

**ASSEMBLY BILL**

**No. 1**

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**Introduced by Assembly Member Berg**  
(Principal coauthor: Senator Chesbro)

December 2, 2002

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An act to add Section 9400.5 to the Welfare and Institutions Code, relating to aging, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1, as introduced, Berg. Area agencies on aging: funding.

Existing law designates area agencies on aging as local units on aging in California, which are financially supported by a variety of sources, including federal funding, state and local government assistance, the private sector, and individual contributions.

This bill would continuously appropriate from the Federal Trust Fund to the department, in the absence of enactment of the annual Budget Act by July 1 of a fiscal year, the amount of federal funds contained in the Federal Trust Fund that is necessary for the administration of programs under the jurisdiction of the area agencies on aging, pending enactment of the Budget Act.

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

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

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

1 SECTION 1. Section 9400.5 is added to the Welfare and  
 2 Institutions Code, to read:  
 3 9400.5. (a) Notwithstanding Section 13340 of the  
 4 Government Code, in any fiscal year in which the Budget Act is  
 5 not enacted by July 1 of that fiscal year, there is hereby  
 6 continuously appropriated from the Federal Trust Fund to the  
 7 department the amount of federal funds contained in the Federal  
 8 Trust Fund that is necessary to pay area agencies on aging for the  
 9 administration of programs under their jurisdiction. The  
 10 Department of Finance may, upon enactment of the Budget Act  
 11 and in the absence of this action being taken by the Legislature or  
 12 the Governor in that Budget Act, reduce the applicable Budget Act  
 13 allocations by the amount of any payments pursuant to this  
 14 subdivision.

15 (b) If payments are made to area agencies on aging pursuant to  
 16 this section, the first payment shall be made on July 15, with  
 17 payments to be made on the 15th of each month thereafter, until  
 18 enactment of the annual Budget Act.

19 SEC. 2. This act is an urgency statute necessary for the  
 20 immediate preservation of the public peace, health, or safety  
 21 within the meaning of Article IV of the Constitution and shall go  
 22 into immediate effect. The facts constituting the necessity are:  
 23 In order to ensure that area agencies on aging will be able to  
 24 prevent interruptions in important services provided to elderly  
 25 persons if the Budget Act of 2003 is not enacted in a timely  
 26 manner, it is necessary that this act take effect immediately.

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