of~~  
26 ~~bonds sold for the purpose of carrying out this chapter.~~  
27 ~~Those withdrawals from the General Fund shall be~~  
28 ~~returned to the General Fund with interest at the rate~~  
29 ~~which would otherwise have been earned by those sums~~  
30 ~~in the Pooled Money Investment Account.~~

31 ~~7450.~~

32 *7457. For the purposes of carrying out this chapter,*  
33 *the Director of Finance may authorize the withdrawal*  
34 *from the General Fund of an amount or amounts not to*  
35 *exceed the amount of the unsold bonds which have been*  
36 *authorized by the committee to be sold for the purpose*  
37 *of carrying out this chapter. Any amounts withdrawn*  
38 *shall be deposited in the fund. Any money made available*  
39 *under this section shall be returned to the General Fund*



1 *from money received from the sale of bonds for the*  
2 *purpose of carrying out this chapter.*

3 7458. The board may request the Pooled Money  
4 Investment Board to make a loan from the Pooled Money  
5 Investment Account, in accordance with Section 16312 of  
6 the Government Code, for the purposes of carrying out  
7 the provisions of this chapter. The amount of the request  
8 shall not exceed the amount of the unsold bonds which  
9 the committee has authorized, by resolution, to be sold for  
10 the purpose of carrying out this chapter. The board shall  
11 execute any documents required by the Pooled Money  
12 Investment Board to obtain and repay the loan. Any  
13 amounts loaned shall be deposited in the fund to be  
14 allocated by the board in accordance with this chapter.

15 ~~7451.~~

16 7459. Any bonds issued and sold pursuant to this  
17 chapter may be refunded by the issuance of refunding  
18 bonds in accordance with Article 6 (commencing with  
19 Section 16780) of Chapter 4 of Part 3 of Division 4 of Title  
20 2 of the Government Code. Approval by the electors of  
21 the state for the issuance of bonds shall include the  
22 approval of the issuance of any bonds issued to refund any  
23 bonds originally issued or any previously issued refunding  
24 bonds.

25 ~~7452.~~

26 7460. All proceeds from the sale of bonds, except those  
27 derived from premiums and accrued interest, shall be  
28 available for the purposes provided in Section ~~7446~~ 7455,  
29 but shall not be available for transfer to the General Fund  
30 to pay the principal of, and interest on, bonds. The money  
31 in the fund may be expended only as herein provided.

32 Notwithstanding any provision of this chapter or the  
33 State General Obligation Bond Law set forth in Chapter  
34 4 (commencing with Section 16720) of Part 3 of Division  
35 4 of Title 2 of the Government Code, if the Treasurer sells  
36 bonds pursuant to this chapter that include a bond  
37 counsel opinion to the effect that the interest on the  
38 bonds is excluded from gross income for federal tax  
39 purposes under designated conditions, the Treasurer may  
40 maintain separate accounts for the bond proceeds



1 invested and the investment earnings on those proceeds,  
2 and may use or direct the use of those proceeds or  
3 earnings to pay any rebate, penalty, or other payment  
4 required under federal law, or to take any other action  
5 with respect to the investment and the use of those bond  
6 proceeds, as may be required or desirable under federal  
7 law in order to maintain the tax-exempt status of those  
8 bonds and to obtain any other advantage under federal  
9 law on behalf of the funds of this state.

10 ~~7453.~~

11 ~~7461.~~ Money in the fund may be expended only  
12 pursuant to appropriations by the Legislature. The  
13 Department of Corrections, annually on or before  
14 January 10, shall submit its five-year facility master plan  
15 to the Legislature. The plan shall include a program of  
16 proposed expenditures from the 1999 Prison  
17 Construction Fund.

18 ~~7454.~~

19 ~~7462.~~ *The bonds may be refunded in accordance with*  
20 *Article 6 (commencing with Section 16780) of the State*  
21 *Obligation Bond Law.*

22 ~~7463.~~ The Legislature hereby finds and declares that,  
23 inasmuch as the proceeds from the sale of bonds  
24 authorized by this chapter are not “proceeds of taxes” as  
25 that term is used in Article XIII B of the California  
26 Constitution, the disbursement of these proceeds is not  
27 subject to the limitations imposed by that article.

28 ~~SEC. 3.~~ ~~The amount of the General Obligation Bond~~  
29 ~~authorized pursuant to Section 2 of this act, although~~  
30 ~~unspecified, shall be consistent with the amounts~~  
31 ~~necessary to construct the six prisons authorized pursuant~~  
32 ~~to Section 1 of this act.~~

33 ~~SEC. 4.~~

34 ~~SEC. 3.~~ Section 2 of this act shall become effective  
35 upon the approval by the voters, at the March 7, 2000,  
36 statewide primary election, of the ~~New Prison~~  
37 ~~Construction Bond Act of 1999 State and Local Youth and~~  
38 ~~Adult Offender Drug Rehabilitation Bond Act of 2000,~~ as  
39 set forth in Section 2 of this act.

40 ~~SEC. 5.~~



1 SEC. 4. Section 2 of this act shall be submitted to the  
2 voters at the March 7, 2000, statewide primary election in  
3 accordance with provisions of the Government Code and  
4 the Elections Code governing submission of statewide  
5 measures to the voters.

6 ~~SEC. 6.~~

7 SEC. 5. (a) Notwithstanding any other provision of  
8 law, all ballots of the March 7, 2000, statewide primary  
9 election shall have printed thereon and in a square  
10 thereof, exclusively the words: ~~“New Prison Construction~~  
11 ~~Bond Act of 1999,”~~ “*State and Local Youth and Adult*  
12 *Offender Drug Rehabilitation Bond Act of 2000*” and in  
13 the same square under those words, the following in  
14 8-point type: “This act provides for ~~a bond issue of~~  
15 ~~\_\_\_\_\_ dollars (\$\_\_\_\_\_)~~ to provide funds to relieve  
16 ~~overcrowding in the state’s prisons through new~~  
17 ~~construction~~ a bond issue of four billion one hundred  
18 million dollars (\$4,100,000,000) to provide funds to  
19 construct, renovate, remodel, or replace state and local  
20 correctional facilities.” Opposite the square, there shall  
21 be left spaces in which voters may place a cross in the  
22 manner required by law to indicate whether they vote for  
23 or against the act.

24 (b) Where voting in the election is done by means of  
25 voting machines used pursuant to law in a manner that  
26 carries out the intent of this section, the use of the voting  
27 machines and the expression of the voters’ choice by  
28 means thereof are in compliance with this section.

29 SEC. 6. *Notwithstanding Sections 9040, 9043, 9044,*  
30 *9061, and 9094 of the Elections Code, or any other*  
31 *provision of law, the Secretary of State shall submit*  
32 *Section 2 of this act to the voters at the March 7, 2000,*  
33 *statewide primary election in accordance with provisions*  
34 *of the Government Code and the Elections Code*  
35 *governing the submission of statewide measures to the*  
36 *voters.*

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